



CITY OF SAN MARCOS

Mitigated Negative Declaration (ND) 15-009

DATE: October 19, 2015
APPLICANT: Verizon Wireless

- 1. PROJECT CASE NUMBER:** P14-0009 (Conditional Use Permit CUP 14-005)
- 2. LEAD AGENCY NAME AND ADDRESS:** City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069.
- 3. CONTACT PERSON AND PHONE NUMBER:** Sean del Solar, Assistant Planner, 760-744-1050 x3223, sdelsolar@san-marcos.net.
- 4. PROJECT LOCATION:** 2638 S. Santa Fe Ave., San Marcos, CA 92069 (Exhibit "A"). Assessor's Parcel Number: 217-102-60 & 217-102-62.
- 5. PROJECT SPONSOR'S NAME AND ADDRESS:** Verizon Wireless, 15505 Sand Canyon Ave., Irvine, CA 92618.
- 6. GENERAL PLAN DESIGNATION:** Light Industrial (LI).
- 7. ZONING:** Light Manufacturing (LI).
- 8. DESCRIPTION OF PROJECT:** A request for a Major Conditional Use Permit to install a wireless telecommunications facility (WTF) consisting of a forty-five (45) foot tall monopole disguised as a faux eucalyptus tree and a 246 square foot equipment enclosure. The facility is proposed on a property zoned Light Industrial (L-I), at a site approximately 165 feet southeast of an existing one-story building. The facility will have three (3) sectors with an initial installation of four (4) panel antennas in each sector, for a total of twelve (12) antennas and one (1) parabolic microwave dish. The radcenter of the panel antennas will be located at approximately thirty-seven (37) feet above the ground and the center of the parabolic dish will be 31 feet above the ground. A 411 square foot equipment enclosure structure will be located to the south, immediately adjacent to the disguised monopole and will house both telecommunication equipment and a back-up thirty (30) Kilowatt diesel generator with a proposed 210 gallon subbased fuel tank (Site Plan, Exhibit "B"). The project construction will require +/- 225 linear feet of underground trenching to install conduit to connect the WTF facility to the existing utilities in S. Santa Fe Avenue, and minor grading activities to construct a pad for the equipment enclosure. A City Right-of-Way ("ROW") Permit is required for construction activities within the public right-of-way. Access to the site is provided by an existing access and utility easement and an additional twelve (12) foot wide path of travel across the property will provide the WTF operator with access to the facility.
- 9. SURROUNDING LAND USES AND SETTING:** The project site is a Light Industrial designated property located at 2638 S. Santa Fe Avenue (Exhibit "A") in the College Planning Area in the northwestern of the City. The project site is currently developed with four (4) existing buildings, parking, and outdoor storage. A tile and stone business operation (Roma Fabrication Corp) currently conducts its operation on the project site. A tributary of the Agua Hedionda Channel Creek runs east-west through the rear of the site. Industrial land uses surround the project site with a Light Industrial General Plan designation to the north and east with an Industrial General Plan designation to the south of project site. The property to the west is an industrial

property located in unincorporated San Diego County.

10. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g. PERMITS, FINANCING APPROVAL OR PARTICIPATION AGREEMENT):

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

- | | |
|---|---|
| ☒ Aesthetics | ☒ Land Use / Planning |
| ☐ Agriculture and Forestry Resources | ☐ Mineral Resources |
| ☐ Air Quality | ☐ Noise |
| ☐ Biological Resources | ☐ Population / Housing |
| ☒ Cultural Resources | ☒ Public Services |
| ☐ Geology / Soils | ☐ Recreation |
| ☐ Greenhouse Gas Emissions | ☐ Transportation / Traffic |
| ☒ Hazards & Hazardous Materials | ☐ Utilities / Service Systems |
| ☒ Hydrology / Water Quality | ☐ Mandatory Findings of Significance |

DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

October 27, 2015

Date

Susan Vandrew Rodriguez

Printed Name

Exhibit "A"
Aerial Vicinity Map

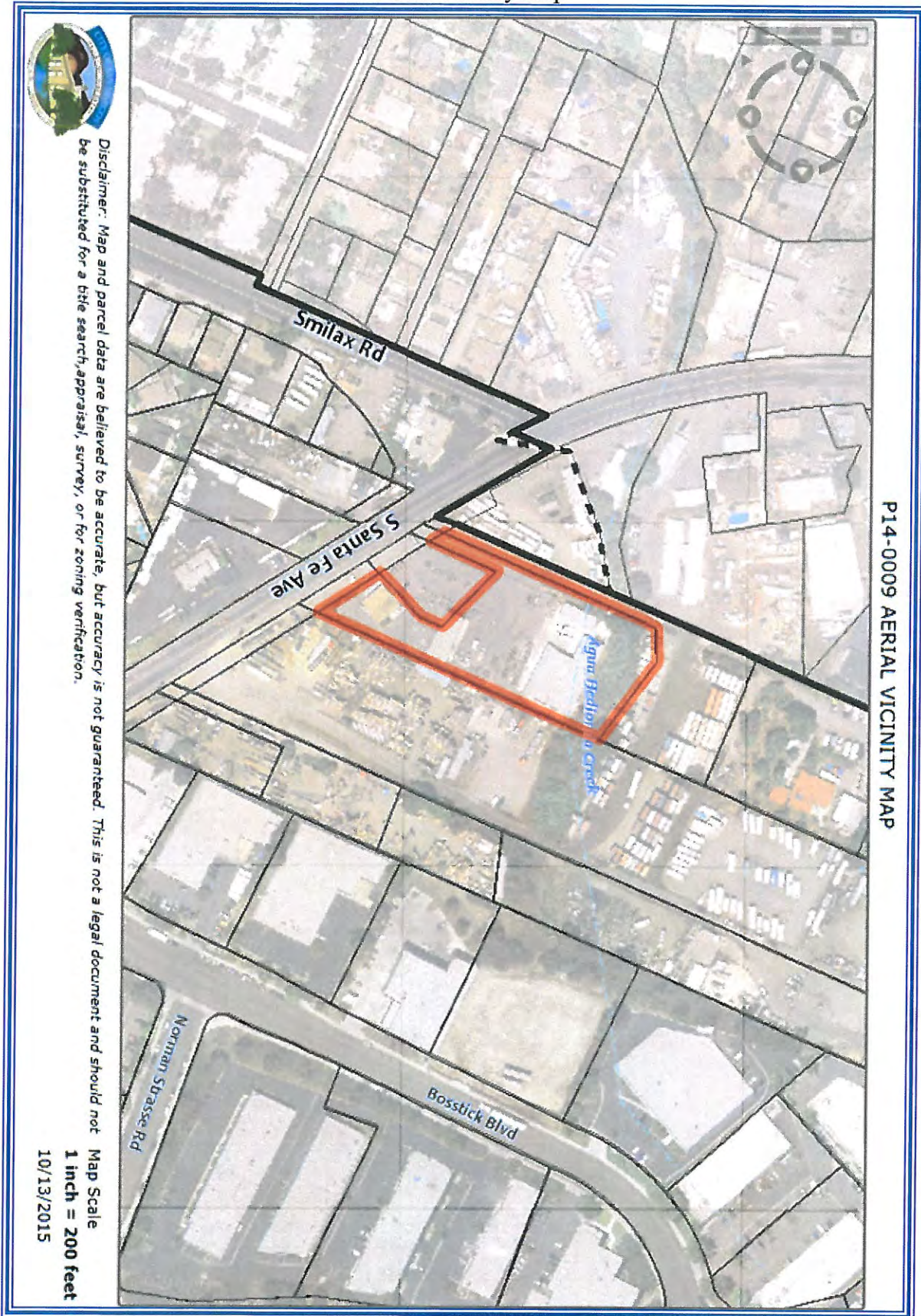
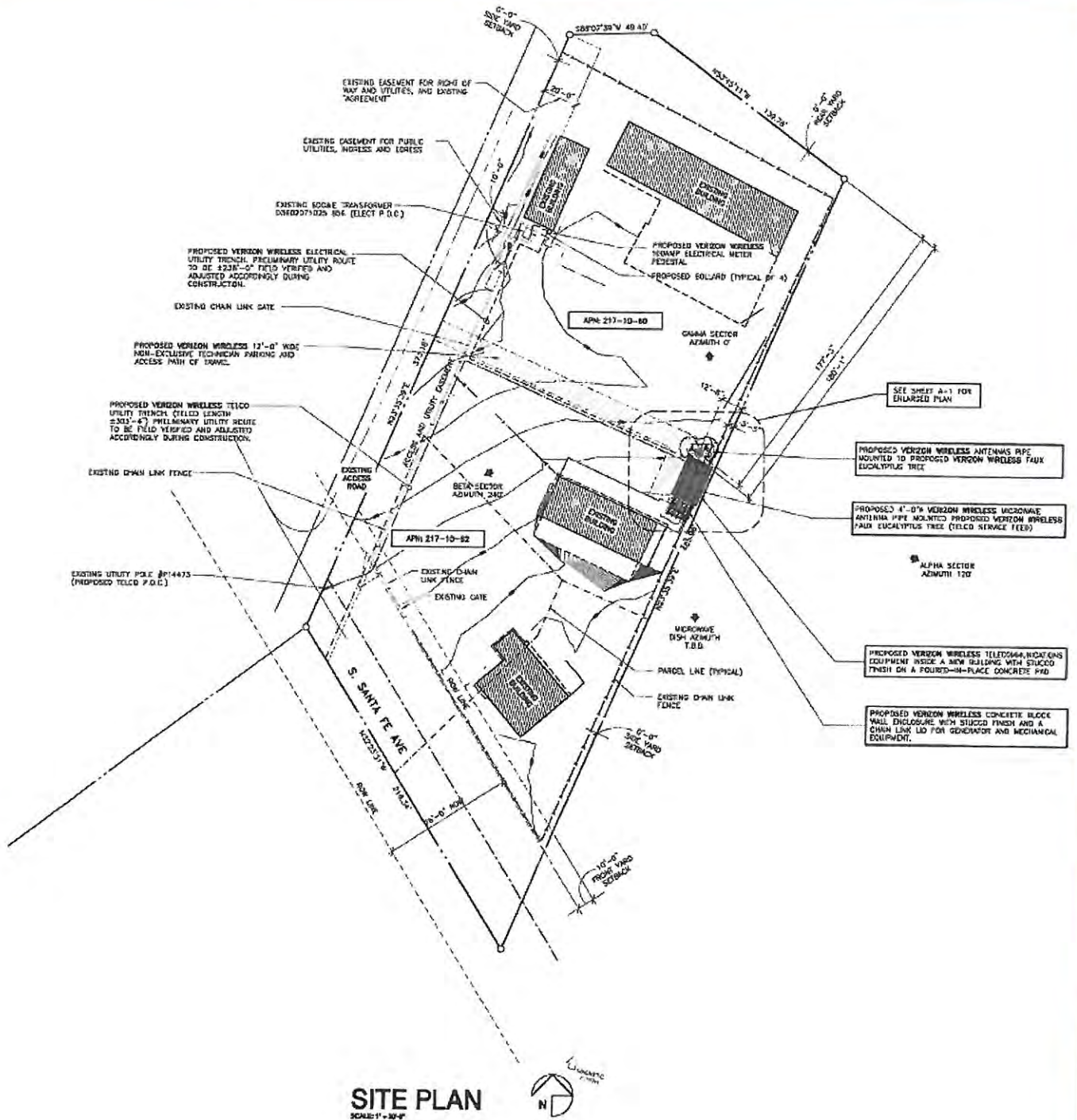


Exhibit “B” Project Site Plan



Wireless Facility Elevations

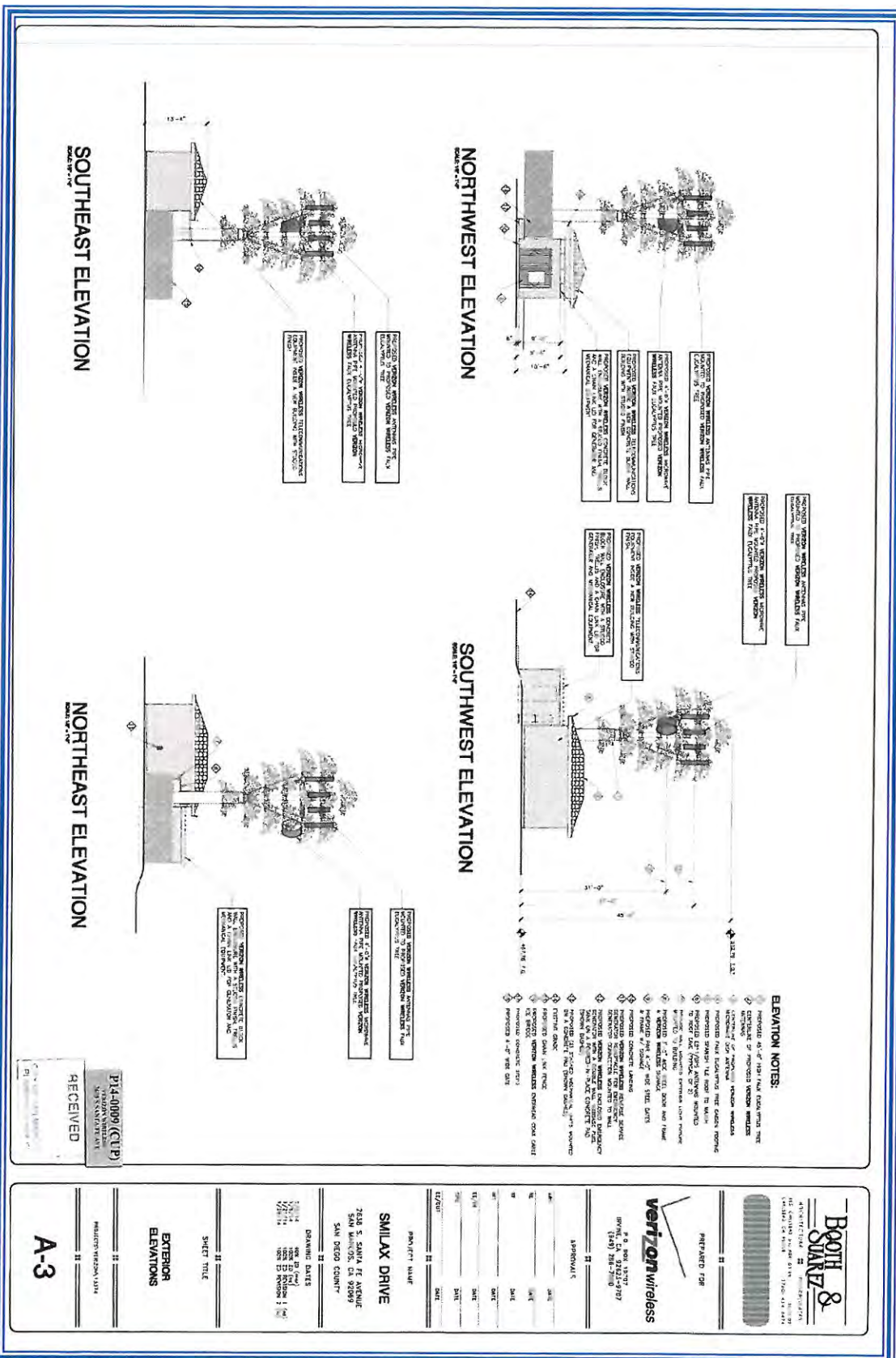
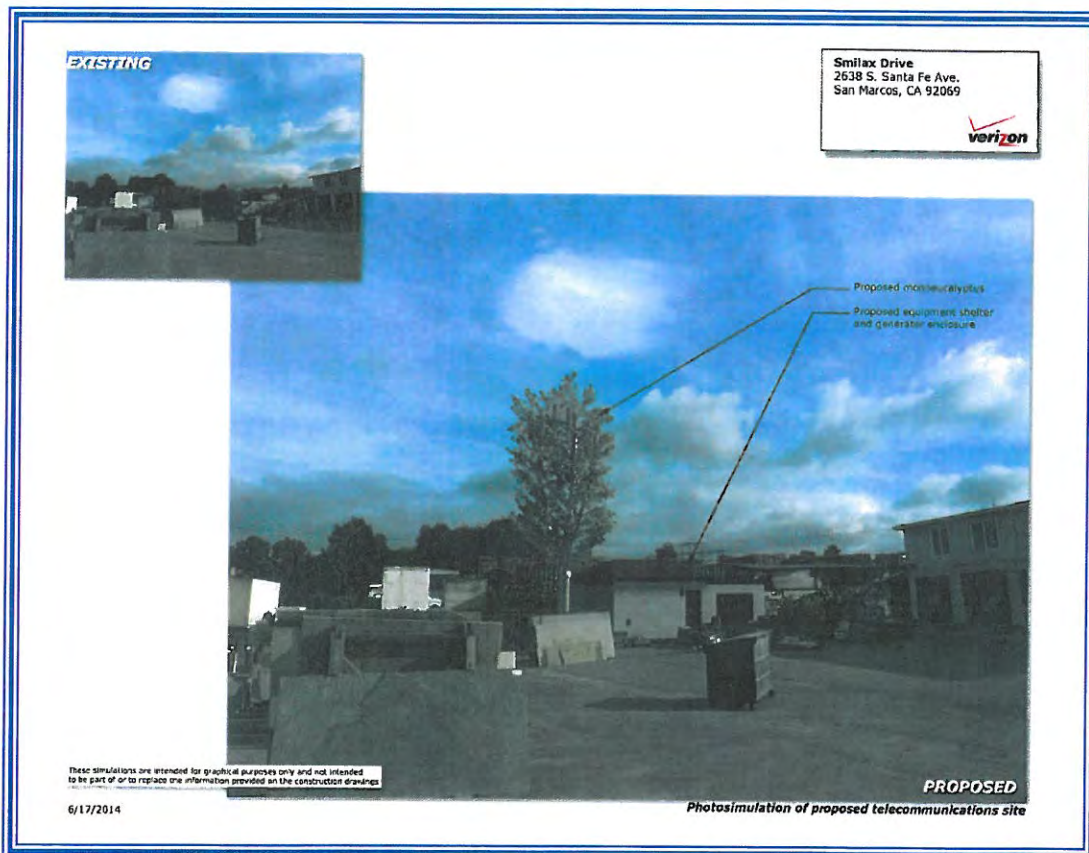


Exhibit "D"

Visual Simulations



INITIAL STUDY ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- <i>Would the project:</i>				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

a) **No Impact.** The property site is an existing industrial property that has been used as a tile and stone building supply business for the last several years. The wireless telecommunication facility (WTF) is proposed on the eastern side of the property mid distance back from the front to the rear, north of an existing building visible from S. Santa Fe Avenue. The 45' tall monopole faux tree to include four panel antennas and one microwave dish antenna is proposed to be installed at an elevation of 470 feet above mean sea level (AMSL) to the west and south of existing structures on the project site. The WTF will also include installation of a 264 square foot equipment building to house the WTF equipment and open roof-split face CMU wall equipment enclosure to house a thirty (30) Kilowatt diesel generator for emergency back-up power purposes with a subbase fuel tank (Exhibit "B"). A GPS antenna is proposed to be mounted to the equipment roof eave. The site does not contain nor is adjacent to a scenic vista and therefore does not have the potential to create an impact in this issue area.

b) **No Impact.** The nearest highway to the project site is State Route (SR) 78 as shown on Exhibit "A" and located approximately 1,450 feet to the south of the project site. SR-78 is not designated as a State Scenic Highway and therefore does not have the potential to create an impact in this issue area.

c) **Less Than Significant Impact with mitigation incorporated.** The new WTF will be designed to emulate a eucalyptus tree north of an existing one-story building. The Verizon wireless telecommunication facility plans include the use of faux tree with camouflaging materials (i.e. faux-branches, leaves, tree shape, color, etc.) on the monopole as demonstrated on Exhibits "C" and "D". The site is void of tall trees or landscape, although a creek located behind the subject property (to the north) is densely vegetated. The addition of natural trees of similar species and varying heights around the faux tree disguised monopole will create a landscape setting that will integrate the proposed faux tree into the existing visual character of the S. Santa Fe Avenue area. The additional natural trees surrounding the faux tree monopole (not currently included in Exhibits "C" or "D") will mitigate the potential project impact to the visual character of the area. A landscape plan shall be submitted to the Planning Division prior to and concurrent with the issuance of a Building Permit to demonstrate that the appropriate number and height of trees are installed.

With the incorporation of these elements, the WTF will be camouflaged into the existing site and surrounding land

uses and will not significantly impact the visual character or quality of the site and surroundings.

d) **No Impact.** Lastly, the use of lights at the site associated with the project will be minimal (i.e. utility lighting in the equipment enclosure) and will be required to comply with all City light and glare standards; as a result the project will not impact day or nighttime views in the area due to glare or light.

Mitigation Measure:

- Natural trees of similar species to the faux tree and varying heights shall be planted to integrate the faux tree into the existing environment visual character visible from S. Santa Fe Avenue.
- A landscape plan shall be submitted to the Planning Division prior to and concurrent with the issuance of a building permit to demonstrate that the appropriate number and height of trees are installed.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES -- In

determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and Forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract | ☐ | ☐ | ☐ | ☒ |
| c) 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))? | ☐ | ☐ | ☐ | ☒ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

- e) 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?

☐ ☐ ☐ ☒

a-e) **No Impact.** The subject property has been previously developed and is not used for agricultural purposes nor is it designated as prime or unique farmland for statewide or local importance per the General Plan Conservation and Open Space Element. The project will not impact prime or unique farmland. The development does not conflict with a Williamson Act contract. The site is not zoned nor used for forest or timberland purposes. Therefore, the proposed project will not impact agricultural and forest resources.

Mitigation Measures: None.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY -- *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

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a-e) **Less than Significant with Mitigation Incorporated.** The project proposes the use of a thirty (30) Kilowatt diesel engine with a 210 gallon fuel tank for emergency power purposes. Should the site lose electrical power, the generator would become active to recharge batteries and provide an uninterrupted power supply to the equipment onsite. The diesel engine will also require periodic (i.e. monthly) power cycles for periods of less than 15 minutes for maintenance purposes. Prior to the installation of the emergency diesel engine at the site, the applicant will be required to either obtain a Permit or formal exemption from the San Diego County Air Pollution Control District ("APCD"). The acquisition of the permit or exemption from APCD will be consistent with the San Diego Regional Air Quality Strategy (RAQS) plan which is the applicable air quality plan for the San Diego Air Basin. Additionally, all construction activities will be conducted under a Building Permit which requires the

implementation of Best Management Practices (BMP's) and limits any grading activities associated with trenching and/or foundation preparatory work for the project. The acquisition of the required APCD permit or exemption to operate the generator as well as limitations on the use of the generator will mitigate the project impact to less than significant.

Mitigation Measures:

- Obtain a APCD Permit or exemption to operate the generator.
- Notwithstanding the loss of power, or an emergency situation, the use of the generator shall be limited to no more than 15 minutes and during weekday (i.e. Monday-Friday) daytime hours of 8:00 a.m. to 5:00 p.m.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES -- *Would the project:*

a) Have 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a-d) **No Impact.** The project proposes the installation of a wireless telecommunication facility on a developed area of the site 200 feet south of a tributary of the Agua Hedionda Channel Creek. As a result, no impacts are anticipated that would have 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service and no mitigation measures are required. No federally protected wetlands as defined by Section 404 of the Clean Water Act, riparian habitat, or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service are located onsite and as a result, and therefore no impacts from the project are anticipated.

e) **No Impact.** The project will also not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances.

f) **No Impact.** The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Mitigation Measures: None.

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES -- *Would the project:*

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic features?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

The project site is currently developed with four existing buildings, parking, and outdoor storage including a two story building to the east of the proposed WTF facility. A tile and stone fabrication business operation (Roma Fabrication Corp) currently conducts its operation on the project site. Agua Hedionda Channel runs east-west through the rear of the site. The maps and project information indicate that the project site has been previously developed.

a) **No Impact.** The developed project site does not contain any known historic buildings and therefore the proposed project will not impact historic resources.

b-d) **Less Than Significant Impact with Mitigation Incorporated.** The project area is located near the Agua Hedionda Creek. The maps and project information indicate that the project site has been previously developed, however the soil extraction and compaction necessary for installation of the proposed WTF may result in the

potential for subsurface resources to exist, and therefore all new ground-disturbing work for the project will require mitigation measures, including monitoring by an archaeologist and Luiseno Native American observer in order to prevent potential impact to cultural and/or tribal resources. The mitigation measures outlined below will service to ensure that any potential impacts to cultural resources will be mitigated to a level below significant.

Mitigation Measures:

- An archeological monitor and a *Lui-seño* Native American monitor shall be present during all earth moving and grading activities to assure that any potential cultural resources, including tribal, found during project grading be protected.
- Prior to beginning project construction, the Project Applicant shall retain a San Diego County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to cultural resources evaluation, which shall include archaeological documentation, analysis and report generation.
- At least 30 days prior to beginning project construction; the Project Applicant shall enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a *Lui-seño* Tribe. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on site.
- Prior to beginning project construction, the Project Archaeologist shall file a pre-grading report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the contracted *Lui-seño* Tribe referenced herein. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required herein, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation the *Lui-seño Native American monitor* in order to evaluate the significance of any archaeological resources discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities.
- The landowner shall relinquish ownership of all cultural resources collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site to the appropriate Tribe for proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement referenced herein. All cultural materials that are deemed by the Tribe to be associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98.
- In the event that curation of cultural resources is required, curation shall be conducted by an approved facility and the curation shall be guided by California State Historic Resource Commissions Guidelines for the Curation of Archaeological Collections. The City of San Marcos shall provide the developer final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction.
- All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.
- If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site if the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. The NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants(s) shall

then make recommendations within 48 hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.

- If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Luiseño Tribe under agreement with the landowner described in the measure above shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Tribe cannot agree on the significance of mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make a determination based upon the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe. Notwithstanding any other rights available under law, the decision of the Planning Director shall be appealable to the Planning Commission and/or City Council.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS -- *Would the project:*

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) 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? Refer to Division of Mines and Geology Special Publication 42.
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?
 - iv) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be 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-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste

☐	☐	☐	☒
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☐	☐	☐	☒
☐	☐	☒	☐
☐	☐	☐	☒
☐	☐	☐	☒

a,c) **No Impact.** According to Figure 4F of the State Geologist's Fault-Rupture Hazard Zone map, the project site is not located within an Alquist-Priolo Earthquake Fault Zone delineated by the State of California for the hazard of fault surface rupture. As a result, no impacts are anticipated and no mitigation measures are required. Furthermore, the nearest active fault is the Rose Canyon Fault located approximately fourteen (14) miles southwest of the site. If approved, and pursuant to the requirements of the California Building Code (CBC), the project will be required to be constructed to the standards of Seismic Design Category "D." Compliance with the CBC standards ensures that, to the extent possible under those standards, potential impacts related to strong seismic ground shaking would be less than significant. As a result, less than significant impacts from strong seismic ground shaking are anticipated and no mitigation measures are required. Liquefaction of soils can be caused by ground shaking during earthquakes when sandy soils are saturated with water causing the soil to take on the consistency of a thick liquid. According to Figure E-1 of the San Marcos General Plan (Geotechnical Conditions), the project site is located in an area delineated as "stable." In addition, compliance with the requirements contained in the latest adopted California Building Code will be required for the design and construction of the project. As a result, less than significant impacts are anticipated from seismic-related ground failure and no mitigation measures are required.

Landslide hazard areas are generally considered to exist when substantial slopes are located on or immediately adjacent to the subject property. The project site is relatively flat. As previously discussed, compliance with latest adopted California Building Code will be required for the design and construction of the project and as a result, no impacts are anticipated that would cause landslides associated with the project and no mitigation measures are required. The site may be susceptible to soil erosion during the short-term construction activities.

b) **Less Than Significant Impact with Mitigation Incorporated.** The project will also include ± 225 trenching for underground conduit from the proposed facilities to the existing utilities near S. Santa Fe Avenue and minor grading activities to construct a pad for the equipment enclosure. The project shall adhere to Chapter 17.32 for the project soil movement. Short-term erosion effects during the construction phase of the project would be prevented through implementation of Best Management Practices (BMP's), which are required in accordance with the Chapter 14.15 of the San Marcos Municipal Code (S.M.M.C.). The BMP's will include standard construction methods such as sandbags, silt fencing, and temporary detention basins to control on-site and off-site erosion. The incorporation of BMP's are required by the City during plan review and approval of process for Building Permits; therefore, with the implementation of BMP's, any impacts resulting from erosion during construction are expected to be less than significant. The project site is relatively flat due. Compliance with the latest adopted California Building Code will be required for the design and construction of the project and as a result, no impacts are anticipated from the project that would result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Adherence to the above referenced Chapters of the City Municipal Code and will ensure a less than significant impact resulting from the project in this issue area and no mitigation is required.

d) **No Impact.** There are no known expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994) present at the site. As previously discussed, compliance with the latest adopted California Building Code (formerly known as the Uniform Building Code) will be required for the design of the project. As a result, no impacts are anticipated from the project and no mitigation measures are required.

e) **No Impact.** The project is located within, and served by the Vista Irrigation District (VID); the project site will continue to be connected to the municipal sewer system. As a result, septic tanks or alternative waste water disposal systems are not required.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS -- *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |

a-b) Less Than Significant Impact. The requirements of State of California Assembly Bill 32 to address Global Climate Change (GCC) under CEQA address the potential cumulative impacts that a project's GHG emissions could have on GCC. As discussed in Section 15064.4 of the CEQA Regulations, the determination of the significance of greenhouse gas emissions calls for a determination by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project.

The City's Climate Action Plan identifies ways to reduce greenhouse gas emissions to meet State requirements, and establishes emissions thresholds to determine whether a detailed GHG study would be required for a proposed project. An emissions quantity of 900 metric tons per year is used as a screening threshold to determine a level of significance for a project, such as the proposed wireless telecommunication facility. The emission level is based on the amount of vehicle trips, typical energy and water use for the project, as well as other factors.

Once operational, the project is expected to generate no more than four (4) trips per month, based on information provided by the applicant. Additionally, the equipment enclosure will not remove existing landscape and will add to the site landscape irrigation. The use of the proposed thirty (30) kilowatt generator will be limited to less than 15 minutes per month, and during emergencies only. As a result, it is estimated that the proposed project, including construction activities, will generate greenhouse gas emissions significantly less than the aforementioned threshold of 900 metric tons per year, and therefore no further analysis is warranted. Any contribution of greenhouse gas emissions by the proposed project once built will not have a significant impact on the environment, nor will it conflict with implementation of the plans and programs proposed in the conservation element of the City's General Plan Update, nor will it conflict with the City's Climate Action Plan.

Mitigation Measures: None.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS -- *Would the project:*

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | ☐ | ☒ | ☐ | ☐ |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☒ | ☐ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☒ | ☐ |

a-b) **Less Than Significant with Mitigation Incorporated.** Once operational, the telecommunication facility will both transmit and receive electromagnetic energy (i.e. Radio Frequency, or “RF”) in the vicinity of the project through the use of panel and microwave dish antennas. Section 704 of the Telecommunication Act of 1996 states that “No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the commission’s regulations concerning such emissions.” The Federal Communications Commission (FCC) has developed exposure guidelines which are the implementing regulations for Section 704. The FCC guidelines require evaluation to determine whether transmitters of facilities comply with the FCC radio frequency (RF) guidelines, incorporating Maximum Permissible Exposure (MPE) limits. MPE limits are defined in terms of power density, electric field strength, and magnetic field strength to which a person may be exposed without harmful effect. The standards established in the FCC RF guidelines constitute exposure limits and are relevant only to facilities that are accessible to workers or members of the public.

Consistent with FCC regulations, the City has required documentation from the applicant to confirm that the wireless antenna facility will operate in conformance with FCC MPE limits for RF. To this end, the applicant

has provided an analysis of the projected RF emissions of the site prepared by SiteSafe (included as Appendix "A") which concluded that the "proposed wireless facility as specified [above] would be in full compliance with FCC RF Public safety standards." SiteSafe went on to note that "the FCC maximum allowable exposures are not set at a threshold between safety and known hazard, but 50 times below a level that the majority of the scientific community believes may pose a health risk to human populations." In addition to the SiteSafe analysis of the facility, the City had an independent review of the analysis conducted, to verify that the operation of the site will be in conformance with FCC regulations. The analysis (included as Appendix "A1") concluded that as proposed, the future facility will operate in compliance with FCC regulations. Upon installation, to ensure that the facility operates in conformance with FCC regulations, the City will require that once the facility becomes fully operational, that a survey of RF levels at the project site be conducted by the applicant and submitted to the City. With the incorporation of these mitigation measures, potentially significant impacts are expected to be less than significant.

c) **No Impact.** The closest school to the area of the project site is located over two miles from where the telecommunications facility is proposed, and therefore the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school site.

d) **No Impact.** The project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment.

e-f) **No Impact.** The Project site is located approximately 4.5 miles northeast of McClellan Palomar Airport, which is the closest public airport. Activities associated with the required grading, demolition, and construction activities would not increase the potential to result in a safety hazard for people residing or working in areas surrounding the Project site. Long-term operation of the recreational facilities would not interfere with the operations of any airport. The Project site is not located within any airport land use plan, airport environs overlay zone, or airport approach overlay zone. As a result, the Project would not result in safety hazards for people working or residing in the Project area. Therefore, no significant impacts would occur, and no mitigation measures are required.

g) **No Impact.** The Project would not conflict with adopted emergency response or evacuation plans. No roadway improvements or closures are anticipated that would have the potential to restrict or prohibit emergency access to the site during construction. Area roadways would continue to provide emergency access through the Project area and to surrounding properties during the construction phase. Impacts would be less than significant, and no mitigation measures are required.

h) **Less Than Significant Impact.** The Project site is located within a highly urbanized and developed area within the City of San Marcos. There are no wildlands or other areas prone to wildfire onsite or within the vicinity of the Project site, as the majority of lands are developed. The Project would therefore not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures:

- Within six (6) months of final inspection of the Building Permit, the applicant/operator of the facility shall submit to the Planning Division a project implementation report which provides field measurements of radio frequency densities of all antennas installed on the subject site, and all existing ambient levels of radio frequency emissions. This report shall include a written summary comparing results of the field measurements with FCC standards (i.e. stating emissions as a percentage of FCC limits). Additionally, this report shall be conducted at a time that the facility is operating at its designed maximum power output level.

If panel antennas are installed in phases, said report shall be updated when additional antennas are installed (not to exceed maximum of four panel antennas). The applicant shall submit to the Planning Division a copy of applicable FCC documentation (i.e. license, permit, etc.) authorizing the operation of the facility.

- The report shall be subject to review and approval by the Planning Division. Upon receipt of sufficient public expression of concern that a wireless telecommunications facility does not comply with FCC radio frequency guidelines, the City may utilize the services of an independent radio frequency engineer to verify, at the operator/permittee's expense, the Facility's compliance with federal guidelines. If the City finds that the facility is not in compliance with FCC standards, the City shall require the facility to be modified to comply with FCC standards, or the facility shall be entirely removed from the site.
- The operator/permittee shall at all times comply with all FCC rules and regulations, including without limitation, the RF emissions safety requirements of FCC Office of Engineering Bulletin 65, and any successors thereto. It shall be the responsibility of the operator/permittee to contact the City acknowledging any changes in the regulations that would affect the wireless telecommunications facility.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY -- *Would the project:*

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☒ | ☐ | ☐ |
| b) Have a potentially significant adverse impact on groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses? | ☐ | ☒ | ☐ | ☐ |
| c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ☐ | ☒ | ☐ | ☐ |
| d) Substantially alter 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 (e.g. downstream)? | ☐ | ☒ | ☐ | ☐ |
| e) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? | ☐ | ☒ | ☐ | ☐ |
| f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site? | ☐ | ☒ | ☐ | ☐ |

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☒ | ☐ | ☐ |
| h) Result in increased impervious surfaces and associated increased runoff? | ☐ | ☒ | ☐ | ☐ |
| i) Result in significant alteration of receiving water quality during or following construction? | ☐ | ☒ | ☐ | ☐ |
| j) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash). | ☐ | ☒ | ☐ | ☐ |
| k) Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list. If so, can it result in an increase in any pollutant for which the water body is already impaired? | ☐ | ☒ | ☐ | ☐ |
| l) Be tributary to environmentally sensitive areas (e.g. MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions? | ☐ | ☒ | ☐ | ☐ |
| m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters? | ☐ | ☒ | ☐ | ☐ |
| n) Otherwise substantially degrade water quality? | ☐ | ☒ | ☐ | ☐ |
| o) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☒ |
| p) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| q) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☐ | ☒ |
| r) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |

a-n) **Less Than Significant with Mitigation Incorporated.** The facility is proposed on a Light Industrial (L-I) zoned property north of an existing one-story building with twelve (12) panel antennas (37 feet from the ground) and one (1) microwave dish antenna (31 feet from the ground) along with a 411 square foot equipment structure. A GPS antenna is also proposed to be mounted to the roof eave. An open roof-split face CMU wall is proposed

adjacent to the enclosed structure to house a thirty (30) Kilowatt diesel generator for emergency back-up power purposes with a 210 gallon subbase fuel tank (Site Plan, Exhibit "B"). The project construction will require +/-225 linear feet of underground trenching to install conduit to connect the WTF facility to the existing utilities in S. Santa Fe Avenue, and minor grading activities to construct a pad for the equipment enclosure. A tributary of the Agua Hedionda Channel Creek traverses the rear of the site from east to west. The channel is a creek tributary and the construction and operation of the project is not expected to result in the alteration of: currents or water movements, temperature or turbidity of the water, direction or rate of flow of ground waters, the quantity of water, including the potential to effect downstream water quality, or the amount of potable water. Therefore, potential project impacts can be reduced to a level less than significant with implementation of mitigation measures.

o-r) **No Impact** The site of the project is not located within the 100-year floodplain or in proximity to a body of water of which the proposed project would be subject to flooding (although the property does contain areas on the north side that are within the 100-year floodplain). The subject property has been previously developed with an industrial use. The proposed grading and development of the site will result in a change to the rate and amount of surface water runoff from the site. The project will incorporate Low Impact Design (LID) Best Management Practices (BMPs) and if applicable a Hydromodification Management Plan (HMP) or Storm Water Pollution Prevention Plan (SWPPP). The project proposes to drain runoff from impervious surfaces (i.e. building, road, etc.) through landscape areas (bio-infiltration), including a bio-retention pond(s), prior to exiting the site into the existing storm drain system located in S. Santa Fe Avenue. Landscaping shall comply with the City's water efficiency ordinance. Therefore, there are no project impacts in these issue areas.

Mitigation Measures:

- Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to the City's standards, codes and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions. Plant material and irrigation design shall comply with the City's landscape Water Efficiency Ordinance, Section 20.82 of the San Marcos Municipal Code.
- A hydrology report (calculations) shall be prepared for the proposed project. Storm drains and drainage structures shall be sized according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.
- The applicant/developer shall submit to the City and implement a water quality improvement plan (WQIP) that depicts compliance with the National Pollutant Discharge Elimination System (NPDES) permit, if the project will disturb (or create a new impervious surface of) an area of 5,000 square feet or more.
- The applicant/developer shall submit a plan and agreement, for review and approval by the City, for the long-term maintenance of all post construction BMP's.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. LAND USE AND PLANNING -- *Would the project:*

a) Physically divide an established community? ☐ ☐ ☐ ☒

b) Conflict with any applicable land use 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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

☐ ☒ ☐ ☐

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

☐ ☐ ☐ ☒

a) **No Impact.** The proposed project would install a disguised wireless telecommunication facility and does not propose any type of structure or intent that would physically divide an established community. As a result, no impacts are anticipated from the project that would physically divide an established community and no mitigation measures are required.

b) **Less Than Significant with Mitigation Incorporated.** In accordance with Section 20.230.040 and Chapter 20.465 of the San Marcos Municipal Code (SMMC), the project is required to be approved through a Conditional Use Permit (CUP) as it is not a “stealth facility located on or in an existing building” in the Industrial Zone. The height maximum in the Light Industrial (L-I) zone is sixty (60) feet. The forty-five (45) foot tall monopole faux tree is proposed to be installed at an elevation of 470 feet above mean sea level (AMSL) to the west and south of existing structures on the project site. The Conditional Use Permit allows the City to evaluate and condition the proposed design to minimize land use impacts to surrounding land uses.

With the incorporation of mitigation measures, the project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

c) **No Impact.** The project site is not located within a proposed conservation or preservation area identified in the City’s Draft Subarea Plan of the San Diego County Multiple Habitat Conservation Plan (certified by SANDAG March 28, 2003). The proposed project would also not conflict with the provisions of the draft MHCP Subarea Plan once it is formally adopted. Furthermore, the project would not conflict with any provisions of other adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As a result, no impacts are anticipated from the project and no mitigation measures are required.

Mitigation Measure:

- The proposed project requires the approval of a Conditional Use Permit (CUP) to permit the installation and operation of a wireless telecommunication facility.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES -- *Would the project:*

a) 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?

☐ ☐ ☐ ☒

b) 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?



- a) **No Impact.** The project site has previously been developed and there are no known mineral resources at the site. As a result, the project is not anticipated to 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 and no mitigation measures are required.
- b) **No Impact.** According to the City of San Marcos General Plan, there are no known mineral resources on the proposed project site that would result in the loss of availability of a locally-important mineral resource recovery site. In addition, the project site is already developed. As a result, no impacts are anticipated from the project and no mitigation measures are required.

Mitigation Measures: None.

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. NOISE -- *Would the project result in:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☒ | ☐ |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

a) **Less Than Significant Impact.** The City of San Marcos noise standards are contained within the City's General Plan Noise Element, the City of San Marcos Municipal Code Zoning Ordinance Site Plan and General Development Standards Chapter 20.300 (S.M.M.C.). The City's General Plan Noise Element noise and land use compatibility guideline is up to 65 dBA as an acceptable level and 70 dBA as a conditionally acceptable level. Pursuant to SMMC Chapter 20.300, the noise standards for commercial uses is 60 dBA in the daytime (7 a.m. to 10 p.m.) and 55 dBA in the overnight (10 p.m. to 7 a.m.).

The proposed generator within proposed enclosed equipment structure will generate 63 dBA of noise, as measured at a distance of 23 feet. The use of the generator shall be limited to no more than 15 minutes and during weekday (i.e. Monday-Friday) daytime hours of 8:00 a.m. to 5:00 p.m. The project site is located nearly 500 feet from any sensitive land use receptors, i.e. residential uses (the residences are south of S. Santa Fe Avenue). The limits of use and the concrete equipment structure will serve to minimize noise levels to a level below significance. The noise impact from the proposed project is not anticipated to exceed the allowable noise level of 65 dBA during the daytime (7a.m.-10 p.m.) and 60 dbA overnight (10p.m.-7a.m.) within SMMC Chapter 20.300 and no further mitigation is required beyond the limited generator use times outlined above.

In addition, noises associated with construction activities will occur at the project site during the build-out of the project. Pursuant to the City's Noise Ordinance and as a standard condition of approval of any Building Permit, these noises will be limited and subject to city-wide "quiet hours" between 6:00 p.m. to 7:00 a.m. Monday through Friday and 5:00 p.m. to 8:00 a.m. on Saturday. Construction activities are prohibited on Sundays and Holidays (observed by the City of San Marcos). As a result of the incorporation of the mitigation measure discussed above, the project is not expected to significantly expose persons to or generate noise levels in excess of standards established in the General Plan or Noise Ordinance.

b) Less Than Significant Impact. Groundborne vibration is typically attenuated over short distances and is usually associated with construction activities. Given the project proposes limited construction activities, it is unlikely the project will expose persons to the generation of excessive groundborne vibration or groundborne noise levels and no mitigation measures are required.

c) Less Than Significant Impact . As with any project, there will be an incremental increase in the ambient noise levels in the project vicinity as a result of the project. This increase in ambient noise levels can be primarily attributed to the operations of the mechanical cooling systems of the cabinets located in the equipment enclosure. As the project would comply with noise standards established in the General Plan and Noise Ordinance impacts to ambient noise levels resulting from the project would be less than significant and no additional mitigation measures are required.

d) Less Than Significant Impact. As discussed previously, the project will generate certain levels of noise, however those noises will be in conformance with City Standards established in the General Plan and Noise Ordinance. There are no sources of noise proposed by the project that would create a substantial temporary or periodic increase in ambient noise levels. As a result, no impacts are anticipated from the proposed project and no additional mitigation measures are required.

e) No Impact. The closest airport is the McClellan-Palomar Airport, which is located about 9 miles west, southwest of the project site. According to the McClellan-Palomar Airport Land Use Compatibility Plan, the project site is located within Review Area 2 of the Airport Influence Area. Given the fact the project proposes an unmanned facility, it is not anticipated to expose people residing or working in the project area to excessive noise levels and no mitigation measures are required.

f) No Impact. The project site is not located within the vicinity of a private airstrip. As a result, no impacts are anticipated that would expose people residing or working in the project area to excessive noise levels and no mitigation measures are required.

Mitigation Measures:

- Construction activity noises will be limited and subject to city-wide "quiet hours" between 6:00 a.m. to 7:00 a.m. Monday through Friday and 5:00 p.m. to 8:00 a.m. on Saturday.
- The generator shall be limited to no than 15 minutes and during weekday (i.e. Monday-Friday) daytime hours of 8:00 a.m. to 5:00 p.m.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING -- *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☒ |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

a) **No Impact.** The project will not directly or indirectly induce substantial population growth in the area, as no homes are proposed with this project and all infrastructure is existing. As a result, significant impacts are not expected and no mitigation measures are required.

b) **No Impact.** There are no housing units on the project site and the project does not propose any displacement of any housing units either on or offsite. As a result, no impacts are anticipated from the project that would displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere and no mitigation measures are required.

c) **No Impact.** As stated previously, the project site contains no housing units, nor would the project displace any person residing on or offsite. As a result, no impacts are anticipated from the project that would displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere and no mitigation measures are required.

Mitigation Measures: None.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES -- *Would the project:*

- a. Result in substantial adverse physical impacts associated with the provision of 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 objective for any of the public services:

- | | | | | |
|--------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| Fire protection? | ☐ | ☒ | ☐ | ☐ |
| Police protection? | ☐ | ☒ | ☐ | ☐ |

Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☒	☐	☐

a) **Potentially Significant Unless Mitigated.** Fire Protection: Fire suppression, prevention and emergency medical response services are provided to the project site by the City of San Marcos Fire Department. The site will contain equipment which will require fire protection and while the proposed facility is unmanned, there is a potential for a visiting technician to become injured requiring a medical response from the San Marcos Fire Department. As required by City policy, the project will either annex into Community Facility District No. 2001-01 or pay an in-lieu fee to mitigate these impacts to Fire Protection Services. As a result of the annexation to CFD 2001-01, impacts on fire protection services are anticipated to be less than significant from the project.

Potentially Significant Unless Mitigated. Police Protection: Police protection services are provided by the City of San Marcos under a contract with the San Diego County Sheriff's Department. These services are funded, in part, through the use of special taxes known as Community Facility Districts (CFD) that are collected annually with property taxes. In 1998, Community Facilities District No. 98-01A was formed to provide funding for police facilities and services within the City of San Marcos. The proposed project will create a facility which will require police protection and impact police protection services. As required by City policy, the project will either annex into Community Facility District No. 98-01A or pay an in-lieu fee to mitigate these impacts to Police Protection Services. As a result of the annexation to CFD 98-01A, impacts on Police Protection Services are anticipated to be less than significant from the project.

No Impact. Schools: The creation of housing units is not proposed by the project. In addition, prior to the issuance of Building Permits, any fees required to be paid to the San Marcos Unified School District shall be paid to the District. As a result, no impacts are anticipated from the project and no mitigation measures are required.

No Impact. Parks: As stated previously, the project does not propose the creation of residential units and as a result, no impacts to parks are anticipated from the project and no additional mitigation measures are required.

Potentially Significant Unless Mitigated. Other Public Facilities. The project site is located within the city San Marcos and the development and maintenance of public facilities is conducted by the City of San Marcos. These services are funded, in part, through the use of special taxes known as Community Facility Districts (CFD) that are collected annually with property taxes. In 1998, Community Facilities District No. 98-02 was formed to provide funding for facilities and services that provide street lighting, landscape/ open space/ preserve maintenance within the City of San Marcos. In conformance with City policy, it is mandatory for all projects that require an entitlement to annex into special tax districts to mitigate impacts from the project to public facilities.

Mitigation Measures:

- Prior to the issuance of Building Permits, the subject property shall annex into CFD 2001-01 or pay a fee for special taxes in-lieu of annexation. The applicant shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.
- Prior to the issuance of Building Permits, the subject property shall annex into CFD 98-01A or pay a fee for special taxes in-lieu of annexation. The applicant shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.

- Prior to the issuance of Building Permits, the subject property shall annex into CFD 98-02 or pay a fee for special taxes in-lieu of annexation. The applicant shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. RECREATION --

- a) Would the 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?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐	☐	☐	☒
☐	☐	☐	☒

a) **No Impact.** The proposed project will not involve a housing component nor will it substantially increase employment opportunities within the city; therefore, the project will not substantially increase the use of existing neighborhood and regional parks or other recreational facilities. As a result, no mitigation measures are required.

b) **No Impact.** There are no recreational facilities proposed as part of the project and the project would not result in the need for additional recreational facilities within the City. Therefore, the project would not result in an adverse physical effect on the environment from construction or expansion of recreational facilities and no mitigation measures are required.

Mitigation Measures: None.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC -- *Would the project:*

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the

☐	☐	☐	☒
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county congestion management agency for designated roads or highways?

☐ ☐ ☒ ☐

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

☐ ☐ ☐ ☒

d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

☐ ☐ ☐ ☒

e) Result in inadequate emergency access?

☐ ☐ ☐ ☒

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

☐ ☐ ☐ ☒

a) **No Impact.** The project also proposes an unmanned telecommunication facility with only a single monthly service/maintenance visit by the operator/permittee (2 vehicle trips). Due to the low level of vehicle trips generated by the project, it is not expected to conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the City's circulation system.

b) **Less Than Significant.** The City of San Marcos General Plan Circulation Element lists the City's goal for acceptable service standards during daily periods as Level of Service (LOS) D for all roadway intersections. LOS ratings of E and worse would not meet the City's Circulation Element goal. Any project related traffic impact that would result in a change of LOS from acceptable (LOS D or better) to a deficient LOS (E or worse) at an intersection would be considered a significant impact. As stated previously, the project proposes to install and operate an unmanned wireless telecommunication facility which is expected to generate two (2) vehicle trips each month. The volume of traffic anticipated from the project would not quantifiably impact the LOS of any nearby intersections or road segments. As a result, the project is not expected to conflict with an applicable congestion management program and no additional mitigation measures are required.

c) **No Impact.** The proposed project is not located in close proximity to a public or private airport, and does not include development of a private airstrip or heliport. As a result, no impacts are anticipated and no mitigation measures are required.

d) **No Impact.** The project does not include a hazard due to a design feature or incompatible use. As a result, no impacts are anticipated and no mitigation measures are required.

e) **No Impact.** The project does not include a hazard due to a design feature or incompatible use. As a result, no impacts are anticipated and no mitigation measures are required.

f) **No Impact.** Development of the proposed project would not conflict with adopted policies or involve elimination of facilities supporting alternative transportation such as bus turnouts or bicycle racks. As a result, no impacts are anticipated from the project and no mitigation measures are required.

Mitigation Measures: None.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ☐ | ☐ | ☐ | ☒ |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☐ | ☒ |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☐ | ☒ |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☐ | ☒ |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☐ | ☒ |

The subject site is located within the boundaries of the Vallecitos Water District (VWD). The applicant will be required to comply with all requirements of the Vallecitos Water District (VWD) for the provision of water and sewer services to the subject site. Per the City's implementation of the Standard Urban Storm Water Mitigation Plan (SUSMP) storm water discharge procedures and the latest adopted NPDES Permit, the proposed project will incorporate sitedesign and naturalized treatment control Best Management Practices (BMPs) for all drainage before entering the City's storm drain system per the approval of the City Engineer/Public Works Director.

a) **No Impact.** The City of San Marcos is within the jurisdiction of the San Diego Regional Water Quality Control Board (SDRWQCB) and the project site is located within the Vallecitos Water District's (VWD) service area. The project site is also already connected to potable water and sanitary sewer service through the VWD and the project has been reviewed by the VWD for compliance with wastewater treatment requirements of the SDRWQCB. In addition, the project will be unmanned and does not propose to construct any facilities which would create wastewater. As a result, no impacts are anticipated from the proposed project that will exceed treatment requirements of the SDRWQCB and no additional mitigation measures are required.

b) **No Impact.** As discussed previously, the project site is located within the Vallecitos Water District (VWD)

service area. The proposed wireless telecommunication facility will be unmanned and will not require potable water or create sources of wastewater. Water for landscape irrigation purposes is provided by an existing onsite well. As a result, no impacts are anticipated that will require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities and no mitigation measures are required.

c) **No Impact.** The project proposes to create 411 square feet of impervious surface as a result of the construction of an equipment enclosure. Existing stormwater drainage facilities are already in place with sufficient capacity to accommodate any drainage resulting from the project. As a result, no construction of new drainage facilities or expansion of existing facilities will result from the project and no mitigation measures are required.

d) **No Impact.** As stated previously, the project site is located within the Vallecitos Water District (VWD) service area and is already connected to both VWD potable water and sanitary sewer service. The project has been reviewed by the VWD for water availability and wastewater treatment capacity and sufficient supplies and facilities exist to service the proposed project. In addition, the facility is unmanned and does not propose any facilities requiring potable water or wastewater disposal. The facility will also utilize an existing onsite well for landscape irrigation purposes. As a result, no impacts are anticipated from the proposed project and no mitigation measures are required.

e) **No Impact.** As previously discussed, the project site is located within the Vallecitos Water District (VWD) service area and is already connected to VWD sanitary sewer service. In addition, the project does not propose to construct any facilities that would create wastewater necessitating treatment. As a result, no impacts are anticipated from the proposed project and no mitigation measures are required.

f and g) **No Impact.** The project will generate trash during construction and then as an unmanned wireless facility a very nominal amount of trash. Trash collection service for the project will be provided by EDCO which will include collection of recyclable materials.

Mitigation Measures: None.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	---	---------------------------------------	--------------

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

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

☐

☐

☐

☒

a) **No Impact.** The project is proposed to be located in an already disturbed portion of a site that was previously developed. There are no known native vegetative communities, or sensitive, threatened or endangered wildlife or plant species to occur at the project site. In addition, due to the project's location in an already developed site, the potential for sensitive species to use the site is very low. Lastly, for reasons discussed in the cultural analysis (Section V), the project will not significantly affect important examples of California history or prehistory. As a result, no impacts are anticipated from the proposed project.

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

b) **No Impact.** The project proposes the installation and operation of an unmanned wireless telecommunication facility at the site. As discussed previously, no impacts anticipated from the project would be individually limited but cumulatively considerable. In addition, the implementation of the mitigation measures contained herein will further reduce any impacts from the project and as a result no impacts from the project are anticipated to be individually limited, but cumulatively considerable.

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

c) **Less Than Significant.** As discussed at length in Section VIII, the project proposes to construct an unmanned wireless telecommunication facility. Once operational, the facility will both receive and transmit electromagnetic energy in the form of Radio Frequency (RF) waves in the vicinity of the project through the use of twelve (12) antenna panels, and one (1) parabolic microwave dish antenna. Federal Communications Council (FCC) regulations establish Maximum Permissible Exposure (MPE) limits for RF and disallow any State or local government from making a decision about a project based on "the environmental effects of radio frequency emissions." MPE limits are defined in terms of power density, electric field strength, and magnetic field strength to which a person may be exposed without harmful effect. In addition, the FCC maximum allowable exposures are not set at a threshold between safety and known hazard, but 50 times below a level that the majority of the scientific community believes may pose a health risk to human populations. Based on these facts and the requirements of the project to demonstrate compliance with FCC regulations pertaining to RF emissions, the project is not expected to have environmental effects which will cause substantial effects on human beings, either directly or indirectly, and no additional mitigation measures are required.

**MITIGATION MONITORING PROGRAM
FOR NEGATIVE DECLARATION 15-009**

MITIGATION MEASURES	MONITORING ACTIVITY/TIMING	RESPONSIBILITY
Natural trees of similar species to the faux tree and varying heights shall be planted to integrate the faux tree into the existing environment visual character visible from S. Santa Fe Avenue.	During Construction & Inspection Prior to Occupancy	Developer
A landscape plan shall be submitted to the Planning Division prior to and concurrent with the issuance of a building permit to demonstrate that the appropriate number and height of trees are installed.	Prior to issuance of a building permit	Developer
	Prior to issuance of grading permits/during grading operation	Developer
	Prior to issuance of grading permits	Developer
	Post construction/ during operation	Developer
	Prior to Construction	Developer
	Prior to Construction	Developer
	Prior to Construction	Developer
	Prior to Construction	Developer

Appendix A
RF Site Compliance Report

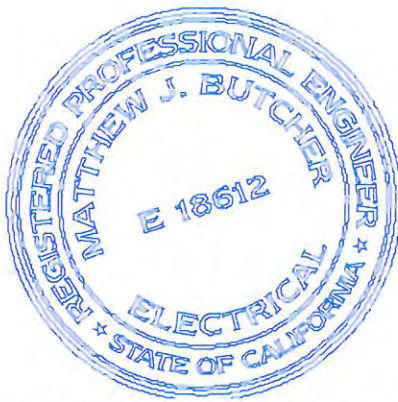
Smilax Radio Frequency (RF) Site Compliance Report



2638 South Santa Fe Avenue, San Marcos, CA 92069

**Verizon Wireless Will Be Compliant Based on
FCC Rules and Regulations.**

© 2014 Sitesafe, Inc. Arlington, VA



Registration Expires December 31, 2014

Matthew J Butcher
Registered Professional Engineer
State of California License E 18612

Radio Frequency Exposure Pre-Installation FCC Compliance Assessment

Site Specific Information			
Site Name	Smilax	Categorically Excluded?	Yes
Street Address	2638 South Santa Fe Avenue	5% Contributor To Areas Requiring Mitigation?	Yes
City, State, Zip	San Marcos, CA 92069		
Multi-Licensee Facility	Yes/No	Max % MPE (Predictive)	<1% Occupational
Structure Type	Monotree	Max % MPE (Measured)	N/A
Broadcast Equipment	No	Assessment Date	February 22, 2014
# of Access Points	#1	Assessment Purpose	NEW BUILD
Compliance Status		MITIGATION REQUIRED	

☒	Worst-case RF power density levels are BELOW the MPE for General Population/Uncontrolled Environments in accessible areas.
☐	Worst-case RF power density levels are ABOVE the MPE for General Population/Uncontrolled Environments but BELOW the MPE for Occupational/Controlled environments.
☐	Worst-case RF power density levels are ABOVE the MPE for Occupational/Controlled Environments but BELOW 10x the MPE for Occupational/Controlled environments.
☐	Worst-case RF power density levels are ABOVE 10x the MPE for Occupational/Controlled environments.

Compliance Requirements						
						
	Guidelines	Notice	Caution	Warning	NOC Information	Barrier
Access Points	☒ [1]	☐ [#]	☒ [1]	☐ [#]	☒ [1]	☐
Alpha	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Beta	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Gamma	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐

Additional Compliance Requirements(s):			
A lock should be placed at the site access gate.			
Consultant Legal Name	Sitesafe, Inc.	Phone/Fax	703-276-1100
Address	200 North Glebe Road, Suite 1000 Arlington, VA 22203-3728		

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1. Executive Summary

Verizon Wireless has contracted with Sitesafe, Inc., an independent Radio Frequency consulting firm, to conduct a Radio Frequency Exposure (RFE) Compliance **Pre-Installation Assessment** of the Smilax cell site. The following report contains a detailed summary of the Radio Frequency environment as it relates to Federal Communications Commission (FCC) and Occupational Safety & Health Administration (OSHA) Rules and Regulations for all individuals.

The **Verizon Wireless antenna data** was provided by:

Name	Jane Xiaoping Zhao
Title	RF Engineer
Date	February 4, 2014 EME study is based on tab "10-02-2013 NCD Prelim"
Region	Southern CA

This **pre-installation** compliance assessment and report has been **prepared** and **reviewed** by:

	Preparer	Reviewer
Name	Richard Curtis	(See PE signature on title page)
Title	EME Report Writer	Professional Engineer
Date	2/23/2014	2/23/2014

This report utilizes the following **for predictive modeling of the ambient RF environment**:

MPE Modeling Program: SitesafeTC

Required Modeling Assumptions: 100% Duty Cycle and Maximum Total Power Output.

Additional Modeling Assumptions:

General Model Assumptions

In this site compliance report, it is assumed that all antennas are operating at **full power at all times**. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The site has been modeled with these assumptions to show the maximum RF energy density. Sitesafe believes this to be a worst-case analysis, based on best available data. Areas modeled to predict emissions greater than 100% of the applicable MPE level may not actually occur, but are shown as a worst-case prediction that could be realized real time. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

Thus, at any time, if power density measurements were made, we believe the real-time measurements would indicate levels below those depicted in the RF emission diagram(s) in this report. By modeling in this way, Sitesafe has conservatively shown exclusion areas – areas that should not be entered without the use of a personal monitor, carriers reducing power, or performing real-time measurements to indicate real-time exposure levels.

Use of Generic Antennas

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.

2. Proposed Site Characteristics

a. Structure

Physical Description	Proposed Monotree
Site Latitude (NAD 83)	N33-9-42.37
Site Longitude (NAD 83)	W117-12-15.35
Site Elevation (AMSL)	465'
Structure Height (AGL)	45'
Overall Structure Height	45'

b. Accessibility

The proposed site will be accessed via a gate.

c. Verizon Wireless Signage

<u>Existing Signage</u>						
	Guidelines	Notice	Caution	Warning	NOC Information	Barrier
Access Points	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Alpha	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Beta	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Gamma	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Existing Signage Adheres to VZW Signage & Demarcation Policy?						No

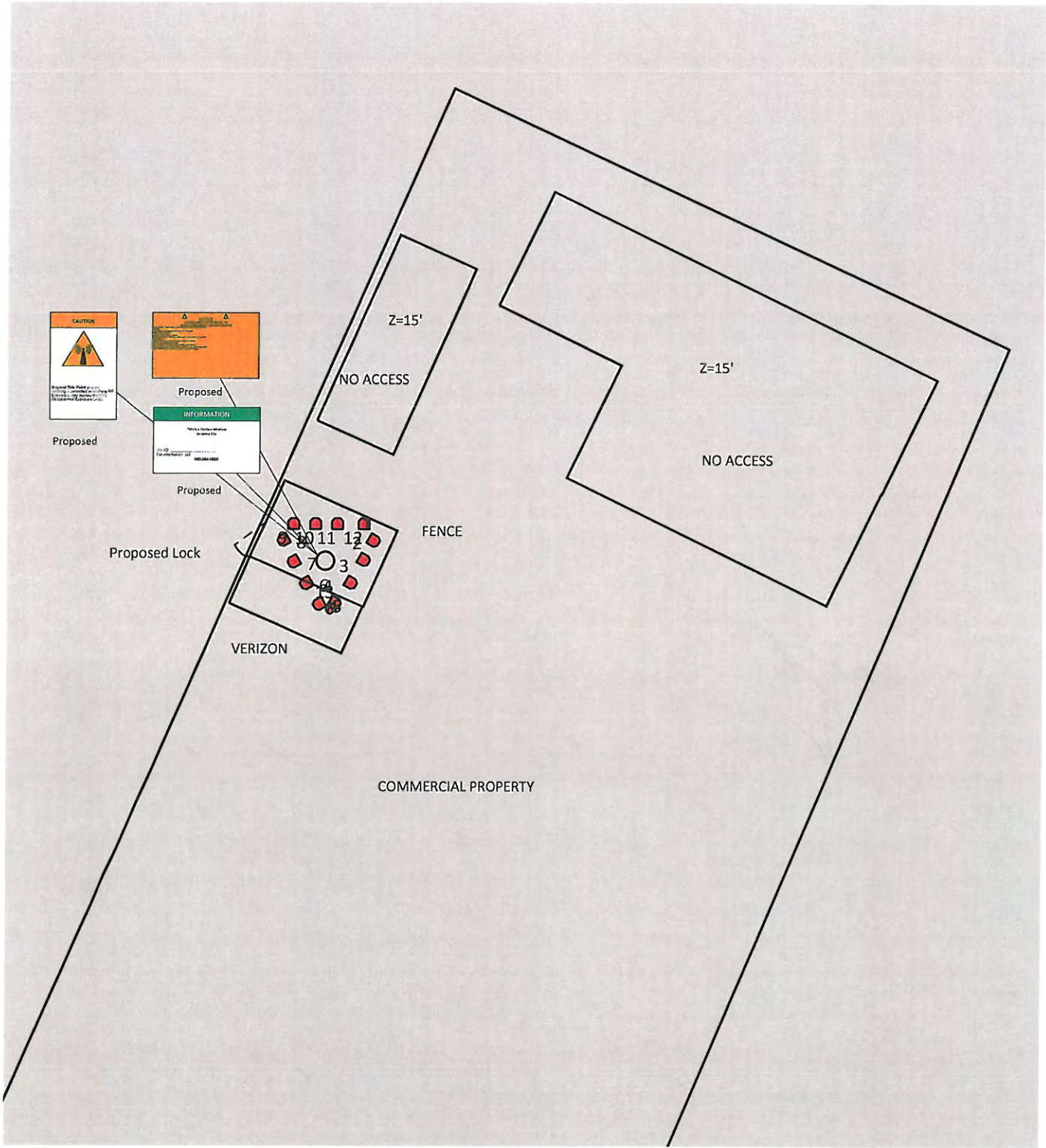
d. Antenna Inventory

Ant ID	Operator	Antenna Make & Model	Type	TX Freq (MHz)	Az (Deg)	Hor BW (Deg)	Ant Len (ft)	Ant Gain (dBd)	Total ERP (Watts)	X	Y	Z
1	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	751	120	68	6.3	12.56	1719	210.7'	268.4'	37'
2	VERIZON WIRELESS (Proposed)	Ericsson AIR 21 B4A B2P	Panel	2100	120	65	4.7	15.37	3282	208.5'	264.2'	37'
3	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	1900	120	62	6.3	16.26	4029	205.6'	259.1'	37'
4	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	850	120	65	6.3	13.43	2520	202.2'	254.7'	37'
4	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	1900	120	62	6.3	16.26	0*	202.2'	254.7'	37'
5	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	751	240	68	6.3	12.56	1719	198.6'	254.5'	37'
6	VERIZON WIRELESS (Proposed)	Ericsson AIR 21 B4A B2P	Panel	2100	240	65	4.7	15.37	3282	195.8'	259'	37'
7	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	1900	240	62	6.3	16.26	4029	193.1'	263.8'	37'
8	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	850	240	65	6.3	13.43	2520	190.8'	268.5'	37'
8	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	1900	240	62	6.3	16.26	0*	190.8'	268.5'	37'
9	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	751	0	68	6.3	12.56	1719	193'	272.2'	37'
10	VERIZON WIRELESS (Proposed)	Ericsson AIR 21 B4A B2P	Panel	2100	0	65	4.7	15.37	3282	197.8'	272.2'	37'
11	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	1900	0	62	6.3	16.26	4029	202.7'	272.2'	37'
12	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	850	0	65	6.3	13.43	2520	208.5'	272.2'	37'
12	VERIZON WIRELESS (Proposed)	Kathrein-Scala 800-10765	Panel	1900	0	62	6.3	16.26	0*	208.5'	272.2'	37'
13	VERIZON WIRELESS (Proposed)	Generic Dish	Dish	11000	TBD	2	4	37.66	58.3	201.4'	253.4'	31'

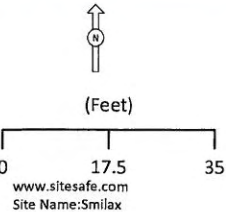
NOTE: X, Y and Z indicate relative position of the antenna to the origin location on the site, displayed in the model results diagram. Specifically, the Z reference indicates the antenna radiation center height above the main site level unless otherwise indicated. Effective Radiated Power (ERP) is provided by the operator or based on Sitesafe experience. The values used in the modeling may be greater than are currently deployed. For other operators at this site the use of "Generic" as an antenna model or "Unknown" for a wireless operator means the information with regard to operator, their FCC license and/or antenna information was not available nor could it be secured while on site. Other operator's equipment, antenna models and powers used for modeling are based on obtained information or Sitesafe experience.

***Per the client, PCS CDMA will be phased out.**

RF Emissions Simulation For: Smilax



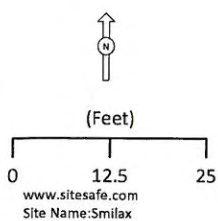
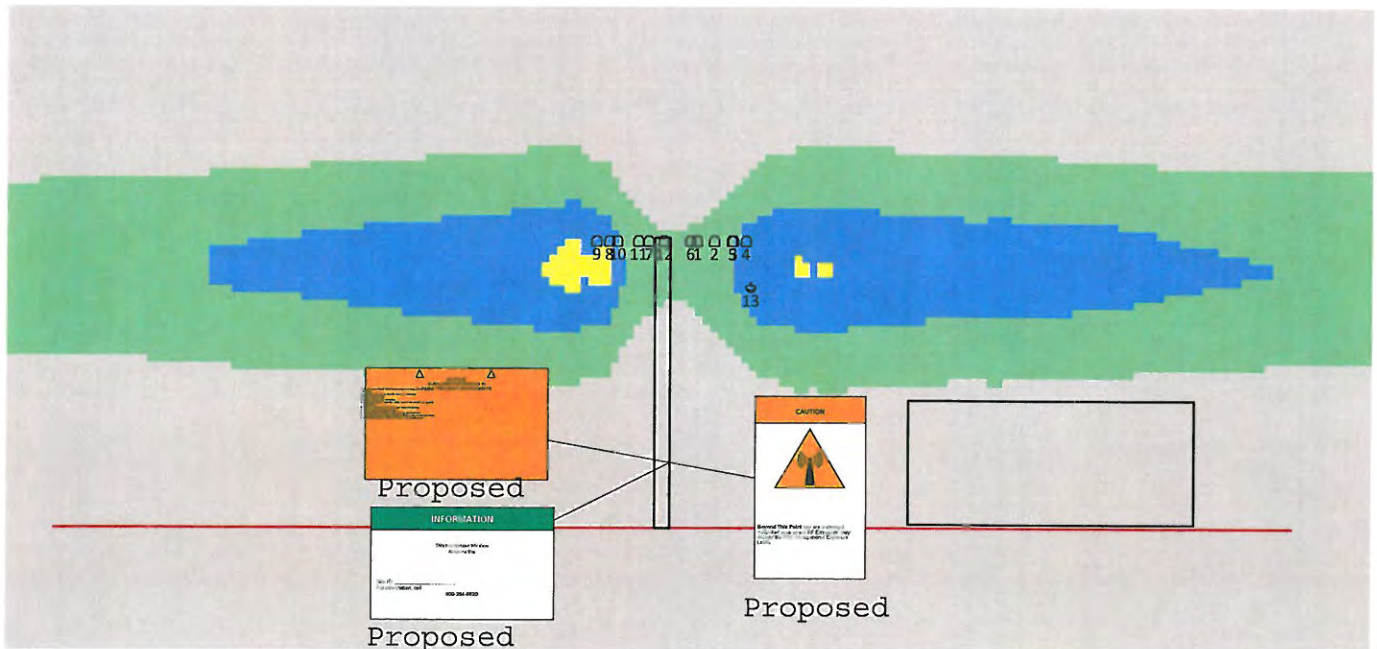
% of FCC Public Exposure Limit
Spatial average 0' - 6'



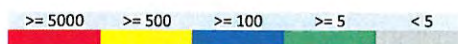
AT&T MOBILITY LLC	VERIZON WIRELESS	T-MOBILE	SPRINT-NEXTEL	METROPCS	CRICKET COMMUNICATIONS	CLEARWIRE

Sitesafe Inc. assumes no responsibility for modeling results not verified by Sitesafe personnel. Contact Sitesafe Inc. for modeling assistance at (703) 276-1100. SitesafeTC Version: 1.0.0.0 2/22/2014 11:10:24 AM

RF Emissions Simulation For: Smilax Elevation View



% of FCC Public Exposure Limit
Spatial average 0' - 6'



AT&T MOBILITY LLC	VERIZON WIRELESS	T-MOBILE	SPRINT-NEXTEL	METROPCS	CRICKET COMMUNICATIONS	CLEARWIRE

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SitesafeTC Version: 1.0.0.0
2/22/2014 11:16:09 AM

4. Conclusion

a. Conclusion Narrative

Description of MPE-Limit Exceeding Areas:

Verizon Wireless will be compliant with FCC Rules and Regulations.

The Max MPE predicted is <1% Occupational on the ground.

Verizon Significant Contribution Areas:

This site will be in compliance with the FCC rules and regulations.

Collocator Significant Contribution Areas:

N/A

b. Compliance Requirements

Compliance Requirements						
	Guidelines	Notice	Caution	Warning	NOC Information	Barrier
Access Points	x [1]	☐ [#]	x [1]	☐ [#]	x [1]	☐
Alpha	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Beta	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐
Gamma	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐ [#]	☐

Signage/Barrier Installation Detail

Site Access Point #1

- Ensure site access is locked
- Install a Yellow Caution Sign at the base of the monotree.
- Install a NOC Information Sign at the base of the monotree.
- Install a 10-Step Guideline Sign at the base of the monotree.

Verizon Wireless Alpha Sector

- No action required

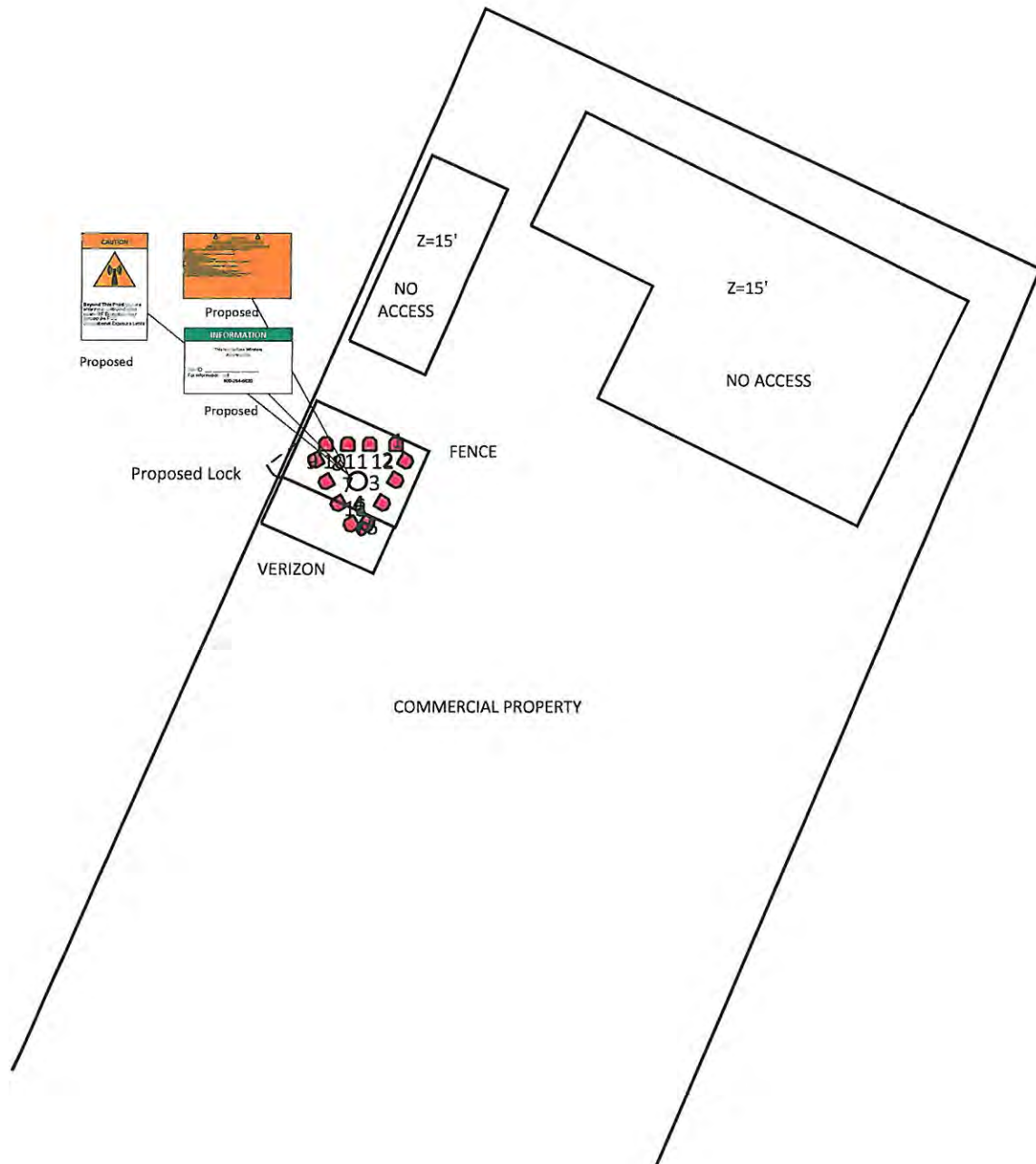
Verizon Wireless Beta Sector

- No action required

Verizon Wireless Gamma Sector

- No action required

Signage and Barrier Diagram For: Smilax



(Feet)

0 20 40

www.sitesafe.com
Site Name: Smilax

AT&T MOBILITY LLC	VERIZON WIRELESS	T-MOBILE	SPRINT-NEXTEL	METROPCS	CRICKET COMMUNICATIONS	CLEARWIRE

Sitesafe Inc. assumes no responsibility for modeling results not verified by Sitesafe personnel.
Contact Sitesafe Inc. for modeling assistance at (703) 276-1100
Sitesafe/TC Version: 1.0.0.0
2/22/2014 11:17:32 AM

5. Appendix A: RF Consultant Certifications

a. Preparer Certification

I, Richard Curtis, the preparer of this report, am familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also familiar with the Verizon Wireless Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Richard Curtis

b. Reviewer Certification

The professional engineer whose seal appears on the cover of this document, the reviewer and approver of this report, am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also fully aware of and familiar with the Verizon Wireless Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

6. Appendix B: Reference Information

a. FCC Rules & Regulations

The Federal Communications Commission (FCC) has established safety guidelines relating to RF exposure from cell sites. The FCC developed those standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The standards were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects. The FCC explains that its standards “incorporate prudent margins of safety.” The following represents explanations of the most applicable information:

Two Classifications for Exposure Limits

Occupational – Applies to situations in which persons are “exposed as a consequence of their *employment*” and are “*fully aware* of the potential for exposure and can *exercise control* over their exposure”.

General Population – Applies to situations in which persons are “exposed as a consequence of their employment *may not be made fully aware* of the potential for exposure or *cannot exercise control* over their exposure”. Generally speaking, those without significant and documented RF Safety & Awareness training would be in the General Population classification.

Environment Classification

Controlled – Applies to environments that are restricted or “controlled” in order to prevent access from members of the General Population classification.

Uncontrolled – Applies to environments that are unrestricted or “uncontrolled” that allow access from members of the General Population classification.

<i>Limits for Occupational/Controlled Exposure</i>		
Frequency	Power Density	Averaging Time
Range	(S)	$ E ^2$, $ H ^2$, or S
(MHz)	(mW/cm ²)	(minutes)
300-1500	$f/300$	6
1500-100,000	5	6
<i>Limits for General Population/Uncontrolled Exposure</i>		
Frequency	Power Density	Averaging Time
Range	(S)	$ E ^2$, $ H ^2$, or S
(MHz)	(mW/cm ²)	(minutes)
300-1500	$f/1500$	30
1500-100,000	1	30
<i>f = frequency in MHz</i>		

Significant Contribution to the RF Environment

Any carrier contributing an aggregate MPE percentage of 5 or more (to the applicable RF Environment Classification) is defined as a significant contributor. This means that if any area is determined to be out of compliance with FCC rules, all significant contributors are jointly responsible for correcting any deficiencies.

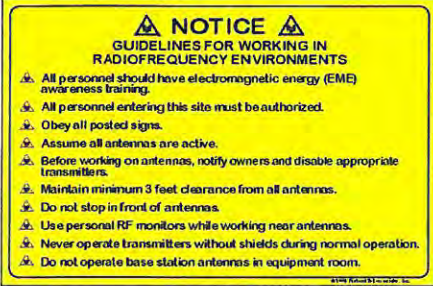
b. Occupational Safety and Health Administration (OSHA) Requirements

A formal adopter of FCC Standards, OSHA stipulates that those in the Occupational classification must complete training in the following: RF Safety, RF Awareness, and Utilization of Personal Protective Equipment. OSHA also provides options for Hazard Prevention and Control:

Hazard Prevention	Control
- Utilization of good equipment - Enact control of hazard areas - Limit exposures - Employ medical surveillance and accident response	- Employ Lockout/Tag out - Utilize personal alarms & protective clothing - Prevent access to hazardous locations - Develop or operate an administrative control program

c. RF Signage

Areas or portions of any transmitter site may be susceptible to high power densities that could cause personnel exposures in excess of the FCC guidelines. These areas must be demarcated by conspicuously posted signage that identifies the potential exposure. Signage **MUST** be viewable regardless of the viewer's position.

GUIDELINES	NOTICE	CAUTION	WARNING
Used anytime hazard signage is employed to achieve FCC compliance. This sign will inform visitors of the basic precautions to follow when working around radiofrequency equipment.	Used to distinguish the boundary between the General Population/Uncontrolled and the Occupational/Controlled areas. The limits associated with this notification must be less than the Occupational/Controlled MPE.	Identifies RF controlled areas where RF exposure can exceed the Occupational/Controlled MPE but below 10 x the Occupational/Controlled MPE.	Denotes the boundary of areas with RF levels substantially above the FCC limits, normally defined as those greater than ten (10) times the Occupational/Controlled MPE.
			

INFORMATION SIGN
Information signs are used as a means to provide contact information for any questions or concerns. They will include specific cell site identification information and the Verizon Wireless Network Operations Center phone number.


d. Barriers

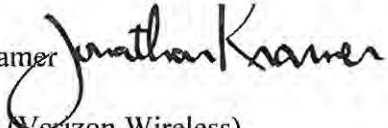
A barrier is any physical demarcation employed as a preventative and/or notification measure that one is entering into an area with RF power density levels greater than the General Population/Uncontrolled limit.



Appendix A1

RF Site Compliance Report Peer Review

**Planning
Memorandum**

To: Sean del Solar
From: Tripp May
Reviewed by: Jonathan L. Kramer 
Date: June 23, 2014
RE: CUP P14-0009 (Verizon Wireless)
2638 Santa Fe Ave.

The City of San Marcos ("City") requested a review of the Verizon Wireless ("Verizon") permit request to construct and operate a new wireless site located at 2638 Santa Fe Avenue.

Current Project

To support the antennas and associated equipment, Verizon proposes to construct a 45-foot above ground level ("AGL") monoecalyptus. At approximately 43 feet AGL, Verizon proposes to mount twelve panel antennas, twelve remote radio units ("RRUs"), and three DC power surge suppressors. Below the panel antennas, at approximately 31 feet AGL, Verizon intends to place a four-foot diameter microwave dish antenna. Verizon proposes to camouflage the panel antennas, but not the microwave dish antenna, with "antenna sock" covers. Additionally, Verizon proposes to clad the monopole with faux bark.

To house the base station equipment and back-up power generator, Verizon proposes to construct a new structure adjacent to the proposed monoecalyptus. Inside the equipment shelter, Verizon proposes to install one 30kw diesel generator with 210-gallon fuel tank, four indoor radio equipment racks, one indoor battery cabinet, two DC power surge suppressors, and panels for electrical and telephone utilities. Outside the equipment shelter, Verizon also proposed to install one "stand-by" generator plug and two GPS antennas.

Section 6409(a) Evaluation

As a threshold matter, the City must determine whether the proposed application falls under the ambit of Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012. This section discusses Section 6409(a) and determines whether it should apply to this application.

Generally, Section 6409(a) requires local governments to approve certain requests to collocate with or modify an existing wireless tower or base station. Thus, Section 6409(a) may be outcome-determinative. Section 6409(a), codified at 47 U.S.C. § 1455(a) (2013), states in full:

(a) FACILITY MODIFICATIONS.—

(1) IN GENERAL.—Notwithstanding Section 704 of the Telecommunications Act of 1996 (Public Law 104–104) or any other

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provision of law, a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.

(2) ELIGIBLE FACILITIES REQUEST.—For purposes of this subsection, the term “eligible facilities request” means any request for modification of an existing wireless tower or base station that involves—

- (A) collocation of new transmission equipment;
- (B) removal of transmission equipment; or
- (C) replacement of transmission equipment.

(3) APPLICABILITY OF ENVIRONMENTAL LAWS.—Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of the National Historic Preservation Act or the National Environmental Policy Act of 1969.

To determine whether Section 6409(a) applies, the City must apply the two-prong test described below. The statute applies only when:

- (1) the applicant requests to collocate, remove, or replace transmission equipment from an existing tower or base station; and
- (2) the proposed project will not “substantially change the physical dimensions” of that tower or base station.

Critically, Section 6409(a) applies only when both of the prongs are true. The statute does not apply when the applicant desires to construct an entirely new wireless communication facility or when the applicant desires to modify an existing site that substantially changes the physical dimensions of the existing tower or base station. The applicant bears the burden to prove both prongs to the City.

In this case, Section 6409(a) does not apply because Verizon proposes to construct an entirely new site rather than collocate, remove, or replace transmission equipment from an existing tower or base station. Verizon therefore could not submit an eligible facilities request, and Section 6409(a) cannot apply. Accordingly, we recommend that the City review this permit request under its established standards and procedures in the San Marcos Municipal Code.

Significant Gap and Least Intrusive Means Analysis

Under federal law, a State or local government (1) must allow a wireless service provider to close a “significant gap” in the provider’s own service, but (2) may require the provider to adopt the “least intrusive means” to close the gap. The provider bears the burden to demonstrate that a significant gap exists and, regardless

of whether a significant gap exists, that its proposal represents the least intrusive means to achieve its service goals. This section discusses both issues.

Significant Gap Analysis

To determine whether a significant gap in service exists, the applicant must show that a permit denial would actually or effectively prohibit that particular applicant from providing its own service.¹ This fact-specific analysis depends on the particular circumstances of each individual case.

In this case, Verizon did not demonstrate a significant gap in its own service because it submitted signal propagation maps with illegible objective signal measures. The applicant provided subjective measures for each color coded on the map, but these do not provide an objective basis to determine whether a gap—much less a significant gap—exists in the subject area.

Accordingly, we recommend that the City conclude that Verizon did not demonstrate a significant gap in its own service. This analysis does not suggest that Verizon *cannot* demonstrate a significant gap, but merely that the data submitted to the City does not show one.

Least Intrusive Means

Regardless of whether a wireless service provider demonstrates a significant gap in its own service, a State or local government may require it to adopt the least intrusive means to achieve its service goals. In this context, the “least intrusive means” means the location and design most consistent with the local values that a permit denial would serve.

San Marcos Municipal Code Section 20.465.050(A) articulates the local design values for facilities such as the one proposed. Essentially, the applicant must conceal or camouflage the site to the maximum extent technically feasible. Accordingly, a design that could feasibly conceal or camouflage the site better or completely would constitute the least intrusive means.

To conceal and camouflage the proposed site to the maximum extent feasible, we recommend that the City require Verizon to comply with the design conditions as follows:

1. Verizon shall construct, and at all times maintain, the monoeucalyptus so that the faux branches completely envelop all tower-mounted equipment;
2. Verizon shall install, and at all times maintain, faux-eucalyptus “antenna socks” on all tower-mounted equipment, which includes without limitation

¹ See *MetroPCS, Inc. v. City and Cnty. of San Francisco*, 400 F.3d 715, 733–35 (9th Cir. 2005).

the panel antennas, microwave dish antenna, RRUs, and DC surge suppressors;

3. Verizon shall paint all mounts, brackets, and equipment on the monoeucalyptus flat browns and greens to mimic natural eucalyptus colors;
4. Verizon shall not mount any external cables on the monoeucalyptus trunk;
5. Verizon shall install, and at all times maintain, three-dimensional bark cladding on all portions of the trunk and branches of the monoeucalyptus; and
6. Verizon shall install the lowest branches no less than twelve feet AGL.

As a separate matter, we note that the photosimulations submitted with the permit request do appear to show the microwave dish antenna, which will be a prominent feature on the tower if left unscreened. We recommend that the City require Verizon to submit revised photosimulations that accurately depict the microwave dish antenna as proposed.

RF Emissions Compliance Analysis

The Federal Communications Commission ("FCC") completely "occupies the field" of RF emissions standards in the United States. The City legally cannot establish or require its own RF emissions standards, whether more strict, more lenient, or even the same as the FCC standards. The FCC does, however, permit the City to determine whether a proposed wireless project meets the federal safety standards found at 47 C.F.R. §§ 1.1307 *et seq.* ("FCC Rules") and FCC Office of Engineering and Technology Bulletin 65 ("OET 65") RF safety requirements.

Under the FCC Rules, certain types of wireless projects are deemed "categorically excluded" and not subject to further RF evaluation. A wireless project is categorically excluded when the antenna supporting structure is not a building or shared to perform some other function, and the lowest portion of the transmitting antenna is at least ten (10) meters AGL.

In this case, the proposed antennas qualify for a categorical exemption because Verizon proposes to mount the antennas approximately 10.4 meters AGL on a structure solely designed to support wireless antennas. Accordingly, we could conclude that this site will comply with the FCC Rules without further analysis.

Verizon also submitted an RF compliance analysis from SiteSafe, Inc. dated February 22, 2014 ("SiteSafe Report"), which concludes that the proposed site will comply with the FCC Rules so long as Verizon installs certain signage. The Site Safe Report also contains emissions data sufficient to allow us to independently evaluate its conclusions.

Based on the proposed Verizon frequency and transmitter power disclosed in the SiteSafe Report, a controlled-access zone will extend approximately 46 feet from the face of the antennas at approximately 37 feet AGL (the approximate panel antenna centerline). Thus, the controlled-access zone will be inaccessible to everyone.

The fact that a site creates a controlled access zone does not necessarily mean that it violates the FCC Rules. Rather, a controlled access zone means that the carrier must affirmatively restrict public access to that area so that members of the general population (including trespassers) cannot unknowingly enter and be exposed to radio emissions in excess of those allowed by the FCC. In this case, that essentially requires Verizon to post appropriate signage.

To comply with FCC Rules and OET 65, we recommend that the City require, as conditions of approval, the following:

1. Verizon shall install and at all times maintain in good condition an "RF Notice" sign, "RF Guidelines" sign, and "10-Step Guideline" sign at the base of the monoeucalyptus between three feet and five feet AGL. Verizon shall place each sign required under this condition so that a person may clearly see and understand the sign as he or she approaches the monoeucalyptus;
2. Verizon shall install and at all times maintain in good condition an "RF Notice" sign, "RF Guidelines" sign, and "10-Step Guideline" sign on the door to the base station equipment shelter. Verizon shall place each sign required under this condition so that a person may clearly see and understand the sign as he or she approaches the door from the outside areas;
3. Verizon shall install and at all times maintain in good condition a "Network Operations Center Information" sign on the base station equipment room door. Verizon shall install the sign required under this condition so that a person may clearly see and understand the sign; and
4. Verizon shall ensure that all signage complies with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.

If Verizon complies with the above conditions described in this memorandum, then the City will have no basis to deny or further condition the project on the basis of RF emissions.

Conclusion

Subject to the recommended conditions in this memorandum, we recommend that the City advance this permit application to the next stage in the review process.

TM/jlk