Appendix A
NOP and Comment Letters

NOTICE OF PROJECT SCOPING AND NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT BY THE CITY OF CHULA VISTA

NOTICE IS HEREBY GIVEN THAT THE CITY OF CHULA VISTA has prepared a scoping presentation to solicit public input on the scope of an Environmental Impact Report, as summarized below:

PROJECT: Environmental Impact Report EIR22-0003 for the Rohr/Wohl Bayfront Specific Plan

PURPOSE: Solicit public comment on the type and extent of the environmental analyses to be performed under the California Environmental Quality Act (CEQA), such as: Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology and Water Quality, Land Use, Mineral Resources, Noise, Population/Housing, Public Services and Utilities, Recreation, Transportation, Tribal Cultural Resources, and Wildfire.

DATES: October 7, 2022, to November 7,2022

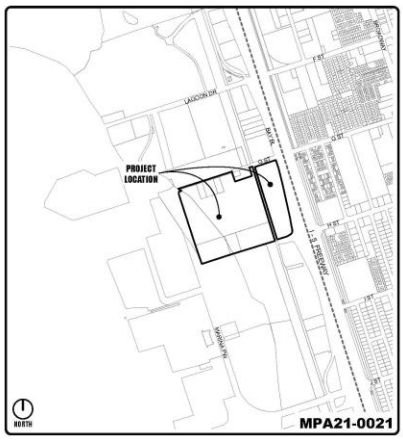
The purpose of the scoping presentation is to inform the public that the lead agency, the City of Chula Vista Development Services Department (DSD), is evaluating a project under CEQA and set forth in Public Resources Code Section 21065 to solicit public comment regarding the type and extent of environmental analyses to be undertaken. At the scoping stage, DSD describes the preliminary concept of the project, and asks for public feedback regarding the scope of the EIR. To provide such information and in the interest of the public health and safety, DSD has prepared a scoping presentation. Additional project information can be found at: www.chulavistaca.gov/environmentalnotices

SCOPING MEETING: Members of the public are invited to attend the EIR scoping meeting on October 20, 2022 at 5:00 pm. The meeting will be held at the City of Chula Vista City Hall, Building A, Conference Room #103, located at 276 4th Avenue, City of Chula Vista, California 91910.

SUBMITTING COMMENTS: All comments regarding the scope of the EIR must be submitted by November 7, 2022 by 5:00 pm. All comments should be submitted to Jeff Steichen at jsteichen@chulavistaca.gov or for assistance call (619) 585-5778.

Upon completion of the scoping process, comments received on the EIR scope will be considered in the preparation of the draft environmental document.

ACCESSIBILITY: Individuals with disabilities are invited to request modifications or accommodations in order to access and/or participate in the scoping process by contacting the City Clerk's Office at cityclerk@chulavistaca.gov or (619) 691- 5041 (California Relay Service is available for the hearing impaired by dialing 711) at least forty-eight hours in advance of the opening date of the forum.



AVISO DEL ALCANCE DEL PROYECTO Y AVISO DE PREPARACION DE UN INFORME DE IMPACTO AMBIENTAL POR LA CIUDAD DE CHULA VISTA

POR ESTE MEDIO SE LE NOTIFICA QUE LA CIUDAD DE CHULA VISTA ha preparado una presentación de alcance para solicitar participación pública en cuanto al alcance de un Informe de Impacto Ambiental, como se resume a continuación:

PROYECTO: Informe de Impacto Ambiental EIR22-0003 para el Rohr/Wohl Bayfront Specific Plan.

PROPOSITO: Solicitar comentario público sobre el tipo y alcance de los análisis ambientales a realizarse bajo la Ley sobre Calidad Ambiental de California (CEQA), tales como: Estética, Recursos Agrícolas y Forestales, Calidad del Aire, Recursos Biológicos, Recursos Culturales, Energía, Geología y Suelo, Emisiones de Gases de efecto Invernadero, Peligros y Materiales Peligrosos, Hidrología y Calidad del Agua, Uso del Suelo, Recursos Minerales, Ruido, Población/Vivienda, Servicios Públicos y Utilitarios, Recreación, Transporte, Recursos Tribales Culturales, e Incendios Forestales.

FECHAS: 7 de octubre de 2022 al 7 noviembre de 2022

La presentación del alcance se hace con el motivo de informar al público que la agencia líder, el Departamento de Servicios de Desarrollo de la ciudad de Chula Vista (DSD), está evaluando un proyecto bajo la CEQA y conforme al Código de Recursos Públicos, Sección 21065 para solicitar comentarios del público con respecto al tipo y alcance de los análisis ambientales de este emprendimiento. En la etapa de alcance, el DSD describe el concepto preliminar del proyecto, y solicita los comentarios del público en cuanto al alcance del EIR-Informe de Impacto Ambiental. Por lo tanto el DSD ha preparado una presentación de alcance con el motivo de proveer dicha información como también en el interés de la salud y seguridad pública. Puede encontrar información adicional sobre el proyecto en: www.chulavistaca.gov/environmentalnotices

REUNIÓN DE ALCANCE: Se invita a los miembros del público a asistir a la reunión de alcance de EIR el 20 de octubre de 2022 a las 5:00 p. m. La reunión se llevará a cabo en el Ayuntamiento de la Ciudad de Chula Vista, Edificio A, Sala de Conferencias #103, ubicado en 276 4th Avenue, Ciudad de Chula Vista, California 91910.

ENVÍO DE COMENTARIOS: Todos los comentarios relacionados con el alcance del EIR deben enviarse antes del 7 de noviembre de 2022 a las 5:00 p. m. Todos los comentarios deben enviarse a Jeff Steichen a jsteichen@chulavistaca.gov o para asistencia llame a (619) 585-5778.

Una vez finalizado el proceso de alcance, los comentarios que se reciban acerca del alcance del EIR-Informe de Impacto Ambiental se han de considerar en la preparación del documento ambiental.

ACCESIBILIDAD: Se invita a los individuos con discapacidades a que pidan los ajustes o adaptaciones que sean necesarios para poder acceder y/o participar en el proceso de alcance poniéndose en contacto con la Oficina del City Clerk al: cityclerk@chulavistaca.gov o llamando al (619) 691-5041 (California Relay Service se encuentra disponible para aquellos con discapacidad auditiva al marcar 711) por lo menos con 48 horas de antelación a la fecha de apertura de la reunión.

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE ROHR/WOHL BAYFRONT SPECIFIC PLAN PROJECT

PROJECT LOCATION

The 44.78-acre project site is located west of Interstate 5 (I-5), north of H Street, south of G Street, and east of Marina Parkway in the City of Chula Vista, California (*Figure 1*). The site Assessor's Parcel Numbers (APNs) are 571-330-35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45. The site is in the northwest portion of the City of Chula Vista, directly adjacent to the City of San Diego.

The project site is divided into three separate planning areas. The eastern portion of the project site, closest to I-5 (between G Street and H Street), is designated as Planning Area A and is 9.29 acres. The largest planning area is Planning Area B-1 and is 26.13 acres. The last planning area is Planning Area B-2, located south of B-1 and is 9.36 acres (*Figure 2*).

PROJECT BACKGROUND AND SETTING

The subject property consists of developed land occupied by the former Rohr Aircraft Facility. The site is currently developed with one office building, and two industrial buildings. One of the industrial buildings in Planning Area A known as Building 29 (795 H Street), was used for research & development, tooling, and warehouse and distribution of aftermarket products until February 2021. Planning Areas B-1 and B-2 were used for manufacturing operations, which ceased in approximately 2020.

Historically, the project site was used for agricultural prior to development in 1941 with the existing facility. As a result of residual contaminated soils caused by historical agriculture and industrial uses at the project site, soil remediation and cleanup efforts are necessary. Chemicals associated with historical operations have been identified in soil and groundwater, including, but not limited to, Volatile Organic Compounds (VOCs), metals, petroleum hydrocarbons, polycyclic aromatic hydrocarbons (PAHs), and PCBs and have been investigated under DEH and San Diego Regional Water Quality Control Board (SDRWQCB). In 1998, the SDRWQCB issued Cleanup and Abatement Order No. 98-08 for the Rohr facility to abate discharges from its facility. The SDRWQCB issued CAO R9-2021-0042 in July 2021 that includes directives and timelines to remediate soil, soil gas, and groundwater at the property.

Planning Areas A, B-1 and B-2 of the project site are located within the Chula Vista Local Coastal Program (LCP) and currently lie within the General Industrial (I-G) Zoning and Industrial (I) General Plan land use designations. Land uses surrounding the project site include vacant properties, Collins Aerospace, and Seven Mile Casino to the north; Marina, Chula Vista Harbor, and future development as part of the Chula Vista Bayfront Master Plan to the south; Bay Boulevard and I-5 to the east; and Chula Vista RV Resort and future development site for the Gaylord Pacific Resort Hotel and Convention Center to the west.

PROJECT DESCRIPTION

The proposed project involves the preparation of a Specific Plan that would govern future development within the three Planning Areas (A, B-1, and B-2) at the project site. Specific plans are a mechanism to ensure that projects develop in an organized and a cohesive manner. Specific plans incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, and urban design and landscape plans. A comprehensive set of design guidelines and development regulations are included to guide and regulate site planning, landscape, and architectural character within the Specific Plan area ensuring that excellence in design is achieved during project development. The Rohr/Wohl Bayfront Specific Plan establishes the procedures and requirements to approve new development within the Specific Plan area.

A General Plan and Land Use Plan Amendment is proposed to be processed concurrently with Specific Plan adoption, which would change the existing I-G (General Industrial) zoning designation to three new zoning designations: PA-1 (for Planning Area A), PA-2 (for Planning Area B-1), and P-3 (for Planning Area B-2). These new designations would provide for permitted, conditionally permitted and prohibited uses within six Land Use Categories: Commercial Retail (CR), Commercial Visitor (CV), Commercial Office (CO), Light Industrial (LI), Regional Technology Park (RTP), and Business Park Flex (BPF). The existing zoning designation of I-G would be amended to complement the Collins Aerospace Campus to allow a flexible combination of light industrial, office, commercial and visitor-oriented uses to complement both the overall Chula Vista Bayfront area and the western part of Chula Vista. California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits adoption and administration of specific plans as an implementation tool for the local general plan. Specific plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan. The Rohr/Wohl Bayfront Specific Plan would be prepared in conformance with the goals and policies of the City of Chula Vista General Plan as amended, in providing a commercial/light Industrial use on an underutilized property, creating new employment opportunities, and providing regulations that support the success of an employment area of the City.

The land uses shown in the table below represent proposed land uses for each of the three Planning Area zones.

Planning Areas Proposed Land Uses	
Land Use Category	**Allowed Services**
Commercial Retail (CR)	Designates areas for general commercial activities and services of a more intensive nature, including but not limited to shopping facilities, major service-oriented uses, food uses, and other retail uses that are designed to serve the city or the region as a whole and are typically located primarily along major transportation routes.
Commercial Visitor (CV)	Designates areas for large-scale commercial development that serves both local and regional needs. The regulations of this zone are designed to encourage the provision of lodging, restaurants, service stations, and other activities providing for the convenience, welfare, or entertainment of the traveler. Sites are easily accessible from freeways and may contain a variety of goods and services, such as eating and drinking establishments, hotels, and motels.
Commercial Office (CO)	Designates areas for activities that cater to business support and personal services. Uses typically include medical and health care clinics, travel agencies, insurance agencies, copy centers, and other similar land uses.

Light Industrial (LI)	Designates areas for general commercial activities and services of a more intensive nature, including but not limited to shopping facilities, major service-oriented uses, food uses, and other retail uses that are designed to serve the city or the region as a whole and are typically located primarily along major transportation routes.
Regional Technology Park (RTP)	Designates areas reserved for manufacturing, processing, warehousing and storage, e-commerce distribution, light industrial research parks, retail uses to complement the primary use; supportive amenities and services; and convenient transit access, and a broad range of similar clean industrial practices and processes that typically generate less truck traffic and noise.
Business Park Flex (BPF)	Designates areas to support a complementary mix of uses such as, research and development, e-commerce, light and custom manufacturing, engineering and design services, breweries, and maker spaces, as well as accessory office, retail uses to compliment the primary use; supportive amenities and services; and convenient transit access. This zoning district encourages light industrial activities with low environmental impacts and supports the growth of creative industries, incubator businesses, and innovative design and manufacturing. The zoning district can allow for small scale, context sensitive warehousing, distribution, and manufacturing to support small business development.

The approval of the Rohr/Wohl Bayfront Specific Plan would amend the City of Chula Vista's zoning for the property to allow the development of the proposed project with commercial, industrial, and office uses. When adopted by ordinance, the Specific Plan would become the zoning for all uses within the Specific Plan area. Where conflicts occur between the municipal code and the Specific Plan, the Specific Plan would prevail. Where standards are not included in the Specific Plan, the underlying code provisions would apply.

Approval of the proposed project would require the adoption of a General Plan Amendment and a new Specific Plan; amendment of the Development Agreement by and between City of Chula Vista, Redevelopment Agency of the City of Chula Vista, and Rohr, Inc., dated December 30, 1999, as amended; certification of the EIR; adoption of CEQA Findings and Statement of Overriding Considerations; and adoption of a Mitigation Monitoring and Reporting Program (MMRP).

DOCUMENTS TO BE AMENDED INCLUDE:

- Chula Vista General Plan
- Chula Vista Local Coastal Plan:
    - Bayfront LCP Land Use Plan
    - Bayfront Specific Plan
- Chula Vista Municipal Code Chapter 19:
    - Section 19.81: Bayfront Specific Plan – Scope and Purpose
    - Section 19.84: Bayfront Specific Plan – Land Use Zones
    - Section 19.85: Bayfront Specific Plan – Development Criteria

EIR CONTENTS

Potential Environmental Effects of the Project

The City of Chula Vista has determined that the project may cause significant adverse environmental effects and potentially significant indirect, direct, and cumulative environmental effects. An EIR is, therefore, required to comply with CEQA Guidelines Sections 15060 and 15081. Specifically, it has been determined that an EIR will be prepared.

In accordance with the CEQA Guidelines and the City's Environmental Procedures, the environmental impact analysis will describe the environmental setting of the project, identify potential environmental impacts, address the significance of potential impacts, identify mitigation measures to address potentially significant environmental impacts, and determine the significance of impacts after mitigation.

The scope of the EIR for the project will be based in part on comments received in response to this NOP and public input received during the public scoping period. The EIR will address each of the environmental issues summarized herein. An MMRP will be prepared to document implementation of the required mitigation measures. For each mitigation measure, the timing of implementation will be identified and tied to a specific project action. Responsible parties will be identified to implement and monitor the satisfaction of each mitigation measure. The following environmental issues will be analyzed in the EIR.

Aesthetics

This section will describe all regulations, policies and guidelines governing views and aesthetic considerations. This section will evaluate grading associated with the project and the potential change in the visual environment based on the proposed development, including substantial effects on scenic vistas and potential impact to scenic resources, if any are present in the vicinity of the site. Further, this section will evaluate any potential conflicts with applicable zoning and other regulations governing scenic quality.

Agricultural and Forestry Resources

This section will address the project's potential to impact farmland. This will include an evaluation of the existing zoning and if any Farmland Mapping and Monitoring Program of the California Resources Agency are present. If the Farmland Mapping and Monitoring Program identifies potential agricultural resources, the analysis will consider the potential for the site to be utilized for agricultural purposes based on the present conditions of the site such as soil quality, water availability, climate, topography, and surrounding uses. As no off-site farmland exists adjacent to the site, no off-site impacts are anticipated. No forestry resources exist on or adjacent to the site, and no impacts to forestry resources are expected.

Air Quality

The air quality section of the EIR will describe the existing air quality in the San Diego Air Basin (SDAB) in the vicinity of the project site, list relevant policies that relate to air quality in the SDAB and identify potential air quality impacts. Project consistency with the Regional Air Quality Strategy will be evaluated. In addition, air emissions from the project during construction and operations will be quantified and evaluated per applicable federal and state ambient air quality standards. Potential exposure of sensitive receptors to substantial pollutant concentrations and odors will also be assessed. Due to the project location within 500 feet of the freeway, a Health Risk Assessment will also be completed in accordance with City of Chula Vista policy. While the impacts from the freeway to the project would be from the environment on the project, the result will be disclosed for informational purposes in the EIR.

Biological Resources

This section of the EIR will address the potential direct and indirect impacts of the project on sensitive biological resources. The evaluation will be based on project-specific biological resources investigations as

well as regional documentation of biological resources. Recent biological resource surveys have been conducted for the site, including species-specific surveys, rare plant survey, and a jurisdictional delineation. In addition, project vicinity and regional biological resources information (i.e., Multiple Species Conservation Plan [MSCP]) will be reviewed for the study area. The analysis will also include an analysis of the project's compliance with the City of Chula Vista's MSCP and Resource Management Plan as well as the City of San Diego's MSCP. Indirect impacts will also be evaluated. A Biological Resources Technical Report shall be prepared for all areas of potential effect of the project and will be included as an appendix to the EIR.

Cultural Resources

This section of the EIR will address the project's potential impacts to cultural resources. Proposed site grading and other construction activities have the potential to impact unknown resources as well as known cultural sites. The existing buildings onsite are of historic age and will be analyzed in a stand-alone Built Environment Repot. This will be discussed in detail in the EIR. A Cultural and Historical Resources Technical Report shall be prepared for all areas of potential effect of the proposed project and will be included as an appendix to the EIR.

Energy

This section of the EIR will calculate the energy usage (fuel, natural gas, and electricity) associated with the project and analyze whether or not the project would potentially result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Geology and Soils

A geology and soils technical report will be prepared and incorporated into the EIR. The project includes soil remediation to ensure soils are in suitable condition for the proposed development. This section will evaluate geology and soils issues pursuant to significance criteria based on Appendix G of the CEQA guidelines, including issues related to soils suitability, and the potential for adverse geotechnical conditions such as slope stability and seismic risks.

Greenhouse Gas Emissions

The greenhouse gas (GHG) emissions analysis will include calculations of the greenhouse gas emissions associated with the project and will identify any GHG reduction measures to reduce potential project GHG emission impacts. The GHG section would also analyze the project's consistency with the applicable city's Climate Action Plan and other applicable relevant GHG plans, policies, or regulations. The GHG calculations will be included within an appendix to the EIR.

Hazards and Hazardous Materials

This section of the EIR will address risk of upset, hazardous emissions, proximity to airports, sea-level rise, and the potential interference with emergency response plans. The radius study consists of a database search of regulatory agency records to determine whether there are currently, or were previously, any reports of hazardous materials contamination or usage at the site or contamination at other sites within the search radius. The project will be required to comply with local, state and federal hazardous materials regulations. The analysis will address if the proposed project would result in any increased risk to the environment related to hazards and hazardous materials. The environmental site assessment will be included as an appendix to the EIR.

Hydrology and Water Quality

A water quality and hydrology/drainage technical report will be prepared and incorporated into the EIR. This

section will evaluate effects of the project related to increases in impervious surfaces and effects on groundwater recharge, water quality issues related to urban runoff, and storm drain capacity issues resulting from changes in runoff patterns. The project will be required to comply with hydromodification regulations, as well local, state, and federal regulations pertaining to hydrology and water quality. The project includes on-site detention to control project site runoff, as well as the treatment of project stormwater to control water quality prior to discharge to the north. This analysis will be supported by drainage and stormwater technical studies that will be included as appendixes to the EIR.

Land Use and Planning

The project proposes General Plan and Local Coastal Plan Amendments as well as a rezone. This section will identify all of the relevant goals, objectives and recommendations within applicable plans/ordinances that pertain to the project related to minimizing environmental effects. This section will analyze whether project implementation will be consistent with these plans and policies. This will include addressing the City of Chula Vista General Plan. If any inconsistency is identified, the analysis will address if the inconsistent would lead to a significant physical environmental impact.

Mineral Resources

The EIR shall identify if the site contains significant mineral resources based on available mineral resource mapping information. The conditions of the site and surrounding area will be assessed to determine the significance of any mineral resources present. Impacts shall be evaluated based on if the resource provides a significant benefit to the local, regional, or state residents.

Noise

A Noise Report will be prepared for the proposed project and the results of the technical report will be incorporated into the EIR. This section of the EIR will evaluate the project's potential to increase noise levels above the baseline ambient noise condition and will address compliance with the noise policies and standards identified in the City of Chula Vista's General Plan and Municipal Code ordinances. Both short-term, construction-related noise, and long-term operational noise issues will be evaluated. While an impact of the environment onto the project, the adjacent freeway noise levels will be discussed for informational purposes.

Paleontological Resources

This section of the EIR will address the project's potential impacts to paleontological resources. Proposed on- and off-site grading and other construction activities have the potential to impact unknown paleontological resources. A Paleontological Resources Study will be prepared and included as an appendix to the EIR.

Population and Housing

This section will analyze the project's effects on population and housing, both within Chula Vista, and the region. As no existing houses exist on the site and the site is not currently planned for housing, the project is not expected to displace existing housing or people. Population projections will be based on potential employment opportunities. The discussion of housing and population issues will be on population growth, which is primarily a "growth inducing impact." The focus of the analysis shall be if the project would result in physical environmental impacts.

Public Services

This section of the EIR will evaluate potential environmental impacts related to public services. The existing services and infrastructure will be identified and the potential for impacts to fire protection (including emergency medical services), police services, schools, parks, and other services. The analysis in this section will focus on the potential increased demand on services based on the applicable City-approved standards and measures, and the associated physical improvements necessary to meet those service levels. As needed,

coordination will be completed with the service providers to obtain information regarding existing service levels and the potential project impact to services. The physical environmental impacts to provide public services to the proposed project will be evaluated. A public facilities plan will be prepared to address public services and included as an appendix to the EIR.

Recreation

This section of the EIR will evaluate the project's potential to increase use of existing parks and recreational facilities as well as the environmental impact of any recreational facilities included in the project.

Transportation

This section of the EIR will be based on the transportation impact study and will address potential conflicts with a program, plan, ordinance, or policy addressing the circulation system or CEQA Guidelines Section 15064.3, subdivision (b). This section will address project Vehicle Miles Traveled. Further, this section will analyze whether or not the project would substantially increase hazards due to a geometric design feature or result in inadequate emergency access. The analysis will address multi-modal transportation impacts, including pedestrian and bicycle modes of transportation. Thresholds will be utilized based on the location of the impact and the applicable City's regulations and standards.

Tribal Cultural Resources

This section of the EIR will address the project's potential impacts to tribal cultural resources. This project will involve Assembly Bill 52 and Senate Bill 18 consultations with California Native American Tribes to identify and protect tribal cultural resources. A Cultural Resources Technical Report shall be prepared for all areas of potential effect of the project and will be included as an appendix to the EIR. The proposed site grading and other construction activities will be evaluated to assess potential to impacts to tribal cultural resources. This will be discussed in detail in the EIR.

Utilities and Service Systems

This section of the EIR will evaluate potential impacts on utilities and service systems. The existing services and infrastructure will be identified and the potential for impacts to water, sewer, drainage, electrical, solid waste disposal, and telecommunication services. The analysis in this section will focus on the potential increased demand on services based on City-approved standards and measures. This analysis will be supported by water and sewer demand technical studies, which will be included as appendixes to the EIR.

Wildfire

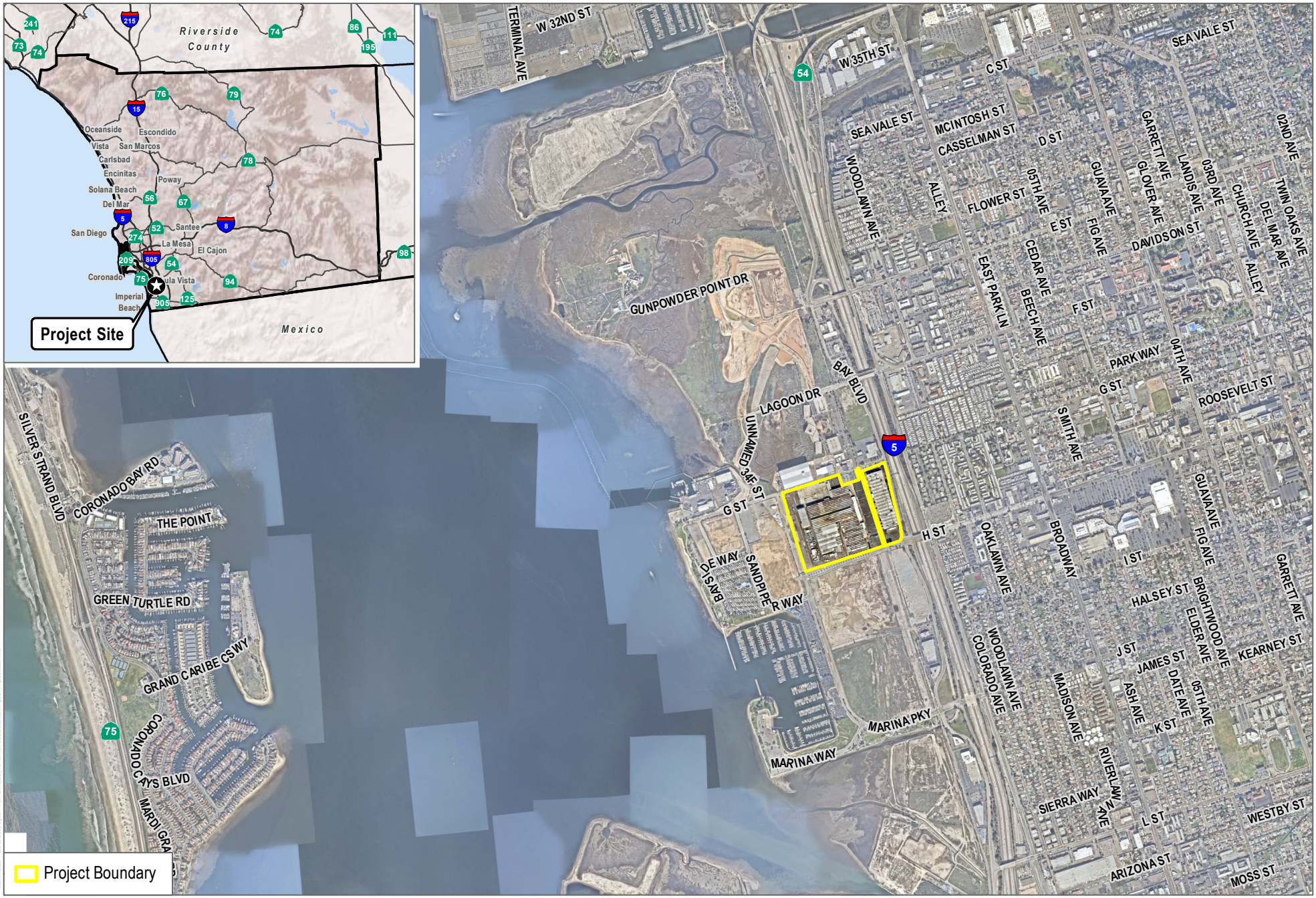
This section will analyze the project's potential wildfire hazard impacts. The analysis will address if the project would substantially impair an adopted emergency response plan or emergency evacuation plan, exacerbate wildfire risks through winds or installation or maintenance of associated infrastructure, or expose people or structures to significant risks, including downslope or downstream flooding or landslides. The site's emergency access and evacuation will be assessed for compliance with State and local regulations. A Fire Protection Plan will be prepared and included as an appendix to the EIR.

Alternatives

This section will consider a reasonable range of potentially feasible project alternatives which avoid or substantially reduce the project's significant impacts while meeting the basic project objectives. Alternatives may include a reduced density/intensity alternative, land use alternatives, and other alternatives developed in coordination with the City of Chula Vista once additional details regarding the significant impacts of the project are determined. The Alternatives section will include a comparative environmental analysis of the various potentially feasible project alternatives in relation to the proposed project.

Other Mandatory Sections

Other mandatory sections that will be addressed in the EIR include Cumulative Impacts, Growth Inducement, Effects Found Not to Be Significant, and Significant Irreversible Environmental Changes. Topics discussed above determined to be less than significant may be discussed in the Effects Found Not to Be Significant section of the EIR.



SOURCE: SANGIS 2020, 2022

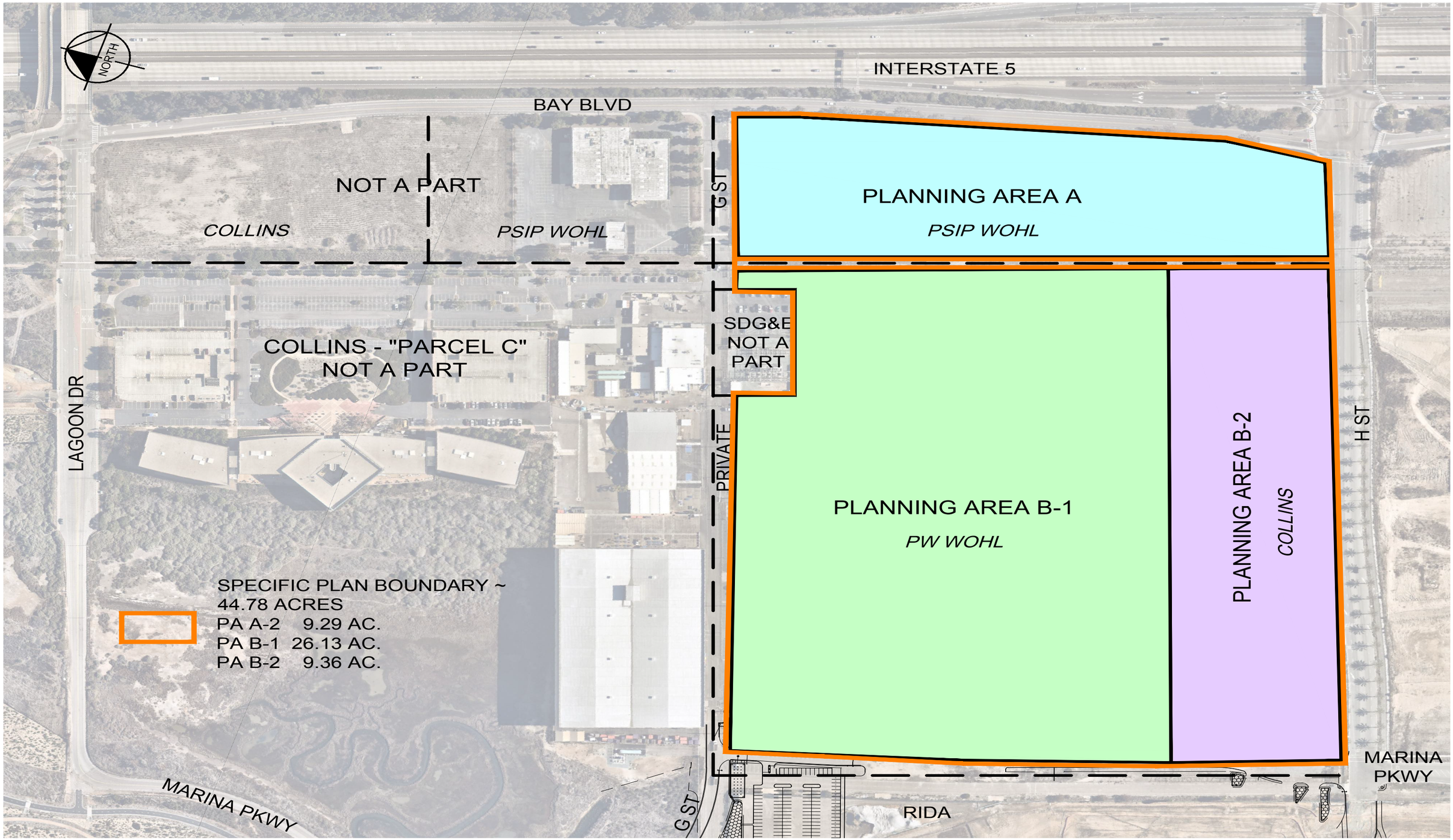
DUDEK

0 1,000 2,000 Feet

FIGURE 1

Project Location

Rhor/Whol Bayfront Specific Plan



SOURCE: COLLINS WOHL BAYFRONT SPECIFIC PLAN, 2022

DUDEK 0 100 200 Feet

FIGURE 2

Site Plan

Rhor/Whol Bayfront Specific Plan

California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 709-5152 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov

November 2, 2022

11-SD-5
PM 7.9
Rohr/Wohl Bayfront Specific Plan
NOP SCH# 2022100138

Mr. Jeff Steichen
Associate Planner
276 4th Avenue
City of Chula Vista, CA 91910

Dear Mr. Steichen:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the proposed development project near Interstate 5 (I-5) and H Street. The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Caltrans has the following comments:

Traffic Analysis
A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.[1]

The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent to any existing or proposed State facilities.

Active Transportation
Caltrans views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation network.

[1] California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

Mr. Jeff Steichen
November 2, 2022

Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promote a complete and integrated transportation network.

Early coordination with Caltrans, in locations that may affect both Caltrans and the City of Chula Vista is strongly encouraged.

Noise
The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, the Department of Transportation (Caltrans) is not responsible for existing or future traffic noise impacts associated with the existing configuration of I-5.

Right-of-Way
Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Clearly show/delineate Caltrans easements and Caltrans Right-of-Way (R/W) on future project plans.

Any work performed within Caltrans' Right of Way (R/W) will require discretionary review and approval by Caltrans. As part of the encroachment permit process, the applicant must provide an approved final environmental document, corresponding technical studies, and necessary regulatory and resource agency permits, specifically, any CEQA determinations or exemptions.

If you have any questions or concerns, please contact Roger Sanchez, LDR Coordinator, at (619) 987-1043 or by e-mail sent to roger.sanchez-rangel@dot.ca.gov.

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development Review

DocuSign Envelope ID: 8702466D-1D74-4330-A68E-ECFC35CEB6EE

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

November 7, 2022

Jeff Steichen
Associate Planner
City of Chula Vista
276 4th Avenue
Chula Vista, CA 91910
JSteichen@chulavistaca.gov

Subject: Rohr/Wohl Bayfront Specific Plan (Project) Notice of Preparation of an Environmental Impact Report (NOP), SCH #2022100138

Dear Mr. Steichen:

The California Department of Fish and Wildlife (CDFW) received a NOP of an Environmental Impact Report from the City of Chula Vista (City) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) CDFW also administers the Natural Community Conservation Planning (NCCP) program. The City of Chula Vista participates in the NCCP program through their approved Multiple Species Conservation Program Subarea Plan. If the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) that is not a covered species under the City's MSCP, the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Chula Vista

Objective: The objective of the Project is to prepare a Specific Plan that would govern future development within three Planning Areas at the 44.78-acre Project site. A General Plan and Land Use Plan Amendment is also proposed, which would change the existing zoning designation of general industry to three new zoning designations. These

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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designations would allow for six land use categories: commercial retail, commercial visitor, commercial office, light industrial, regional technology park, and business park flex.

Location: The Project is located in the City of Chula Vista, west of I-5, north of H Street, south of G Street, and east of Marina Parkway. The site is in the northwest portion of the City of Chula Vista, directly adjacent to the City of San Diego.

Biological Setting: The Project site consists of developed land currently occupied with one office building and two industrial buildings. Prior to 1941, the site was used for agriculture. As a result of historical agriculture and industrial uses, the soil and groundwater on site are contaminated with chemicals such as volatile organic compounds, metals, and petroleum hydrocarbons. The site is approximately 0.5 mile south of the Sweetwater Marsh Unit of the San Diego Bay National Wildlife Refuge, and approximately 0.25 mile from the southeastern portion of San Diego Bay,

Osprey (*Pandion haliaetus,* CDFW Watch List species) have been observed on site.

COMMENTS AND RECOMMENDATIONS

We offer the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

COMMENT #1: Osprey

CDFW is aware that nesting osprey have been observed on or adjacent to the Project site. Osprey are found near bodies of water containing fish, such as the San Diego Bay. Osprey typically nest in treetops, on cliffs, or on human-built platforms. The draft EIR should include a discussion of the potential for osprey on site. CDFW recommends pre-construction raptor surveys. If osprey are found on site, the City should coordinate with CDFW and U.S. Fish and Wildlife Service to discuss suitable mitigation, which may include avoidance buffers and/or installation of alternate nesting platforms.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City of Chula Vista in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Brigid Moran, Environmental Scientist, at Brigid.Moran@wildlife.ca.gov

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Sincerely,

DocuSigned by:
David Mayer
D700B4520375406...

David Mayer
Environmental Program Manager
South Coast Region

ec: CDFW
Jennifer Turner, San Diego – Jennifer.Turner@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov
State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov
USFWS
Jonathan Snyder – Jonathan_D_Snyder@fws.gov

REFERENCES

California Environmental Quality Act (CEQA). California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

California Office of Planning and Research. 2009 or current version. CEQA: California Environmental Quality Act. Statutes and Guidelines, § 21081.6 and CEQA Guidelines, § 15097, §15126.4(2).

Alexandra Martini

From: Ash-Reynolds, Tara <TAshReynolds@sandiego.gov>
Sent: Monday, November 7, 2022 2:42 PM
To: Jeff Steichen
Cc: Vonblum, Heidi; Stanco, Kelley; Galloway, Tait; Malone, Rebecca; Pascual, Elena; Stephens, Mark; Pangilinan, Marlon
Subject: Notice of Preparation for a Draft Environmental Impact Report for the Rohr/Wohl Bayfront Specific Plan

Warning: External Email

Hello Jeff Steichen,

In lieu of sending over a formal comment letter on the Notice of Preparation for a Draft Environmental Impact Report for the Rohr/Wohl Bayfront Specific Plan, the City of San Diego would like to share our suggestions for the Draft EIR in an informal email.

The City of San Diego Planning Department has the following suggestions for the draft environmental impact report:

- Address pedestrian and bicycle access, particularly for employees.
- Address potential effect on pedestrian and bicycle access to the Bayshore Bikeway, San Diego Bay, J Street and Bayside Park.
- An EIR Alternative should look at the potential for adding housing for employees along with the proposed office, commercial, and industrial uses on site.

The City of San Diego Public Utilities Department will be reviewing the water and sewer demand technical studies for any potential impact on our water and sewer systems as a responsible agency under CEQA.

Thank you for the opportunity to review and provide comments for your consideration. Please email me if you would like to discuss any of the comments listed above.

Warmly,

Tara Ash-Reynolds *(she, her)*
Environmental Planner
City of San Diego
Planning Department

T (619) 533-6492
sandiego.gov/planning

CONFIDENTIAL COMMUNICATION
This electronic mail message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this e-mail message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

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NATIVE AMERICAN HERITAGE COMMISSION

October 11, 2022

Jeff Steichen
City of Chula Vista
276 4th Avenue
Chula Vista, CA 91910

Re: 2022100138, Rohr/Wohl Bayfront Specific Plan Project, San Diego County

Dear Mr. Steichen:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

a. A brief description of the project.

b. The lead agency contact information.

c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).

d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

a. Alternatives to the project.

b. Recommended mitigation measures.

c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

a. Type of environmental review necessary.

b. Significance of the tribal cultural resources.

c. Significance of the project's impacts on tribal cultural resources.

d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

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

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

PORT of SAN DIEGO

VIA EMAIL TO: jsteichen@chulavista.gov

November 7, 2022

Mr. Jeff Steichen
Associate Planner, Development Services Department
City of Chula Vista
276 4TH Avenue
City of Chula Vista, CA 91910

RE: San Diego Unified Port District Comments on the Notice of Preparation for a Draft Environmental Impact Report (EIR22-0003) for the Rohr/Wohl Bayfront Specific Plan

Dear Mr. Steichen,

The San Diego Unified Port District (District) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the proposed Rohr/Wohl Bayfront Specific Plan, located in the City of Chula Vista.

BACKGROUND

The Chula Vista Bayfront Master Plan (CVBMP) was a joint and comprehensive planning effort undertaken by the District and the City of Chula Vista (City). The CVBMP Port Master Plan Amendment, along with the Development Policies (District Clerk Document No. 59407) and the Public Access Plan (PAP) (District Clerk Document No. 59408), were certified by the California Coastal Commission (CCC) in August 2012. The CVBMP encompasses approximately 535 acres and consists of three planning districts: the Sweetwater District, the Harbor District, and the Otay District. The subject property is located immediately east of Parcel H-3 and north of Parcel H-23 in the Harbor District. Based on the information provided in the NOP, the proposed project includes a new Specific Plan, General Plan Amendment, Local Coastal Plan Amendment, and Amendment to the Chula Vista Municipal Code Chapter 19. The Project would reclassify the current General Industrial (I-G) to three new zoning designations: Planning Areas (PA) PA-1, PA-2, and P-3, and these new areas would be subject to various land use categories including: Commercial Retail (CR), Commercial Visitor (CV), Commercial Office (CO), Light Industrial (LI), Regional Technology Park (RTP), and Business Park Flex (BPF).

PORT of SAN DIEGO

DISTRICT COMMENTS

Aesthetics

Given the proximity to the CVBMP area, please include an analysis to evaluate any potential conflicts with all scenic-quality related development policies and/or design guidelines as stipulated in the applicable CVB Development Policies and CVB Design Guidelines as follows:

Policy 23.1: Public views to the beach, lagoons, and along the shoreline as well as to other scenic resources from major public viewpoints, as identified by the "vista" icon on the Precise Plan for Planning District 7 shall be protected. Development that may affect an existing or potential public view shall be designed and sited in a manner so as to preserve or enhance designated view opportunities. Street trees and vegetation shall be chosen and sited so as not to block views upon maturity.

Policy 23.2: The impacts of proposed development on existing public views of scenic resources shall be assessed by the District or City prior to approval of proposed development or redevelopment.

Policy 23.3: Buildings and structures shall be sited to provide unobstructed view corridors from the nearest view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations such as protection of habitat or wildlife corridors.

Policy 23.4: Public views of the Bay and access along the waterfront shall be provided via a proposed "Baywalk" promenade. This pedestrian path will also connect to the Signature Park, and the pathway system within the Sweetwater District, ultimately linking the two districts and "enabling viewers to experience visual contact at close range with the Bay and marshlands."

Policy 23.5: Existing views to the water from the following view corridor roads shall be protected and enhanced: E Street, F Street, Bay Boulevard between E and F Streets, Marina Parkway, and G and L Streets (in the City of Chula Vista); as shall the new views of the Bay created from the H Street corridor. These protected views shall be denoted by the "vista" icons on the Precise Plan for Planning District 7.

Policy 23.6: Building setbacks and coordinated signage shall be provided along Marina Parkway.

Policy 23.9: Landscaping shall be planted along Marina Parkway to frame and enhance this scenic corridor, as well as on E Street and Bay Boulevard, adjacent to the project site.

Policy 23.12: As a condition for issuance of coastal development permits, buildings fronting H Street shall be designed to step away from the street. More specifically, design plans shall protect open views down the H Street Corridor by ensuring that an approximate 100- foot ROW width (curb-curb, building setbacks, and pedestrian plaza/walkway zone) remains clear of buildings, structures, or major landscaping. Placement of trees should take into account potential view blockage at maturity, and trees should be spaced in order to ensure "windows" through the landscaping. Trees should also be considered to help frame the views and they should be pruned to increase the views from pedestrians and vehicles, underneath the tree canopy. In order to reduce the potential for buildings to encroach into view corridors, and to address the scale and massing impact, buildings shall step back at appropriate intervals or be angled to open up a broader view corridor at the ground plane to the extent feasible. All plans shall be subject to review and approval by the District. All future development proposals shall conform to District design guidelines and standards.

Policy 23.17: All building height limits listed herein are measured from finished grade. Building pads shall not be raised from existing grade more than 8 feet.

Land Use and Planning

It is unclear how the different land uses would be assigned to each proposed planning area; please clarify. Furthermore, please include an analysis that ensures the Project would not conflict with the certified Port Master Plan (Chula Vista Bayfront Planning District), CVB Development Policies and Public Access Program. In addition, a Coastal Development Permit (CDP) was approved for the Hotel and Convention Center development on Parcel H-3, which is located immediately west of the Project site; please include a discussion to demonstrate the Project would be compatible with the approved development and would not result in any conflict with the CDP provisions.

Thank you for the opportunity to comment on the scope of the proposed DEIR. We look forward to reviewing the DEIR, proposed Specific Plan and other related documents in the future. If you have any questions regarding this response, please contact me at 619.686.8097 or by email at mchan@portofsandiego.org

Sincerely,

Michelle Chan
Program Manager, Development Services

Cc:
Adam Meyer, Assistant Director, Real Estate

Alexandra Martini

From: Frank Luzzaro <fluzzaro@yahoo.com>
Sent: Monday, November 7, 2022 4:16 PM
To: Jeff Steichen
Subject: INPUT EIR

Warning: External Email

I would like to know how we justify additional residential development in light of our crucial water shortage. Will the EIR address this issue?
Frank Luzzaro
95 D Street 91910
619-426-1841

Alexandra Martini

From: Patricia Aguilar <pataguilar@cox.net>
Sent: Monday, November 7, 2022 4:18 PM
To: Jeff Steichen
Cc: Peter Watry
Subject: EIR22-0003

Warning: External Email

Dear Jeff, I hope you are doing well.

I have reviewed the NOP for the subject EIR. I don't have a comment per say on the scope of the EIR, but I want to express my support for the proposed Rezoning, which would permit commercial/light industrial/RTP/BPF uses of this property. I believe these designations are the best and highest uses for these parcels.

I write this only because I know there are loud and insistent voices that always want to build more housing - especially housing for low income populations - in Chula Vista. Even though I grew up in a low income housing project and am a supporter of low income housing, these parcels represent one of the very few opportunities Chula Vista has to offer jobs near a freeway and public transit. (Maybe some people will actually commute from north to south instead of vice versa.)

As a suburban city, Chula Vista has lots of housing options. What we don't have enough of is an employment base. And we need a much larger employment base if we are to be seen as a city in our own right instead of just another San Diego suburb. So I worry that the "build more housing" advocates, who see every vacant parcel as a place for more housing, will overcome the more appropriate zoning that city staff is proposing here. Please stay strong.

Best wishes,
Patricia Aguilar