

Chula Vista Bayfront Sweetwater Pedestrian and Bicycle Path Project
CEQA Consistency Analysis – December 2018

Under the Chula Vista Bayfront Master Plan (CVBMP), a pedestrian and bicycle pathway and pedestrian bridge were proposed to provide a safe route for pedestrians to walk and transition from the Sweetwater District, including Parcels S-1, SP-3, and S-2 and to the Shoreline Promenade and Signature Park located on Parcels HP-1, HP-3 and H-1A in the Harbor District. The Class I Bike Path would provide a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross-flow minimized. The pedestrian pathway and bridge (proposed project) were analyzed under the CVBMP FEIR (FEIR). In order to provide complete coverage and consistency with the FEIR, this Consistency Analysis matrix was prepared to identify the relevant mitigation measures from the FEIR, and to determine if the proposed project would result in any new impacts or exacerbate any previously identified impacts or require any new or significantly different mitigation measures (see CEQA Guidelines 15162 and 15163). It should be noted that all relevant mitigation measures will also be special conditions of the Coastal Development Permit (CDP) and hence, will be fully enforceable. This Consistency Analysis is organized by environmental issue topic and issue thresholds under the California Environmental Quality Act (CEQA). No additional mitigation measures (MMs) were found to be required or necessary and there were no additional or exacerbated impacts as a result of the proposed project. Therefore, the proposed project is adequately covered by the FEIR under CEQA, and no additional CEQA documentation is required.

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination Consistent with Mitigation Incorporated
3.1 Aesthetics	Have a substantial adverse effect on a scenic vista?	The CVBMP would affect two regionally important public viewing scenes: the view of the western tideland/water's edge from the Sweetwater Marsh NWR, and background views of the Bay from the Silver Strand. The CVBMP also alters views of the San Diego Bay, a locally and regionally significant public resource, from within the project boundary. Although the CVBMP will affect the viewing scene, it will not result in the actual removal of any visual resources currently contributing to the quality of the viewing scene. The overall project would result in a moderate cumulative impact to view quality, which would be considered significant under CEQA guidelines (Significant Impact 4.4-3).	4.4-1.D Streetscape landscaping shall be designed to enhance the visitor experience for both pedestrians and those in vehicles. Street landscaping design shall be coordinated with a qualified biologist or landscape architect to ensure that proposed trees and other landscaping are appropriate for the given location. Landscaping shall be drought tolerant or low-water use, and invasive plant species shall be prohibited.	The proposed Sweetwater Bicycle Path and Promenade consists of a 4,500-foot Class I bike path and a 6,000-foot pedestrian promenade in the City of Chula Vista's and Port's jurisdictions. The proposed promenade consists of a 16' to 22' wide multi-use path for bikes, pedestrians, and electric carts as analyzed in Chula Vista Bayfront Master Plan (CVBMP) Final Environmental Impact Report (FEIR) (UPD #83356-EIR-E58; SCH #2005081077; Clerk Document No. 56562) and a Second Addendum to the Final EIR (Clerk Document No. 68404) that found certified Port Master Plan Amendment (PMPA) #6-PSD-MAJ-41-11, as revised and certified by the California Coastal Commission in August 2012, with the incorporation of the CVBMP Development Policies (Clerk Document No. 59407) and CVBMP Public Access Plan (PAP) (Clerk Document No. 59408), were consistent with the Final EIR prepared for the CVBMP. This promenade requires a single span, steel truss pedestrian bridge over the F&G Street Marsh inlet. The bridge elevation is intended to be set at approximately 15' North American Vertical Datum (NAVD) to allow for viewing opportunities to the shoreline just west of the new bridge and to allow for protection from storm surges associated with changing climate and sea level rise. Deepened concrete abutments will be placed approximately 15' back from the current top of channel to allow for channel grading and improvements and to reduce impacts on the channel itself. The proposed bridge and landscaping would change the existing views of the western tidelands. However, it would not result in the actual removal of any visual resources currently contributing to the quality of the viewing scene. FEIR Mitigation Measure (MM) 4.4-1.D would reduce any potential cumulative impacts resulting from the proposed project by ensuring that landscaping in proximity to the future E Street extension be designed to enhance the visitor experience for both pedestrians and those in vehicles, be designed in coordination with a qualified biologist or landscape architect to ensure that proposed trees and other landscaping are appropriate for the given location, and that landscaping be drought tolerant or low-water use, and invasive plant species shall be prohibited. As such, compared to the FEIR, the severity of impact would not increase, and the proposed project would not result in any	

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				new impact other than those previously identified in the FEIR. Therefore, the proposed project would be consistent with the FEIR.	
	<i>Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?</i>	As discussed in the FEIR, there are no state scenic highways, historic buildings, rock outcroppings, trees or other scenic resources near the project site as identified by the California State Highway Mapping System (Caltrans 2011); thus, the Project would not affect these resources. Visual simulations were conducted on the FEIR, which determined that the project would have a less than significant impact on public view corridors and would likely widen the H Street corridor due to decreased obstructions.	N/A	Consistent with the FEIR's analysis, the proposed project would not damage Port Master Plan (PMP)-designated scenic resources, and no new or different scenic resources impacts would occur. Therefore, the proposed project would be consistent with the FEIR.	Consistent
	<i>Would the project substantially degrade the existing visual character or quality of the site and its surroundings?</i>	As discussed in the FEIR, portions of the CVBMP site as it exists today are described with low and high visual quality due to existing industrial uses and general discontinuity of features. The CVBMP design elements (architecture, site planning, landscape architecture, signage and other circulation elements) will be coordinated so as to result in an organized visual effect. The varied nature of the existing buildings would interface well with new architectural treatments and themes. Architectural compatibility would be ensured through the design review process. In addition, removal of power lines (a separate project), industrial buildings, and storage yards would improve the visual character throughout the project site. The CVBMP would result in a low cumulative impact to visual quality, which would be considered less than significant under CEQA guidelines. The CVBMP is expected to result in a potential improvement to the existing visual quality of the project site.	See MM 4.4-1.D. above.	Consistent with the FEIR's analysis, The proposed project would not degrade the visual quality of the site any further. In fact, the proposed elements have the potential to improve the overall visual quality by incorporating additional public viewpoints of the surrounding tidal flats and Sweetwater Marsh. The proposed project would not result in the removal of any significant visual resources such as beaches, parks, water bodies, or significant landmark trees, nor will the project alter the visual resources such as the wetlands to the north and south of the project site. MM 4.4-1.D would still be applied to the proposed project to ensure that landscaping in proximity to the future E Street extension be designed to enhance the visitor experience for both pedestrians and those in vehicles, be designed in coordination with a qualified biologist or landscape architect to ensure that proposed trees and other landscaping are appropriate for the given location, and that landscaping be drought tolerant or low-water use, and invasive plant species shall be prohibited. The severity of impact would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR. Therefore, the proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated
	<i>Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</i>	As discussed in the FEIR, the CVBMP would likely use significant amounts of artificial light during the evening and nighttime hours. The CVBMP may have a negative impact on sensitive light receptors or sensitive receptors potentially affected by high levels of glare. A moderate impact to views associated with light and glare would be expected and the moderate impact would be considered significant (Impact 4.4-6).	N/A	No lighting is proposed in association with the bridge and no nighttime work is proposed. No mitigation would be required in relation to light or glare. The severity of impact would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR. Therefore, the proposed project would be consistent with the FEIR.	Consistent
	<i>Would the proposed project conflict with urban visual design guidelines in adopted plans and policies?</i>	As discussed in the FEIR, any degradation of visual character and quality resulting from the CVBMP would most likely occur in the surrounding properties, either to the adjacent Sweetwater Marsh NWR and Chula Vista Nature Center, or the residences across the Bay. However, the level of degradation of the visual character and quality at these two locations would be considered a significant impact. As there is no existing single or dominant architectural theme or architectural guidelines with which the Proposed Project would	N/A	The proposed project would be consistent with approved urban design guidelines and development standards including the goals and policies contained in the PMP, City of Chula Vista General Plan and Local Coastal Program (LCP), for the following reasons: • Bikeways and pathways would be provided to create a pedestrian-oriented Bayfront. • Physical access to the Bay would be provided at appropriate locations and frequent and convenient "windows to the water" from locations around the periphery of the project would be provided. • The pedestrian path would connect to the Signature Park, and the pathway system within the Sweetwater District, ultimately linking the two	Consistent

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		be inconsistent, no impact to visual character associated with existing architectural style will result from the CVBMP. Development proposed in all phases of the CVBMP would be required to undergo design review by the Port to ensure conformance with the planning goals and policies contained in the PMP, including provisions for building design, landscaping, and public art.		districts and enabling viewers to experience visual contact at close range with the Bay and marshlands. The Proposed Project would be required to undergo a design review process (which includes architectural, site plan, landscape, and signage design), prior to the issuance of building permits, to ensure compliance with objectives and specific requirements of the City's Design Manual, General Plan, and appropriate zone or Area Development Plan. As such, no mitigation would be required in relation to urban visual design guidelines. The severity of impact would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR. Therefore, the proposed project would be consistent with the FEIR.	
3.2 Agriculture	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? a) Conflict with existing zoning for agricultural use, or a Williamson Act contract? b) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? c) Result in the loss of forest land or conversion of forest land to non-forest use? d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	As outlined in the FEIR, the CVBMP area does not contain any Prime agricultural land; no mitigation measures would be required for the development of the CVBMP.	N/A	The Project site is not located in an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (DOC 2012a), nor is the site utilized for agricultural purposes. As such, no new or different farmland impacts would occur other than those previously identified in the FEIR. No further analysis is required; the proposed project would be consistent with the FEIR.	Consistent
			N/A	The Project site is not zoned for agricultural use or within a designated Williamson Act contract (DOC 2012b) and instead is zoned for Business Park and Industrial use. As such, no new or different farmland impacts would occur other than those previously identified in the FEIR. No further analysis is required; the proposed project would be consistent with the FEIR.	Consistent
			N/A	The project site is not zoned for forest land, timberland, or within a designated Timberland Production area and is instead zoned for Business Park and Industrial use. As such, no new or different forest land or timberland impacts would occur other than those previously identified in the FEIR. No further analysis is required; the proposed project would be consistent with the FEIR.	Consistent
			N/A	The project site is not zoned or used for forest land and as such, project implementation would not convert forest land to non-forest use. As such, no new or different forest land impacts would occur other than those previously identified in the FEIR. No further analysis is required; the proposed project would be consistent with the FEIR.	Consistent
			N/A	Neither the Project site nor surrounding land uses are located in an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (DOC 2012a), and nor is the site utilized for agricultural purposes. As such, no new or different farmland impacts would occur other than those previously identified in the FEIR. No further analysis is required; the proposed project would be consistent with the FEIR.	Consistent

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3.3 Air Quality	Would the Proposed Project conflict with or obstruct implementation of the applicable air quality plan (e.g., RAQS)?	The FEIR used the significance thresholds set forth by the South Coast Air Quality Management District (SCAQMD) in their CEQA Air Quality Handbook. The San Diego Air Pollution Control District (APCD) prepared the Regional Air Quality Strategy (RAQS) which include Transportation Control Measures (TCMs), with the goal to accomplish attainment of state and federal ambient air quality standards. As stated in the FEIR, while implementation of the CVBMP would meet several of the criteria set by the TCM plan, it would not conform to the planning assumptions that were used to generate the forecast of the region's ability to achieve the National Ambient Air Quality Standards (NAAQS). The main source of emissions associated with the CVBMP would be from vehicles. Given that the amount of traffic and associated vehicular emissions assumed in the Chula Vista General Plan Update are higher than the current CVB traffic and emissions, the CVBMP would not be inconsistent with either the General Plan that served as the basis of the RAQS or with the growth assumptions in the RAQS and, therefore, would not result in a significant impact.	N/A	The proposed project includes the construction of a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. Construction activities would likely occur over a four-month period. The proposed project also meets the TCM criteria, along with providing bicycle and pedestrian facilities. With implementation of the proposed project, emissions from area sources and energy use would be consistent with the uses proposed in the General Plan and PMP. Given that the amount of traffic and associated vehicular emissions assumed in the Chula Vista General Plan Update are higher than the current Proposed Project traffic and emissions, the proposed project would be consistent with the General Plan and is also consistent with the PMP, both of which serve as the basis of the RAQS or with the growth assumptions in the RAQS and, therefore, would not result in a significant impact. As such, consistent with the FEIR analysis, the proposed project would not be inconsistent with either the General Plan or the growth assumptions in the RAQS. Therefore, the severity of the significant impacts would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated
	Would the Proposed Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	The project does not propose a use that would represent a major source of air pollution. As noted above, the region is not in compliance with the standards for criteria pollutants for (state and federal) ozone, (state) PM10 and (state) PM2.5. Contributions to these pollutants are analyzed in accordance with Significance Criterion No. 3 below. Unmitigated PM10 and PM2.5 emissions are projected to exceed the standard during mass grading operations for each project phase. Construction emissions are projected to exceed the standards for NOx and reactive organic gases during some years of construction but not during others. These impacts would be potentially significant (Impact 4.6-1).	MM-4.6-1: Port/City: Prior to the commencement of any grading activities, 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 SCAQMD CEQA Air Quality Handbook, and from SCAQMD Rule 403): Best Available Control Measures for Specific Construction Activities - Backfilling activities: - Stabilize backfill material when not actively handling - Stabilize backfill material during handling - Stabilize soil at completion of backfilling activity. - Clearing and grubbing activities: - Maintain stability of soil through pre-watering of site prior to clearing and grubbing - Stabilize soil during clearing and grubbing activities - Stabilize soil immediately after clearing and grubbing activities. - Clearing forms: - Use water spray to clear forms - Use sweeping and water spray to clear forms - Use vacuum system to clear forms. - Crushing activities: - Stabilize surface soils prior to operation of support equipment - Stabilize material after crushing. - Cut and fill activities: - Pre-water soils prior to cut and fill activities - Stabilize soil during and after cut and fill activities. - Demolition activities – mechanical/manual: - Stabilize wind erodible surfaces to reduce dust - Stabilize surface soil where support equipment and vehicles will operate - Stabilize loose soil and demolition debris. - Disturbed soil: - Stabilize disturbed soil throughout the construction site	As stated in the FEIR, the CVBMP does not include uses that would represent a major source of air pollution. Construction of the proposed project would contribute to the pollutants projected to exceed the standard during mass grading operations for Phase 1 of project construction. Therefore, the implementation of MM 4.6-1 would adequately mitigate potentially significant construction impacts related to the proposed project. As such, the proposed project would not exacerbate or result in any new impact related to the cumulatively considerable increase in criteria pollutants. The proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated

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			ii. Stabilize disturbed soil between structures. h. Earth-moving activities: i. Pre-apply water to depth of proposed cuts ii. Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction iii. Stabilize soils once earth-moving activities are complete. i. Importing/exporting of bulk materials: i. Stabilize material while loading to reduce fugitive dust emissions ii. Stabilize material while transporting to reduce fugitive dust emissions iii. Stabilize material while unloading to reduce fugitive dust emissions iv. Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling v. Comply with Vehicle Code Section 23114. j. Landscaping activities: i. Stabilize soils, materials, slopes k. Road shoulder maintenance: i. Apply water to unpaved shoulders prior to clearing ii. Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance. l. Screening activities: i. Pre-water material prior to screening ii. Limit fugitive dust emissions to opacity and plume length standards iii. Stabilize material immediately after screening. m. Staging areas: i. Stabilize staging areas during use ii. Stabilize staging area soils at project completion. n. Stockpiles/bulk material handling: i. Stabilize stockpiled materials by covering/watering ii. Stockpiles within 100 yards of off-site occupied buildings must not be greater than 8 feet in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage. o. Traffic areas for construction activities: i. Stabilize all off-road traffic and parking areas ii. Stabilize all haul routes iii. Direct construction traffic over established haul routes. p. Trenching activities: i. Stabilize surface soils where trencher or excavator and support equipment will operate ii. Stabilize soils at the completion of trenching activities. q. Truck loading activities: i. Pre-water material prior to loading ii. Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling. r. Turf overseeding activities: i. Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards ii. Cover haul vehicles prior to exiting the site. s. Unpaved roads/parking lots: i. Stabilize soils to meet the applicable performance standards ii. Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots. t. Vacant land: i. In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 square feet or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees, or other effective control measures. Other General Best Available Control Measures: U. Minimize idling time V. Maintain properly tuned equipment W. Regular maintenance—keep equipment well maintained		

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			x. Where practicable, use low pollutant-emitting equipment y. Use of ultra-low-sulfur diesel fuel z. Use construction equipment that is CARB-certified or that meets Tier 3 emissions or better, if available aa. Use alternative diesel formulations (e.g., aqueous diesel), if available bb. Where practicable, use catalytic reduction for gasoline-powered equipment cc. Use injection timing retard for diesel-powered equipment dd. Apply chemical stabilizer or pave the last 100 feet of internal travel path within the construction site prior to public road entry ee. Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads ff. Remove any visible track-out into traveled public streets within 30 minutes of occurrence gg. Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred hh. Provide sufficient perimeter erosion control to prevent washout of silt material onto public roads ii. Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour jj. Enforce a 15 mile-per-hour speed limit on unpaved surfaces kk. 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. ll. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the City or Port to reduce dust generation. mm. Electrical construction equipment shall be used to the extent feasible. nn. Low-VOC coatings will be used during application of architectural coatings. Coatings must meet the VOC content limitations set forth in APCD Rule 67.0. With addition of controls assumed during construction, emissions of reactive organic gases during application of architectural coatings and of PM10 and PM2.5 during site grading activities would be reduced for each development phase during construction. Tables 4.6-34 through 4.6-40 (See FER for tables) present emissions with application of mitigation measures. Changes in significance after mitigation are indicated in the tables. Although these measures will reduce air quality impacts of the Proposed Project, they would not bring construction emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, air quality impacts remain significant and unmitigated. MM 4.6-2: The following mitigation measure would be required to mitigate Significant Impact 4.6-2 regarding emissions that are above the significance thresholds and have the potential to contribute to a violation of an air quality standard that would result during operation of Phase I of the Proposed Project. City: A. For development within the City's jurisdiction, applicants shall submit an AQIP with any Tentative Maps submitted to the City in accordance with Municipal Code Section 19.09.0508, and the applicant shall demonstrate that air quality control measures outlined in the AQIP pertaining to the design, construction, and operational phases of the project have been implemented to the satisfaction of the Director of Planning and Building for the City. This plan shall demonstrate "the best available design to reduce vehicle trips, maintain or improve traffic flow, and reduce vehicle miles traveled." There are two options to meet the AQIP requirement. The applicant shall evaluate the project in accordance with the computer modeling procedures outlined in the City's AQIP Guidelines, including any necessary site plan modifications. Port/City: B. Prior to the issuance of building permits, the applicant shall demonstrate that the Proposed Project complies 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 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		

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	<i>Would the Proposed Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard? (In the SDAB, the project region is in non-attainment for the federal or state standards for O₃, PM₁₀, and PM_{2.5}.)?</i>	Construction includes grading the site, paving the roads, and building the buildings, along with the associated worker trips and equipment use. Operations include vehicle trips related to proposed uses, and area emission includes natural gas use, landscaping activities, and architectural coatings. Unmitigated PM₁₀ and PM_{2.5} emissions are projected to exceed the standard during mass grading operations for each project phase. Construction emissions are projected to exceed the standards for NO_x and reactive organic gases during some years of construction but not during others. These impacts would be potentially significant (Impact 4.6-1). Emissions projected for all development phases are anticipated to exceed the standard for each criteria pollutant except SO₂.	Although these measures will reduce air quality impacts of the Proposed Project, they would not bring area and operations emissions to a level below the standard established by the SCAQMD and used in this document by the City and Port. Therefore, air quality impacts remain significant and unmitigated. See MM 4.6-1 above.	Construction activities would likely occur over a four-month period, and operational activities would provide incentives to eliminate off-site vehicle trips and encourage pedestrian use. In the process of installing the bridge, a small amount of grading would occur to support the bridge as well as a designated area for a future water quality basin required in support of the future roadway improvements. Therefore, the implementation of MM 4.6-1 would adequately mitigate potentially significant construction impacts related to the proposed project. As such, the proposed project would not exacerbate or result in any new impact related to the cumulatively considerable increase in criteria pollutants. The proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated
	<i>Would the Proposed Project expose sensitive receptors to substantial pollutant concentrations?</i>	The CVBMP does not propose a use that would generate substantial pollutant concentrations at a location within or adjacent to the CVBMP. However, sensitive receptors would be exposed to pollutant concentrations in excess of the CAAQS and NAAQS due to regional air pollutant concentrations, to which the CVBMP contributes. Once Phase I project-level development has concluded, additional sensitive receptors will be located on site as the residential uses would be completed. Construction of Phase I program-level components, therefore, would have the potential to affect these additional receptors. Because construction emissions during Phase I would exceed the significance thresholds for ROG, NO_x, CO, PM₁₀, and PM_{2.5}, impacts to sensitive receptors during construction would be significant but temporary (Impact 4.6-6).	N/A	Construction of the proposed project would not have the potential to affect the future receptors once Phase I project-level development has commenced, as there are no sensitive receptors in the project vicinity. As such, the proposed project would not exacerbate or result in any new impact related to substantial pollutant concentrations; the proposed project would be consistent with the FEIR.	Consistent.
	<i>Would the Proposed Project locate housing within 1,000 feet of a plant or any other toxic air emitting facility, for which a significant health risk assessment has not been conducted?</i>	There are two major sources of pollution within the Bayfront Proposed Project area: Rohr Industries/Goodrich and SBPP. However, because proposed residential uses for the Proposed Project are further than 1,000 feet from the existing Goodrich facility, there would not be a significant effect caused by permitting sensitive receivers within 1,000 feet of a toxic emitter. Because there are no residential receivers proposed within 1,000 feet of the existing Goodrich facility, no significant air quality impacts would occur.	N/A	As stated in the FEIR, there are one major sources of pollution within the CVBMP area, the Rohr Industries/Goodrich. The South Bay Power Plant was decommissioned in 2010, and demolition in summer of 2012. The proposed project is not within 1,000 feet of either of these present and past pollution sources. Additionally, the project does not propose any housing. Therefore, no new or exacerbated impact would occur, and the proposed project would be consistent with the FEIR.	Consistent

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	<i>Would the Proposed Project create objectionable odors affecting substantial number of people?</i>	The Types of uses proposed would not generate objectionable odors. Objectionable odors are possible from construction emissions, but they would be temporary and would dissipate quickly and, therefore, would not affect substantial numbers of people. Similarly, the proposed project has the potential to produce odors during construction, however, there would not be a substantial number of people in the vicinity to be impacted, and odors would be temporary. Therefore, no new or exacerbated impact would occur related to odors, and the proposed project would be consistent with the FEIR.	N/A	As stated in the FEIR, odors are possible from construction emissions, but they would be temporary and would dissipate quickly and, therefore, would not affect substantial numbers of people. Impacts would not be significant. Similarly, the proposed project has the potential to produce odors during construction, however, there would not be a substantial number of people in the vicinity to be impacted, and odors would be temporary. Therefore, no new or exacerbated impact would occur related to odors, and the proposed project would be consistent with the FEIR.	Consistent
	<i>Conflict with or obstruct goals of California Global Warming Solutions Act?</i>	The CVBMP would not be considered to contribute substantially to a cumulatively significant global climate change impact because the implementation of PDFs required as conditions of approval would result in a reduction in GHG emissions from "business as usual" by at least 20 percent. Therefore, Phase I of the Proposed Project would not result in a significant global climate change impact because it would not conflict with or obstruct the State of California's ability to achieve the goals and strategies of AB 32 or related Executive Orders. Furthermore, for the same reasons, Phase I of the CVBMP would not be considered to contribute to a cumulatively significant global climate change impact because it would not contribute to a conflict with or obstruction of the goals or strategies of AB 32 or related Executive Orders. The CVBMP does not impede or conflict with any of the reduction goals, policies or action measures outlined in the City's CO2 Reduction Plan. Instead, the CVBMP will help to achieve the City's CO2 reduction goals through incorporation of various project design features consistent with the City's preferred action measures. However, New, more effective design features may become available prior to the initiation of the program phases, and these would be required of the project and would be identified in subsequent environmental analyses (Impact 4.6-7).	N/A	The proposed project would not be considered to contribute to a cumulatively significant global climate change impact because it would not contribute to a conflict with or obstruction of the goals or strategies of AB 32 or related Executive Orders. Therefore, no mitigation would be required. As such, the proposed project would not result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	Consistent
3.4 Biological Resources	<i>Would the Proposed Project have a significant impact if it has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFG or USFWS?</i>	Construction activity within the mouth of the marsh within the Sweetwater and Harbor Districts would potentially impact clapper rails directly if circumstances prevented the birds from escaping back to the protected marsh habitat during construction. Therefore, impacts to the inlet would reduce the amount of available foraging habitat and could directly impact the light-footed clapper rail. MM 4.8-1 would reduce direct impacts to nesting raptors and MM 4.8-2 would reduce potential impacts to the western burrowing owl below levels of significance. For Project and Program-Level analysis alike, there is the potential for raptors to nest on site during the nesting season of January 15 to July 31 within all districts, during all phases of construction. Direct impacts to nesting raptors due	MM BIO-1 (In accordance with CVBMP MM 4.8-10, 4.8-12, 4.8-14, 4.8-21, and Development Policy 2.5): Mitigation of impacts to regionally and local sensitive habitats within the proposed project site includes compensatory mitigation of Diegan coastal sage scrub habitat at increased area-based ratios (Table 3). The mitigation ratios presented in Table 3 are defined by the controlling documents for the CVBMP but subject to review by the resource and regulatory agencies and mitigation needs are to be determined by ratio based scaling from the actual project impacts based on final design and engineering. Mitigation for impacts are proposed to occur via establishment of maritime succulent scrub to compensate for impacts to Diegan coastal sage scrub (all forms). Mitigation would require preparation of a conceptual compensatory mitigation and monitoring plan (also referred to as a restoration plan in the FEIR). MM BIO-2 (In accordance with CVBMP MM 4.8-6): During construction, impacts to regionally sensitive habitats adjacent to the project limit of work may occur if not effectively controlled through project design and construction monitoring and management actions. To mitigate impacts to adjacent habitats, the following construction-period impact control measures are recommended: A) Lighting: Construction lighting will be controlled to minimize Wildlife Habitat Area impacts.	The proposed project would result in construction of a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. Because of the proximity of the proposed project to the F & G Street Marsh and the Sweetwater Marsh NWR, there is the potential for impact to special-status bird species, including California least tern, light-footed clapper rail, and western snowy plover. The proposed project would also have the potential to directly impact nesting raptors, active nests, and MSCP-covered species during construction. Consistent with the FEIR, MM 4.8-1 , MM 4.8-3 , MM 4.8-4 , and MM 4.8-5 would be implemented to reduce potential direct impacts. A Biological Impact Analysis Report was prepared by Merkel and Associates in November 2018, the <i>Sweetwater Park – Urban Greening Grant Project: Biological Impact Analysis Report</i> . Four special status species were identified within the Biological Survey Area (BSA); those species include: California box thorn (<i>Lycium californicum</i>), Estuary seablite (<i>Suaeda esteroal</i>), Woolly sea-	Consistent with Mitigation Incorporated

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
		to the removal of an active nest would be significant. The potential loss of western burrowing owls and/or their nests would be a significant impact. There is the potential for a number of birds protected by the MBTA to nest within the open space and trees in the Port's and City's jurisdiction. Destruction or removal of active nests during the breeding season could occur during construction or grading activities, and would be significant impacts and require mitigation (MM 4.8-3). Increased predation on special-status bird species as a result of the creation of perch sites in areas that do not naturally contain such vantage points is a significant impact. Areas of concern are light posts, palm trees, building parapets, decorative eaves, and other projecting architectural elements. Indirect effects would be significant because they would potentially result in increased predation, abandonment of nests, or degradation of nesting and foraging habitat for the light-footed clapper rail, Belding's savannah sparrow, all raptor species, and migratory birds, which can ultimately cause a drop in population numbers of these species. MM 4.8-6 would reduce indirect effects to nesting and foraging habitat of candidate, sensitive, or special-status species. The CVBMP includes design features and regulatory compliance that reduce potential impacts on the adjacent preserve from drainage. However, impacts from lighting, noise, invasives, toxic substances, and public access would be significant. Program-level development would disturb a total of 1.17 acres of non-wetland waters of the U.S. and would impact 0.42 acre of USACE wetlands. No CDFG Jurisdictional Resources or CCC Jurisdictional wetlands are located within the Phase I project area. MM 4.8-12 would reduce potential impacts to USACE jurisdictional waters below levels of significance. Therefore, no significant impacts would result. No significant direct impacts would occur to wildlife movement corridors for use by terrestrial wildlife, such as small mammal species, as the site does not function as a movement corridor for terrestrial species, due to the developed nature of the site. The CVBMP includes provision of an ecological buffer 400 feet wide that will avoid impacts of local movements of birds striking buildings. Some impacts may occur especially with the taller buildings and with respect to the migration of bird species. These impacts are potentially significant. MM 4.8-23 would reduce impacts related to bird strikes. The CVBMP and associated mitigation is consistent with the Chula Vista MSCP Subarea Plan).	B) Invasive: Best Management Practices (BMPs) proposed for the project should not include plants listed on the California Invasive Plant Council (Cal-IPC) List of Exotic Pest Plants of Greatest Ecological Concern in California (Appendix 4.8-7 of the FEIR), the California Invasive Plant Inventory Database or any related updates. C) Toxic Substances and Drainage: Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port. D) Temporary Fencing: 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. In addition, the applicant must retain a qualified biologist to monitor the installation and ongoing maintenance of this temporary fencing adjacent to all sensitive habitats. 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 Mitigation Monitor, as appropriate. E) Training: Pursuant to permitting requirements, pre-construction meetings will take place with all personnel involved with the project, to include training about the sensitive resources in the area.	blite (Suaeda taxifolia), and Decumbent goldenbush (Suaeda menziesii var. decumbens). As stated in Appendix A, implementation of the pathway would permanently impact habitat/veg communities as a result of grading and or conversion of land to permanent trail pathways, and permanent landscaping. Implementation of the span bridge would result in shading and require grading of the slopes with potential access (temporary) into the open water to layback the vertical slopes to prevent against future erosion. All impacts associated with the bridge footprint have been classified as permanent impacts. Implementation of the designated area for a future water quality basin would also permanently convert habitat and be considered to be part of the developed infrastructure; thus, impacts are classified as permanent. Impacts to Diegan coastal sage scrub (all forms) are significant per the CVBMP MMRP and would require mitigation at a 3:1 ratio. To offset habitat impacts, mitigation by habitat replacement is to be completed in accordance with MM BIO-1, which corresponds to CVBMP MM 4.8-10, 4.8-12, 4.8-14, 4.8-21, and Development Policy 2.5. With the implementation of mitigation measure BIO-1, impacts to sensitive habitats would be mitigated to a less than significant level (Appendix A). As provided in Table 3 of Appendix A, mitigation is required for the following vegetation communities: Open Water (ACOE water), Open Water (CCC only), Southern coastal salt marsh (ACOE wetland), Southern coastal salt marsh (CCC only), Bare ground (ACOE water), and Disturbed habitat (ACOE water). Indirect impacts were determined based on the design, intended use, and location of the proposed project elements relative to biological resources. The project proposes to allow passive recreational use along the park system, which if not limited to the designated pathway could result in unauthorized encroachment into the adjacent habitats. The project includes barriers to prevent unauthorized encroachments into or uses in the adjacent habitats and the project proposes erosion control over areas graded but not permanently converted to urban use (refer to Section 4 of Appendix A for erosion control planting palette). Thus, project construction is not expected to result in additional indirect impacts to vegetation communities beyond those addressed under the initial CVBMP FEIR. The severity of the significant impacts would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
		as adopted on May 13, 2003, and as may be amended from time to time, the MSCP Implementation Guidelines, and the development standards set forth in Section 17.35.100 of this Chapter.			
	Would the Proposed Project have a significant adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFG or USFWS?	The grading for Phase I program-level components within the Port jurisdiction would impact 3.44 acres of disturbed coastal sage and 8.02 acres of non-native grassland (Impact 4.8-11 and 4.8-12).	See MM BIO-1 and MM BIO-2 above. BIO-4 (Corresponds to CVBMP MM4.8-21A and MM4.8-12C): Impacts to jurisdictional resources listed in Table 3 require acquisition of the following permits and approvals, or demonstration to the Port Development Services Director that such approvals are not required: A) A RSHA Section 10 for work in traditionally navigable waters of the U.S., B) A CWA Section 404 for discharge of dredged or fill material within waters of the U.S., C) A CWA Section 401 state water quality certification for an action that may result in degradation of waters of the State, and D) A CDP issued by the District. MM 4.8-10: shall be implemented to reduce the direct impact to riparian habitat or sensitive vegetation communities in the Port's jurisdiction. Port: A. Prior to the commencement of grading for development in each phase that impacts riparian habitat or sensitive vegetation communities, the Port or Port tenants, as appropriate, shall prepare and initiate implementation of a restoration plan for impacts to riparian habitat and sensitive vegetation communities. Prior to the commencement of Phase I grading that impacts riparian habitat or sensitive vegetation communities, the Port shall coordinate with the wildlife agencies for the preparation and approval of a detailed restoration plan within the Port's jurisdiction. The restoration plan shall be prepared by a qualified biologist, and the plan shall be approved by the Port. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques, planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies. B. Prior to initiating any construction activities in each phase that would affect riparian habitat or sensitive vegetation communities, including clearing and grubbing associated with program-level phases, an updated project-level assessment of potential impacts shall be made based on a specific project design. The Port or project developer(s), as appropriate, shall retain a qualified, Port approved biologist to update appropriate surveys, identify the existing conditions, quantify impacts, and provide adequate mitigation measures to reduce impacts to below a level of significance. This updated assessment shall be submitted to the Port for review and approval.	Based on existing literature and data review, and survey results included in Appendix A, jurisdictional resources are present within the project area. Implementation of the project would result in impacts to jurisdictional resources as a result of the span bridge over the inlet to the F&G Street Marsh and channel enhancements in the eastern portion of the inlet channel. The existing inlet channel of the F&G Street Marsh is narrow with vertical eroding banks with a maximum depth of 8 feet. The proposed project includes grading adjacent to the span bridge to ensure bridge stabilization and prevent future erosion from added tidal prism from sea level rise and opening the aperture dimensions via a new wildlife and hydraulic culvert beneath Lagoon Drive to accommodate future enhancement of the Seasonal Ponds by the Port/City, USFWS expansion of wetlands at F&G Street Marsh, and sea level rise (SLR) expanded tidal prism. The wetlands to be restored within the channel area as mitigation also include wetland habitat within current tidal ranges as well as some capacity for wetland transgression under SLR scenarios. The bridge has been designed as a span bridge with deep support footings set back from the existing edge of the creek bank, as much as feasible without having to include a center bridge support/footing. As described above, the existing banks at the bridge crossing would be laid back and revegetated with native wetland associated species with the intent to help reduce and protect against future erosion. The bridge design features have been included as part of this project to create a stable bridge crossing, avoid placement of fill within jurisdictional resources, and avoid placement of a riprap apron or similar structural engineered hardscape within jurisdictional resources. Consistent with the FEIR's analysis, the proposed project would include grading activities which would impact Diegan coastal sage scrub and Disturbed Diegan coastal sage scrub, thus requiring mitigation. Impacts to jurisdictional resources are significant and would require implementation of the MM BIO-1 and BIO-2 discussed above, as well as fulfilling the requirements of Mitigation Measure BIO-4 (corresponds to CVBMP MM 4.8-21A and 4.8-12C) confirming federal and state approvals. All impacts to southern coastal salt marsh are classified as permanent and a 4:1 mitigation ratio has been applied. These ratios are consistent with MM 4.8-10 and Development Policy 2.5. Impacts to other jurisdictional resources such as consisting of waters of the U.S. are habitat enhancement impacts and will be mitigated at a no-net loss standard of a 1:1 ratio within the widened and deepened channel. With the implementation of mitigation measures BIO-1, BIO-2, and BIO-4, potential impacts to jurisdictional resources would be mitigated to a less than significant level (Appendix A). As such, with implementation of MM-BIO-1, BIO-2, and BIO-4, the severity of the significant impacts would not increase. The proposed project would be consistent with the FEIR. As delineated in Appendix A, jurisdictional resources are present in the project area that are regulated by USACE under Section 404 of the CWA and RWQCB Section 401 of the CWA. The inlet channel of the F&G Street Marsh channel bed is narrow, averaging approximately eight to ten feet wide with vertical eroding banks, narrow benches, and a maximum depth of approximately eight feet. Due to the erosive nature of the channel, there is generally a clear line of where the Section 10 and Section 404 boundary occur. Southern coastal salt	Consistent with Mitigation Incorporated
	Would the Proposed Project have a significant adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFG or USFWS?	Program-level development would disturb a total of 1,241.7 acres of non-wetland waters of the U.S. and would impact 0.42 acre of USACE wetlands. These impacts would be significant (Impact 4.8-17).	See MM BIO-1, BIO-2, and BIO-4, above. MM 4.8-12: shall be implemented to reduce the direct impact to USACE jurisdictional waters to a level less than significant. Port: A. The Port or Port tenants, as appropriate, shall mitigate for permanent and temporary impacts to USACE jurisdictional waters at the following ratios: 1:1 for permanent impacts to non-wetland waters of the U.S.; 4:1 for impacts to wetlands; and 1:1 for all temporary impacts. A minimum of 1:1 mitigation must be		Consistent with Mitigation Incorporated

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
	defined by Sections 401 and 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.), and Section 1600 of the CDFG Code through direct removal, filling, hydrologic interruption, or other means?		created in order to achieve the no-net-loss requirement of the CWA. Table 4.8-8 provides a breakdown of the required mitigation acreages for all USACE impacts within the Port's jurisdiction. Mitigation for impacts from the Bay and Marina components of the Proposed Project will be established through USACE regulations once final designs for this work in Phases II through IV are finalized. Prior to the commencement of grading activities for any projects that impact USACE jurisdictional waters, the Port or Port tenants, as appropriate, shall prepare and initiate implementation of a restoration plan detailing the measures needed to achieve the necessary mitigation. The guidelines for this plan will be developed in consultation with the regulatory agencies. The plan shall summarize the approach taken to avoid and minimize impacts to sensitive habitats, detail the target functions and values, and address the approach to restoring those functions and values. Typically, the restoration plan shall detail the site selection process; shall propose site preparation techniques; planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish performance criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions shall be included. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months or the start of the growing season. The Port shall be responsible for ensuring that all of the success criteria are met to the satisfaction of the Port in consultation with the regulatory agencies. Port/City C. Prior to issuance of the first clearing and grubbing or grading permit for activities that impact USACE jurisdictional waters, the Port or Port tenants, as appropriate, and project developer(s) within the City's jurisdiction shall obtain a Section 404 permit from USACE. The permit application process would also entail approval of the restoration plan from the USACE as described above, with regard to areas that fall under the jurisdiction of USACE.	marsh that occurs within these boundaries has been classified as USACE wetland. No other vegetation communities are classified as USACE wetland. Patches of southern coastal salt marsh do occur above the annual highest high tide. Consistent with the FEIR's analysis, all impacts to USACE wetlands are classified as permanent and a 4:1 mitigation ratio has been applied. Impacts to wetlands of the U.S. are habitat enhancement impacts and will be mitigated at a no-net loss standard of a 1:1 ratio within the widened and deepened channel. These ratios are consistent with MM 4.8-10, 4.8-12 , and Development Policy 2.5. Impacts to jurisdictional resources are significant and would require implementation of the mitigation measure discussed in the above section and MM BIO-1 and BIO-2 , as well as fulfilling the requirements of MM BIO-4 confirming federal and state approvals. With the implementation of MMs BIO-1, BIO-2 , and BIO-4 , potential impacts to jurisdictional resources would be mitigated to a less than significant level. Implementation of BIO-4 , as included in this analysis would ensure consistency with Development Policy 4.8-21C. As such, the severity of the significant impacts would not increase. The proposed project would be consistent with the FEIR.	Consistent
	Movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors,	No significant direct impacts would occur to wildlife movement corridors for use by terrestrial wildlife, such as small mammal species, as the site does not function as a movement corridor for terrestrial species, due to the developed nature of the site.	N/A	As stated in Appendix A, Implementation of the project is not expected to interfere with connectivity to offsite habitat (F&G Street Marsh or San Diego Bay) or adversely affect the local long-term survival of resident or migratory wildlife species. Consistent with the FEIR's analysis, no significant direct impacts would occur to wildlife movement corridors for use by terrestrial wildlife, such as small mammal species, as the site does not function as a movement corridor for terrestrial species, due to the developed nature of the site. The proposed project would not include structures that may result in bird strikes. Therefore, no indirect impacts would occur and no mitigation would be required. The severity of the significant impacts would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	Consistent
	Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	The Port does not have any ordinances protecting biological resources; however, policies outlined in the Port Master Plan, such as Goals 4, 8, and 11, identify protection. The project does not conflict with these goals.	N/A	Consistent with the FEIR's analysis, the proposed project would not conflict with the goals and policies outlined in the Port Master Plan. As such, the proposed project would not result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	Consistent
	Would the project conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan?	In 2000, the Port adopted the San Diego Bay Integrated Natural Resources Management Plan (INRMP). The INRMP is not an HCP, NCCP, or other approved local, regional, or state habitat conservation plan, and it applies to water-related activities and not to land development; thus this criterion does not apply to lands within the Port's jurisdiction.	N/A	Because the INRMP is not an HCP, NCCP, or other approved local, regional, or state habitat conservation plan, and it applies to water-related activities and not to land development; the CVBMP and the proposed project would not result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
3.5 Cultural Resources	<i>Would the Proposed Project would have a significant impact if it causes a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5, including resources that are eligible for the CHRR and the National Register of Historic Places and resources that are locally designated as historically significant, or the City of Chula Vista finds the resource historically significant based on substantial evidence?</i>	The CVBMP would not result in a significant impact on this resource because Caltrans previously determined the site had been extensively disturbed by historic and recent land use and was not a culturally significant site. The Harbor District has been completely developed and is largely built on fill previously imported to expand the Bayfront. Accordingly, no mitigation measures would be required. However, should excavation occur below the fill line, a qualified archaeological monitor would be present. Additionally, 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 off-site 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.	N/A	As discussed in the FEIR, implementation of the CVBMP is not anticipated to result in direct impacts to cultural resources in the project area. The proposed project would implement the process outlined in the FEIR regarding a grading, monitoring, and data recovery program. Impacts would be less than significant. As such, the proposed project would not exacerbate or result in any new impact related to historical or archaeological resources; the proposed project would be consistent with the FEIR.	Consistent
	<i>Would the Proposed Project would have a significant impact if it disturbs any human remains, including those interred outside of formal cemeteries?</i>	There are no cemeteries on the CVBMP area and no known or expected human remains within the project boundary. The possibility of encountering human remains on the CVBMP site is low because the Sweetwater District was extensively plowed and graded in the past years of agricultural production.	N/A	Consistent with the FEIR's analysis, there are no cemeteries on the project site and no known or expected human remains within the project boundary. Therefore, the severity of the significant impacts would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
3.6 Geology and Soils	<i>Would the Proposed Project have a significant impact if there were a rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or strong seismic ground shaking?</i>	The project area is considered to be seismically active, as is much of Southern California. The Rose Canyon fault zone is the closest major fault system to the CVBMP area. Earthquakes that might occur on the Rose Canyon Fault or other faults within the Southern California and northern Baja California area are potential generators of significant ground motion at the site. A geologic evaluation for the CVBMP area was completed. The geologic study also determined that implementation of the CVBMP would not cause a geological unit or soil to become unstable and exacerbate the potential of on-site or off-site lateral spreading, subsidence, or collapse. No active faults have been mapped or were observed within the project site, nor is the site located within a State of California Earthquake Fault Zone (Alquist-Priolo Special Studies Zone). The potential for ground rupture due to faulting at the site is considered low. However, lurching or cracking of the ground surface as a result of a nearby seismic event is possible. According to the California Building Code, San Diego County is located within Seismic Zone 4. Thus, there is potential for strong ground motions to occur at the site. Therefore, impacts associated with strong motion and surface rupture are significant and apply to all development phases (Impact 4.15-1).	MM 4.15-1: would reduce impacts associated with strong motion and surface rupture, settlement, and expansive soils during all phases to a less than significant level. Port/City: Prior to the grading of parcels for specific developments, the applicant shall provide a comprehensive site-specific geotechnical evaluation, including subsurface exploration and laboratory testing showing that individual parcels are suitable for proposed development work and that on-site fill materials and soils can support proposed structures. The applicant shall submit a geotechnical design report to the Port or City, depending on jurisdiction, for approval showing site-specific measures to be employed. As applicable, these measures shall include: • Conformance to the California Building Code Seismic Zone 4 Design Parameters, as detailed in Table 1 of the geotechnical study (see Appendix 4.15-1) • Design capable of withstanding strong seismic accelerations • Earthwork procedures, including removal, moisture conditioning, and recompaction of existing fills on the site • Selective grading, densification of the subsurface soils, and/or deep foundations. • Removal, moisture conditioning, and compaction of bay deposits/alluvial soils. • Deep foundations shall be used for structural support in areas of relatively thick bay deposits/alluvium. • Removal or deep burial of expansive soils during grading, moisture conditioning, or specially designed foundations and slabs. • Removal, moisture conditioning, and compaction of the topsoil on site.	Consistent with the FEIR's analysis, the potential for ground rupture due to faulting at the site is considered low. However, lurching or cracking of the ground surface as a result of a nearby seismic event is possible. According to the California Building Code, San Diego County is located within Seismic Zone 4. Thus, there is potential for strong ground motions to occur at the site. Similarly, MM 4.15-1 would be applied to proposed project where necessary to reduce impacts associated with strong motion and surface rupture. The proposed project would not exacerbate or result in any new impact other than those previously identified in the FEIR. The proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated
	<i>Would the Proposed Project have a significant impact if the site experienced seismic-related ground failure, including liquefaction, or it is located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?</i>	The majority of the site is located in areas mapped on the City of Chula Vista General Plan (2005) as being subject to hazards from liquefaction. In general, the deposits near the periphery of the original San Diego Bay shoreline and the portions of the site underlain by Bay Point Formation, alluvium and tidal flats deposits and bay deposits composed of clayey silt, silty clay, sandy gravel and gravely sand are considered to possess a low liquefaction potential. Loose granular soils (i.e., fill materials and bay deposits/alluvium) underlie portions of the site combined with a relatively shallow groundwater table. The project proposes development on these areas during Phases I, II, and III. These soils have a moderate to high potential for liquefaction and settlement to occur during an earthquake and are not considered suitable for structural support. Adverse impacts associated with liquefaction include lateral spreading, ground rupture and/or sand boils, and settlement of the liquefiable layers. The potential of lateral spreading in the liquefiable soil below the groundwater table is not considered an adverse impact to the proposed development due to the relatively flat topography of the site, except for isolated locations such as the existing boat yard on G Street and the immediate vicinity of the Chula Vista Harbor. Therefore, impacts	See MM 4.15-1, above.	The FEIR determined that there is a high potential for liquefaction to occur within scattered layers in the undocumented fill and bay deposits/alluvium below the groundwater table within a depth of 50 feet from the existing ground surface of the proposed project. Adverse impacts could include lateral spreading, ground rupture and/or sand boils, and settlement of the liquefiable layers. Consistent with the FEIR's analysis, the proposed project would implement MM 4.15-1 to reduce impacts associated with strong motion and surface rupture, settlement, and expansive soils during all phases to a less than significant level. The proposed project would not exacerbate or result in any new impact other than those previously identified in the FEIR; the proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated

<u>EIR Section</u>	<u>Threshold</u>	<u>FEIR Finding</u>	<u>Relevant Mitigation</u>	<u>Discussion</u>	<u>Consistency Determination</u>
		associated with liquefaction and seismically-induced settlement are significant (Impact 4.15-2).			
	<i>Would the Proposed Project have a significant impact if it is located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating a substantial risk to life or property?</i>	The topsoil and clayey portions of the Bay Point Formation located on the project site are considered expansive soils.	N/A	A detailed analysis has not been conducted, but no development is proposed on Bay deposits or alluvium (USDA Web Soil Survey 2018). Therefore, impacts would be consistent with the FEIR's analysis. The proposed project would not exacerbate or result in any new impact other than those previously identified in the FEIR; the proposed project would be consistent with the FEIR.	Consistent
	<i>Would the Proposed Project have a significant impact if there is the potential for tsunamis?</i>	The County of San Diego Hazard Mitigation Plan (2005) maps zones of high risk for tsunami run-up for coastal areas throughout the county. The site is included within one of these high-risk hazard areas. The western portions of the site are located approximately 500 feet from San Diego Bay and one half mile from the Pacific Ocean at an elevation of about sea level to 10 feet above MLLW and are protected from ocean waves by the Silver Strand. Due to the elevation of the site and distance to the bodies of water, the potential impacts to the site from tsunamis is very low.	N/A	As discussed in the FEIR, the site is protected from the open ocean by intervening land features (Coronado and Silver Strand) which would provide some protection from direct wave action in the event of a tsunami. Historically, the instances of damage from tsunamis in this area of Southern California are rare; therefore, impacts associated with tsunamis are not significant for all phases of development. As such, the proposed project would not exacerbate or create any new impacts related to tsunamis; the proposed project would be consistent with the FEIR.	Consistent
3.7 Greenhouse Gas Emissions	<i>Would the Proposed Project generate greenhouse gas emissions, either directly, or indirectly, that may have a significant impact on the environment? Or would the Proposed Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?</i>	At the time the EIR NOP was released in 2005, there was no legislation or regulatory guidance with respect to CEQA analysis of greenhouse gases (GHG) and climate change. The passage of AB 32 on September 27, 2006, the adoption of the California Air Resources Board's (CARB) implementing Climate Change Scoping Plan (CARB's Scoping Plan) in December 2008, and the adoption of State CEQA Guidelines specific to GHG analysis all occurred subsequent to certification of the 2010 FEIR. As GHG was a known issue at the time the 2010 EIR was certified, a consistency determination with the FEIR is not required to address GHG issues (Citizens for Responsible Equitable Environmental Development v. City of San Diego (2011) 196 Cal.App.4 th 515). Nonetheless, in the event GHG impacts were to have been evaluated in 2003, the CVBMP is consistent with what was envisioned and analyzed in the scope of the FEIR. Phase I of the Proposed Project would not result in a significant global climate change impact because it would not conflict with or obstruct the State of California's ability to achieve the goals and strategies of AB 32 or related Executive Orders. Furthermore, for the same reasons, Phase I of the Proposed Project would not be considered to contribute to a cumulatively significant global climate change impact because it would not contribute to a conflict with or obstruction of the goals or strategies of AB 32 or related Executive Orders.	N/A	The proposed project includes the construction of a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. Construction activities would likely occur over a four-month period. Operational activities would include pedestrian and bicycle use of these facilities. Program-level components range in anticipated completion times from close to 2020 to beyond 2030. For purposes of the EIR, the program-level components would need to comply with the Port's Climate Action Plan (CAP) which has the GHG emission reduction goal of 10% less than the 2006 baseline by 2020, and the City of Chula Vista's CAP goal of reducing GHG emissions to 15% below 2005 emission levels by 2020 and 55% by 2030. The proposed project would help the Port achieve these goals since the project is anticipated to take vehicles off the road and decrease GHG emissions. Additionally, as stated in the FEIR, the project shall recycle all materials accepted by local recycling centers consistent with the City or Chula Vista's recycling requirements and consistent with the Integrated Waste Management Board thresholds for diverting 50% of waste (inclusive of construction waste). The proposed project GHG emissions were accounted for under Phase I of the CVBMP in the FEIR. As such, the proposed project would not result in any new or exacerbate any GHG emissions, in comparison to the FEIR. The proposed project would be consistent with the FEIR.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
3.8 Hazards and Hazardous	Would the Proposed Project would have a significant impact if it creates a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	During excavation, demolition and construction activities associated with the CVBMP, hazardous materials will be encountered within or adjacent to the boundaries of the CVBMP site in the vicinity of several on-site areas of concern and three off-site areas of concern. On-site areas of concern include the areas identified within the boundaries of the former Goodrich South Campus facility (Harbor District) and the SPPP (Otay District), and the Sweetwater District. Although excavation, demolition, and construction activities are short-term, the potential to encounter contamination during such activities associated with the CVBMP is considered a significant impact (Impact 4.12-1). In addition, although not expected to occur, a spill or unintentional discharge of fuel, lubricants, or hydraulic fluid from the transportation of construction materials and/or the equipment used during construction, including dredge and fill activities, would result in significant impacts on water quality in a worst-case scenario (Impact 4.12-2). The potential for construction workers to be exposed to contaminated soil, soil gas, and/or groundwater is considered a significant impact (Impact 4.12-7). In regards to operation of the signature park throughout the site, fertilizers and landscape chemicals may be used for regular maintenance activities. The potential for hazardous irrigation runoff to contaminate surface waters and/or habitat areas is considered a significant impact (Impact 4.12-8) that must be addressed in all parks throughout the program. In the Sweetwater District, it would be necessary to prevent exposure to future site occupants from pesticides/herbicides in the soil and groundwater. Given the existing hazardous materials conditions throughout the CVBMP area, operation of the CVBMP could result in exposure to residents and/or users of the site to health risks, depending on type of contamination and the proposed use of the CVBMP area. Methods of exposure can be via dermal exposure, ingestion, and/or inhalation. This impact would be considered significant (Impact 4.12-9).	MM 4.12-1 Port/City: 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/DEH/DTSO) to discuss the appropriate course of action for the area of concern described in the permit based on the planned future 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/DTSO). B. The applicant shall obtain written authorization from the regulatory agency (RWQCB/DEH/DTSO) 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 MMs 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.	Consistent with the FEIR, the proposed project would have potential to encounter contamination during excavation and construction activities. Although excavation and construction activities are short-term, the potential to encounter contamination during such activities associated with the proposed project is considered a significant impact. MM 4.12-1 from the FEIR would be applied to the proposed project to reduce exposure of contaminants during excavation and grading, and to reduce risk of exposure to contaminants to levels below significance. In addition, although not expected to occur, a spill or unintentional discharge of fuel, lubricants, or hydraulic fluid from the transportation of construction materials and/or the equipment used during construction, would result in significant impacts on water quality in a worst-case scenario. Consistent with the FEIR's analysis, MM 4.12-2 would be incorporated to reduce this potential significant impact to below significant levels. Additionally, the potential for construction workers to be exposed to contaminated soil, soil gas, and/or groundwater is considered a significant impact. MM 4.12-1 would reduce potentially significant impacts to below levels of significance, as used in the FEIR. The potential for hazardous irrigation runoff to contaminate surface waters and/or habitat areas is considered a significant impact that must be addressed in all parks throughout the program. MM 4.12-7 would reduce potentially significant impacts to below levels of significance, as used in the FEIR. Lastly, given the existing hazardous materials conditions throughout the CVBMP area, operation of the proposed project could result in exposure to residents and/or users of the site to health risks, depending on type of contamination and the proposed use of the proposed project. Methods of exposure can be via dermal exposure, ingestion, and/or inhalation. This impact would be considered significant; MM 4.12-8 would reduce potentially significant impacts to below levels of significance, as used in the FEIR. The proposed project would result in consistent land use and be built in the approximate same development location as proposed under the FEIR. Construction duration the proposed project would be approximately four months. The potential hazards through transport, use, or disposal of hazardous material is consistent with those proposed under the FEIR. Therefore, the proposed project is consistent with the FEIR in regard to transport, use, or disposal of hazardous materials. The proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated
			MM 4.12-2 would reduce impacts associated with accidental spills during construction to below a level of significance. Port/City: 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. 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		

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			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. The Port of San Diego shall require that a Business Emergency Plan (BEP) 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. Hazardous materials spill kits shall be maintained on site for small spills. MM 4.12-7: reduces the potential for contamination from hazardous runoff associated with park maintenance to a level less than significant. Port/City: Management of the parks throughout the project site must be required to comply with the Port and City's Integrated Pest Management Policies (IPM). IPM 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. MM 4.12-8: would reduce associated risk of exposure to residents and/or users in the Sweetwater District of elevated concentrations of residual pesticides and herbicides to below a level of significance. Port/City: 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). See MM 4.12-2 above.		
	<i>Would the Proposed Project have a significant impact if it creates a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	The potential exists for spills of hazardous materials during construction activities that could potentially cause soil or groundwater contamination. This is considered a significant impact (Impact 4.12-2). Any facilities in the CVBMP area which intend to transport, use, and dispose of hazardous materials must obtain the applicable regulatory permits and must comply with applicable laws, regulations, and permitting requirements to prevent a significant hazard to the public or the environment. Every business using hazardous materials must be licensed and is required to submit a Hazardous Materials Business Plan to County DEH/Hazardous Materials Division. This plan must provide a hazardous materials inventory, site plan, employee training, and contact information to assist with emergency response. Should such an event occur, response would be provided by the County of San Diego Hazardous Incident Response Team.		As stated in the FEIR, the potential exists for spills of hazardous materials during construction activities that could potentially cause soil or groundwater contamination. MM 4.12-2 would reduce accidental spills during construction to levels below significance (FEIR p. 4.12-68). Consistent with the FEIR, the proposed project would obtain the applicable regulatory permits and must comply with applicable laws, regulations, and permitting requirements to prevent a significant hazard to the public or the environment. Therefore, the proposed project is consistent with the FEIR in regard to accidental release of hazardous materials; the proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated
	<i>The Proposed Project would have a significant impact if it emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</i>	Two schools are located within a quarter mile of the project site's eastern boundary. These schools consist of the Feaster Edison Charter Elementary School located at 670 Flower Street, approximately 900 feet east of the Sweetwater District, and the Robert L. Mueller Elementary School located at 715 I Street, approximately 600 feet east of the central Harbor District. Transportation of materials would be in compliance with all DOT, California	N/A	As stated in the FEIR, Mueller Elementary School located at 715 I Street, approximately 600 feet east of the central Harbor District. Mueller Elementary School is approximately 1,000 feet (0.2 mile) east of Parcel H-23. The Proposed Project's compliance with all applicable federal, state, and local laws, regulations, and permitting requirements for the proposed operations would ensure that any potential impacts to schools within a one-quarter radius would be less than significant. Because the proposed project would result in consistent land use and be built in the approximate same development location as the FEIR, the proposed project is consistent with the FEIR in regard to hazardous emissions or materials within a quarter mile of a school.	Consistent

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		Department of Transportation (Caltrans), US EPA, DTSC, California Highway Patrol, and California State Fire Marshal regulations. Therefore, impacts would be less than significant.			
	<i>Would the Proposed Project have a significant impact if it is located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, a significant hazard to the public or the environment would be created?</i>	The S-1 parcel is planned for development as a signature park in Phase 1 of the CVBMP. The Earthwork Plan developed by Kinley-Horn for the Proposed Project shows that most of the S-2 area will require placement of fill (up to 3 feet) to meet design grade. Lesser areas of cut are also planned. Placement of fill soil over much of the S-2 area would cover residual pesticide/herbicide impacted soil, minimizing the potential for park users to be exposed to pesticide impacted soil. The potential human health risk for this area is considered less than significant.	N/A	The proposed project would result in similar land uses and development location as the FEIR. In the process of installing the bridge, a small amount of grading and planting in the channel area will occur. Similarly, placement of fill soil would cover any residual pesticide/herbicide impacted soil, if any, minimizing the potential for park users to be exposed to pesticide impacted soil. The potential human health risk for this area is considered less than significant. Therefore, potential impacts related to accidental releases from hazardous materials sites is consistent with those of the FEIR. Therefore, the proposed project is consistent with the FEIR in regard to accidental releases from hazardous materials sites. No further analysis is required.	Consistent
3.9 Hydrology and Water Quality	<i>Would the Proposed Project have a significant impact if it substantially depletes groundwater or interferes substantially with groundwater recharge?</i>	There would be no permanent pumping of groundwater, therefore the CVBMP would not deplete groundwater. The CVBMP would not substantially deplete groundwater or interfere with groundwater recharge.	N/A	Consistent with the FEIR's analysis, the proposed project would not include permanent pumping of groundwater, therefore the project would not deplete groundwater. The proposed project would not increase or substantially deplete groundwater or interfere with groundwater recharge. As such, the proposed project is consistent with the FEIR in regard to depletion of groundwater and groundwater recharge.	Consistent
	<i>Would the Proposed Project have a significant impact if it alters an existing 100-year floodplain or would place structures within a 100-year flood hazard area which would impede or redirect flood flows?</i>	The CVBMP area is in an area designated by the Federal Emergency Management Agency as Zone X. Accordingly, the CVBMP would not have a significant impact with respect to an existing 100-year floodplain or flood hazard area. Therefore, the CVBMP would not expose people or structures to a significant risk of loss, injury, or death involving flooding.	N/A	As identified in the FEIR, the proposed project area is in an area designated by the Federal Emergency Management Agency as Zone X, and would not have a significant impact with respect to an existing 100-year floodplain or flood hazard area. The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding. The proposed project includes grading adjacent to the span bridge to ensure bridge stabilization and prevent future erosion from added tidal prism from sea level rise and opening the aperture dimensions via a new wildlife and hydraulic culvert beneath Lagoon Drive to accommodate future enhancement of the Seasonal Ponds by the Port/City, USFWS expansion of wetlands at F&G Street Marsh, and sea level rise (SLR) expanded tidal prism. The proposed grading would target optimized bank configuration for stable and plantable slopes, optimizing the capacity to support marsh habitat. As such, the proposed project would improve flood capacity within the inlet channel, thus would not result in any new impacts related to flooding hazards. Therefore, the proposed project is consistent with the FEIR; no further analysis is required.	Consistent
	<i>Would the Proposed Project have a significant impact if it exposes people or structures to a significant risk of loss, injury, or death involving flooding and/or exposes people or structures to inundation by seiche, tsunami, or mudflow?</i>	Given the sea level rise assumptions for the Chula Vista Bayfront, as well as the road and pad elevations designed for the project, the CVBMP does not anticipate a substantial increase in exposure to the project from the potential adverse impact of mean sea level rise. The CVBMP's location on the southern edge of the Bay is protected from tsunamis by natural formations such as Coronado, Silver Strand, and Point Loma. Therefore, it is reasonable to assume there is a low likelihood for a tsunami to occur.	N/A	As discussed in the FEIR, the proposed project would not expose people or structures to a significant risk involving flooding or mudflow. The proposed project's location is protected from tsunamis by natural formations such as Coronado, Silver Strand, and Point Loma. Therefore, it is reasonable to assume there is a low likelihood for a seiche or tsunami to occur. The proposed project would not result in any new impacts related to flooding, seiche, tsunami, or mudflow. Therefore, the proposed project is consistent with the FEIR; no further analysis is required.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
	The Proposed Project would have a significant impact if it substantially alters the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?	Although grading of the site would occur, the CVBMP would not substantially alter the drainage pattern of the project area, because the drainage would continue to flow toward structural controls before entering the Bay, similar to existing conditions. Site preparation and grading, including clearing, trenching, and other earthwork, would generate sediment that could result in significant impacts to water quality, including siltation off site. Compliance with NPDES General Construction Permit requires a SWPPP be prepared to prevent water quality impacts from construction activities.	N/A	The proposed channel improvements will stabilize and improve the channel banks and provide better movement of water. Grading along the channel banks will enable the project to create new habitat, allowing the project to mitigate all biological impacts on site. The project includes slope layback to prevent further erosion along the length of the channel and to accommodate habitat continuity and sea level rise adaptation objectives. Therefore, the proposed project would improve channel conditions to prevent future erosion of the channel. As such, the proposed project would result in a reduced severity of impacts to drainage on the site. The proposed project would therefore be consistent with the FEIR regarding alterations to existing drainage patterns.	Consistent
	Would the Proposed Project have a significant impact if it degrades water quality or would violate any water quality standards or waste discharge requirements, resulting from a substantial increase in the rate or amount of polluted surface runoff	The CVBMP would control the amount and quality of the runoff through implementation of permanent source control and treatment control BMPs, LIDs, and monitoring programs. Proposed development of the Sweetwater District would increase impervious surface area; however, the majority of the site would not be hardcape. All existing storm drain discharge locations to the Bay will remain except for a proposed channel in the Sweetwater District. Street runoff and parcel runoff entering this channel will be treated by stormwater BMPs prior to reaching this channel. The vegetation will improve water quality by slowing runoff and filtering pollutants through the soil. Outfalls to the vegetated channel will be protected with riprap to reduce erosion. This channel will be designed to handle the post project hydromodification. Runoff from Parcels S-1, SP-1, and SP-2 would be collected and conveyed through a naturally lined meandering channel that discharges to the Bay. The natural channel, proposed to be constructed in Phase I, would be designed to meander through the mounds and depressions proposed on Parcel SP-1, a limited use zone. The channel would act as a bioswale, filtering pollutants and slowing the velocity of the water to allow sediment to settle, thereby improving water quality. As discussed in Section 3.8 Hazards and Hazardous Materials, contaminated soils are present on future development project parcels within the plan area. The CVBMP's potential to disturb contaminated soils and groundwater during construction activities would be a significant impact. Implementation of BMPs would reduce water quality impacts from pollutants carried by runoff. The increased pedestrian activity and debris-generating businesses on the waterfront, such as	MM 4.5-1: reduces the potential for litter to enter the Bay and cause potential significant impacts to Bay water quality. Port/City: As a condition of approval of a Tenant Design Plan for projects within the Port's jurisdiction and a condition of the approval of a Final Map for projects within the City's jurisdiction, the project applicant shall include trash control measures that include animal-proof, covered and self-closing trash containers with attached lids and trash control enclosures, with frequent servicing, to prevent litter from being wind blown off-site to the satisfaction of the Port/City as appropriate pursuant to their water quality technical reports.	Consistent with the FEIR, site design BMPs, source control BMPs, and treatment control BMPs will be implemented to the maximum extent practical to ensure that pollutants do not come into contact with stormwater by reducing or eliminating the pollutants. In addition, the proposed project will be required to implement LID design, source control measures, and treatment control measures to the maximum extent practical prior to discharging stormwater into vegetated swales. The combination of vegetated swales and water quality inlets will treat and filter runoff prior to entering the storm drain system. Site design BMPs and LID measures will include minimizing impervious areas, increasing rainfall infiltration, maximizing rainfall interception, and minimizing directly connected impervious areas. Impacts would therefore be consistent with those identified in the FEIR. Therefore, the proposed project would be consistent with the FEIR regarding polluted surface runoff.	Consistent with Mitigation Incorporated

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
		carry-out food, would increase the potential for wind-blown litter entering the Bay. In addition to pollutants carried in runoff, wind-blown litter has the potential to result in a significant impact on Bay water quality (Impact 4.5-1).			
	<i>Would the Proposed Project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</i>	Much of the storm drain system for the Sweetwater District and most of the Harbor District would be constructed during Phase I. Compliance with the Municipal Separate Storm Systems (MS4) Permit, the CVBMP will incorporate small-scale controls to mimic pre-development hydrology of the project site. Phase I of the CVBMP would not increase runoff flows or exceed the capacity of the existing stormwater system.	N/A	As described in the FEIR, the CVBMP's runoff would not increase runoff flows or exceed the capacity of the existing stormwater system. Although the proposed project would result in an increase in impervious surface area with installation of the bicycle path and promenade, the proposed storm drain system under the CVBMP is designed to accommodate the projected stormwater discharge. The proposed project would result in similar land uses and amount of impervious surface as what was proposed under the FEIR. Therefore, the proposed project would be consistent with the FEIR regarding stormwater drainage system capacity.	Consistent
	<i>Would the Proposed Project result in pollution or contamination that may have an impact on human health and the environment, including the aquatic habitat, or impacts on biological communities?</i>	Contaminated soils are present on future development project parcels within the plan area, particularly in many of the former industrial use locations such as the former Goodrich South Campus site (Parcel H-23). In addition, historic industrial uses in the area have contaminated surface water and groundwater. Drilling for the placement of building footings, clearing, brushing, and grading activities during site preparation and future operations could increase the potential for spills or the spread of contamination via surface water or groundwater. The CVBMP's potential to disturb contaminated soils and groundwater during construction activities would be a significant impact (Impact 4.5-2).	MM 4.5-2 reduces impacts to surface water and groundwater contamination resulting from construction activities): Port/City: A. Prior to the issuance of a grading permit, the applicant shall notify the 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 NPDES permitting requirements, which includes obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB. B. 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.	As analyzed in the FEIR, the proposed project would have the potential to disturb contaminated soils during construction activities that would be potentially significant and require mitigation. MM 4.5-2 would reduce impacts to surface water and groundwater contamination resulting from construction activities. Construction activities would be consistent with those accounted for under Phase I of the FEIR. Therefore, potential impacts related to contamination are consistent with those analyzed under the FEIR. Therefore, the proposed project is consistent with the FEIR in regard to contamination from hazardous materials sites. No further analysis is required.	Consistent with Mitigation Incorporated
	<i>Would the Proposed Project result in substantial erosion and subsequent sedimentation of water bodies?</i>	Phase I grading activities would last up to 12 months in duration and have the potential to expose soil surfaces. This would result in increased sedimentation of the Marina and Bay through runoff during a storm event. This would be a short-term impact on water quality, which would cease at the completion of construction activities. The Proposed Project would be required to comply with and implement the NPDES permit; City grading ordinances; and other relevant BMPs, LIDS, and codes during the planning, construction, and maintenance phases of the project, which would mitigate impacts generated from erosion and sedimentation. These various ordinances and regulations ensure that erosion and sedimentation would be minimized by addressing effluent limitations, the preparation and implementation of an SWPPP, and monitoring program and record keeping requirements. As such, the proposed project would not result in any new or exacerbated impacts related to erosion and sedimentation of water bodies, in comparison to the FEIR. The proposed project would be consistent with the FEIR; no further analysis is required.	N/A	Consistent with the FEIR's analysis, the proposed project would be required to comply with and implement the NPDES permit; City grading ordinances; and other relevant BMPs, LIDS, and codes during the planning, construction, and maintenance phases of the project, which would mitigate impacts generated from erosion and sedimentation. These various ordinances and regulations ensure that erosion and sedimentation would be minimized by addressing effluent limitations, the preparation and implementation of an SWPPP, and monitoring program and record keeping requirements. As such, the proposed project would not result in any new or exacerbated impacts related to erosion and sedimentation of water bodies, in comparison to the FEIR. The proposed project would be consistent with the FEIR; no further analysis is required.	Consistent
3.10 Land Use and Planning	<i>Would the Proposed Project have a significant impact if it conflicts with any applicable land use</i>	The CVBMP is consistent with the Port's public amenities objectives in that it provides additional park land. The project also accomplishes the additional PMP goals of extending the public	N/A	The proposed project would result in the construction of a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
	<i>plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, master plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</i>	promenade along the entire water frontage and expanding the park and Bayside Park shoreline promenade. Because the Proposed Project achieves the goals of the current LCP and, since the adoption of the proposed LCP amendment is a proposed action covered by this report, the Proposed Project would be consistent with the LCP if it is adopted.		Discussion Diking and filling of wetlands is required for construction of the bridge and associated grading (certified in CVBMP Development Policy 5.12, approved as PMPA #6-PSD-MAJ-41-11 by the CCC in August 2012) and channel enhancements in the eastern portion of the inlet. Grading near the bridge is necessary to ensure channel stability, habitat creation, and sea level rise adaptation. Grading in the eastern portion of the inlet is necessary to reduce channel bed scour and improve future storm drainage. Thus, because grading in both areas are for restoration purposes, they are allowed uses in wetlands. Under the LCP, there is a 100-foot wide wetland buffer is needed to protect the habitat from development impacts. In this case, the development in proximity to wetland habitat is construction of the bridge, path, and associated grading and channel enhancements. CVBMP Development Policy 5.12 calls for the bridge and associated grading and CVBMP Development Policy 18.1 calls for the path. Therefore, a wetland buffer is not applicable because there is no "new" development proposed, as construction of the bridge and path were intended in approval of CVBMP. In addition, grading near the bridge and the eastern portion of the inlet are allowed uses in wetlands (see CVBMP Development Policy 2.4). The proposed project would result in the same land use designation and proposed uses under the FEIR. As such, the proposed project would also be consistent with the FEIR; no additional mitigation or analysis is required.	Consistent with Mitigation Incorporated
	<i>Would the Proposed Project have a significant impact if it conflicts with any applicable habitat conservation plan or natural community conservation plan?</i>	The CVBMP would have potential indirect impacts within the Sweetwater District to preserve lands and refuges identified in the MSCP, thus requiring mitigation to ensure compliance with the MSCP.	MM 4.8-6 shall be implemented to reduce the indirect impacts (from lighting, noise, use of invasives, toxic substances, and public access) to the light-footed clapper rail, Belding's savannah sparrow, all raptor species, and migratory birds, all of which are protected by state and/or federal regulations in the adjacent Preserve areas to a level of less than significant: Port/City: A. Construction-related noise. Construction-related noise shall be limited adjacent to the Sweetwater Marsh and South San Diego Bay Units of the San Diego Bay National Wildlife Refuge, F & G Street Marsh, the mudflats west of the Sweetwater District, and the J Street Marsh during the general avian breeding season of January 15 to August 31. During the avian breeding season, 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(s) shall prepare and submit to the Port/City for review and approval and 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 60 db(A), either the developer(s) must immediately consult with the Service to develop a noise attenuation plan or construction in the affected areas must cease until the end of the breeding season. Because potential construction noise levels above 60 db(A) Leq have been identified at the F & G Street Marsh, specific noise attenuation measures have been identified and are addressed in Section 4.7 of the EIR. B. Perching of raptors. To reduce the potential for raptors to perch within the landscaping and hunt sensitive bird species from those perches, the following design criteria shall be identified in the CVBMP master landscape plan and incorporated into all building and landscape plans with a line of site to the City's MSCP Preserve, buffer zones, and on-site open space: • Light posts shall have anti-perching spike strips along any portions that would be accessible to raptors. • The top edge of buildings shall be rounded with sufficient radius to reduce the amount of suitable perching building edges. • If building tops are hard corners, spike strips shall be used to discourage raptors from perching and building nests. • Decorative eaves, ledges, or other protrusions shall be designed to discourage perching by raptors. • To the extent practicable, buildings on Parcels S-1 and S-4 will be oriented to reduce raptor perches within the line of sight to adjacent sensitive habitats. C. Raptor management and monitoring. Prior to the issuance of a Coastal Development Permit, the project developer shall prepare a raptor nest management plan to be implemented once the project is built. A biologist retained by the project developer and approved by the Port and/or City shall be responsible for monitoring the buildings and associated landscaping to determine whether raptor nests have been established on Port or City lands within 500 feet of the Preserves. If a nest is discovered, the nest would be removed in consultation with	As analyzed in the FEIR, while the development of the parcels within the City's jurisdiction would have no direct impacts to MSCP preserve lands within the City of Chula Vista, the F & G Street Marsh (an MSCP preserve) is adjacent to the City's jurisdiction in the Sweetwater District, and there is potential for indirect impacts to occur from lighting, noise, drainage, invasives, and toxic substances. The MSCP provides guidelines to address Adjacency Management issues, in order to address indirect impacts associated with development adjacent to the Preserve areas. All new development must adhere to these guidelines, which address potential drainage issues, overspill of lighting and noise into the Preserve, use of non-invasive plant species, and limiting of public access in sensitive preserve areas. This potentially significant impact would be reduced to below with incorporation of MM 4.8-6, which would reduce the indirect impacts from lighting, noise, use of invasives, toxic substances, and public access to the species protected by state and/or federal regulations in the adjacent Preserve areas to a level of less than significant. Therefore, the proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan. The proposed project would be consistent with the FEIR; no additional mitigation or analysis is required.	Consistent with Mitigation Incorporated

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
			USFWS, CDFG, and the Port/City, outside of the raptor breeding season of January 15 to July 31. D. Lighting. The following mitigation measure is required during all phases of development to ensure that outdoor lighting throughout the project area is minimized upon any of the habitat buffers, Preserve areas, habitats, or open water. Prior to issuance of a building permit, each applicant within the Port's or City's jurisdiction shall prepare a lighting design plan, including a photometric analysis, to be reviewed by the Port or City, as appropriate. Each plan shall include the following features, as appropriate to the specific locations: • All exterior lighting shall be directed away from the habitat buffers, Preserve Areas, habitats, or open water, wherever feasible and consistent with public safety. Where necessary, lighting of all developed areas adjacent to the habitat buffers, Preserve Areas, habitats, or open water shall provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the habitat buffers, Preserve Areas, habitats, or open water and sensitive species from night lighting. The light structures themselves 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, habitats, or open water. This includes street lights, pedestrian and bicycle path lighting, and any recreational lighting. • All exterior lighting immediately adjacent to habitat buffers, Preserve Areas, habitats, or open water shall be low-pressure sodium lighting or other approved equivalent. • No sports field lights shall be planned on the recreation fields near the J Street Marsh or the Sweetwater Marsh. • All roadways will be designed, and where necessary edges bermed, to ensure automobile light penetration in the Wildlife Habitat Areas, as defined in Mitigation Measure 4.8-7, will be minimized, subject to applicable City and Port roadway design standards. • Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project. All street and walkway lighting should be shielded to minimize sky glow. • 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 or J Street Marshes will be minimized. • In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by applicable law enforcement requirements. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the walkway and does not scatter. Lighting that emits only a low-range yellow light will be used since yellow monochromatic light is not perceived as natural light by wildlife and minimized ecdysruptions. No night lighting for active sports facilities will be allowed. • Sweetwater and Otay District parks will open and close in accordance with Port park regulations. • Laser light shows will be prohibited. • Construction lighting will be controlled to minimize Wildlife Habitat Area impacts. E. Noise. Construction Noise. Mitigation Measure 4.8-6 and the measures outlined in Section 4.7. Noise, shall be implemented in order to reduce potential indirect construction-noise impacts to sensitive species within the F & G Street Marsh and the J Street Marsh. In order to further reduce construction noise, 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 will be controlled to minimize impacts to Wildlife Habitat Areas. Operational Noise. Noise levels from loading and unloading areas, rooftop heating, ventilation, and air conditioning facilities; and other noise-generating operational equipment shall not exceed 60 dB(A) Leq at the boundaries of the F & G Street Marsh and the J Street Marsh during the typical breeding season of January 15 to August 31.		

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			Fireworks: A maximum of three (3) fireworks events can be held per year, all outside of Least Tern nesting season except 4th of July, which may be allowed if in full regulatory compliance and if the nesting colonies are monitored during the event and any impacts reported to the Wildlife Advisory Committee so they can be addressed. All shows must comply with all applicable water quality and species protection regulations. All shows must be consistent with policies, goals, and objectives in the Natural Resource Management Plan (NRMP), described in Mitigation Measure 4.8-7. F. Invasives: All exterior landscaping plans shall be submitted to the Port or City, as appropriate, for review and approval to ensure that no plants listed on the California Invasive Plant Council (Cal-IPC) List of Exotic Pest Plants of Greatest Ecological Concern in California (Appendix 4.8-7 of this Final EIR), the California Invasive Plant Inventory Database, Appendix N of the City's MSCP Subarea Plan, or any related updates shall 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 into Wildlife Habitat Areas. The following landscape guidelines will apply to the Proposed Project area: - Only designated native plants will be used in No Touch Buffer Areas, habitat restoration areas, or in the limited and transitional zones of Parcel SP-1 adjacent to Wildlife Habitat Areas. - Non-native plants will be prohibited adjacent to Wildlife Habitat Areas and will be strongly discouraged and minimized elsewhere where they will provide breeding of undesired scavengers. - Landscaping plans for development projects adjacent to ecological buffers and/or the MSCP Preserve shall include native plants that are compatible with native vegetation located within the ecological buffers and/or MSCP Preserve. - No trees will be planted in the No Touch Buffer Areas or directly adjacent to a National Wildlife Refuge, J Street Marsh, or SP-2 areas where there is no Buffer Area. G. Toxic Substances and Drainage: Implementation of general water quality measures outlined in Mitigation Measures 4.5-2 through 4.5-4, identified in Section 4.5, Hydrology/Water Quality, would reduce impacts associated with the release of toxins, chemicals, petroleum products, and other elements that might degrade or harm the natural environment to below a level that is significant, and would provide benefits to wetland habitats. As a reference, these mitigation measures are repeated below and apply to the Port and City: - 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 NPDES permitting requirements, which include obtaining a permit from the Industrial Wastewater Control Program to the satisfaction of the RWQCB. The project developer(s) shall demonstrate satisfaction of all permit requirements prior to issuance of a grading permit. - 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 pre-treatment system shall be installed to pre-treat the water to the satisfaction of the RWQCB before it can be discharged into the sewer system. - Prior to the issuance of a grading, excavation, dredge/fill, or building permit for any parcel, the applicant shall submit a Spill Prevention/Contingency Plan for approval by the Port or City as appropriate. 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 material 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 containment - Maintain all required records, manifest and other tracking information in an up-to-date and accessible form or location for review by the Port or City - Demonstrate compliance with all local, state, and federal regulations regarding hazardous materials and emergency response. - Prior to issuance of a permit by USACE for dredge and/or fill operations in the Bay or Chula Vista Harbor, the applicant shall conduct a focused sediment investigation and submit it to USACE, EPA,		

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			and RWQCB for review and approval. The applicant shall then determine the amount of bay sediment that requires remediation and develop a specific work plan to remediate bay sediments in accordance with permitting requirements of the RWQCB. The work plan shall include but not be limited to dredging the sediment, analyzing the nature and extent of any contamination, and allowing it to drain. Pending the outcome of the analytical results, the RWQCB and the Port shall prescribe the appropriate method for disposal of any contaminated sediment. - Prior to issuance of a grading permit for marina redevelopment on Parcels HW-1 and HW-4, the developer shall submit a work plan for approval by the RWQCB and Port/City that requires the implementation of BMPs, including the use of silt curtains during in-water construction to minimize sediment disturbances and confine potentially contaminated sediment if contaminated sediment exists. If a silt curtain should be necessary, the silt curtain shall be anchored along the ocean floor with weights (i.e., a chain) and anchored to the top with a floating chain of buoys. The curtain shall wrap around the area of disturbance to prevent turbidity from traveling outside the immediate project area. Once the impacted region resettles, the curtains shall be removed. If the sediment would be suitable for ocean disposal, no silt curtain shall be required. However, if contaminants are actually present, the applicant would be required to provide to the RWQCB and Port/City an evaluation showing that the sediment would be suitable for ocean disposal. - In addition, the following measures will apply: - Vegetation-based storm water treatment facilities, such as natural berms, swales, and detention areas are appropriate uses for Buffer Areas so long as they are designed using native plant species and serve dual functions as habitat areas. Provisions for access for non-destructive maintenance and removal of litter and excess sediment will be integrated into these facilities. In areas that provide for the natural treatment of runoff, cattails, bulrush, willow, and the like are permissible. Storm water 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 any 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. - The use of persistent pesticides or fertilizers in landscaping that drains into Wildlife Habitat Areas is prohibited. Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas. - Fine trash filters (as approved by the agency having jurisdiction over the storm drain) are required for all storm drain pipes that discharge toward Wildlife Habitat Areas. H. Public Access. In addition to site-specific measures designed to prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals, the following would prevent or minimize the impact to adjacent open space preserve areas from humans and domestic animals. Buffers. All buffers shall be established and maintained by the Port/City. Appropriate signage will be provided at the boundary and within the buffer area to restrict public access. Within the western 200-foot width of Parcel SP-1, a portion of the buffer areas would be re-contoured and restored to provide habitat consistent with the native vegetation communities in the adjacent open space preserve areas and to provide mitigation opportunities for project impacts. Appendix 4.8-8 provides more specific detail of the mitigation opportunities available within the buffer area included within the Proposed Project. Table 4.8-5 provides a breakdown of the available maximum mitigation acreage that is available within the buffer. Figure 4.8-23 depicts the conceptual mitigation opportunities within the Sweetwater District. Figures 4.8-24 and 4.8-25 display the cross section of the buffer zones in the Sweetwater District indicated on the conceptual illustration. Figure 4.8-26 depicts the conceptual mitigation opportunities within the Otay District. The proposed restoration includes creating and restoring coastal salt marsh and creating riparian scrub vegetation communities. In addition, the coastal brackish marsh, disturbed riparian habitat, and wetland would be enhanced. The first 200 feet of buffer areas adjacent to sensitive habitats, or full width in the case of reduced buffer areas, will be maintained as a "no touch" buffer and will not contain any trails or overlooks. Fencing, consisting of a 6-foot-high vinyl coated chain link fence will be installed within the buffer area to prevent unauthorized access. Fencing in Parcel SP-1 will be installed prior to occupancy of the first buildings constructed in Phase I. District enforcement personnel will patrol these areas and be trained in the importance of preventing human and		

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			domestic animal encroachment in these areas. In addition, signs will be installed adjacent to these sensitive areas that provide contact information for the Harbor Police to report trespassing within the sensitive areas. Impacts to disturbed coastal sage scrub would be mitigated by the restoration of a coastal sage scrub/native grassland habitat also within this buffer. There is the potential to provide a maximum of 20.71 acres of mitigation credit for impacts to wetland habitats and 22.21 acres for impacts to upland habitats. This would exceed the required mitigation needed for impacts within the Port's and City's jurisdiction. A detailed coastal sage scrub (CSS) and maritime succulent scrub (MSS) restoration plan that describes the vegetation to be planted shall be prepared by a Port- or City-approved biologist and approved by the Port or City, as appropriate. The City or Port shall develop guidelines for restoration in consultation with USFWS and CDFG. The restoration plan shall detail the site selection process; shall propose site preparation techniques; planting palettes, implementation procedures, and monitoring and maintenance practices; and shall establish success criteria for each mitigation site. Typical success criteria may include percent canopy cover, percent of plant survival, and percent of native/non-native canopy cover. A minimum 5-year maintenance and monitoring period would be implemented following installation to ensure each area is successful. The restoration plan shall address monitoring requirements and specify when annual reports are to be prepared and what they shall entail. Qualitative and quantitative assessments of the site conditions are expected. If the mitigation standards have not been met in a particular year, contingency measures shall be identified in the annual report and remediation will occur within 3 months from the date the report is submitted. The project developer(s) shall be responsible for implementing the proposed mitigation measures and ensuring that the success criteria are met and approved by the City or Port, as appropriate, and other regulatory agencies, as may be required. Strategic Fencing. Temporary Fencing. 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 SD8NWR 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. Permanent Fencing. Prior to approval of landscape plans, a conceptual site plan or fencing plan shall be submitted to the Port or City, as appropriate, for review and approval to ensure areas designated as sensitive habitat are not impacted. Fencing shall be provided within the buffer area only, and not in sensitive habitat areas. Domestic Animals. 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 within the designated Preserve areas. Trash. Illegal dumping and littering shall be prohibited within the Preserve areas. Throughout the Proposed Project site, easily accessible trash cans and recycling bins shall be placed along all walking and bike paths, and snop walkways. These trash cans shall be "animal-proof" and have self-closing lids that close, to discourage scavenger animals from foraging in the cans. The trash cans shall be emptied daily or more often if required during high use periods. Buildings and stores shall have large dumpsters in a courtyard or carport that is bermed and enclosed. This ensures that, if stray trash falls to the ground during collection, it does not blow into the Bay or marshes. Training. Pursuant to permitting requirements of the Resource Agencies, preconstruction meetings will take place with all personnel involved with the project, to include training about the sensitive resources in the area. N/A		
	Would the Proposed Project create a substantial land/water use incompatibility with adjacent or nearby existing and proposed land uses, resulting in significant incompatibility or nuisance impacts?	The CVBMP improves compatibility of developed land uses with the wildlife refuge. It provides 400-foot buffers and setbacks for the Sweetwater District and eliminates the more intensive development from this district, placing the more urbanized uses in the Harbor District, where such uses already exist. No program-level impact would occur.		As stated in the FEIR, the CVBMP improves compatibility of developed land uses with the wildlife refuge. It provides 400-foot buffers and setbacks for the Sweetwater District and eliminates the more intensive development from this district, placing the more urbanized uses in the Harbor District, where such uses already exist. The proposed project would include the construction of a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. The proposed land use and location is consistent with those included in the FEIR. As such, the proposed	Consistent

<u>EIR Section</u>	<u>Threshold</u>	<u>FEIR Finding</u>	<u>Relevant Mitigation</u>	<u>Discussion</u>	<u>Consistency Determination</u>
				project would be consistent with the FEIR; no additional mitigation or analysis is required.	
	Would the Proposed Project be inconsistent with or conflicts with an adopted PMP water use designation where substantial indirect or secondary environmental impacts would occur?	The PMP establishes three categories for site planning relative to water uses. In order of priority, these are (1) water-dependent uses, (2) water-linked uses, and (3) waterfront enhancing uses. Water-linked uses include the public parks, commercial activities, and cultural uses located in the Sweetwater and Harbor Districts. Parks include Bayside Park, Bayfront Park, Sweetwater Signature Park, the park near Bay Boulevard, Marina View Park, and South Park. While these parks are not water dependent, they provide increased coastal access to the public. Because the CVBMP (which includes a PMP amendment) would be consistent with the objectives outlined in the PMP for uses on and adjacent to water, there would not be a significant impact.	N/A	The proposed project would not include a water-dependent use. As such, the proposed project would be consistent with the FEIR; no additional mitigation or analysis is required.	Consistent
3.11 Mineral Resources	Would the Proposed Project Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? Or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	The FEIR determined that no significant economic mineral resources have been discovered within the limits of the CVBMP site. Therefore, the potential for loss of mineral deposits due to further development of the CVBMP is considered low.	N/A	As discussed in the FEIR, the CVBMP would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state because the project site is underlain by a thin layer of topsoil, undifferentiated alluvial and/or tidal flats deposits, and bay deposits, which do not contain any known mineral resources. Similarly, the proposed project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a land use plan because the PMP does not identify any mineral resources in the area or designated plans for mineral extraction. Therefore, the proposed project would not result in a change in the significance determination. No new significant environmental impacts or increase in severity of impacts would occur. The proposed project would be consistent with the FEIR; no additional mitigation or analysis is required.	Consistent
3.12 Noise	Would the Proposed Project have a significant impact if it exposes persons to or generates noise levels in excess of standards established in the City of Chula Vista General Plan or noise ordinance, or applicable standards of other agencies?	On-site traffic on area roadways would be expected to generate noise levels at groundlevel sensitive receptors in excess of the City's residential exterior standard of 65 dB(A) CNEL, thus would result in a significant impact at noise sensitive areas. Off-site traffic noise impacts would result from the Pacific Retail and Residential component of the CVBMP. There are no noise sensitive land uses adjacent to the remainder of the roadway segments that would experience an increase of 3 dB(A) or more; therefore, noise level increases along these segments are not considered significant. The closest point of the F & G Street Marsh habitat to the roadway noise is approximately 90 feet from the centerline of E Street. The highest noise level at the habitat would be approximately 62 dB(A). This noise level exceeds the wildlife noise threshold of 60 dB(A) Leq. during breeding season at habitat in the F & G Street Marsh. This would be a significant impact (Impact 4.7-8). During construction, suitable noise sensitive wildlife habitat is located in the Sweetwater Marsh and in the F and G Street Marsh. Therefore,	MM 4.7-7: would reduce noise impacts to habitat in the F & G Street Marsh during the breeding season to below a level of significance. Port/City: To avoid significant impacts to the F & G Street Marsh and reduce the noise level at habitat to 60 dB(A) Leq., the developer shall install a 3-foot-high noise barrier along the east right-of-way of E Street for the extent of the habitat, as shown on Figure 4.7-12. The barrier must be of solid construction, with no gaps or cracks through or below the wall, and must have a minimum density of 3.5 pounds per square foot. The barrier must block line-of-sight between the source and receiver and be long enough to prevent flanking around the ends. MM 4.7-9: would reduce construction-related noise levels at the edge of the Sweetwater Marsh NWR that could impact breeding in the refuge to a level less than significant. Port/City: Construction-related noise shall be limited during the typical breeding season of January 15 to August 31, adjacent to the Sweetwater Marsh NWR 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 and/or City that shall determine whether noise barriers would be required to reduce the expected noise 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	The proposed project would have the potential to exceed the noise level standards during construction of the pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. Construction activities would likely occur over a shorter period, however MM 4.7-7 and MM 4.7-9 would still be implemented to reduce construction noise levels to 60 dB(A) or below to achieve levels below significance. Because the proposed project would develop similar land uses as proposed under the FEIR, the proposed project would be consistent with the FEIR. No additional mitigation or analysis is required.	Consistent with Mitigation Incorporated

<u>EIR Section</u>	<u>Threshold</u>	<u>FEIR Finding</u>	<u>Relevant Mitigation</u>	<u>Discussion</u>	<u>Consistency Determination</u>
		construction activity occurring within 800 feet of the habitat during the breeding season would result in a significant impact. MM 4.7-5 and MM 4.7-7 would reduce construction noise levels to 60 dB(A) or below to achieve levels below significance.			
	<i>The Proposed Project would have a significant impact if it exposes persons to or generates excessive groundborne or waterborne vibrations, or noise levels.</i>	The CVBMP does not propose uses that generate groundborne vibration or noise levels.	N/A	As stated in the FEIR, the CVBMP would not generate or expose persons to excessive groundborne vibration or groundborne noise levels at build-out. Similarly, the proposed project would not propose uses that generate groundborne vibration or noise levels. Therefore, the proposed project would be consistent with the FEIR; no additional mitigation or analysis is required.	Consistent
	<i>The Proposed Project would have a significant impact if it results in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.</i>	Program-related traffic on area roadways would be expected to generate noise levels at ground-level sensitive receptors in excess of the City's residential exterior standard of 65 dB(A) CNEL. Future noise levels at noise sensitive areas in excess of 65 dB(A) would result in a potentially significant impact (Impact 4.7-6). Additionally, future noise levels at the F & G Street Marsh habitat would be expected to exceed the wildlife noise threshold of 60 dB(A) Leq. during breeding season without proper mitigation. This is considered a significant impact (Impact 4.7-8).	See MM 4.7-7, above.	Construction of the proposed project would have the potential to result in noise levels at the F & G Street Marsh habitat that exceed the wildlife noise threshold during breeding season without proper mitigation. Therefore, as used in the FEIR, MM 4.7-7 would be implemented. The severity of potential permanent ambient noise levels would be decreased. Because the proposed project would develop similar land uses on the same proposed location, the proposed project would be consistent with the FEIR. No additional mitigation or analysis is required.	Consistent with Mitigation Incorporated
	<i>The Proposed Project would have a significant impact if it results in a substantial temporary or a periodic increase in ambient noise levels in the project vicinity above levels existing without the project.</i>	Construction of the CVBMP would result in a temporary increase in ambient noise levels. Site preparation is anticipated to not exceed 1 year for any phase of the project with building construction occurring in the subsequent 1 to 4 years. Construction activity during the breeding season occurring within 800 feet of noise sensitive wildlife habitat located in the Sweetwater Marsh and in the F & G Street Marsh (Impact 4.7-5).	See MM 4.7-5, above.	Construction activity during the breeding season occurring within 800 feet of noise sensitive wildlife habitat located in the F and G Street Marsh would result in a significant impact. Similarly, the proposed project would result in construction activities for up to four months, over the same development footprint. Therefore, the proposed project would result in similar impacts related to temporary ambient noise levels. MM 4.7-5 would reduce ambient noise levels to less than significant levels. No new mitigation would be required. The proposed project would be consistent with the FEIR.	Consistent
3.13 Paleontological Resources	<i>Would The Proposed Project have a significant impact if it directly or indirectly destroys a unique paleontological resource or site or unique geologic feature?</i>	The sedimentary origin of the Bay Point Formation and its general fossiliferous character suggests that this rock formation has the potential to yield significant fossils. Because bedrock deposits of the Bay Point Formation occur in the northeastern portion of the Sweetwater District, more precisely underlying the low coastal mesa adjacent to Bay Boulevard. The destruction of buried fossil remains could occur during mass grading of the low coastal mesa in the Sweetwater District. If excavation activities penetrate to a depth sufficient to encounter unweathered deposits of the Bay Point Formation, then these development activities would produce direct and significant impacts to potential paleontological resources of the Bay Point Formation (Impact 4.11-1).	MM 4.11-1: would reduce potential impacts to paleontological resources during all phases of development) to below a level of significance: Port/City: 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.	As discussed in the FEIR, if grading activities in the Sweetwater District penetrate to a depth sufficient to encounter unweathered deposits of the Bay Point Formation, then these development activities would produce direct and significant impacts to potential paleontological resources of the Bay Point Formation. As such, consistent with the FEIR's analysis, the proposed project would implement MM 4.11-1. The proposed project would not result in any new impact other than those previously identified in the FEIR. Therefore, the proposed project would be consistent with the FEIR.	Consistent with Mitigation Incorporated

<u>EIR Section</u>	<u>Threshold</u>	<u>FEIR Finding</u>	<u>Relevant Mitigation</u>	<u>Discussion</u>	<u>Consistency Determination</u>
3.14 Population and Housing	<i>The Proposed Project would have a significant impact if it induces substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure).</i>	The project site is primarily undeveloped or underdeveloped lands with no residential units. Development of the CVBMP would introduce more intensified land uses with residential, hotels, commercial/retail uses, and the Resort Conference Center (RCC). Although the CVBMP would create 1,500 new residential units with approximately 3,780 new residents in an area where no residences currently exist, direct impacts would not have a significant direct adverse environmental effect for the following reasons: a. The Bayfront is an area that has been planned for future residential growth. b. Project design is planned to accommodate population growth. c. Growth is not likely to extend beyond the project boundaries due to physical constraints of the project site (bay on the west, I-5 on the east, and Chula Vista Nature Reserve on the north and south). As a result of increased land use intensity associated with the CVBMP, the CVBMP would have an indirect impact associated with traffic, air quality, hydrology/water quality, public services, and public utilities. Please refer to Sections 4.2, Traffic and Circulation, 4.5, Hydrology/Water Quality, 4.6, Air Quality, 4.13, Public Services, and 4.14, Public Utilities of the FEIR for detailed discussion of these indirect impacts.	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. N/A		
	<i>The Proposed Project would have a significant impact if it displaces substantial numbers of existing housing or construction of replacement housing elsewhere.</i>	There are currently no residences on the CVBMP site; therefore, the proposed development would not displace any existing housing or residents. No impact would result. Although CVBMP will not have a significant impact with respect to the displacement of housing or people, the City agreed to include a provision regarding the use of Low and Moderate Income Housing funds generated from within the Bayfront Redevelopment Project Area in the Final EIR as a mitigation measure (Mitigation Measure 4.17-1) in order to provide for appropriate implementation and enforcement.	N/A	The proposed project would include the construction of a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. No residential units would be constructed. As analyzed in the FEIR, the proposed project would include new infrastructure and facilities, however, direct impacts would not have a significant direct adverse environmental effect. In addition, there would be no significant indirect impact associated with traffic, air quality, hydrology/water quality, public services, and public utilities. The severity of the significant impacts would not increase, and the proposed project would not result in any new impact other than those previously identified in the FEIR; therefore, the proposed project would therefore be consistent with the FEIR.	Consistent
3.15 Public Services	<i>The Proposed Project would have a significant impact if it reduces the</i>	Fire protection and emergency medical services would be provided by the City of Chula Vista Fire Department within the plan area. The Port would	N/A	Consistent with the FEIR, no residential units would occur with implementation of the proposed project. As such, no impact would occur and no mitigation would be necessary. The severity of the impacts would not increase, no new impact other than those previously identified in the FEIR would occur. Therefore, the proposed project would therefore be consistent with the FEIR.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
	ability to respond to calls within the City's threshold standard to respond to calls within 7 minutes in 80% of the cases.	continue to participate in the existing Service Agreement for non ad valorem properties. As part of the CVBMP, a new fire station will be constructed on parcel H-17. The fire station would reduce any program level impacts to below a level of significance.		generated by the CVBMP. The fire station would be constructed and operational prior to issuance of a certificate of occupancy for the Resort Conference Center (RCC). As discussed in Section 3.13 Population and Housing, the proposed project would not have a direct or indirect impact on growth in the area. As such, the proposed project would not result in any new or additional impacts related to fire protection response times. Therefore, the proposed project would be consistent with the FEIR.	
	The Proposed Project would have a significant impact if it results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the fire protection and emergency services.	Construction of the new fire station could cause temporary impacts to water quality, air quality, noise, and geology and soils resulting from construction-related activities. These impacts will be less than significant. Construction of the new fire station could result in potentially significant impacts to water quality, air quality, noise, hazards, and geology and soils unless mitigated (Impact 4.13.1-1). Potentially significant impacts in these areas resulting from construction of the fire station are analyzed in the related sections of the EIR as follows: Section 4.5, Hydrology and Water Quality; Section 4.6, Air Quality; Section 4.7, Noise; Section 4.12, Hazards and Hazardous Materials/Public Safety; and Section 4.15, Geology and Soils.	N/A	The proposed project would not result in a substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, or the construction of which could cause significant environmental impacts. As discussed in Section 3.13 Population and Housing, the proposed project would not have a direct or indirect impact on growth in the area. As such, the proposed project would not result in any new or additional impacts related to physically altering governmental facilities. As such, the proposed project would not substantially strain the existing public services and facilities expected to serve the project site. Considering there would be no increase in population within the area, and the addition of a new fire station as part of the CVBMP, it is not necessary or planned that the proposed project would physically alter any governmental facilities. As such, the proposed project would not result in any new or additional impacts related to government facilities. Therefore, the proposed project would be consistent with the FEIR.	Consistent
3.16 Recreation	Would the Proposed Project result in the inability to provide an adequate level of service for public parkland?	Construction activity related to implementation of the CVBMP's Phase I development includes the reconfiguration and reconstruction of the existing Bayside Park. The reconstruction would result in the temporary closure of the park and therefore would result in a temporary short-term impact to the delivery of park and recreation levels of service. At the completion of Phase I, development of the reconstructed Bayside Park would be complete, resulting in the provision of reconstructed and expanded parkland acreage and thereby mitigating the temporary and short-term impacts to park and recreation levels of service. The Port/City would be the responsible party for construction and maintenance of the proposed parkland. Therefore, the demand for park space created by Phase I development under the Proposed Project would not result in a significant adverse impact to the provision of parkland. No parkland is required outside of the CVBMP to meet the established standard; therefore, no impact would result. The CVBMP will provide a	N/A	The proposed project included recreational amenities including a bicycle and pedestrian pathway. The proposed project would result in a similar amount of outdoor public open space and public parkland, compared to the FEIR. As such, the proposed project would not result in any new or additional impacts related to public parkland. Therefore, the proposed project would be consistent with the FEIR.	Consistent

<u>EIR Section</u>	<u>Threshold</u>	<u>FEIR Finding</u>	<u>Relevant Mitigation</u>	<u>Discussion</u>	<u>Consistency Determination</u>
		variety of recreational facilities, distributing park types and facilities throughout the project area. The CVBMP also includes reconfiguration of existing parkland, for a total delivery of approximately 80.1 acres of parkland. Physical deterioration of existing regional and neighborhood parks would therefore not occur as a result of the CVBMP.			
	<i>Would the Proposed Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental recreational facilities, need for new expanded, or physically altered governmental or recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for park and recreation services?</i>	The CVBMP would be required to create approximately 27 acres of dedicated parkland. The Proposed Project would exceed the minimum parkland requirement by designating approximately 80.1 acres of parkland total. This includes reconfiguration of the existing parkland as well as new parkland. No parkland is required outside of the CVBMP to meet the established standard; therefore, no impact would result. Impacts associated with the construction and maintenance of the proposed parkland have been addressed within this EIR.	N/A	As described in the FEIR, no parkland is required outside of the CVBMP to meet the established standard; therefore, no impact would result. Impacts associated with the construction and maintenance of the proposed parkland have been addressed within the FEIR. Therefore, the proposed project would not introduce any new impacts or exacerbate a previously identified impact related to physically altering governmental or recreational facilities. Therefore, the proposed project would therefore be consistent with the FEIR.	Consistent
	<i>Would the Proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.</i>	Temporary closures of the existing regional and neighborhood parks may result from construction activities associated with the CVBMP; however, these parks would be reopened after construction activities that are obstructive are completed. The CVBMP includes an overall expansion of parks. As proposed, Phase I of the project would develop approximately 26 acres of new parkland in the Sweetwater and Harbor districts. The CVBMP also includes reconfiguration of existing parkland, for a total delivery of approximately 80.1 acres of parkland. Physical deterioration of existing regional and neighborhood parks would therefore not occur as a result of the CVBMP.	N/A	As stated in the FEIR, physical deterioration of existing regional and neighborhood parks would not occur as a result of the CVBMP. As discussed in section 3.13 Population and Housing, the proposed project would result in a reduction in severity related to the indirect impact on growth in the area. The proposed project would not introduce any new impacts or exacerbate a previously identified impact related to physically deteriorating recreational facilities. Therefore, the proposed project would therefore be consistent with the FEIR.	Consistent
3.17 Transportation and Traffic	<i>The Proposed Project would have a significant impact if it substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).</i>	The roadways and intersections proposed within the plan area have been designed in conformance with the City of Chula Vista's engineering design guidelines. These standards provide adequate road width and curve radii for future traffic conditions and assure avoidance of hazards related to roadway and intersection design features or incompatible uses. Development of the project components without adequate access and frontage would result	N/A	As stated in the FEIR, roadways and intersections proposed within the plan area have been designed in conformance with the City of Chula Vista's engineering design guidelines. The proposed project would result in a similar land use and location as analyzed in the FEIR. The proposed project would not introduce any new impacts or exacerbate a previously identified impact related to hazards from design features. Therefore, the proposed project would be consistent with the FEIR.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
		In a significant impact related to roadway design (Impact 4.2-1). Mitigation for access and frontage impacts includes construction of adjacent roadways and connection to the existing roadway network.			
	<i>The Proposed Project would have a significant impact if it conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).</i>	The Proposed Project is designed to encourage the use of alternate transportation by including the H Street transit center close to the rail line, bike and pedestrian pathways, water taxis, and a private employee parking shuttle. The CVBMP includes connections to the planned Bayshore Bikeway and provides an additional local bikeway loop that would be safer and more scenic as its located closer to the water. No significant impact is identified.	N/A	As stated in the FEIR, the CVBMP is designed to encourage the use of alternate transportation by including the H Street transit center close to the rail line, bike and pedestrian pathways, water taxis, and a private employee parking shuttle. The proposed project would include a pedestrian and bicycle pathway, thus providing of pedestrian-oriented amenities and activating uses. Consistent with the FEIR, the proposed project would not conflict with the adopted policies, plans, or programs supporting alternative transportation; no impacts would be exacerbated. Therefore, the proposed project would be consistent with the FEIR.	Consistent
	<i>The Proposed Project would have a significant impact if changes to the land use and the circulation plans would result in the following:</i> a) A roadway segment that currently operates at LOS D or better and with the proposed changes would operate at LOS E or F at General Plan buildout; or b) A roadway segment that currently operates at LOS F and would worsen by five percent or more at General Plan buildout. <i>If changes to the land use and circulation plans would affect signalized and unsignalized intersections as follows:</i> a) An intersection that currently operates at LOS D or better and with proposed changes would operate at LOS E or worse at General Plan buildout; b) An intersection that currently operates at LOS E or F and the project trips generated comprise five percent or more of the entering volume. Entering volumes are the total approach volumes entering an intersection; or c) A cumulative impact would occur if the	Under Phase I, the following segments will experience congested LOS D or worse conditions for segments outside of the Urban Core and LOS E conditions for segments inside of the Urban Core and will require mitigation: • Lagoon Drive/F Street (Marina Parkway to Bay Boulevard) (LOS F) (Impact 4.2-2) • H Street (west of Marina Parkway) (LOS F) (Impact 4.2-3) • Marina Pkwy (Lagoon Drive to G Street) (LOS F) (Impact 4.2-4) • Bay Boulevard (E Street to F Street) (LOS F) (Impact 4.2-5). The following intersections will be characterized by LOS E or F conditions under Phase I Baseline Plus Project conditions and would result in direct project impacts and would require mitigation: • E Street/I-5 Southbound Off-Ramps (LOS F, PM peak hour) (Impact 4.2-6) • F Street/Bay Boulevard (LOS F, PM peak hour) (Impact 4.2-7) • J Street/Bay Boulevard (LOS F, both peak hours) (Impact 4.2-8) • I Street/Bay Boulevard (LOS F, both peak hours) (Impact 4.2-9) • I-5 Southbound Ramps/Bay Boulevard (LOS F, PM peak hour) (Impact 4.2-10) • J Street/Marina Parkway (LOS E, PM peak hour) (Impact 4.2-11). The addition of Phase I traffic would result in a direct project impact to the following freeway segment and would require mitigation: • I-5 between SR-54 and E Street (LOS F, AM and PM peak hours) (Impact 4.2-12).	N/A	The proposed project would result in a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. Construction would occur over a four-month period during Phase I of the CVBMP. The proposed project would not contribute vehicle trips to the proposed pathway. As the proposed project provides safe and convenient pedestrian and cyclist connections between the future RV park development and Sweetwater and Harbor parks (Signature Park), any vehicle trips will be analyzed under those park projects for consistency with the FEIR. Therefore, the proposed project would not contribute to potentially significant impacts under Phase I, identified in the FEIR, and impacts would be reduced compared to what was analyzed under the FEIR. No impacts would be exacerbated, and no additional mitigation would be required. Therefore, the proposed would be consistent with the FEIR.	Consistent

EIR Section	Threshold	FEIR Finding	Relevant Mitigation	Discussion	Consistency Determination
	<i>operations at intersection are at LOS E or F only.</i>	Under Phase I Conditions with Closure of F Street, Extension of H Street, and Partial Extension of E Street Roadway Segment Level of Service Summary, the following segments will experience congested LOS D or worse conditions for segments outside of the Urban Core and LOS E or worse conditions for segments inside the Urban Core: • H Street (west of Marina Parkway) (LOS F) (Same as Significant Impact 4.2-3) • H Street (Marina Parkway to Bay Boulevard) (LOS F) (Same as Significant Impact 4.2-4). Phase I Conditions with Closure of F Street, Extension of H Street, and Partial Extension of E Street Peak-Hour Intersection Level of Service Summary, the following intersections will be characterized by LOS E or F conditions and would result in direct project impacts and would require mitigation: • H Street/Gaylord RCC Driveway (LOS E, PM peak hour) (Impact 4.2-13) • J Street/Bay Boulevard (LOS F, PM peak hour) (Impact 4.2-14) • L Street/Bay Boulevard (LOS F, both peak hours) (Impact 4.2-15) • I-5 Southbound Ramps/Bay Boulevard (LOS F, PM peak hour) (Impact 4.2-16).			
3.18 Utilities and Service Systems	<i>Would the Proposed Project have a significant impact if sufficient water supplies are not available to serve the project from existing entitlements and resources, or results in the need for new or expanded entitlements?</i>	As stated in the FEIR, the CVBMP water supply demands are estimated to be lower than those evaluated in the WSA&V, and would fall within the level of water demand included in Sweetwater's 2005 UWMP. The Sweetwater Authority would not have to rely on the availability of MWD's Reserve and Replenishment Supplies in order to provide a sufficient water supply to the CVBMP. Accordingly, the CVBMP would not have a significant impact because sufficient water supplies are available to serve the project from existing entitlements and resources.	N/A	The proposed project would result in a pedestrian bridge located over the inlet of the F and G Street Marsh, a bicycle and pedestrian pathway, and the restoration of the channel inlet. Construction would occur over a four-month period during Phase I of the CVBMP. As stated in the FEIR, the CVBMP would not have a significant impact because sufficient water supplies are available to serve the project from existing entitlements and resources. The proposed project was recognized under the FEIR, therefore, any construction and/or operational water used for the proposed project were included the FEIR determination. As such, the construction and operational water demand for the proposed project would result in similar demands included in the FEIR. No additional mitigation or analysis is required. The proposed project would be consistent with the FEIR.	Consistent
	<i>Would the Proposed Project have a significant impact if the project requires or results in the construction of new water treatment facilities or expansion of existing facilities and services, the construction of which could cause significant environmental effects?</i>	The proposed timing of construction for water improvements is tied to requirements of proposed adjacent development. For Phase I project-level, therefore, only those improvements required for development on Parcels H-13, H-14, HP-5, and H-17 are proposed for construction prior to or concurrently with development of these Phase I project-level components. Water improvements necessary for program-level components would be required prior to or concurrently with development of these specific components.	N/A	The proposed project would not construction of new water treatment facilities or expansion of existing facilities and services. Additionally, the proposed project would not require water improvements. As such, impacts related to new water treatment facilities would not be exacerbated and no additional mitigation or analysis is required. Therefore, the proposed project would be consistent with the FEIR.	Consistent

<u>EIR Section</u>	<u>Threshold</u>	<u>FEIR Finding</u>	<u>Relevant Mitigation</u>	<u>Discussion</u>	<u>Consistency Determination</u>
		Off-site improvements required for Phase I include the construction of a new 16-inch water main in E Street from Bay Boulevard to the project and construction of a new water main in J Street from 2nd Avenue to the project. Construction-related impacts from these improvements would require mitigation (Impact 4.14.1-1, 4.14.1-3, 4.14.1-4).			
	<i>The Proposed Project would have a significant impact if it is inconsistent with the assumptions in the SDCWA's 2005 Updated UWMP.</i>	The CVBMP includes additional plan modifications to the General Plan. Any inconsistency in actual planned development would be temporary until the SDCWA amends its 2005 Updated Urban Wastewater Management Plan (UWMP) based on the updated General Plan and proposed General Plan Amendment in 2010.	N/A	The proposed project would result in a consistent land use and be built in the approximate same location as what was analyzed in the FEIR. The proposed project would have a similar water demand as what was proposed under the FEIR. The FEIR states that the CVBMP would not have a significant impact in relation to conflicts with the UWMP because it's estimated water demand would fall within that assure for future development in SDCWA's 2005 Updated UWMP. Therefore, the proposed project would not exacerbate or create new impacts. Therefore, the proposed project would be consistent with the FEIR; no additional mitigation or analysis is required.	Consistent
	<i>The project is served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.</i>	Solid waste estimates for hotel uses are estimated to be 7,000 pounds per day. Pacific and Otay Landfill, Inc. have a long-term contract to dispose and accept Chula Vista's trash through 2028. Therefore, the CVBMP would be served by landfills with sufficient permitted capacity to accommodate the CVBMP's solid waste disposal needs and no significant impact to integrated waste management services would result.	N/A	As stated in the FEIR, the CVBMP would be served by landfills with sufficient permitted capacity to accommodate the CVBMP's solid waste disposal needs and no significant impact to integrated waste management services would result. The proposed project would result in a consistent land use and be built in the approximate same location as what was analyzed under the FEIR. Therefore, the proposed project is anticipated to generate a reduced demand for landfill capacity, compared to the FEIR.	Consistent
	<i>The project does not comply with federal, state, and local statutes and regulations related to solid waste.</i>	The CVBMP would conform to State Mandate AB 939 through compliance with Municipal Code Section 8.25. The Proposed Project would comply with local regulations through consistency with city of Chula Vista General Plan goals, policies, and objectives. In particular, standards for recycling, trash, and solid waste will be applied in conformance with Municipal Code 19.58.340 (Solid Waste Planning Manual). The CVBMP would comply with federal, state, and local statutes and regulations and therefore no significant impacts in regard to solid waste would occur.	N/A	Consistent with the FEIR's analysis, the proposed project would comply with local regulations through consistency with City of Chula Vista General Plan goals, policies, and objectives. As such, no new or worsened impacts would occur related to compliance with federal, state, and local regulations related to solid wastes. The proposed project would be consistent with the FEIR.	Consistent