# The Corner@2Oaks Phase 1 and Phase 2 Revisions

Final Initial Study/Mitigated Negative Declaration
ND 15-005

City of San Marcos
January 2017

## TABLE OF CONTENTS



## List of Tables

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# 1.0 INTRODUCTION AND SUMMARY

This Final Initial Study and Mitigated Negative Declaration (IS/MND) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 *et seq*.) and the *CEQA Guidelines* (California Administrative Code Section 15000 *et seq*.).

*CEQA Guidelines* Sections 15074(b) and (d) state:

> "(b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis."
>
> "(d) When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects."

In accordance with this requirement, the Corner@2Oaks Phase 1 and Phase 2 Revisions IS/MND is comprised of the following:

- Draft IS/MND, November 2016
- This Final IS/MND document, January 2017, that incorporates the information required by §15074 (included in this document); and
- A Mitigation Monitoring and Reporting Program (included in this document).

**Format of the Final IS/MND**

This document is organized as follows:

**Section 1.0 Introduction and Summary**

This section describes CEQA requirements and content of this Final IS/MND.

**Section 2.0 Corrections and Additions**

This section provides a list of those revisions made to the Draft IS/MND text as a result of comments received and/or clarification of project components subsequent to release of the Draft IS/MND for public review.

**Section 3.0 Responses to Comment Letters Received on the Draft IS/MND**

This section provides copies of the comment letters received and individual responses to written comments.

**Section 4.0 Mitigation Monitoring and Reporting Program**

This section provides a program of monitoring or reporting to ensure that the provisions or revisions are complied with during implementation of the project.

# 2.0 CORRECTIONS AND ADDITIONS

This section contains revisions to information included in the Draft IS/MND (November 2016) based upon additional or revised information required to prepare a response to a specific comment or address minor changes in the project description. Please see copies of the letters and responses in Section 3.0, Response to Written Comments, as applicable.

## 2.1 REVISED AND SUPPLEMENTAL TEXT

The following table summarizes the changes to the Draft IS/MND. These changes were based upon public comments on the Draft IS/MND.

| Pages | IS/MND Section | Summary of Change |
|---|---|---|
| 7 | Project Description | Clarification of Specific Plan Amendment. |
| 48 | Cultural Resources | Additional information about SB 18 coordination and correspondence added. |
| 48 | Cultural Resources | Additional information about SB 18 coordination and correspondence added. |
| 65 | Land Use | Refinement to mitigation measures MM-LU-1 regarding parcels subject to the Specific Plan Amendment. |
| 66 | Land Use | Identification of maximum unit yield for parcels subject to the Specific Plan Amendment. |
| 96 | Traffic | Clarification added regarding vehicular access to the site. |
| 99 | Tribal Cultural Resources | Additional information about AB 52 coordination and correspondence added. |
| 100 | Utilities/Service Systems | Conclusion for in threshold (b) header revised to state Less Than Significant. This makes it consistent with the analysis conclusions in the discussion below the threshold. |
| 104 | Utilities/Service Systems | Conclusion for in threshold (e) header revised to state Less Than Significant. |

The following mitigation measure was revised to clarify which parcels would be subject to the Specific Plan Amendment. Revisions are in a track/changes format:

> **MM-LU-1** The City shall adopt a Specific Plan Amendment to allow residential townhomes on the specific parcels identified within the project site. Specifically Corner@2Oaks (CR Townhomes), Assessor's Parcel Nos. ~~220-190-54, 55, 56, 57 and 58~~, 220-190-57-00, 220-190-58-00, 220-190-59-00 shall be incorporated into the Town Center to introduce urban, transit, and pedestrian-oriented residential use, in accordance with the design guidelines of this plan, as found in Appendix G of the Specific Plan.

# 3.0 RESPONSE TO WRITTEN COMMENTS

Section 3.0 contains responses to all comment letters received on the November 2016 Draft IS/MND. A total of 4 comment letters were received during the comment period, which closed December 13, 2016 (Table 3-1).

**Table 3-1. Comment Letters – Corner@2Oaks Phase 1 and Phase 2 Revisions**

| Number | Letter Preparer | Date |
|---|---|---|
| 1 | Department of Transportation (Caltrans) | 12/13/16 |
| 2 | Vallecitos Water District | 12/13/16 |
| 3 | Rincon Band of Luiseno Indians (1 of 2) | 12/13/16 |
| 4 | Rincon Band of Luiseno Indians (2 of 2) | 12/13/16 |

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**
DISTRICT 11
PLANNING DIVISION
4050 TAYLOR STREET, M.S. 240
SAN DIEGO, CA 92110
PHONE (619) 688-6960
FAX (619) 688-4299
TTY 711

*Serious drought.*
*Serious drought.*
*Help save water!*

December 13, 2016

11-SD-78
PM 12.9
The Corner@2oaks
MND 15-005 November 2016

Mr. Garth Koller
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Dear Mr. Koller:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. Caltrans reviewed a copy of the Mitigated Negative Declaration (MND) for the proposed Corner@2Oaks November 2016 revision located near SR-78. 1-1

Caltrans has no comments at this time. However, it is recommended with the new signal and full access on Twin Oaks Valley Road, referred to as "LA Fitness Driveway," that due to the proximity to the westbound SR-78 off-ramp, that the city monitor traffic conditions with the new signal to determine if any queuing occurs on the freeway ramp. 1-2

If you have any questions, please contact Roger Sanchez, of the Caltrans Development Review Branch, at (619) 688-6494 or by e-mail sent to roger.sanchez-rangel@dot.ca.gov.

Sincerely,

JACOB ARMSTRONG, Chief
Development Review Branch

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"*

**Letter 1**
**Department of Transportation (Caltrans)**

1-1 This comment provides introductory remarks and does not raise any specific environmental comments.

1-2 In this comment, Caltrans recommends that the City monitor traffic conditions at the proposed signalized intersection at the "LA Fitness Driveway"/project entrance. It is normal City practice to monitor the area when a new signal or significant intersection change is made. Caltrans will be kept informed if any issues are identified.

VALLECITOS WATER DISTRICT
A PUBLIC AGENCY
201 Vallecitos de Oro • San Marcos, California • 92069-1453 Telephone (760) 744-0460

December 13, 2016

Garth Koller
Principal Planner
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

**SUBJECT: NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR CORNER @ 2 OAKS – UNIVERSITY DISTRICT. CASE NO.: P16-0023: SDP 16-004, ND 15-005; AND P15-0012: SP 15-001, TSM 15-002, MFSDP 15-001, ND 15-005. VWD: WO #135743, PROJECT #2014100668.**

Dear Mr. Koller:

The District completed a Final Draft Technical Memorandum Water and Sewer Study for the Corner @ 2 Oaks project on June 26, 2015. The project proposes a density increase to the land use identified in Vallecitos Water District's 2008 Master Plan. The Corner @ 2 Oaks project was proposed and analyzed as a 116 room hotel on 1.82 acres, a 1.52-acre office site and a 1.90-acre retail site in Phase 1 and a 129 multi-family townhomes on 6.24 acres in Phase 2. The Project also included 7.68 acres of open space. The latest proposed Project description includes a 116 room hotel, free standing restaurant and a two-story office/retail building in Phase 1 and 118 townhomes in Phase 2. Assuming the open space area did not change with the new proposal. The current Project changes will not increase the proposed water use or sewer generation determined in the June 26, 2015study. Based on information provided in your Notice and draft MND, as well as results of the Final Water and Sewer Study, VWD has the following comments: 2-1

**XVII. UTILITIES AND SERVICE SYSTEMS**

**a) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Less than Significant Impact**

Because of the proposed increased density, the Corner @ 2 Oaks project will generate 23,692 gpd of additional wastewater flow over what was planned for in the District's 2008 Master Plan. The additional wastewater flow will have the following impacts to District facilities: 2-2

- An increase of 23,692 gpd in solids handling, liquids handling and ocean disposal capacity at the Encina Water Pollution Control Facility.
- An increase of 23,692 gpd in the parallel land outfall's capacity.

FAX numbers by Department: *Administration* (760) 744-2738; *Engineering* (760) 744-3507; *Finance* (760) 744-5989; *Meadowlark Water Reclamation Facility* (760) 744-2435; *Operations/Maintenance* (760) 744-5246
e-mail: vwd@vwd.org http://www.vwd.org

The District currently has sewer capacity available to serve the Project as proposed. However, the ability to provide sewer service in the future depends upon ultimate build-out of the Project and could change depending upon the timing of the build-out, as well as annexations and build-outs of other development projects, the District's treatment capacity at the EWPCF and other factors affecting growth in the District which may change over time.

2-2 Cont.

**b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Less that Significant Impact.**

Because of the proposed increased density, the Corner @ 2 Oaks project will increase the water demand above that projected in the 2008 Master plan by 23,626 gpd.

2-3

**c) 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? Less than Significant Impact**

The Corner @ 2 Oaks project as proposed will generate 23,692 gpd of additional wastewater flow above that planned for in the District's 2008 Master Plan. The additional wastewater flow will have the following impacts to District facilities:

- An increase of 23,692 gpd in solids handling, liquids handling and ocean disposal capacity at the Encina Water Pollution Control Facility.
- An increase of 23,692 gpd in the parallel land outfall's capacity.
- Installation of approximately 509 feet of new 12-inch sewer main within the project boundary (currently in construction).
- Relocation of approximately 806 feet of VWD's existing 36-inch sewer interceptor pipeline of which conflicts with the development (currently in construction).

2-4

Please contact the District if you have any questions.

Sincerely,
VALLECITOS WATER DISTRICT

Ingrid Stichter
Engineering Technician II

Cc: Robert Scholl, Development Services Senior Engineer
James Gumpel, District Engineer

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VALLECITOS WATER DISTRICT
A PUBLIC AGENCY
201 Vallecitos de Oro • San Marcos, California • 92069-1453 Telephone (760) 744-0460

September 27, 2016

University District Holdings II
Attn: Paul Metcalf
3525 Del Mar Heights Road, # 246
San Diego, CA 92130

**RE: CORNER @ 2 OAKS WATER/SEWER STUDY**
**VWD Project #2014100668 WO #135743**

A Water and Sewer Study for the Corner @ 2 Oaks project was completed on June 26, 2015. The study was based on a 116 room hotel on 1.82 acres, 1.52 acres of office use, 1.90 acres of retail use and 6.24 acres of multi-family housing with 129 dwelling units and 7.68 acres of open space. These land uses were assigned duty factors from our 2008 Master Plan for evaluation of the estimated water demand and sewer generation.

Per our recent conversation, University District Holdings II is proposing to revise the project. It is our understanding that the new project will not change the acreages or the uses. The change will be to the square footage of the buildings and a restaurant will be incorporated into the retail use.

Our Master Plan duty factors do not make a distinction between restaurants and other retail uses. Since our evaluation is based on the average gallons per day per acre for each use and not on the building square footage, the proposed changes will not alter the estimated water use or sewer generation for the project. An update of the water and sewer study is not required due to these proposed changes.

Please contact us if you have any questions.

Sincerely,
VALLECITOS WATER DISTRICT

Eileen M. Koonce
Development Services Coordinator

Cc: Project file

FAX numbers by Department: *Administration* (760) 744-2738; *Engineering* (760) 744-3507; *Finance* (760) 744-5989; *Meadowlark Water Reclamation Facility* (760) 744-2435; *Operations/Maintenance* (760) 744-5246
e-mail: vwd@vwd.org http://www.vwd.org

**VALLECITOS WATER DISTRICT**
*CORNER @ 2 OAKS WATER AND SEWER STUDY*
*WORK ORDER # 135743*

FINAL TECHNICAL MEMORANDUM

June 26, 2015

Prepared By: Robert Scholl, P.E. and Eileen Koonce

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**PROJECT DESCRIPTION**

The proposed Corner @ 2 Oaks (Project) is a mixed use (commercial & residential) development located on the southwest corner of San Marcos Boulevard and Twin Oaks Valley Road within the City of San Marcos' Heart of the City Specific Plan Area. The Corner @ 2 Oaks project proposes a density increase on 19.16 acres. The Project will consist of a 116 room hotel on 1.82 acres, a 1.52 acre office site, a 1.90 acre retail site (including 0.62 acres of parking), 129 multi-family townhomes on 6.24 acres and 7.68 acres of dedicated open space. The proposed development is seeking approval from the City of San Marcos.

The Project property is located within VWD's water and sewer service boundary. Both water and wastewater services are to be provided by the Vallecitos Water District (VWD). Projects, such as the Corner @ 2 Oaks, which propose to increase land use density above that identified in VWD's 2008 Master Plan undergo evaluation by VWD to determine if the current water and sewer infrastructure is sufficient to accommodate the increased water demands and sewage generation.

This study considers water demand and sewage generation from the project to determine if the current water and sewer infrastructure is sufficient to accommodate the Project and provides recommendations for capital improvements to provide service.

The Study will evaluate the following systems:

- Water distribution system, including the need to upsize pipelines, install new pipelines, or install flow control facilities
- Water storage, including the need for additional storage and the adequacy of existing storage tanks and reservoirs to serve the proposed development
- Water pump stations, including the need to install new pump stations or upsize existing pump stations to serve the proposed development
- Wastewater collection system, including the need to upsize pipelines and manholes, or the need to install new pipelines and manholes
- Wastewater lift stations, including the need to install new lift stations or upsize existing lift stations to serve the proposed development

- Wastewater land outfall, including the need to construct a parallel land outfall to serve this and other proposed developments
- Wastewater treatment facilities, including the need for obtaining additional capacity at the Encina Water Pollution Control Facility (EWPCF) or for expanding the Meadowlark Water Reclamation Facility (MRF)

## WATER SYSTEM ANALYSIS

The Project consists of 19.16-acres which lie completely within VWD's 855 Pressure Zone. Figures 1 and 2 show the Project's location in relation to pressure zone boundaries, identify existing and proposed pipelines within the vicinity of the development, and identify storage reservoirs that supply the development area.

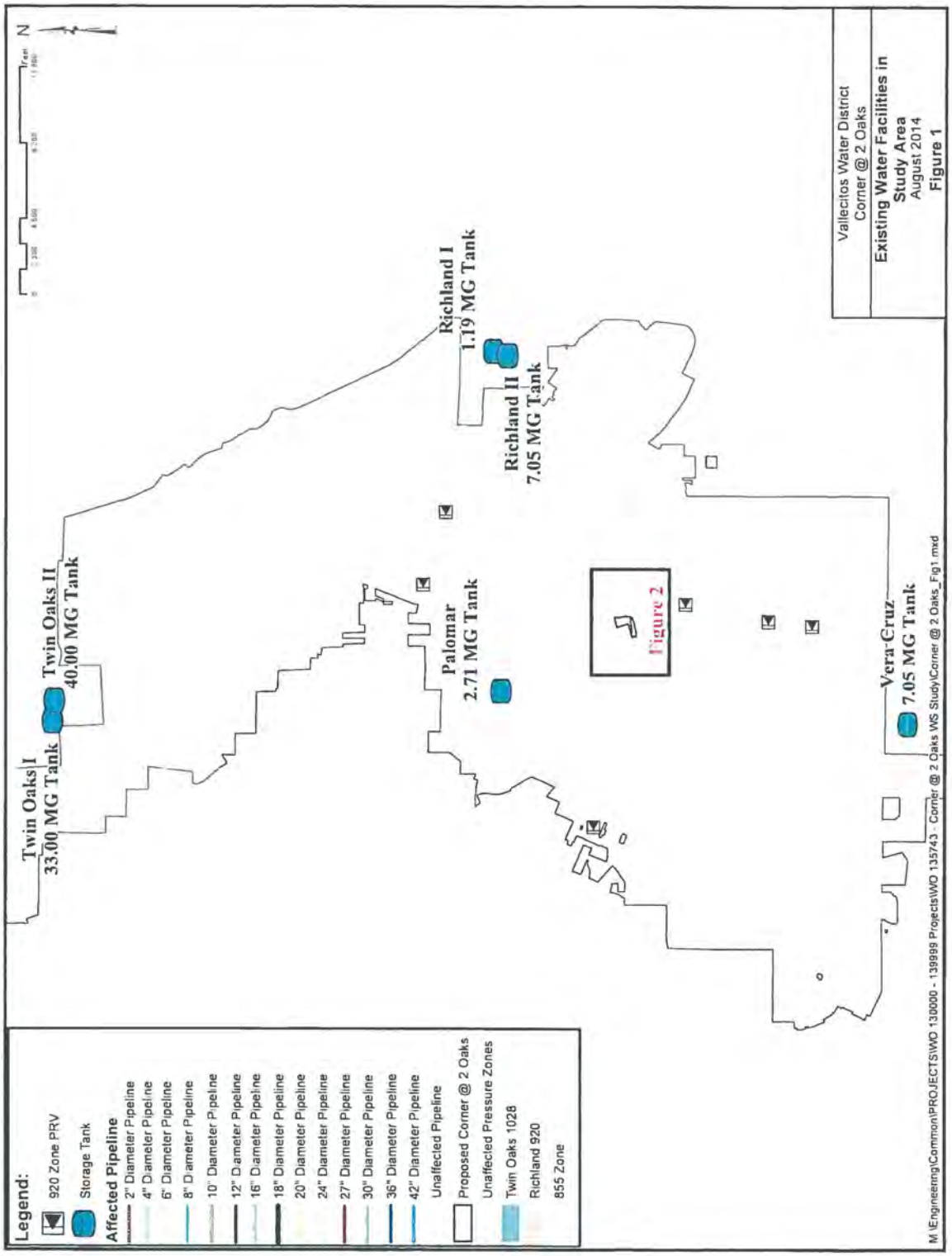
### *Water Demand Projections*

Land use, per the City of San Marcos' Heart of the City Specific Plan, is designated Commercial in VWD's 2008 Master Plan. The Project proposes water service to a 116 room hotel on 1.82 acres, a 1.52 acre office site, a 1.90 acre retail site (including 0.62 acres of parking), 129 multi-family townhomes on 6.24 acres and 7.68 acres of dedicated open space.

**Table 1 – Project Estimated Water Demands**

| Land Use Type | Area (acres) | Multi-Family Residential Units or Hotel Rooms | Duty Factor (gpd/acre) | Water Demand (gpd) |
|---|---|---|---|---|
| **2008 Master Plan Land Use Demand** | | | | |
| Commercial | 19.16 | | 1,500 | 28,740 |
| **Total** | **19.16** | - | | **28,740** |
| **Proposed Project Demand** | | | | |
| Hotel | 1.82 | 116 | 125 gpd/rm | 14,500 |
| Office | 1.52 | | 1,500 | 2,280 |
| Retail (including parking) | 1.90 | | 1,500 | 2,850 |
| Residential (20-30 du/ac) | 6.24 | 129 | 5,000 | 31,200 |
| Open Space | 7.68 | | 200 | 1,536 |
| **Total** | **19.16** | - | | **52,366** |
| **Additional Water Demand** | | | | **23,626** |

Table 1 provides the average water demand generated both under the density planned for in the 2008 Master Plan and under the proposed Project. The table shows that the Project will increase the projected average water demand from the 2008 Master Plan land use by approximately 23,626 gallons per day.


Legend:
920 Zone PRV
Storage Tank
Affected Pipeline
2" Diameter Pipeline
4" Diameter Pipeline
6" Diameter Pipeline
8" Diameter Pipeline
10" Diameter Pipeline
12" Diameter Pipeline
16" Diameter Pipeline
18" Diameter Pipeline
20" Diameter Pipeline
24" Diameter Pipeline
27" Diameter Pipeline
30" Diameter Pipeline
36" Diameter Pipeline
42" Diameter Pipeline
Unaffected Pipeline
Proposed Corner @ 2 Oaks
Unaffected Pressure Zones
Twin Oaks 1028
Richland 920
855 Zone
Twin Oaks I
33.00 MG Tank
Twin Oaks II
40.00 MG Tank
Richland I
1.19 MG Tank
Richland II
7.05 MG Tank
Palomar
2.71 MG Tank
Figure 2
Vera Cruz
7.05 MG Tank
N
Vallecitos Water District
Corner @ 2 Oaks
Existing Water Facilities in
Study Area
August 2014
Figure 1
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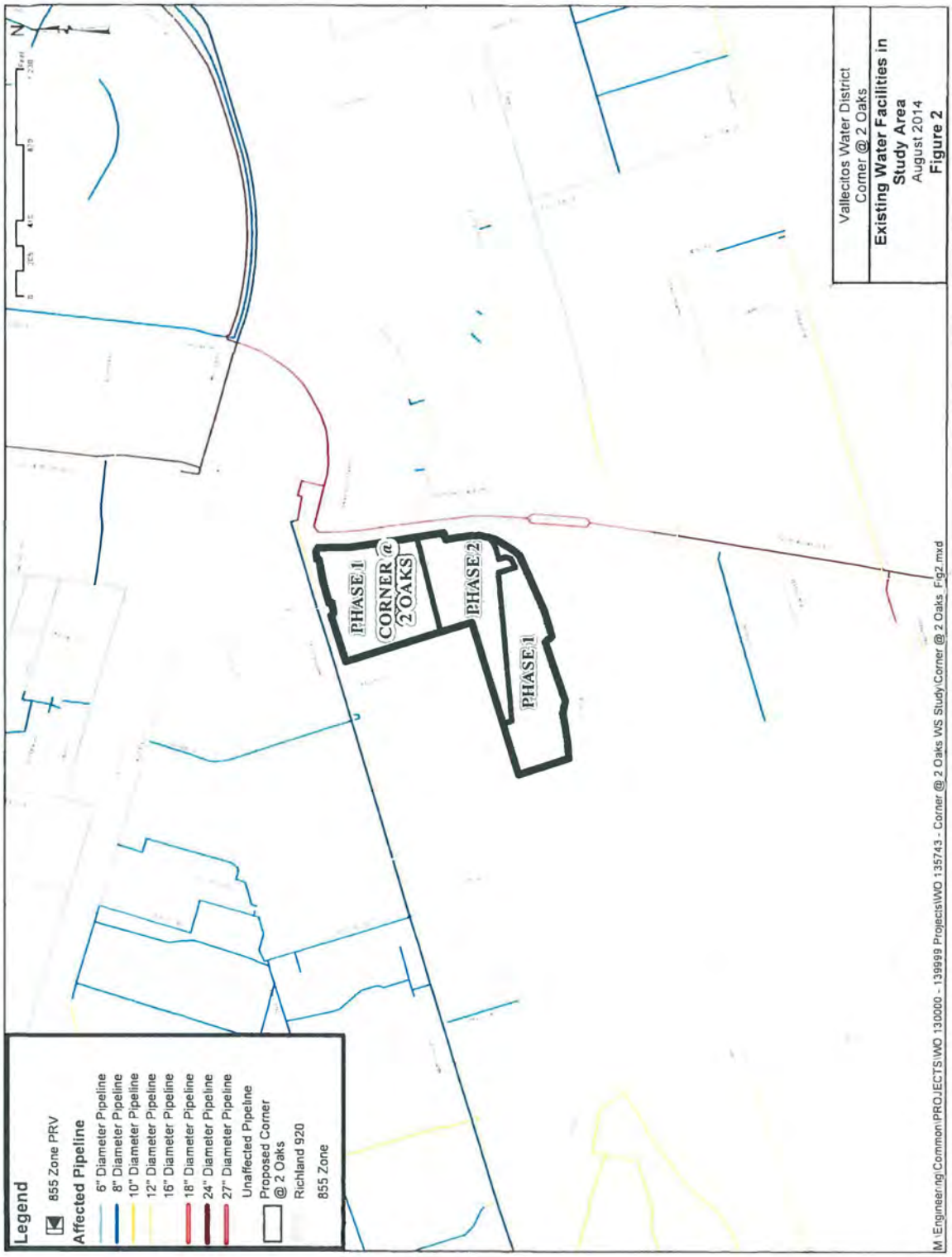
Vallecitos Water District
Corner @ 2 Oaks
Existing Water Facilities in Study Area
August 2014
Figure 2
N
PHASE 1
CORNER @ 2 OAKS
PHASE 2
PHASE 1
Legend
855 Zone PRV
Affected Pipeline
6" Diameter Pipeline
8" Diameter Pipeline
10" Diameter Pipeline
12" Diameter Pipeline
16" Diameter Pipeline
18" Diameter Pipeline
24" Diameter Pipeline
27" Diameter Pipeline
Unaffected Pipeline
Proposed Corner @ 2 Oaks
Richland 920
855 Zone
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***Water Distribution System Analysis***

The 2008 Master Plan water system distribution design and pressure criteria are as follows

*Water Distribution Infrastructure Criteria*

The water service pressure criteria to be met by this development are as follows:

- Minimum allowable pressure at peak hour demand: 40 psi
- Minimum allowable pressure at max day plus fire demand: 20 psi
- Maximum allowable pressure: 150 psi

The City of San Marcos Fire Marshall has set the required fire demand for this development at 1700 gpm for the Hotel and Office buildings and 1500 gpm for the Retail buildings and Townhomes.

To avoid excessive velocity and headloss within the distribution system, the following pipeline design criteria was also utilized:

- Maximum allowable velocity: 7 feet per second
- Maximum allowable headloss gradient: 15 feet per 1,000 feet
- Hazen-Williams C-factor: 130

*Water Model Scenarios*

The following scenarios were modeled to identify system impacts that may be created by the proposed water demands, and to recommend any improvements required to provide service to the Project:

- Average Day Demand with existing demands at the Project site
- Average Day Demand with the Project
- Maximum Day Demand with existing demands at the Project site
- Maximum Day Demand with the Project
- Peak Hour Demand with existing demands at the Project site
- Peak Hour Demand with the Project
- Maximum Day Demand plus Fire Flow with existing demands at the Project site
- Maximum Day Demand plus Fire Flow with the Project

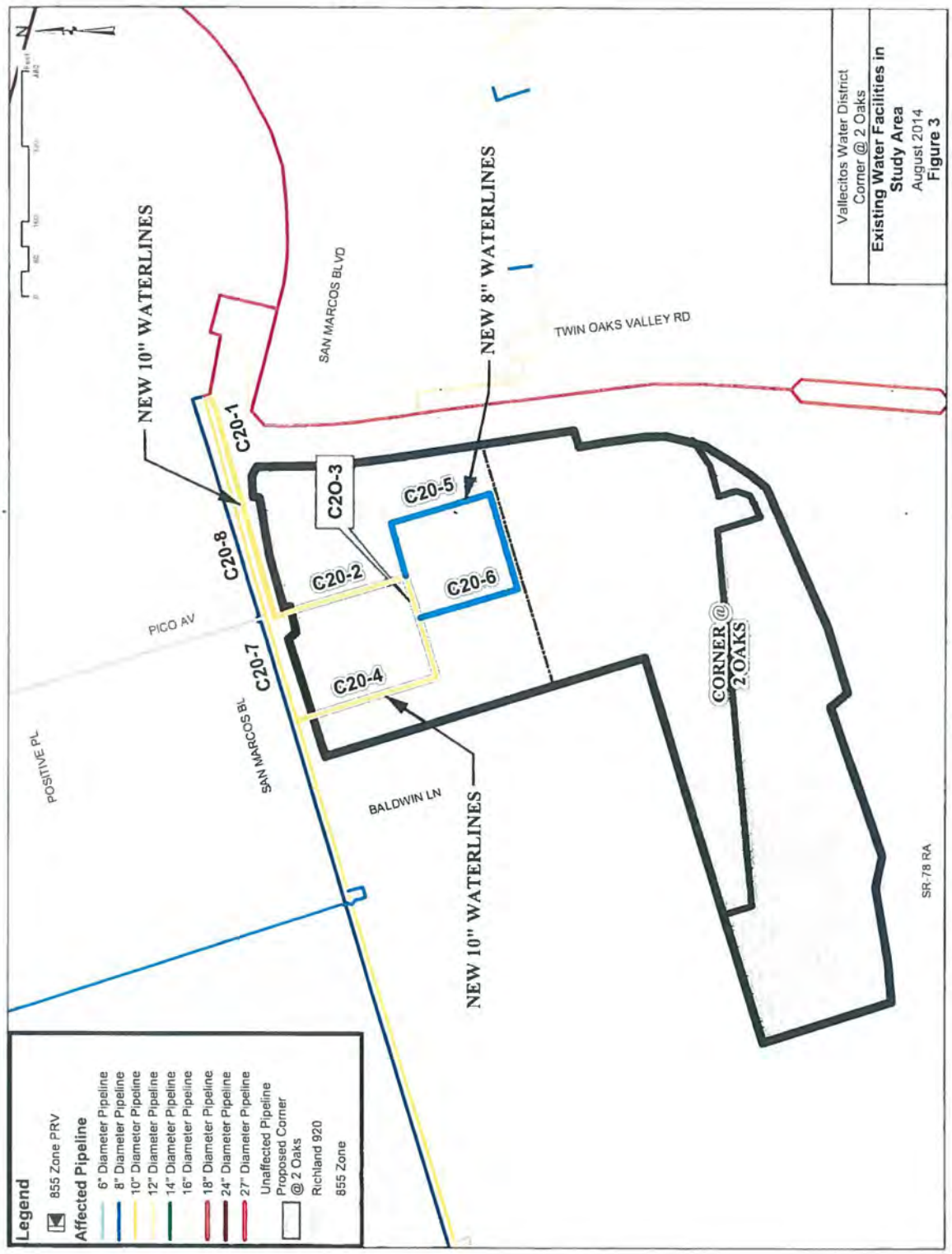
Per the 2008 Master Plan, maximum day demands for this project are 300% of average day demands, and peak hour demands are 620% of average day demands.

*Water Model Results*

Modeling focused on the infrastructure in the direct vicinity of the Project, as shown in Figure 3, which showed that no system deficiencies appeared under maximum day plus fire flow demand conditions. Table 2 presents a summary of the modeling results from this analysis.

**Table 2 – Potable Water Pipeline Results under Maximum Day Demand plus Fire Flow Conditions**

| Pipe ID Number | Length (ft) | Existing Pipe Diameter (in) | Velocity under Average Day Demand (ft/s) | Velocity under Maximum Day + Fire Flow (ft/s) | Upsized Pipe Diameter (in) | Velocity under Maximum Day + Fire Flow w/ Upsized Pipe (ft/s) |
|---|---|---|---|---|---|---|
| C2O-1 | 330 | 10 | 1.74 | 5.14 | | |
| C2O-2 | 190 | 10 | 0.60 | 5.14 | | |
| C2O-3 | 108 | 10 | 0.44 | 2.55 | | |
| C2O-4 | 385 | 10 | 0.60 | 1.80 | | |
| C2O-5 | 175 | 8 | 0.16 | 4.05 | | |
| C2O-6 | 180 | 8 | 0.16 | 6.80 | | |
| C2O-7 | 190 | 10 | 1.53 | 5.47 | | |
| C2O-8 | 330 | 10 | 2.19 | 6.59 | | |


Vallecitos Water District
Corner @ 2 Oaks
Existing Water Facilities in Study Area
August 2014
Figure 3
NEW 10" WATERLINES
NEW 8" WATERLINES
NEW 10" WATERLINES
SAN MARCOS BLVD
TWIN OAKS VALLEY RD
PICO AV
POSITIVE PL
SAN MARCOS BL
BALDWIN LN
SR-78 RA
CORNER @ 2OAKS
C20-1
C20-2
C2O-3
C20-4
C20-5
C20-6
C20-7
C20-8
Legend
855 Zone PRV
Affected Pipeline
6" Diameter Pipeline
8" Diameter Pipeline
10" Diameter Pipeline
12" Diameter Pipeline
14" Diameter Pipeline
16" Diameter Pipeline
18" Diameter Pipeline
24" Diameter Pipeline
27" Diameter Pipeline
Unaffected Pipeline
Proposed Corner @ 2 Oaks
Richland 920
855 Zone

***Water Storage Analysis***

The 2008 Master Plan outlines VWD's potable water storage reservoirs for each pressure zone criteria as follows:

> 1.5 times ADD (operational storage) + 3.0 times ADD (emergency storage) + fire flow demand 4.5 times ADD + fire flow demand
>
> OR
>
> 5.0 times ADD, whichever is greater.

The Project is located entirely within the VWD 855 pressure zone. Water storage for this zone is located within the 920 Richland and 1028 Twin Oaks pressure zones, as shown in Figure 1. Table 3 shows the required storage in the 855, 920 Richland, and 1028 Twin Oaks pressure zones for Year 2015 (current) and Year 2030 (Master Plan) relative to the existing storage provided within each zone.

**Table 3 – Existing Reservoir Storage Capacity and Requirements**

| Pressure Zone | Year 2015 ADD (MGD) | Year 2015 Storage Requirement (MG) | Year 2030 ADD (MGD) | Year 2030 Storage Requirement (MG) | Existing Storage Available (MG) |
|---|---|---|---|---|---|
| 855 | 6.33 | 31.7 | 6.33 | 31.7 | 0 |
| 920 Richland | 9.66 | 48.3 | 9.66 | 48.3 | 18 |
| 1028 Twin Oaks | 1.41 | 7.1 | 2.34 | 11.7 | 73 |
| **Totals** | 17.40 | **91.7** | 18.33 | **91.7** | **91** |

The Project will increase the projected average water demand from the existing residential density by a total of approximately 23,626 gallons per day as shown in Table 1.

Therefore, the amount of additional reservoir storage required is 500% of the Project's average day demand, or:

23,626 gallons * 500% **118,130 gallons**

Master Plan projects address and accommodate the existing storage deficiency and Water Capital Facility Fees paid by this Project will be used for any increase in facility size necessitated by the Project's demand calculated above.

The analysis finds that water storage capacity is currently available to serve the Project's increased storage requirements.

***Water Pump Station Analysis***

Since the proposed Project is located in a pressure zone that is not served by pumping, there are no impacts to existing or proposed pump stations by this Project.

**WASTEWATER SYSTEM ANALYSIS**

The Project consists of 19.16-acres which lie completely within VWD sewer shed 24C. Figures 4 - 6 show the development's location in relation to sewer shed boundaries, identify wastewater infrastructure within the vicinity of the development, propose connection points and identify the downstream collection infrastructure providing service to the Project.

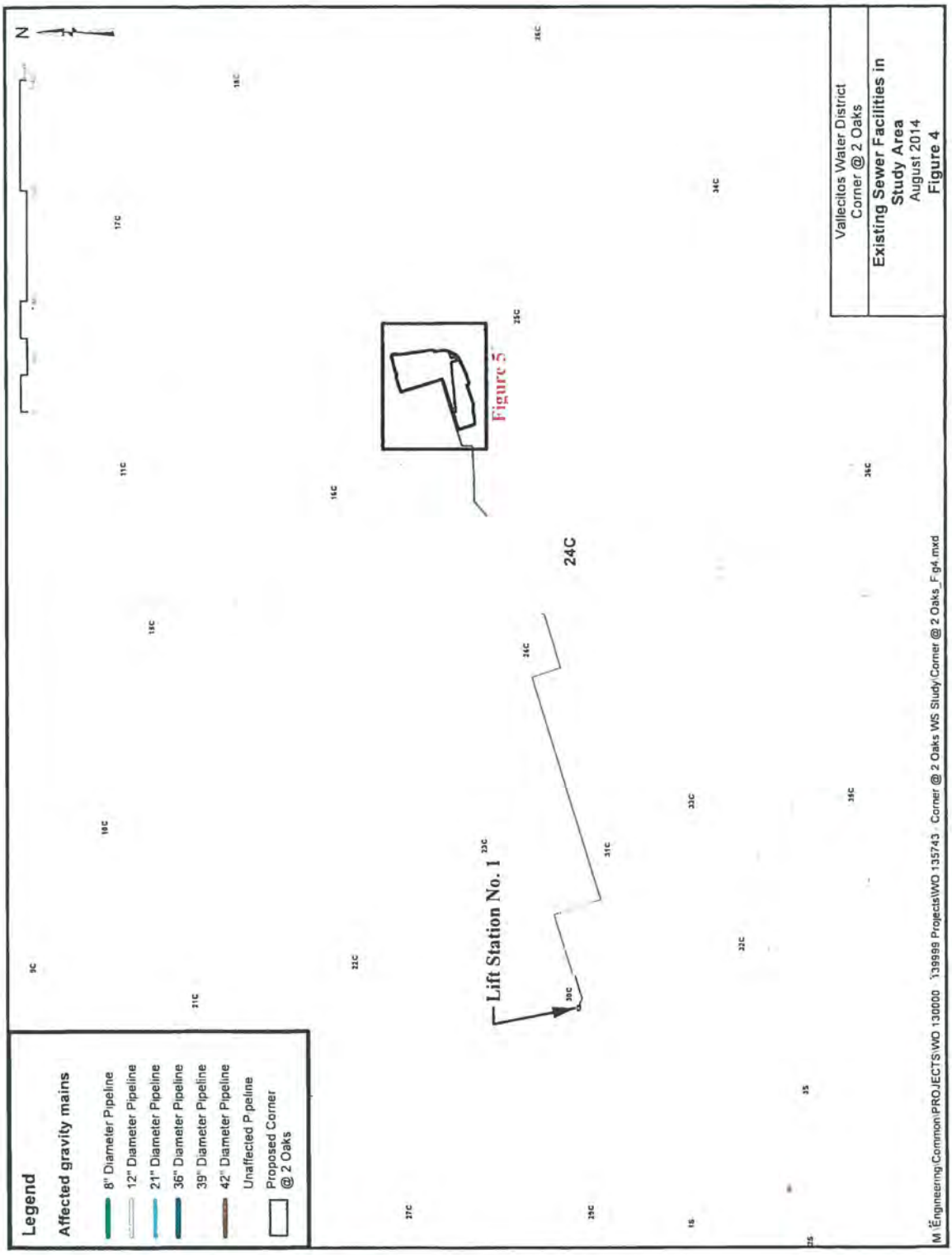
***Wastewater Flow Projections***

Land use, per the City of San Marcos' Heart of the City Specific Plan, is designated Commercial in VWD's 2008 Master Plan. The Project proposes sewer service to a 116 room hotel on 1.82 acres, a 1.52 acre office site, a 1.90 acre retail site (including 0.62 acres of parking), 129 multi-family townhomes on 6.24 acres and 7.68 acres of dedicated open space.

**Table 4 – Project Estimated Wastewater Flows**

| Land Use Type | Area (acres) | Multi-Family Residential Units or Hotel Rooms | Duty Factor (gpd/acre) | Wastewater Flow (gpd) |
|---|---|---|---|---|
| **2008 Master Plan Land Use Flows** | | | | |
| Commercial | 19.16 | - | 1,200 | 22,992 |
| **Total** | **19.16** | **-** | | **22,992** |
| **Proposed Project Wastewater Flows** | | | | |
| Hotel | 1.82 | 116 | 125 gpd/rm | 14,500 |
| Office | 1.52 | | 1,200 | 1,824 |
| Retail (including parking) | 1.90 | | 1,200 | 2,280 |
| Residential (20-30 du/ac) | 6.24 | 129 | 4,500 | 28,080 |
| Open Space | 7.68 | | 0 | 0 |
| **Total** | **19.16** | **245** | | **46,684** |
| **Additional Sewer Generation** | | | | **23,692** |

Table 4 provides the average wastewater flow generated under the density planned for in the 2008 Master Plan and under the proposed Project. The table shows that the Project will increase the projected average wastewater flow above the 2008 Master Plan land use by a total of approximately 23,692 gallons per day.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Legend
Affected gravity mains
8" Diameter Pipeline
12" Diameter Pipeline
21" Diameter Pipeline
36" Diameter Pipeline
39" Diameter Pipeline
42" Diameter Pipeline
Unaffected P peline
Proposed Corner @ 2 Oaks
Lift Station No. 1
24C
Figure 5
Vallecitos Water District
Corner @ 2 Oaks
Existing Sewer Facilities in Study Area
August 2014
Figure 4
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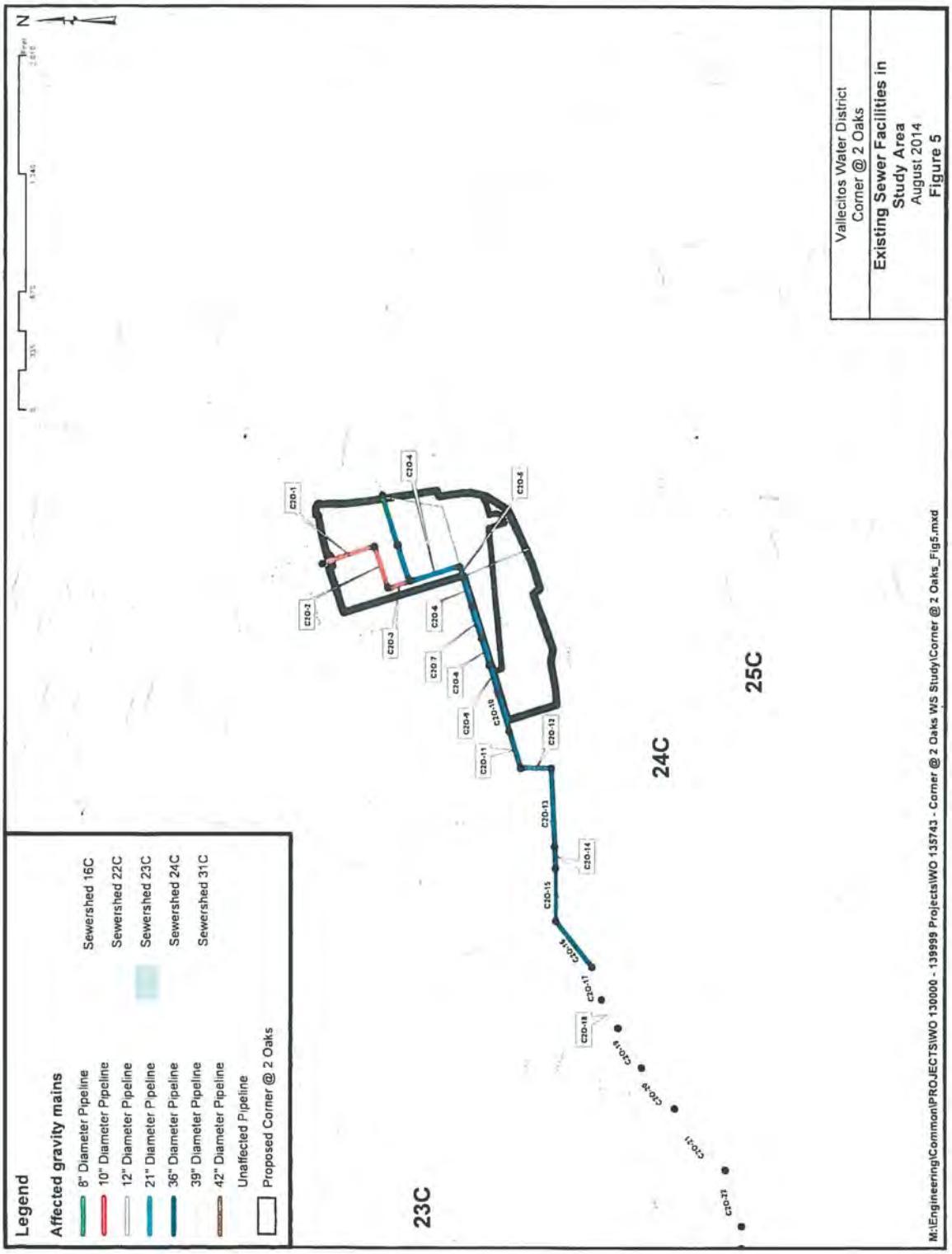
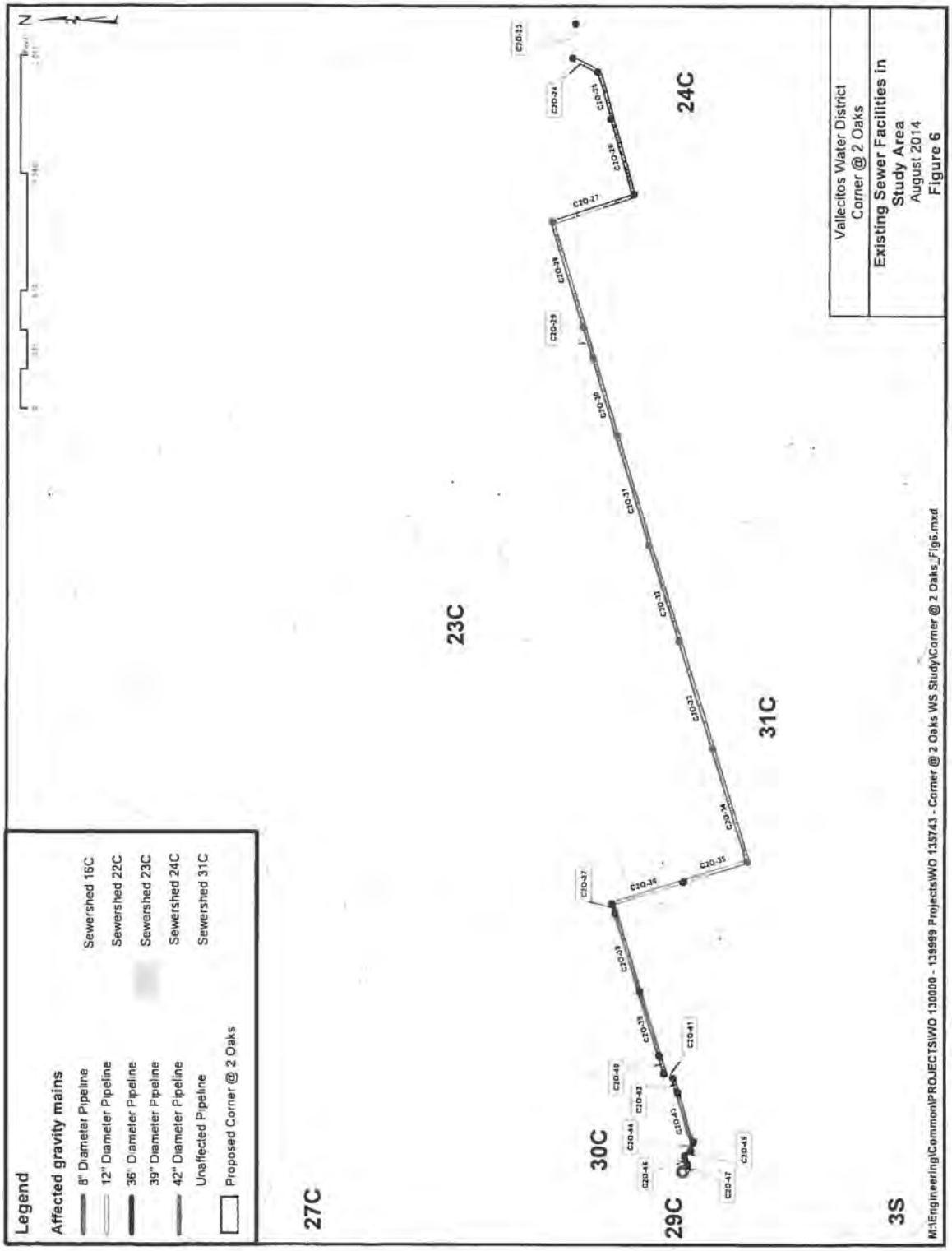

Legend
Affected gravity mains
8" Diameter Pipeline
10" Diameter Pipeline
12" Diameter Pipeline
21" Diameter Pipeline
36" Diameter Pipeline
39" Diameter Pipeline
42" Diameter Pipeline
Unaffected Pipeline
Proposed Corner @ 2 Oaks
Sewershed 16C
Sewershed 22C
Sewershed 23C
Sewershed 24C
Sewershed 31C
23C
24C
25C
Vallecitos Water District
Corner @ 2 Oaks
Existing Sewer Facilities in Study Area
August 2014
Figure 5
M:\Engineering\Common\PROJECTS\WO 130000 - 139999 Projects\WO 135743 - Corner @ 2 Oaks WS Study\Corner @ 2 Oaks_Fig5.mxd


Legend
Affected gravity mains
8" Diameter Pipeline
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Proposed Corner @ 2 Oaks
Sewershed 16C
Sewershed 22C
Sewershed 23C
Sewershed 24C
Sewershed 31C
N
27C
23C
24C
31C
30C
29C
3S
Vallecitos Water District
Corner @ 2 Oaks
Existing Sewer Facilities in Study Area
August 2014
Figure 6
M:\Engineering\Common\PROJECTS\WO 130000 - 139999 Projects\WO 135743 - Corner @ 2 Oaks WS Study\Corner @ 2 Oaks_Fig6.mxd

***Wastewater Collection System Analysis***

The 2008 Master Plan outlines VWD's wastewater system design criteria which are as follows:

*Wastewater Collection Infrastructure Criteria*

The wastewater pipeline criteria to be met both within and downstream of the development are as follows:

- Pipes 12 inches in diameter and smaller: ½ full maximum at peak flow
- Pipes over 12 inches in diameter: ¾ full maximum at peak flow
- Minimum velocity: 2 feet per second
- Maximum velocity: 10 feet per second
- Manning's n for gravity pipes: .013
- Hazen-Williams C-factor for force mains siphons: 120
- Slope for pipes 12 inches in diameter and smaller: 0.4% minimum
- Slope for pipes over 12 inches in diameter: to be determined by VWD

When flow depth in gravity pipes exceeds maximum levels as stated above, a pipe upsize will be specified.

*Wastewater Model Scenarios*

The following scenarios were modeled to identify system impacts that may be created by the proposed sewer generation, and to recommend any improvements required to provide service to the Project:

- Average Dry Weather Flow with existing flows at the Project site
- Average Dry Weather Flow with the proposed Project
- Peak Dry Weather Flow with existing flows at the Project site
- Peak Dry Weather Flow with the proposed Project
- Peak Wet Weather Flow with existing flows at the Project site
- Peak Wet Weather Flow with the proposed Project

The peak dry weather curve is:

$$\text{Peak Dry Weather Factor} = 2.16 \times (\text{Average Dry Weather Flow Rate})^{-0.1618}$$

The wet weather peak curve is:

$$\text{Peak Wet Weather Factor} = 2.78 \times (\text{Average Dry Weather Flow Rate})^{-0.087}$$

*Wastewater Model Results*

Modeling focused not only on the sewer collection infrastructure in the direct vicinity of the Project, but also on all downstream infrastructure from the development to Lift Station No. 1 on San Marcos Boulevard that would be impacted by the additional flows (see Figures 5 and 6). VWD has determined that sewer mains in San Marcos Boulevard are impacted and flow must be diverted south to the interceptor. The modeling results showed that with the 12-inch diameter sewer mains proposed, the wastewater flow from the proposed Project, together with the flows from the Pico Avenue sewer main, does not result in system deficiencies under peak wet weather flows during ultimate build-out conditions. Table 5 presents a summary of the modeling results from this analysis.

The additional wastewater flow from the proposed Project does not result in any other deficiencies under peak wet weather flows during ultimate build-out conditions.

**Table 5 - Wastewater Model Results and Recommended Gravity Main Improvements**

| | | | | Wastewater Flows with Existing Density at Corner @ 2 Oaks Development Site | | | | Wastewater Flows with Proposed Corner @ 2 Oaks Development | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Pipe ID Number | Length (ft) | Diameter (in) | Slope | Peak Wet Weather Flow (gpm) | PWWF Depth-to-Diamter Ratio | Replacement Diameter (in) | Replacement PWWF Depth-to-Diamater Ratio | Peak Wet Weather Flow (gpm) | PWWF Depth-to-Diamter Ratio | Replacement Diameter (in) | Replacement PWWF Depth-to-Diamater Ratio |
| C2O-1 | 246 | 8 | 0.0110 | 251 | 0.47 | 12 | | 304 | 0.53 | 12 | |
| C2O-2 | 185 | 8 | 0.0510 | 258 | 0.32 | 12 | | 311 | 0.35 | 12 | |
| C2O-3 | 200 | 36 | 0.0020 | 4,194 | 0.39 | | | 4,247 | 0.39 | | |
| C2O-4 | 360 | 36 | 0.0070 | 4,441 | 0.29 | | | 4,494 | 0.29 | | |
| C2O-5 | 500 | 36 | 0.0010 | 4,420 | 0.49 | | | 4,473 | 0.49 | | |
| C2O-5A | 35 | 36 | 0.0386 | 4,408 | 0.19 | - | - | 4,472 | 0.19 | - | - |
| C2O-6 | 30 | 36 | 0.0133 | 5,166 | 0.27 | - | - | 5,230 | 0.27 | - | - |
| C2O-7 | 136 | 36 | 0.0029 | 5,763 | 0.42 | - | - | 5,827 | 0.42 | - | - |
| C2O-8 | 294 | 36 | 0.0037 | 5,755 | 0.39 | - | - | 5,819 | 0.39 | - | - |
| C2O-9 | 12 | 36 | 0.0167 | 5,749 | 0.27 | - | - | 5,813 | 0.27 | - | - |
| C2O-10 | 438 | 36 | 0.0046 | 5,740 | 0.37 | - | - | 5,804 | 0.37 | - | - |
| C2O-11 | 229 | 36 | 0.0031 | 5,748 | 0.41 | - | - | 5,812 | 0.41 | - | - |
| C2O-12 | 149 | 36 | 0.0060 | 5,740 | 0.34 | - | - | 5,804 | 0.35 | - | - |
| C2O-13 | 446 | 36 | 0.0038 | 5,728 | 0.39 | - | - | 5,792 | 0.39 | - | - |
| C2O-14 | 187 | 36 | 0.0027 | 5,716 | 0.42 | - | - | 5,780 | 0.43 | - | - |
| C2O-15 | 260 | 36 | 0.0069 | 6,103 | 0.34 | - | - | 6,167 | 0.34 | - | - |
| C2O-16 | 340 | 36 | 0.0047 | 6,097 | 0.38 | - | - | 6,161 | 0.38 | - | - |
| C2O-17 | 210 | 39 | 0.0105 | 6,139 | 0.28 | - | - | 6,203 | 0.28 | - | - |
| C2O-18 | 176 | 39 | 0.0028 | 6,132 | 0.39 | - | - | 6,196 | 0.39 | - | - |
| C2O-19 | 271 | 39 | 0.0022 | 6,123 | 0.41 | - | - | 6,187 | 0.42 | - | - |
| C2O-20 | 297 | 39 | 0.0024 | 6,112 | 0.40 | - | - | 6,176 | 0.41 | - | - |
| C2O-21 | 452 | 39 | 0.0024 | 6,097 | 0.40 | - | - | 6,161 | 0.41 | - | - |
| C2O-22 | 337 | 39 | 0.0024 | 6,082 | 0.40 | - | - | 6,146 | 0.41 | - | - |
| C2O-23 | 123 | 39 | 0.0024 | 6,106 | 0.40 | - | - | 6,170 | 0.41 | - | - |
| C2O-24 | 88 | 42 | 0.0060 | 6,182 | 0.29 | - | - | 6,246 | 0.29 | - | - |

**Table 5 - Wastewater Model Results and Recommended Gravity Main Improvements**

| | | | | | Wastewater Flows with Existing Density at Corner @ 2 Oaks Development Site | | | | Wastewater Flows with Proposed Corner @ 2 Oaks Development | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pipe ID Number | Length (ft) | Diameter (in) | Slope | Peak Wet Weather Flow (gpm) | PWWF Depth-to-Diamter Ratio | Replacement Diameter (in) | Replacement PWWF Depth-to-Diamater Ratio | Peak Wet Weather Flow (gpm) | PWWF Depth-to-Diamter Ratio | Replacement Diameter (in) | Replacement PWWF Depth-to-Diamater Ratio |
| C2O-25 | 527 | 42 | 0.0026 | 6,164 | 0.36 | - | - | 6,228 | 0.36 | - | - |
| C2O-26 | 464 | 42 | 0.0032 | 6,146 | 0.34 | - | - | 6,210 | 0.34 | - | - |
| C2O-27 | 493 | 42 | 0.0024 | 6,719 | 0.38 | - | - | 6,783 | 0.38 | - | - |
| C2O-28 | 619 | 42 | 0.0042 | 6,726 | 0.33 | - | - | 6,790 | 0.33 | - | - |
| C2O-29 | 200 | 42 | 0.0035 | 6,732 | 0.35 | - | - | 6,796 | 0.35 | - | - |
| C2O-30 | 450 | 42 | 0.0042 | 6,729 | 0.33 | - | - | 6,793 | 0.33 | - | - |
| C2O-31 | 644 | 42 | 0.0040 | 6,716 | 0.33 | - | - | 6,780 | 0.34 | - | - |
| C2O-32 | 581 | 42 | 0.0041 | 6,721 | 0.33 | - | - | 6,785 | 0.33 | - | - |
| C2O-33 | 650 | 42 | 0.0040 | 6,695 | 0.33 | - | - | 6,759 | 0.34 | - | - |
| C2O-34 | 677 | 42 | 0.0041 | 6,668 | 0.33 | - | - | 6,732 | 0.33 | - | - |
| C2O-35 | 373 | 42 | 0.0040 | 6,651 | 0.33 | - | - | 6,715 | 0.33 | - | - |
| C2O-36 | 420 | 42 | 0.0036 | 6,637 | 0.34 | - | - | 6,701 | 0.34 | - | - |
| C2O-37 | 20 | 42 | 0.0050 | 6,625 | 0.31 | - | - | 6,689 | 0.32 | - | - |
| C2O-38 | 486 | 42 | 0.0041 | 6,619 | 0.33 | - | - | 6,683 | 0.33 | - | - |
| C2O-39 | 500 | 42 | 0.0040 | 6,596 | 0.33 | - | - | 6,660 | 0.33 | - | - |
| C2O-40 | 156 | 42 | 0.0058 | 7,140 | 0.31 | - | - | 7,204 | 0.32 | - | - |
| C2O-41 | 15 | 42 | 0.0533 | 9,640 | 0.21 | - | - | 9,704 | 0.21 | - | - |
| C2O-42 | 138 | 42 | 0.0029 | 9,637 | 0.44 | - | - | 9,701 | 0.44 | - | - |
| C2O-43 | 347 | 42 | 0.0009 | 9,624 | 0.63 | - | - | 9,688 | 0.63 | - | - |
| C2O-44 | 18 | 42 | 0.0056 | 9,608 | 0.37 | - | - | 9,672 | 0.37 | - | - |
| C2O-45 | 9 | 42 | 0.0333 | 9,607 | 0.24 | - | - | 9,671 | 0.24 | - | - |
| C2O-46 | 9 | 42 | 0.0111 | 9,738 | 0.31 | - | - | 9,802 | 0.31 | - | - |
| C2O-47 | 73 | 42 | 0.0641 | 10,363 | 0.21 | - | - | 10,427 | 0.21 | - | - |

***Wastewater Lift Station Analysis***

Lift stations are sized for peak wet weather flow with manufacturer's recommended cycling times for pumping equipment. Since the proposed Project is not located in a sewer shed that is served by a lift station, there are no lift station upgrade requirements for this project.

***Parallel Land Outfall Analysis***

VWD's existing land outfall is shown in Figure 7. The outfall is approximately 8 miles in length and consists of 4 gravity pipeline sections and 3 siphon sections varying in diameter from 20 inches to 54 inches. VWD maintains the entire pipeline from Lift Station No. 1 to the Encina Water Pollution Control Facility (EWPCF). From Lift Station No. 1 to El Camino Real, VWD is the sole user of this pipeline. From El Camino Real to the EWPCF, the ownership capacity is as shown in Table 6 below:

**Table 6 Land Outfall Capacity Ownership by Agency**

| Agency | Ownership Percentage | Capacity (MGD) |
|---|---|---|
| Carlsbad | 23.98% | 5.00 |
| Vista | 17.99% | 3.75 |
| VWD | 58.03% | 12.10 |
| **Totals** | **100.00%** | **20.85** |

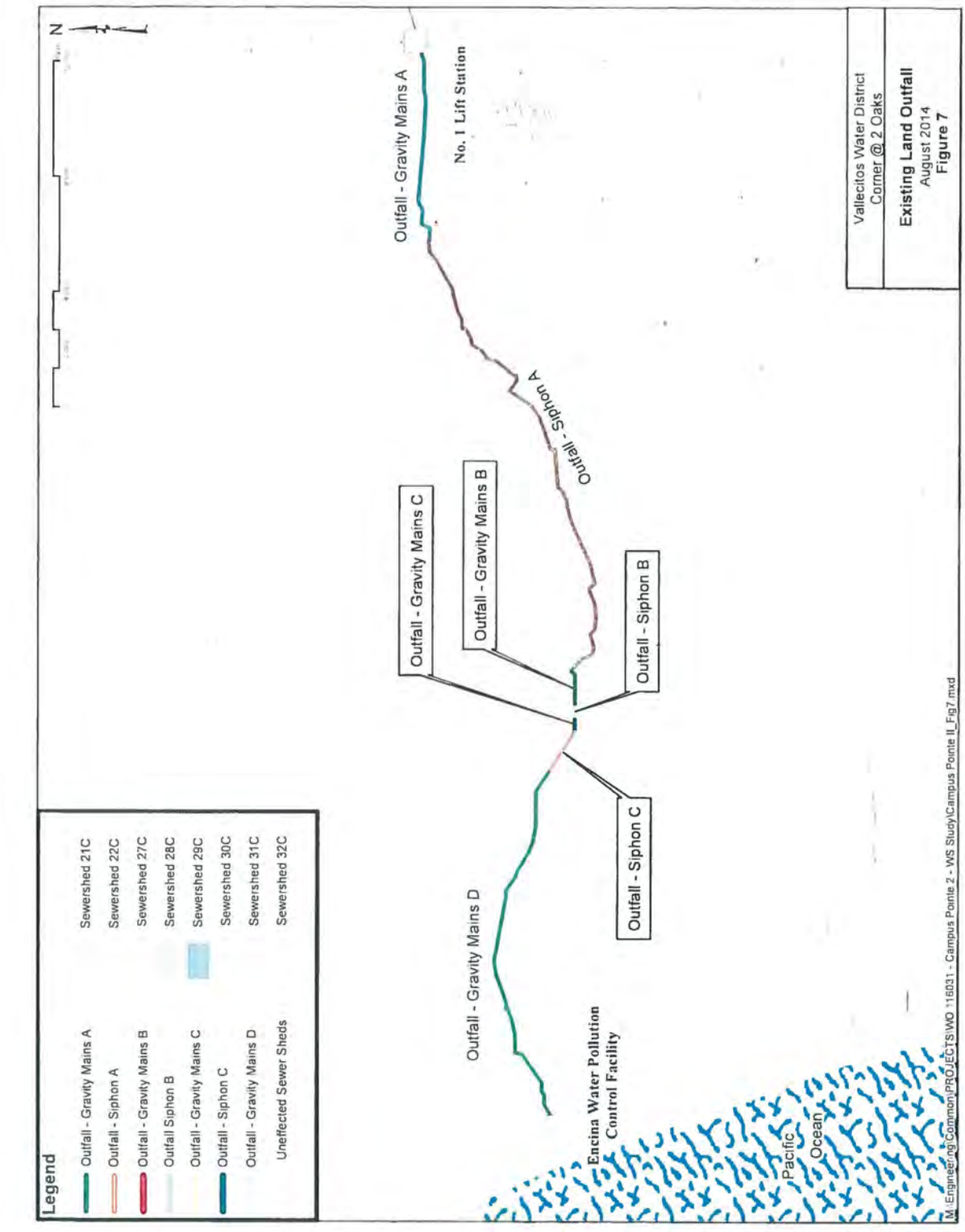
The Meadowlark Water Reclamation Facility (MRF) has a capacity of 5.0 MGD with a peak wet weather capacity of 8.0 MGD. Therefore, VWD has a combined peak wet weather wastewater collection capacity of 20.10 MGD (12.10 MGD + 8.0 MGD).

VWD's 2014 average daily wastewater flow was 7.2 MGD. This corresponds to a peak wet weather flow of 16.9 MGD, which falls within VWD's combined peak wet weather collection capacity.

The 2008 Master Plan estimated that, under approved land uses, VWD has an ultimate build-out average daily flow of 13.3 MGD. This corresponds to a peak wet weather flow of 29.5 MGD, which exceeds VWD's peak wet weather collection capacity. To accommodate additional wastewater flows from planned development, the 2008 Master Plan recommended conveyance of peak flows to the EWPCF through a parallel land outfall.

The Project proposes to generate an additional average wastewater flow of 23,692 gpd and Wastewater Capital Facility Fees paid by this Project will be used for any increase in Master Plan Land Outfall pipeline size necessitated by the Project's additional wastewater generation.

The analysis finds that outfall capacity is currently available to serve the Project Subdivision's increased wastewater generation.


N
Legend
Outfall - Gravity Mains A
Outfall - Siphon A
Outfall - Gravity Mains B
Outfall Siphon B
Outfall - Gravity Mains C
Outfall - Siphon C
Outfall - Gravity Mains D
Unaffected Sewer Sheds
Sewershed 21C
Sewershed 22C
Sewershed 27C
Sewershed 28C
Sewershed 29C
Sewershed 30C
Sewershed 31C
Sewershed 32C
Outfall - Gravity Mains A
No. 1 Lift Station
Outfall - Siphon A
Outfall - Gravity Mains C
Outfall - Gravity Mains B
Outfall - Siphon B
Outfall - Siphon C
Outfall - Gravity Mains D
Encina Water Pollution Control Facility
Pacific Ocean
M:\Engineering\Common\PROJECTS\WO 116031 - Campus Pointe 2 - WS Study\Campus Pointe II_Fig7.mxd
Vallecitos Water District
Corner @ 2 Oaks
Existing Land Outfall
August 2014
Figure 7

***Wastewater Treatment Facility Analysis***

VWD utilizes two wastewater treatment facilities to treat wastewater collected within its sewer service area.

- The Meadowlark Reclamation Facility (MRF) has liquids treatment capacity of up to 5.0 MGD with a peak wet weather capacity of 8.0 MGD. MRF does not have solids treatment capacity, and therefore all solids are treated at the Encina Water Pollution Control Facility (EWPCF).
- The EWPCF is located in the City of Carlsbad. This is a regional facility with treatment capacity of up to 40.51 MGD. VWD's current ownership capacity is noted below.

*Solids Treatment Capacity*

VWD currently owns 10.47 MGD of solids treatment capacity at EWPCF. The ultimate average wastewater flow identified in the 2008 Master Plan is 13.3 MGD, resulting in a projected solids treatment capacity deficiency of 2.83 MGD.

VWD's 2014 average daily wastewater flow was 7.2 MGD. Therefore, the analysis finds that adequate solids treatment capacity exists at this time to serve the Project.

*Liquids Treatment Capacity*

VWD currently owns 7.67 MGD of liquids treatment capacity at the EWPCF in addition to the liquids treatment capacity of 5.0 MGD at MRF for a total of 12.67 MGD of liquids treatment capacity. The ultimate average wastewater flow identified in the 2008 Master Plan is 13.3 MGD, resulting in a projected liquids treatment capacity deficiency of 0.67 MGD.

VWD's 2014 average daily wastewater flow was 7.2 MGD. Therefore, the analysis finds that adequate liquids treatment capacity exists at this time to serve the Project.

*Ocean Disposal Capacity*

VWD currently owns 10.47 MGD of ocean disposal capacity at the EWPCF. The ultimate average wastewater flow identified in the 2008 Master Plan is 13.3 MGD, resulting in an ocean disposal deficiency of 2.83 MGD.

VWD's 2014 average daily wastewater flow was 7.2 MGD. Therefore, the analysis finds that adequate ocean disposal capacity exists at this time to serve the Project.

The District has determined that adequate wastewater treatment and disposal capacity exists for the proposed Project at this time subject to the qualifications referenced in the Conclusions and Conditions.

**CONCLUSIONS AND CONDITIONS**

The proposed Project is expected to increase average daily water demands by 23,626 gallons per day and wastewater flow by 23,692 gallons per day over the ultimate flows projected in the 2008 Master Plan.

The Study concludes that the proposed Project will result in the following:

- An increase of 118,130 gallons of potable water storage demand.
- An increase of 23,692 gpd in solids and liquids treatment, and ocean disposal demand at the Encina Water Pollution Control Facility.
- An increase of 23,692 gpd in the parallel land outfall's demand.

The following items are required as conditions of providing service to the proposed Project:

- Payment of all applicable Water and Wastewater Capital Facility fees in affect at the time service is committed in accordance with District rules and regulations.
- Construction and acceptance of all on-site water and sewer facilities identified in this Study prior to service being provided in accordance with all rules and regulations in affect at the time service is provided, including, but not limited to, the following:
  - Installation of approximately 509 feet of new 12-inch sewer pipeline within the project boundary to the relocated 36-inch sewer interceptor.
  - Relocation of approximately 860 feet of VWD's existing 36-inch sewer interceptor pipeline into new VWD easements within the project boundary.
- Construction and acceptance of all off-site water distribution facilities identified in Table 2 and shown in Figure 3 to provide service to the proposed Project.

The District currently has water and sewer capacity available to serve the Project as proposed. However, the ability to provide water and sewer service in the future depends upon ultimate build-out of the Project and could change depending upon the timing of the build-out, as well as annexations and build-outs of other development projects, continued reliable water supplies from the San Diego County Water Authority, the District's treatment capacity at the EWPCF, and other factors affecting growth in the District which may change over time.

This Study is based on the current adopted land use utilized in VWD's 2008 Master Plan. The study addresses the incremental facility impacts of this Project only and does not include or consider any additional projects within VWD's service area that have deviated from adopted Master Plan land uses. Any land use changes upstream and or downstream of the Study area may necessitate a revision of any onsite and offsite studies. VWD shall determine if and when revisions this Study are necessary. Costs for revising this Study shall be borne by the Developer.

**Letter 2**
**Vallecitos Water District**

2-1 This comment provides opening remarks and reiterates the project description. It also states that the conclusions of the June 26, 2015 Final Draft Technical Memorandum Water and Sewer Study are still valid for the project.

2-2 This comment addresses the CEQA threshold related to water supply. This threshold was analyzed on page 103 of the Draft IS/MND. The Draft IS/MND did note that the project would result in an increase of 23,692 gallons per day (gpd) of solids handling, liquids handling and ocean disposal capacity at the Encina Water Pollution Control Facility and at the parallel land outfall (page 102). The project applicant would be required to pay fees per VWD Ordinance No. 176 which would offset this increase in demand for wastewater treatment and conveyance and help fund future VWD infrastructure improvements.

2-3 This comment addresses the CEQA threshold related to the construction or expansion of water or wastewater treatment facilities. This threshold was analyzed on pages 100 through 103 of the Draft IS/MND. The Draft IS/MND did note that the project would result in an increased water demand of 23,692 gpd. The Water and Sewer Study prepared for the project (VWD 2015) did not indicate any impacts related to water supply resulting from the proposed project. Therefore, impacts would be less than significant.

2-4 This comment reiterates the increase in demand in wastewater treatment flows and parallel outfall capacity due to the project as well as specific improvements that are required at the project site. As detailed in response 2-2, above, the Draft IS/MND disclosed the increase in wastewater treatment and parallel outfall capacity. The installation of 509 feet of new 12-inch sewer main within the project site and the relocation of 806 feet of VWD's existing 36-inch sewer interceptor are both under construction in accordance with the 2014 approvals for the project site.

Additional attachments to this comment letter include correspondence from VWD to the project applicant dated September 27, 2016 and a copy of the Corner@2Oaks Water and Sewer Study Final Technical Memorandum dated June 26, 2015. Both of these items were referenced in the Draft IS/MND in the Utilities and Service Systems section.

**From:** Vincent Whipple [mailto:vwhipple@RinconTribe.org]
**Sent:** Tuesday, December 13, 2016 4:50 PM
**To:** Koller, Garth
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration ND 15-005; Project P16-0023 and Project P15-0012

RE: Notice of Intent to Adopt a Mitigated Negative Declaration ND 15-005; Project P16-0023 and Project P15-0012

Mr. Garth Koller:

This message is sent on behalf of the Rincon Band of Luiseno Indians. We have received the notice of November 22, 2016 regarding the above named project. The identified location is within the Aboriginal Territory of the Luiseno people, and it is also situated within Rincon's historic area of cultural interest. Embedded in the Luiseno Territory are Rincon's history, culture, and identity. 3-1

The site location is in our Traditional Use Area, and we believe there is the potential for additional cultural findings, including inadvertent discoveries. Due to the culturally sensitive nature of the project area, Rincon recommends a Luiseno Tribal Monitor be present for all ground disturbing activities associated with the project. Additionally, Rincon supports Mitigation Measures MM-CR-1 through MM-CR-9 identified in the Draft Initial Study/MND. 3-2

We thank you for the opportunity to comment and to protect and preserve our Luiseno cultural heritage.

Vincent Whipple
Cultural Resources Manager
Rincon Band of Luiseno Indians
760-297-2635

**Letter 3**
**Rincon Band of Luiseno Indians (1 of 2)**

3-1 This comments notes that the project site is within the Aboriginal Territory of the Luiseno people and is also situated within Rincon's historic area of cultural interest. This comment also notes that there is a potential for cultural findings including inadvertent discoveries. This information has been added to pages 48 and 99 of the Final IS/MND.

3-2 This comment notes that the Rincon Band supports cultural resources mitigation measures CR-1 through CR-9 that were identified in the Draft IS/MND. Consistent with mitigation measure CR-1, a Luiseno 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. Implementation of this mitigation measure will be required as a condition of project approval.

**From:** Vincent Whipple [mailto:vwhipple@RinconTribe.org]
**Sent:** Tuesday, December 13, 2016 5:24 PM
**To:** Koller, Garth
**Cc:** Vandrew Rodriguez, Susan
**Subject:** FW: Public Resources Code Section 21080.3.1 (Assembly Bill 52); P15-0012 & P16-0023; Corner @ 2 Oaks

Mr. Garth Koller,

This message is in follow-up to the message I just sent to you today (12/13/16) regarding the Notice of Intent to Adopt a Mitigated Negative Declaration ND 15-005; Project P16-0023 and Project P15-0012.

I would like to bring to your attention that the Rincon Band responded to the AB 52 consultation request for the Corner @ 2 Oaks Project on December 2, 2016 (see the message below). The Draft Initial Study/Mitigated Negative Declaration ND 15-005 for The Corner @2Oaks Phase 1 and Phase 2 Revisions incorrectly lists the San Luis Rey Band as the only responding Tribe on Pages 48 and 99.

As the message below clearly indicates, the Rincon Band of Luiseno Indians provided comments for the project per your office's request for AB52 tribal consultation. Please update your records to reflect this information.

Vincent Whipple
Cultural Resources Manager
Rincon Band of Luiseno Indians
760-297-2635

**From:** Vincent Whipple
**Sent:** Friday, December 02, 2016 4:44 PM
**To:** 'svandrew@san-marcos.net'
**Subject:** Public Resources Code Section 21080.3.1 (Assembly Bill 52); P15-0012 & P16-0023; Corner @ 2 Oaks

RE: Public Resources Code Section 21080.3.1 (Assembly Bill 52); P15-0012 & P16-0023; Corner @ 2 Oaks

Ms. Susan Vandrew Rodriguez,

This message is sent on behalf of the Rincon Band of Luiseno Indians. We have received your letter of November 3, 2016 regarding the above named project. The location you have identified is within the Aboriginal Territory of the Luiseno people, and it is also within Rincon's historic area of cultural interest. Embedded in the Luiseno Territory are Rincon's history, culture, and identity.

The site location is in our Traditional Use Area, and we believe there is the potential for cultural findings, including inadvertent discoveries. We therefore support the implementation of Mitigation Measures MM-CR-1 through MM-CR-9 regarding cultural resources for the project.

We thank you for the opportunity consult and to protect and preserve our Luiseno cultural heritage.

Vincent Whipple
Cultural Resources Manager
Rincon Band of Luiseno Indians
760-297-2635

4-1

**Letter 4**
**Rincon Band of Luiseno Indians (2 of 2)**

4-1 This comment references an AB 52 correspondence from the Rincon Tribe. The referenced correspondence was dated December 2, 2016 and was received by the City after the Draft IS/MND was circulated for public review. The Draft IS/MND MND has been updated on pages 48 and 99 noting that the Rincon Band responded to the AB 52 request that the project site is within the Aboriginal Territory of the Luiseno people and is also situated within Rincon's historic area of cultural interest.

# 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

## 4.1 INTRODUCTION AND SUMMARY

Pursuant to Section 21081.6 of the Public Resources Code and the *California Environmental Quality Act (CEQA) Guidelines* Section 15097, public agencies are required to adopt a monitoring or reporting program to assure that mitigation measures and revisions identified in the Mitigated Negative Declaration (MND) are implemented. As stated in Section 21081.6 of the Public Resources Code:

> *"… the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment."*

Pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision makers coincidental to certification of the MND. The Mitigation Monitoring and Reporting Program (MMRP) must be adopted when making the findings (at the time of approval of the project).

As defined in the CEQA Guidelines, Section 15097, "reporting" is suited to projects that have readily measureable or quantitative measures or which already involve regular review. "Monitoring" is suited to projects with complex mitigation measures, such as wetland restoration or archaeological protection, which may exceed the expertise of the local agency to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance. Both reporting and monitoring would be applicable to the proposed project.

The Initial Study/Mitigated Negative Declaration prepared for the Corner@2Oaks Phase 1 and Phase 2 Revisions project provided an analysis of the environmental effects resulting from construction and operation of the project.

## 4.2 MITIGATION MATRIX

To sufficiently track and document the status of mitigation measures, a mitigation matrix has been prepared and includes the following components:

- Impact
- Mitigation Measure
- Action
- Timing
- Responsibility

The mitigation matrix is included in Table 4-1. Additionally, the project will be required to adhere to the design features presented in Table 4-2.

**Table 4-1. Mitigation Measures**

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| **AIR QUALITY** | | | | | |
| The project places residencies within 500 feet of a highway | **MM-AQ-1** | Prior to occupancy, mechanical air quality filtration systems on the fresh air intake systems shall be installed on all residential structures. The filtration system shall exceed a Minimum Efficiency Reporting Value (MERV) of 13. The requirement shall be identified on building plans and reviewed and approved by the Planning Division Manager. | Inclusion of mechanical air quality filtration systems on residential building and detailed on building plans | Prior to occupancy of residential units. | Applicant, Planning Division |
| **BIOLOGICAL RESOURCES** | | | | | |
| The project will impact southwestern spiny rush and San Diego sagewort due to project development. | **MM-BIO-1** | Impacts to southwestern spiny rush and San Diego sagewort will be mitigated through inclusion of this plant in the revegetation plant palette to expand the onsite population. | Inclusion of southwestern spiny rush and San Diego sagewort in the revegetation plan. | Restoration plan design and implementation. | Applicant, Project Biologist |
| The project will impact southern tarplant due to project development. | **MM-BIO-2** | Impacts to southern tarplant will be mitigated through collection and dispersal of seeds within the remaining non-native grassland area within the open space easement. | Collection and seed dispersal within remaining non-native grassland on project site. | Prior to issuance of grading permit. | Applicant, Project Biologist |
| The project has the potential to impact nesting raptor species due to project construction activities. | **MM-BIO-3** | Impacts to red-shouldered hawk, red tailed hawk, and Cooper's hawk will be mitigated through the requirement of a qualified biologist to inspect potential nesting areas onsite before initiation of any project development. The pre-construction surveys shall occur within three days prior to work on the project site. If nesting birds are found, project construction may need to be delayed until after the breeding season if an adequate buffer cannot be established to ensure mandatory avoidance. Brushing, clearing and grading shall be avoided during the extended bird breeding season of January 15 through September 15; or if brushing, | Avoidance of grubbing, grading or clearing during breeding season or conduct a pre-construction survey to ensure there are no nesting raptors on the project site. | Avoidance of grubbing, grading or clearing between the period of January 15 to September 15, or conduct a pre-construction survey prior to construction. | Applicant, Project Biologist |

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| | | clearing and grading are to take place during this period, nest surveys must be conducted prior to such action. If active nests are detected, adequate noise protection measures must be undertaken. | | | |
| The project will impact 0.13 acre of southern willow scrub due to project development. | **MM-BIO-4** | Impacts to 0.13 acre of southern willow scrub will be mitigated at a 3:1 mitigation ratio for 0.39 acre of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/ enhancement per the project's conceptual revegetation plan. | Habitat creation/restoration onsite to meet the required mitigation amounts. | Prior to project construction | Applicant, Project Biologist |
| The project will impact 0.38 acres of arundo-willlow scrub due to project development. | **MM-BIO-5** | Impacts to 0.38 acre of arundo-willow scrub will be mitigated at a 2:1 mitigation ratio for 0.76 acre of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/ enhancement per the project's conceptual revegetation plan. | Habitat creation/restoration onsite to meet the required mitigation amounts. | Prior to project construction | Applicant, Project Biologist |
| The project will impact 0.49 acre of riparian scrub due to project development. | **MM-BIO-6** | Impacts to 0.49 acre of riparian scrub will be mitigated at a 3:1 mitigation ratio for 1.47 acres of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/enhancement per the project's conceptual revegetation plan | Habitat creation/restoration onsite to meet the required mitigation amounts. | Prior to project construction | Applicant, Project Biologist |
| The project will impact 0.55 acre of coastal sage scrub due to project development. | **MM-BIO-7** | Impacts to 0.55 acre of coastal sage scrub will be mitigated at a 1.5:1 mitigation ratio for 0.82 acres of habitat. Approximately 0.70 acre of this habitat type will be preserved within the onsite open space. If preserved onsite, the coastal sage scrub habitat will provide an adequate buffer area adjacent to the remainder wetland communities in the San Marcos Creek FPA. The remaining 0.12 acre will be provided through onsite creation, completing the mitigation requirement. | Habitat conservation and creation/restoration onsite to meet the required mitigation amounts. | Prior to project construction | Applicant, Project Biologist |
| The project will impact 1.31 acres of non-native | **MM-BIO-8** | Impacts to 1.31 acres of non-native grassland will be mitigated at a 0.5:1 mitigation ratio for 0.66 acre of | Habitat conservation onsite to meet the | Prior to project construction | Applicant, Project Biologist |

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| grassland due to project development. | | habitat. Approximately 1.66 acres of non-native grassland exist within the open space easement; however, at least 1.0 acre will be used for the creation of riparian habitat. The remaining 0.66 acre will completely satisfy the mitigation requirement for non-native grassland impacts. | required mitigation amounts. | | |
| Potential for indirect impacts to biological resources during project grading. | **MM-BIO-9** | In order to prevent inadvertent indirect impacts to biological resources during construction, protective fencing shall be installed around the limits of grading/construction, work crews shall be educated on the sensitive nature of the site's biological resources, and a biological monitor shall be present during brushing, clearing and grading. | Installation of protective fencing and education of construction crews prior to project construction. | Prior to project construction | Applicant, Project Biologist |
| **CULTURAL RESOURCES** | | | | | |
| While no resources were identified on the project site, there is a potential to impact unidentified resources during ground disturbing activities. | **MM-CR-1** | An archeological monitor and a Luiseño 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. | Monitoring of earthmoving and grading activities. | During grading and earthmoving activity | Applicant, Archaeological Monitor, and Tribal Monitor |
| | **MM CR-2** | 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 and take into account tribal customs and traditions. | Retention of an archaeological monitor to monitor ground disturbing activities. | At least 30 days prior to grading the applicant shall execute a Cultural Resources and Treatment agreement with with a Luiseño Tribe. | Applicant |
| | **MM-CR-3** | At least 30 days prior to beginning project construction, the Project Applicant/ Landowner shall enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a Luiseño Tribe. The | Development of a Cultural Resource Treatment and Monitoring Agreement. | At least 30 days prior to grading the applicant shall execute a Cultural Resources and | Applicant and Luiseño Tribe |

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| | | 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. | | Treatment agreement with a Luiseño Tribe. | |
| | **MM-CR-4** | 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 Luiseño Tribe referenced in MM-CR-3. 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 in MM-CR-3, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation the Luiseño 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 Luiseño Native American monitor shall be a participant in any pre-construction meetings that address archaeological issues. The Tribal monitor shall also attend the cultural resources preconstruction meeting for the project. | Filing of a pre-grading report with the City. | Prior to project construction. | Applicant, Project Archaeologist |

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| | **MM-CR-5** | The landowner shall relinquish ownership of all cultural resources collected during the grading monitoring program and, if appropriate, 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 in MM-CR-3. Such treatment may include curation at a facility that meets the criteria contained in 36 C.F.R. Part 79, including those facilities operated and maintained by a *Luiseño* Tribe, or if requested by the appropriate Tribe, reburial on-site. 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. | Landowner shall relinquish any cultural resources found on the site to the appropriate Tribe. | At the time resources are found. | Applicant |
| | **MM-CR-6** | All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible. | Avoidance and preservation (if feasible) of sacred sites | At the time of encounter. | Applicant |
| | **MM-CR-7** | 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 the location of the find shall be kept secure. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 | Halting of construction and contact NAHC. | At the time human remains are encountered. | Applicant |

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| | | hours. The NAHC must then immediately notify the "most likely descendant(s)" 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. | | | |
| | **MM-CR-8** | If inadvertent discoveries of subsurface archaeological/cultural resources, not including human remains or associated burial goods which is addressed in MM-CR-7, are discovered during grading, the Developer, the project archaeologist, and the Luiseño Tribe under agreement with the landowner described in MM-CR-3 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. | Halt construction and assess significance of resources. | At the time inadvertent discoveries are encountered. | Applicant |
| | **MM-CR-9** | Fill material brought onto the project site shall be clean of cultural resource material. The fill material shall be analyzed and confirmed by an archaeologist and/or Luiseño Native American monitor. | Review of fill material brought onto the site | At the time the fill material is brought to the site. | Applicant |

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| **LAND USE** | | | | | |
| The proposed residential townhomes are not identified as an allowable use in the Town Center area of the Heart of the City Specific Plan and represents a conflict | **MM-LU-1** | The City shall adopt a Specific Plan Amendment to allow residential townhomes on the specific parcels identified within the project site. Specifically Corner@2Oaks (CR Townhomes), Assessor's Parcel Nos. 220-190-57-00, 220-190-58-00, and 220-190-59-00 shall be incorporated into the Town Center to introduce urban, transit, and pedestrian-oriented residential use, in accordance with the design guidelines of this plan, as found in Appendix G of the Specific Plan. | Adopt a Specific Plan Amendment to allow residential townhomes on the specific parcels identified within the project site. | At project approval. | City |
| **NOISE** | | | | | |
| Potential for elevated interior noise levels at hotel site. | **MM-N-1** | An interior noise assessment is required for the hotel prior to the issuance of the first building permit once the architectural floor plans are available. This final report would identify the interior noise requirements to meet the City's established interior noise limit of 45 dBA CNEL. | Conduct final noise assessment and mitigate noise conditions to acceptable levels if an exceedance is identified. | Prior to issuance of first building permit once the architectural floor plans are available. | Applicant |
| Potential for elevated interior noise levels at commercial sites. | **MM-N-2** | To meet the 50 dBA CNEL interior noise standard at the commercial uses, an interior noise level reduction of minimum 18-25 dBA CNEL is needed for the proposed project. With the incorporation of a minimum STC 30 rated dual pane windows and mechanical ventilation will achieve the necessary interior noise reductions to meet the City's 50 dBA CNEL standard. | Conduct final noise assessment and mitigate noise conditions to acceptable levels if an exceedance is identified. | Prior to issuance of building permit once the architectural floor plans are available. | Applicant |
| Some residential outdoor usable areas (balcony/decks) will experience noise levels above the City's noise standard. | M**M-N-3** | Four-foot barriers shall be installed at the balconies of the units along Twin Oaks Valley Road as shown in Figure 6 of the Final IS/MND. Barriers shall be constructed of a non-gapping material (i.e., masonry, stucco, ¼-inch thick glass or Plexiglas). | Install barriers at select residential balconies. | Prior to occupancy of residential portion of the project. | Applicant |

| Impact | Mitigation Measure | | Action | Timing | Responsibility |
|---|---|---|---|---|---|
| Worst-case building façade noise levels are modeled to exceed 60 dBA CNEL at the residential buildings. Therefore, interior noise levels could exceed City standards. | M**M-N-4** | A final noise assessment is required prior to the issuance of the first building permit. The final report would identify the interior noise requirements based upon architectural and building plans to meet the City's established interior noise limit of 45 dBA CNEL. The noise assessment shall be reviewed and approved by the Planning Division Manager | Conduct final noise interior assessment and mitigate noise conditions to acceptable levels if an exceedance is identified. | Prior to issuance of building permit. | Applicant, Planning Division Manager |
| **PUBLIC SERVICES** | | | | | |
| The project contributes to an increase in demand on fire protection services. | **MM-PS-1** | The project applicant shall pay into CFD 2001-01 for fire services. | Payment of CFD 2001-01 fees. | Prior to issuance of building permits. | Applicant |
| The project contributes to an increase in demand of police services. | **MM-PS-2** | The project applicant shall pay into CFD 98-01 for police services. | Payment of CFD 98-01 fees. | Prior to issuance of building permits. | Applicant |
| The project contributes to an increase in demand of park and recreation facilities. | **MM-PS-3** | The project applicant shall pay Public Facility Fees (PFF). | Payment of PFF. | Prior to issuance of building permits. | Applicant |
| **TRAFFIC** | | | | | |
| The project contributes to a significant cumulative impact at San Marcos Boulevard and Twin Oaks Valley Road. | **MM-TR-1** | The project shall pay a fair-share contribution towards the following improvements at San Marcos Boulevard and Twin Oaks Valley Road:<br>• Provide a dedicated right-turn lane in the southbound direction; and<br>▪ Provide a third left-turn lane in the westbound direction | Payment of a fair share contribution for future improvements at this intersection. | Prior to issuance of building permits. | Applicant |

| Impact | Mitigation Measure | Action | Timing | Responsibility |
|---|---|---|---|---|
| The project contributes to a cumulative impact at the intersection of San Marcos Boulevard and Knoll Road. | **MM-TR-2** The project shall pay a fair share contribution towards the following improvement at the intersection of San Marcos Boulevard and Knoll Road or an alternative solution providing the same or better impact relief, acceptable to Caltrans and the City:<br><br>Restripe the San Marcos Boulevard eastbound through lanes to provide a third lane when the roadway is widened to a six lane prime arterial.<br><br>AND<br><br>Restripe San Marcos Boulevard to provide three left turn lanes and one northbound through-shared right turn lane, OR, restripe to provide a dual left, one through lane, and one dedicated right turn lane in the northbound direction. | Payment of a fair share contribution for future improvements at this intersection. | Prior to issuance of building permits. | Applicant |
| The project contributes to a queuing impacts during the peak hour at the intersection of San Marcos Boulevard and Twin Oaks Valley Road. | **MM-TR-3** The project applicant shall pay a fair share to increase storage bay lengths to improve queuing conditions during the peak hours at the intersection of San Marcos Boulevard / Twin Oaks Valley Road. The required storage bay length increases are as follows:<br><br>• Extend eastbound dual left-turn lanes from 135 feet to 210 feet (maximum length allowed);<br>• Extend westbound triple left-turn lanes from 250 feet to 270 feet;<br>• Extend northbound dual left-turn lanes from 195 feet to 220 feet; and<br>• Extend southbound single right-turn lane from 200 feet to 250 feet | Payment of a fair share contribution for queuing improvements at this intersection. | Prior to issuance of building permits. | Applicant |
| The project contributes traffic to SR-78 interchanges. | **MM-TR-4** The project applicant (Phase 1 and Phase 2) shall annex into CFD 2011-01 (Congestions Management). | Payment of CFD 2011-01 fees. | Prior to issuance of building permits. | Applicant |

**Table 4-2. Design Considerations for the Project**

| |
|---|
| **Aesthetics**<br><br>• Lighting plan to be reviewed and approved by the Planning Division Manager. |
| **Air Quality**<br><br>• The project shall implement dust control measures. These measures include watering of active grading sites and unpaved roads a minimum of twice daily, replacement of ground cover as quickly as possible, reducing speeds on unpaved roads/surfaces to 15 miles per hour or less, and reducing dust during unloading and loading operations.<br>• Low-VOC coatings shall be used for all buildings, as required under SDAPCD Rule 67.0. |
| **Hazards - Airports**<br><br>• All residential development within Review Area 2 shall be required to record overflight notification documents as outlined in the McClellan-Palomar ALUCP, and per Chapter 20.265 of the City's Municipal Code, notifying residents of potential annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights.<br><br>**Hazards – Wildland Fire**<br><br>• As part of the proposed project, the project applicant will implement all the conditions and measures identified in the Fire Protection Plan – Letter Format document prepared by FIREWISE 2000, Inc (dated October 19, 2106). The conditions address the following topics: include water supply, fire department response times, fire access roads, setbacks from property lines, building construction, vegetation management/defensive space, enhanced requirements for the projects' southern and western boundaries, and fire protection systems**,** safety signage and lighting. The complete Fire Protection Planning document is included as Appendix F of this document. |
| **Hydrology/Water Quality**<br><br>• The project will be required to provide a design to mitigate water quality and HMP under the land development requirements deemed to be in effect of the Regional Stormwater permit R9 2013-0001 and the currently adopted BMP Design Manual.<br>• Implementation of all construction-related BMPs identified in the SWPPP.<br>• Biofiltration BMPs will be inserted in existing San Marcos Boulevard inlet located approximately 1,100 feet west of the project's westerly property line and at the low point of Twin Oaks Valley Road, located just north of the proposed driveway entry.<br>*Implementation of the following source control BMPs:*<br>• Mark all inlets with the words "No Dumping! Drains to Waterways" and "No Contamine" in Spanish.<br>• Interior floor drains and elevator shaft sump pumps will be plumbed into sanitary sewer.<br>• Add drains within food service areas, including floor sinks, shall be connected to a grease interceptor and sanitary sewer.<br>• Any vehicle washing area provided shall be bermed and covered. Signage prohibiting carwashing shall be provided otherwise.<br>• Plaza, sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. |
| • Dumpsters shall be covered and trash enclosures shall be designed to prevent runon. Trash enclosures shall drain into BMPs and made of concrete masonry unit walls on three sides. |

| |
|---|
| • Post signs on all dumpsters information that hazardous material are not to be disposed of therein<br>• Landscaping has been designed to minimize irrigation and runoff and to minimize the use of fertilizers and pesticides that can contribute to storm water.<br>• Roofing, gutters and trim will not be constructed of copper or other unprotected metals that may leach into the runoff. |
| **Noise**<br>• All construction equipment shall be properly fitted with mufflers.<br>• The project design includes a sound wall at the outdoor area located along San Marcos Boulevard.<br>• All residential development within Review Area 2 shall be required to record overflight notification documents as outlined in the McClellan-Palomar ALUCP, and per Chapter 20.265 of the City's Municipal Code, notifying residents of potential annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights. |
| **Public Services – Fire**<br>• As part of the proposed project, the project applicant will implement all the conditions and measures identified in the Fire Protection Plan – Letter Format document prepared by FIREWISE 2000, Inc (dated October 19, 2106). The conditions address the following topics: include water supply, fire department response times, fire access roads, setbacks from property lines, building construction, vegetation management/defensive space, enhanced requirements for the projects' southern and western boundaries, and fire protection systems**,** safety signage and lighting. The complete Fire Protection Planning document is included as Appendix F of this document. |
| **Public Services – Police**<br>• Project design would incorporate Crime Prevention Through Environmental Design measures as appropriate. |
| **Traffic/Circulation**<br>• Traffic signal cycles between San Marcos Boulevard / Pico Avenue – Project Access and San Marcos Boulevard / Twin Oaks Valley Road be synchronized to favor the east-west through movements at both intersections. |
| **Utilities and Services Systems**<br>• Relocate approximately 860 feet of existing 36-inch sewer interceptor pipeline into new VWD easements within the project boundary.<br>• Install approximately 509 feet of new 12-inch sewer pipeline within the project boundary to the relocated 36-inch sewer interceptor.<br>• Install new 8- and 10-inch water lines to provide service to the project site.<br>• Pay Water Capital Facility Fees per VWD Ordinance No. 175.<br>• Pay Wastewater Capital Facility Fees per VWD Ordinance No. 176. |

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## TABLE OF CONTENTS

**LIST OF APPENDICES** (Appendices included on CD in back of document)



**LIST OF TABLES**

## LIST OF FIGURES

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# I. INTRODUCTION

## I. PURPOSE

This document is an Initial Study (IS) for preliminary evaluation of environmental impacts resulting from implementation of the Corner@2Oaks Phase 1 and Phase 2 Revisions project. For the purposes of this document, this proposed development as described in Section II, Project Description, will be called the "project."

## II. PREVIOUS ENVIRONMENTAL DOCUMENTATION

In December 2014, the San Marcos City Council approved the Mitigated Negative Declaration (MND) for the Corner@2Oaks project (SCH No. 2014101043). The project approved in 2014, which is described more fully in Section II, Project Description, included detailed plans for Phase 1 in the northern portion of the site but only conceptual information for development of Phase 2 in the southern portion of the site. The analysis concluded that all impacts were either less than significant in relation to the identified significance threshold levels, or were to be mitigated to a level of less than significant through recommended mitigation measures. The complete 2014 MND and supporting technical appendices are included as **Appendix A** of this document.

## III. CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

As defined by Section 15063 of the State of California Environmental Quality Act (CEQA) Guidelines, an IS is prepared to provide the Lead Agency with information to use in deciding to prepare either an Environmental Impact Report (EIR) or a Negative Declaration (ND) as the most appropriate environmental documentation for the proposed discretionary action. The City of San Marcos (City) is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency with the principal responsibility for approving a project that may have significant effects upon the environment.

Through this IS, the City has determined that although the project could have a significant effect on the environment, mitigation has been included to bring all potential impacts to less than significant levels. This determination was made based upon technical analysis, factual data, and other supporting documentation. Therefore, an MND is being proposed. The IS/MND will be circulated for a period of 21 days for public review. Comments received on the document will be considered by the City before it acts on the proposed project.

This IS has been prepared in conformance with CEQA of 1970, as amended (Public Resources Code, Section 21000 et. seq.) and Section 15070 of the State Guidelines for Implementation of CEQA of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq.).

## IV. EXISTING DOCUMENTS TO BE INCORPORATED BY REFERENCE

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data.

The document outlined in this section is hereby incorporated by reference, and the pertinent material is summarized throughout this IS/MND, where that information is relevant to the analysis of impacts of the project. Any document incorporated by reference is available for review at the City of San Marcos, Planning Division.

- *Corner@2Oaks Mitigated Negative Declaration.* 2014. (SCH No. 2014101043)

## V. INTENDED USES OF INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This IS, along with the attached MND, is an informational document intended to inform City decision-makers, other responsible or interested agencies, and the public of potential environmental effects of the proposed project. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts.

## VI. CONTENTS OF DOCUMENT

This IS/MND is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed project as follows:

**I. INTRODUCTION** identifies the City contact persons involved in the process, scope of environmental review, environmental procedures, and incorporation by reference documents.

**II. PROJECT DESCRIPTION** describes the proposed project. A description of proposed discretionary approvals and permits required for project implementation is also included.

**III. ENVIRONMENTAL CHECKLIST FORM** presents the results of the environmental evaluation for the proposed project and those issue areas that would have a significant impact, potentially significant impact, a less than significant impact with mitigation incorporation, or no impact.

**IV. ENVIRONMENTAL ANALYSIS** evaluates each response provided in the environmental checklist form. Each response checked is discussed and supported with sufficient data and analysis. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation. In this section, mitigation measures are also recommended, as appropriate, to reduce adverse impacts to levels of "less than significant" where possible.

**V. MANDATORY FINDINGS** presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

**VI. PERSONS AND ORGANIZATIONS CONSULTED** identifies those persons consulted and involved in preparation of this IS.

**VII. REFERENCES** lists bibliographical materials used in preparation of this document.

**VIII. MITIGATED NEGATIVE DECLARATION**

**IX. FINDINGS**

## VII. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the environmental checklist form is stated and responses are provided according to the analysis undertaken as part of the IS. All responses take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Project impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the referenced information sources show that the impact simply does not apply to the proposed project.

2. **Less Than Significant Impact:** Development associated with project implementation will have the potential to impact the environment. These impacts, however, will be less than the thresholds that are considered significant and no additional analysis is required.

3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The Lead Agency must describe the mitigation measures and explain how the measures reduce the effect to a less than significant level.

4. **Potentially Significant Impact:** Future implementation will have impacts that are considered significant and additional analysis and possibly an EIR are required to identify mitigation measures that could reduce these impacts to less than significant levels.

## VIII. PERMITS AND ENTITLEMENTS FOR PROJECT APPROVAL

This IS/MND addresses two applications under one CEQA document. Application P16-0023 covers the northern portion of the project site and application P15-0012 covers the southern portion of the project site. Discretionary actions associated with each application are presented below.

| Project Phase | Agency/Discretionary Actions |
|---|---|
| Phase 1 - Commercial (Northern Portion of Project Site) | City of San Marcos<br>• Site Development Plan (SDP 16-004)<br>• Adoption of Mitigated Negative Declaration (ND 15-005)<br>• Adoption of Mitigation Monitoring and Reporting Program |
| Phase 2 - Residential (Southern Portion of Project Site) | City of San Marcos<br>• Specific Plan Amendment (SP 15-001)<br>• Tentative Subdivision Map (TSM 15-002)<br>• Multi-Family Site Development Plan (MFSDP 15-001)<br>• Adoption of Mitigated Negative Declaration (ND 15-005)<br>• Adoption of Mitigation Monitoring and Reporting Program |

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# II. PROJECT DESCRIPTION

## PROJECT LOCATION AND SETTING

The approximate 19.3-acre project site located in the City of San Marcos in north San Diego County, north of SR-78 at the southwest corner of San Marcos Boulevard and Twin Oaks Valley Road. The project site is bounded on the east by Twin Oaks Valley Road, on the west by the Meadowlark Apartments, on the north by San Marcos Boulevard, and on the south by an open space lot, Lot 4 of San Marcos Tract No. 659 (**Figures 1a and 1b**). San Marcos Creek runs through this open space lot, which is adjacent to State Route 78. The project site is currently rough graded and a 116-room hotel is under construction consistent with the project approved under SCH No. 2014101043 in December 2014.

## PROJECT BACKGROUND

In December 2014, the San Marcos Planning Commission adopted a Mitigated Negative Declaration for the Corner@2Oaks (ND 14-009/SCH No. 2014101043). That MND allowed for the development of the overall Corner@2Oaks project site with up to 54,000 s.f. of standard commercial office, 19,000 s.f. of medical office, 19,000 s.f. of retail shops, 9,000 s.f. of restaurant use, and 116 hotel rooms. Additionally 7.3 acres of the project site were proposed for preservation within an open space easement. The site would be developed over two phases, as detailed in **Table 1.** Construction of the 116-room hotel is currently underway in the northwest portion of the project site. This analysis addresses proposed changes to the remaining undeveloped portion of Phase 1 (northern portion of project site) and the Phase 2 (southern portion of project site). The open space will remain in preservation.

**Table 1. Approved Land Use (Per Adopted MND)**

| Use | Phase 1 Northern Portion of Corner@2Oaks | Phase 2 Southern Portion of Corner@2Oaks (Project Site) | Total |
|---|---|---|---|
| Standard Commercial Office | 19,000 s.f. | 35,000 s.f. | 54,000 s.f. |
| Medical Office | 19,000 s.f. | --- | 19,000 s.f. |
| Retail Shops | 4,000 s.f. | 15,000 s.f. | 19,000 s.f. |
| Restaurant | 4,000 s.f. | 5,000 s.f. | 9,000 s.f. |
| Hotel | 116 rooms | --- | 116 rooms |

## PROJECT DESCRIPTION

The proposed project considered in this CEQA analysis is the combined changes proposed under two separate applications for the project site, one addressing the northern (Phase 1) portion of the project site and the other addressing the southern portion (Phase 2) of the project site.

Under the project, the southern portion (Phase 2) of the overall Corner@2Oaks site would be developed with 118 residential townhomes instead of 35,000 s.f. of commercial office, 15,000 s.f. of retail, and a 5,000 s.f. restaurant. This change would also require an amendment to the Heart of the City Specific Plan. The proposed Specific Plan Amendment document is included as **Appendix B**. Additionally, under the proposed project, the northern portion of the overall site (Phase 1) would be developed with up to 14,400 s.f. of office/retail uses and 6,500 s.f. of restaurant uses instead of 19,900 s.f. of commercial

office, 19,000 s.f. of medical office, 4,000 s.f. of retail, and a 4,000 s.f. restaurant. The 116-room hotel, which is currently under construction, would remain as a Phase 1 project component. **Table 2** summarizes the uses of both Phase 1 and Phase 2 under the proposed project and **Figure 2** presents the overall site plan for the project.

**Table 2. Proposed Land Use**

| Use | Corner@2Oaks Phase 1 | Corner@2Oaks Phase 2 | Total |
|---|---|---|---|
| Office/Retail | 14,400 s.f. | --- | 14,400 s.f. |
| Restaurant | 6,500 s.f. | --- | 6,500 s.f. |
| Hotel | 116 rooms | --- | 116 rooms |
| Attached Townhomes | --- | 118 units | 118 units |

**Office/Retail –** The project proposes construction of a 13,499 s.f. two-story office/retail building adjacent to Twin Oaks Valley Road on the east side of the project site. The previously approved project included 54,000 s.f. of standard commercial office, 19,000 s.f. of medical office, and 19,000 s.f. of retail shops, for a total of 92,000 s.f.

The proposed office/retail building will be 27 feet, 6 inches tall. Consistent with the Heart of the City Specific Plan, this building will feature stucco, rust color accent walls, stone veneer, glass railings, aluminum storefronts and paneling, steel trellises, and tenant signage.

**Restaurant –** The project proposes a 6,500 s.f., one-story restaurant at the corner of Twin Oaks Valley Road and San Marcos Boulevard, which is less than the previously approved 9,000 s.f. of restaurant.

The tallest point of the restaurant will be approximately 26 feet tall, with the main portion of the building approximately 20 feet tall. Building materials include stone veneer and stacked stone; metal coping, soffits, and roof; columns; aluminum railings, louvers, and storefronts; illuminated signage; and a canvas awning over a metal frame. The proposed color palette includes shades of red, sand, tan, bronze, brown, and cedar.

**Townhomes** – The project proposes 118 three-bedroom/three-bath townhomes in 24 buildings of triplex, fourplex, fiveplex, and sixplex models. Within each model, three floor plans ranging from 1,184 square feet to 1,386 square feet will be constructed. Each unit would feature a two-car garage, with an additional area for bicycle and general residential storage, as well as for trash and recycling storage.

Each building will be three stories and approximately 34 feet tall. The triplex, fiveplex, and sixplex models will be primarily sand finish stucco and rock/stone veneer along the front elevations, metal awnings, and vinyl windows. Each unit will feature a second story deck with metal mesh and handrails. The fourplex models will have similar styling.

Three complementary color schemes in various shades of white, tan/gray, green, and brown will be distributed throughout the plan to keep visual interest. A veneer will also be included for enhanced elevations that are identified throughout the project site.

To facilitate the development of townhomes on the project site, a Specific Plan Amendment to the Heart of the City Specific Plan is proposed. The amendment will remove 7.29 acres of Town Center designation and replace it with 7.29 acres of High Density Residential, with a maximum development yield not to exceed 118 units. The specific parcels covered by this change are 220-190-57-00, 220-190-58-00, and 220-190-59-00.

**Hotel –** A 116-room hotel was approved under the 2014 MND and is currently under construction in the northwest portion of the project site. Conditional Use Permit (CUP 14-008) for construction of the hotel was approved under the 2014 MND. The changes proposed under this project do not result in any changes to the hotel.

**Parking** – A total of 514 parking spaces are proposed across the project site. Phase 1 (retail/commercial/hotel) of the project proposes 234 parking spaces. Phase 2 of the project provides 280 parking spaces, including 236 garage parking spaces for residents and 44 surface parking spaces for guests. Each townhome will have two garage parking spaces on the lower level of the residential unit.

**Project Access** – Vehicle access to the project site would be 1) from the north, via full access traffic signal control entry from San Marcos Boulevard, except for the left turn from the west bound San Marcos Boulevard into the project site, and 2) from the east, full access from Twin Oaks Valley Road utilizing the proposed traffic signal controlled entry in alignment with the existing and commonly referred to as the "LA Fitness driveway".

The project would emphasize pedestrian access within the project, along with pedestrian access to the Town Center, Civic Center, and east on San Marcos Boulevard to the SPRINTER Light Rail. The project includes a single east/west marked pedestrian crosswalk on the north leg of the Twin Oaks Valley Road/Project Access-LA Fitness Driveway intersection. The proposed project is approximately 0.2 miles from the SPRINTER Light Rail station.

**Utility Improvements** - The project applicant has coordinated closely with the Vallecitos Water District (VWD), which will be the provider of water and wastewater service to the project site. The project will relocated approximately 860 feet of VWD's existing 36-inch sewer interceptor pipeline into a new VWD easement within the project boundary. Additionally, the project will install approximately 509 feet of new 12-inch sewer pipeline within the project boundary to the relocated 36-inch sewer interceptor. Per the requirements of VWD, the project will also be required to pay all applicable.

**Fire Protection Planning** – As part of the proposed project, the project applicant will implement all the conditions and measures identified in the Fire Protection Plan – Letter Format document prepared by FIREWISE 2000, Inc (dated October 19, 2106). The conditions address the following topics: include water supply, fire department response times, fire access roads, setbacks from property lines, building construction, vegetation management/defensive space, enhanced requirements for the projects' southern and western boundaries, and fire protection systems, safety signage and lighting. The complete Fire Protection Planning document is included as Appendix F of this document.

**Grading** – The project site has been rough graded in accordance with the grading plan analyzed under the 2014 Corner@2 Oaks MND (SCH No. 201410104). As detailed in the previous approved MND, grading for the project site included 16,000 cubic yards (cy) of cut and 45,000 cy of fill with 29,000 cy of import. Fine grading to prepare the commercial and residential building pads will still be required.

**Off Site Improvements** –The project includes a single east/west marked pedestrian crosswalk on the north leg of the Twin Oaks Valley Road/Project Access-LA Fitness Driveway intersection.

**Discretionary Actions –** Discretionary approvals required for the project include:

Phase 1:

- Site Development Plan (SDP 16-004)
- Adoption of Mitigated Negative Declaration (ND 15-005)
- Adoption of Mitigation Monitoring and Reporting Program

Phase 2:

- Specific Plan Amendment (SP 15-001)
- Tentative Subdivision Map (TSM 15-002)
- Multifamily Site Development Plan (MFSDP 15-001)
- Adoption of Mitigated Negative Declaration (ND 15-005)
- Adoption of Mitigation Monitoring and Reporting Program

**Figure 1a. Regional Location**

**Figure 1b. Project Site**

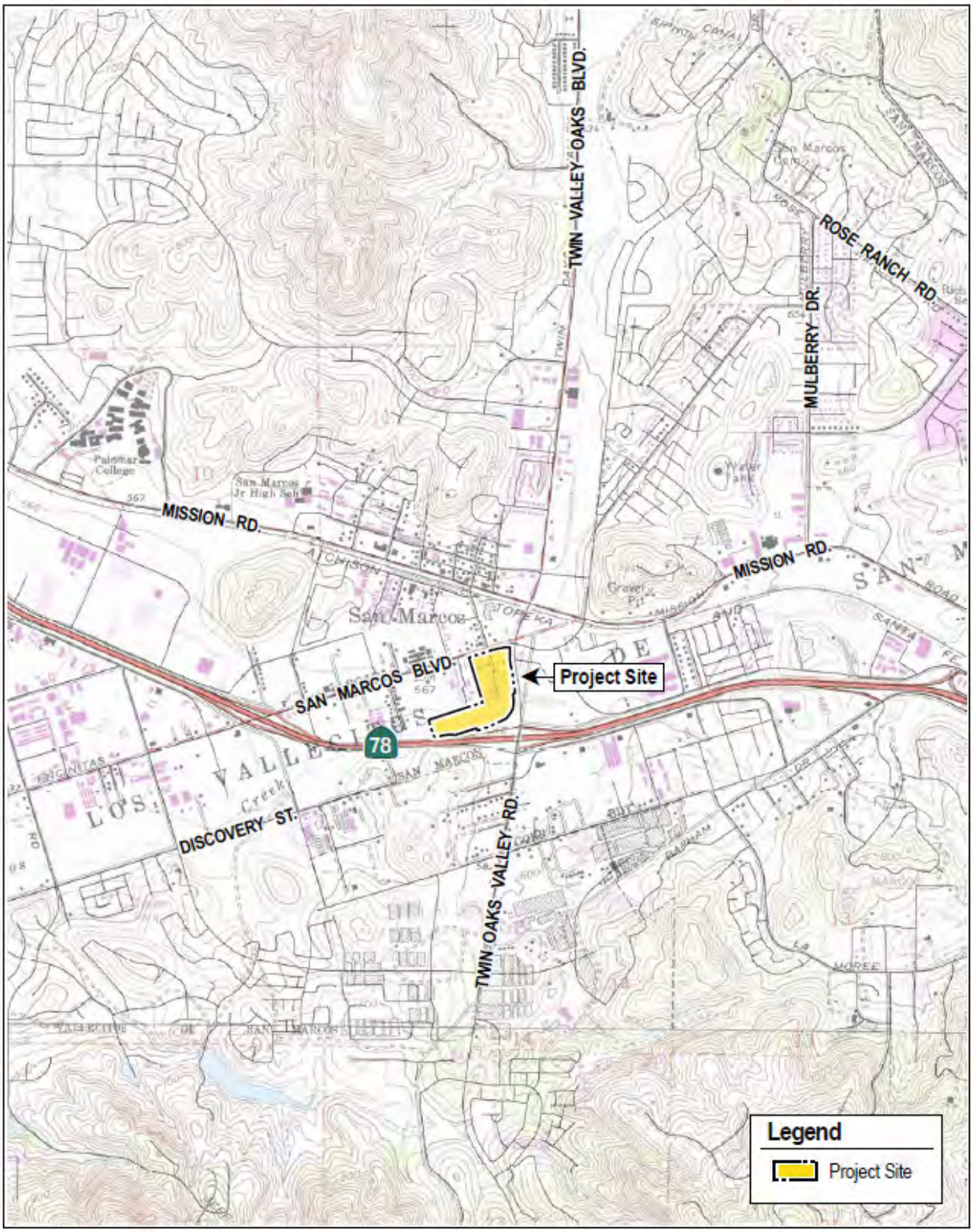
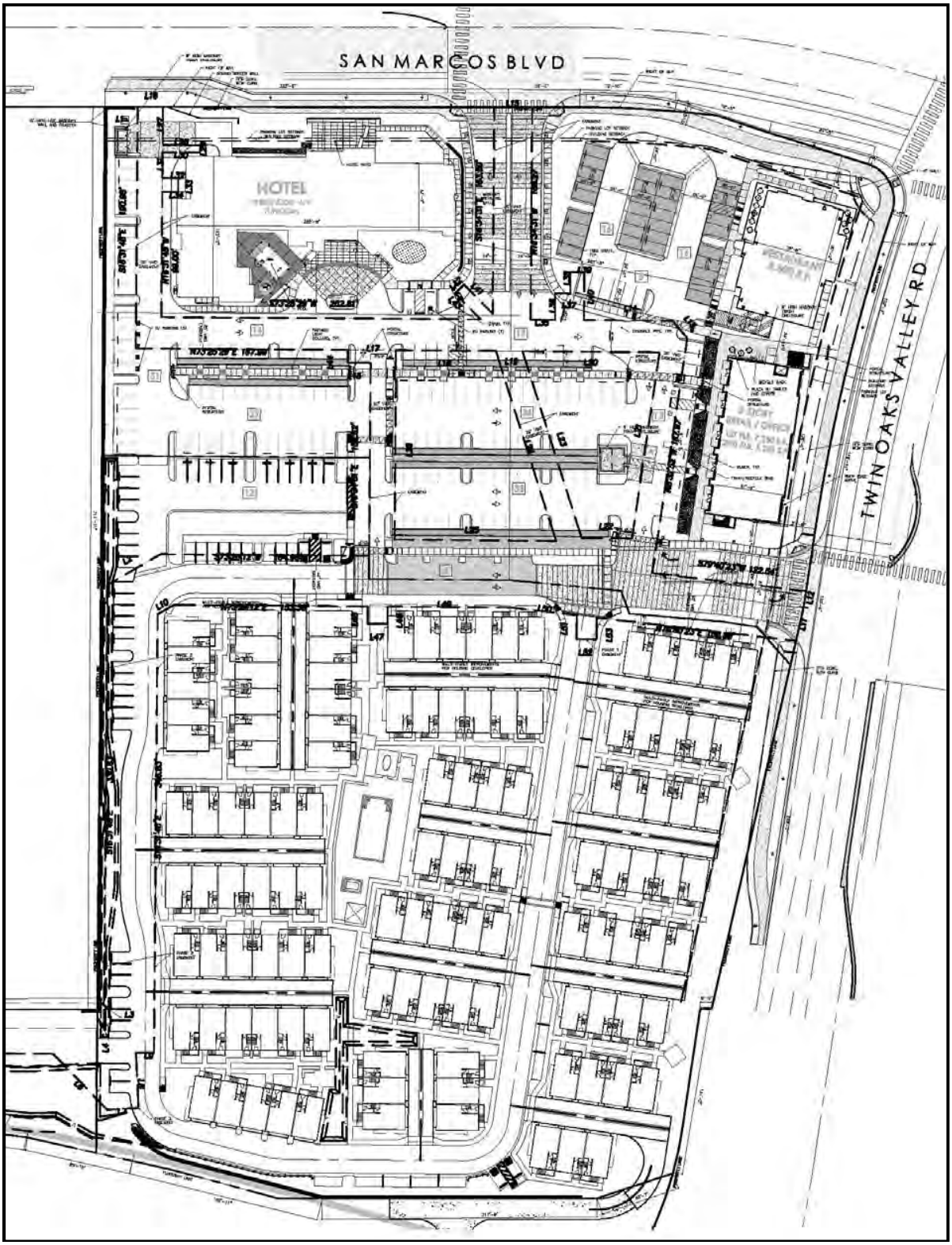


**Figure 2. Site Development Plan**



**Project Design Features –** Finally, the project includes design considerations and would adhere to applicable regulatory requirements, as identified in **Table 3**.

**Table 3. Design Considerations for the Project**

**Aesthetics**

- Lighting plan to be reviewed and approved by the Planning Division Manager.

**Air Quality**

- The project shall implement dust control measures. These measures include watering of active grading sites and unpaved roads a minimum of twice daily, replacement of ground cover as quickly as possible, reducing speeds on unpaved roads/surfaces to 15 miles per hour or less, and reducing dust during unloading and loading operations.
- Low-VOC coatings shall be used for all buildings, as required under SDAPCD Rule 67.0.

**Hazards - Airports**

- All residential development within Review Area 2 shall be required to record overflight notification documents as outlined in the McClellan-Palomar ALUCP, and per Chapter 20.265 of the City's Municipal Code, notifying residents of potential annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights.

**Hazards – Wildland Fire**

- As part of the proposed project, the project applicant will implement all the conditions and measures identified in the Fire Protection Plan – Letter Format document prepared by FIREWISE 2000, Inc (dated October 19, 2106). The conditions address the following topics: include water supply, fire department response times, fire access roads, setbacks from property lines, building construction, vegetation management/defensive space, enhanced requirements for the projects' southern and western boundaries, and fire protection systems**,** safety signage and lighting. The complete Fire Protection Planning document is included as Appendix F of this document.

**Hydrology/Water Quality**

- The project will be required to provide a design to mitigate water quality and HMP under the land development requirements deemed to be in effect of the Regional Stormwater permit R9 2013-0001 and the currently adopted BMP Design Manual.
- Implementation of all construction-related BMPs identified in the SWPPP.
- Biofiltration BMPs will be inserted in existing San Marcos Boulevard inlet located approximately 1,100 feet west of the project's westerly property line and at the low point of Twin Oaks Valley Road, located just north of the proposed driveway entry.

*Implementation of the following source control BMPs:*

- Mark all inlets with the words "No Dumping! Drains to Waterways" and "No Contamine" in Spanish.
- Interior floor drains and elevator shaft sump pumps will be plumbed into sanitary sewer.
- Add drains within food service areas, including floor sinks, shall be connected to a grease interceptor and sanitary sewer.
- Any vehicle washing area provided shall be bermed and covered. Signage prohibiting carwashing shall be provided otherwise.
- Plaza, sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris.

- Dumpsters shall be covered and trash enclosures shall be designed to prevent runon. Trash enclosures shall drain into BMPs and made of concrete masonry unit walls on three sides.
- Post signs on all dumpsters information that hazardous material are not to be disposed of therein
- Landscaping has been designed to minimize irrigation and runoff and to minimize the use of fertilizers and pesticides that can contribute to storm water.
- Roofing, gutters and trim will not be constructed of copper or other unprotected metals that may leach into the runoff.

**Noise**

- All construction equipment shall be properly fitted with mufflers.
- The project design includes a sound wall at the outdoor area located along San Marcos Boulevard.
- All residential development within Review Area 2 shall be required to record overflight notification documents as outlined in the McClellan-Palomar ALUCP, and per Chapter 20.265 of the City's Municipal Code, notifying residents of potential annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights.

**Public Services – Fire**

- As part of the proposed project, the project applicant will implement all the conditions and measures identified in the Fire Protection Plan – Letter Format document prepared by FIREWISE 2000, Inc (dated October 19, 2106). The conditions address the following topics: include water supply, fire department response times, fire access roads, setbacks from property lines, building construction, vegetation management/defensive space, enhanced requirements for the projects' southern and western boundaries, and fire protection systems**,** safety signage and lighting. The complete Fire Protection Planning document is included as Appendix F of this document.

**Public Services – Police**

- Project design would incorporate Crime Prevention Through Environmental Design measures as appropriate.

**Traffic/Circulation**

- Traffic signal cycles between San Marcos Boulevard / Pico Avenue – Project Access and San Marcos Boulevard / Twin Oaks Valley Road be synchronized to favor the east-west through movements at both intersections.

**Utilities and Services Systems**

- Relocate approximately 860 feet of existing 36-inch sewer interceptor pipeline into new VWD easements within the project boundary.
- Install approximately 509 feet of new 12-inch sewer pipeline within the project boundary to the relocated 36-inch sewer interceptor.
- Install new 8- and 10-inch water lines to provide service to the project site.
- Pay Water Capital Facility Fees per VWD Ordinance No. 175.
- Pay Wastewater Capital Facility Fees per VWD Ordinance No. 176.

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# III. ENVIRONMENTAL CHECKLIST

## BACKGROUND

1. **Project Title:** Corner@2Oaks Phase 1 and Phase 2 Revisions

2. **Lead Agency Name and Address:**
   City of San Marcos
   1 Civic Center Drive
   San Marcos, CA 92069

3. **Contact Person and Phone Number:**
   Mr. Garth Koller, Principal Planner
   760-744-1050, ext. 3231
   GKoller@san-marcos.net

4. **Project Location:** The approximate 19.3-acre project site is located in the City of San Marcos in north San Diego County, north of SR-78 at the southwest corner of San Marcos Boulevard and Twin Oaks Valley Road. The project site is bounded on the east by Twin Oaks Valley Road, on the west by the Meadowlark Apartments, on the north by San Marcos Boulevard, and on the south by SR-78.

5. **Projects Sponsor's Name and Address:**

   ***Project Applicant for Phase 1 (Northern Portion of Project Site – commercial):***
   University District Holdings II, LLC
   3525 Del Mar Heights Road, Suite 246
   San Diego, CA 92130

   ***Project Applicant for Phase 2 (Southern Portion of Project Site – town homes):***
   CR TOVR, LLC
   444 West Beech Street, Suite 300
   San Diego, CA 92101

6. **General Plan and Zoning Designations:** The project site is designated Specific Plan Area in the General Plan. The site is within the Heart of the City Specific Plan and is designated as Town Center in the Heart of the City Specific Plan.

7. **Description of Project:** Please see Section II for project description.

8. **Surrounding Land Uses and Setting:** The project site is in a developed portion of the City. The project site is bounded on the east by Twin Oaks Valley Road, on the west by the Meadowlark Apartments, on the north by San Marcos Boulevard, and on the south by SR-78. Uses in the project vicinity include commercial/retail to the north and east, and medium high density residential, associated with the Meadowlark Apartments to the west. Further to the west is San Marcos City Hall.

9. **Other Public Agencies Whose Approval is Required:** None.

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Mitigated to Below a Level of Significance," as indicated by the checklist on the following pages. All impacts identified for the project will be mitigated to below a level of significance.

| | | |
|---|---|---|
| ☐ Aesthetics | ☐ Agriculture/Forestry Resources | ☒ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☐ Geology/Soils |
| ☐ Greenhouse Gas | ☐ Hazards/Hazardous Materials | ☐ Hydro/Water Quality |
| ☒ Land Use/Planning | ☐ Mineral Resources | ☒ Noise |
| ☐ Population/Housing | ☒ Public Services | ☐ Recreation |
| ☒ Transportation/Traffic | ☐ Utilities/ Services Systems | |
| ☒ 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 on the environment, 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Garth Koller, Project Planner

**Date:** November 22, 2016

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **I. AESTHETICS. Would the project:** | | | | |
| a) Have a substantial adverse effect on a scenic vista? | | | | **X** |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway? | | | | **X** |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | | | **X** | |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | | | **X** | |
| **II. AGRICULTURE AND FORESTRY 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 Department 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 Legacy Assessment Project and the 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? | | | | **X** |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | **X** |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | | | | **X** |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | | **X** |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| e) Involve other changes in the existing environment that, 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? | | | | **X** |
| **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? | | | | **X** |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | | **X** | |
| 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)? | | | **X** | |
| d) Expose sensitive receptors to substantial pollutant concentrations? | | **X** | | |
| e) Create objectionable odors affecting a substantial number of people? | | | **X** | |
| **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 Wildlife or U.S. Fish and Wildlife Service? | | **X** | | |
| 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 Wildlife or U.S. Fish and Wildlife Service? | | **X** | | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? | | | **X** | |
| 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? | | | **X** | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | **X** |
| 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? | | | **X** | |
| **V. CULTURAL RESOURCES. Would the project:** | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | | | | **X** |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | | **X** | | |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | | **X** |
| d) Disturb any human remains, including those interred outside of dedicated cemeteries? | | **X** | | |
| **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: | | | **X** | |
| 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. | | | | **X** |
| ii) Strong seismic ground shaking? | | | **X** | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| iii) Seismic-related ground failure, including liquefaction? | | | | **X** |
| iv) Landslides? | | | | **X** |
| b) Result in substantial soil erosion or the loss of topsoil? | | | | **X** |
| 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? | | | **X** | |
| 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? | | | **X** | |
| e) Have soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | | | | **X** |
| **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? | | | **X** | |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | | | **X** | |
| **VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:** | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | | | **X** | |
| 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? | | | **X** | |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | | **X** |
| 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? | | | **X** | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? | | | **X** | |
| 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? | | | | **X** |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | **X** | |
| 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? | | | **X** | |
| **IX. HYDROLOGY AND WATER QUALITY. Would the project:** | | | | |
| a) Violate any water quality standards or waste discharge requirements? | | | **X** | |
| 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? | | | **X** | |
| 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)? | | | | **X** |
| 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? | | | **X** | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| e) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? | | | **X** | |
| 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? | | | **X** | |
| 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? | | | **X** | |
| h) Result in increased impervious surfaces and associated increased runoff? | | | **X** | |
| i) Result in significant alteration of receiving water quality during or following construction? | | | **X** | |
| 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). | | | **X** | |
| 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? | | | **X** | |
| 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? | | | **X** | |
| m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters? | | | **X** | |
| n) Otherwise substantially degrade water quality? | | | **X** | |
| 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? | | | **X** | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| p) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | | | X | |
| 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? | | | X | |
| r) Inundation by seiche, tsunami, or mudflow? | | | | X |
| **X. LAND USE AND PLANNING. Would the project:** | | | | |
| a) Physically divide an established community? | | | | X |
| 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? | | X | | |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | | | X | |
| **XI. MINERAL RESOURCES. Would the project:** | | | | |
| a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state? | | | | X |
| 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? | | | | X |
| **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? | | X | | |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | | X | |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X | |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? | | | **X** | |
| 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? | | | | **X** |
| **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)? | | | **X** | |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | | **X** |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | | **X** |
| **XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:** | | | | |
| a) Fire protection? | | **X** | | |
| b) Police protection? | | **X** | | |
| c) Schools? | | | **X** | |
| d) Parks? | | **X** | **-** | |
| e) Other public facilities? | | | **X** | |
| **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? | | **X** | | |
| 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? | | | **X** | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XVI. TRANSPORTATION/TRAFFIC. Would the project:** | | | | |
| a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | | **X** | | |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | | | **X** | |
| 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? | | | | **X** |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | | **X** |
| e) Result in inadequate emergency access? | | | **X** | |
| f) Result in inadequate parking capacity? | | | **X** | |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | | | | **X** |
| **XVII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:** | | | | |
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? | | | | **X** |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | | | | **X** |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project:** | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | **X** | |
| 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? | | | **X** | |
| 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? | | | **X** | |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed? | | | **X** | |
| 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? | | | **X** | |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | **X** | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | | | | **X** |
| **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? | | **X** | | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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.) | | **X** | | |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | | **X** | | |

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# IV. ENVIRONMENTAL ANALYSIS

This section provides an evaluation of the impact categories and questions contained in the Environmental Checklist.

## I. AESTHETICS

### a) Have a substantial adverse effect on a scenic vista? No Impact

The project is located in a developed portion of the City which includes a mix of uses including residential development to the west, retail and civic uses to the east, commercial/retail to the north and San Marcos Creek and SR-78 to the south. The Corner@2Oaks Phase 1 development located on the northern portion of the project site will be developed with office/retail, restaurant, and hotel uses. Phase 2 proposes residential townhomes. Scenic resources and vistas within the City are primarily associated with primary and secondary ridgelines, which are identified via a Ridgeline Protection and Management Overlay Zone (ROZ). The project is located at a lower elevation and flat part of the City and is not located on, or near, any of the ROZ's protected ridgelines (Figure 4-5 of the General Plan). The project site and vicinity are not identified as a scenic vista point or area, respectively, by the City. No impacts are identified.

### b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway? No Impact

The project site is located immediately north of SR-78. A portion of SR-78 is recognized as a Scenic Highway by Caltrans; however, that portion is not in the project vicinity. The portion identified as a Scenic Highway is approximately 50 miles east of the project site near Anza Borrego (Caltrans 2011). Thus the project would not impact a State Scenic Highway.

At a local level, SR-78 is designated by the City as a view corridor. The highway corridor provides views of the Merriam Mountains, Mount Whitney, Double Peak, California State University at San Marcos, and Palomar Community College. The proposed development would not impact views to these peaks or landmarks from SR-78 since the proposed development would be set back from SR-78.

Figure 4-5 of the Conservation & Open Space Element of the General Plan identifies scenic resources in the City. These resources are associated with primary and secondary ridgelines. There are no identified ridgelines on the project site or in the project vicinity.

The project site does not support any historic buildings. The cultural resources report for the previously approved MND (SCH No. 2014101043) did not identify any historic buildings on the project site. Therefore, the project would not damage any historic buildings.

In addition, as concluded in the previous environmental document (SCH No. 2014101043), the project site does not support any significant trees, rock outcroppings, or historic buildings as identified or protected by the City's General Plan. Therefore, no impact is identified.

**c) Substantially degrade the existing visual character or quality of the site and its surroundings? Less than Significant Impact**

The project is located in a developed portion of the City which includes a mix of uses including retail, office, civic uses, and multi-family residential.

The Heart of the City Specific Plan includes Design Guidelines that cover such items as setbacks, heights and stories, lot coverage, parking, open space, and building materials. As determined in the previously approved MND (SCH No. 2014101043), the proposed project is consistent with these design guidelines. Pending approval of the Corner@2Oak Phase 2 (CR Townhomes) Residential Development and Design Standards, the reduced development within Phase 1 and multi-family residences proposed under Phase 2 would also be consistent with these guidelines.

As provided in the previously approved MND (SCH No. 2014101043), building materials for the office building include smooth cement plaster, architectural panels, stone veneer, and painted metal. Planting with wire supports, a trellis, and building signage are also included. The cement plaster will be in four colors, and the architectural panel in three. The color variety on the buildings will break up the bulk and scale of the project. The revised office/retail buildings will utilize this same material and color palette. Building materials for the townhomes will consist of stucco, metal awnings, vinyl windows, and metal mesh and handrails for second story decks. Exterior colors will vary between three color palettes. The color variety on the buildings will break up the bulk and scale of the buildings yet be complementary to ensure a uniform feel.

Minimum setbacks have been established to give the Heart of the City Specific Plan Area separation between buildings, as well as create a buffer zone between neighboring developments. The project also includes landscaping and walls, fences, and monument design guidelines providing a unified landscaping theme throughout the site. Through adherence to the Specific Plan Design Guidelines, the project will not substantially degrade the existing visual character or quality of the site and surrounding area, and impacts would be less than significant.

**Figures 3.a through 3.c** depict the architectural concepts for the proposed development.

**d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? Less than Significant Impact**

The proposed project would incorporate lighting into the project design to the extent necessary for safety and security, and to complement architectural character. A lighting plan would be prepared for the project and submitted to the Planning Division for review and approval. Lighting requirements are guided by standards set by the City of San Marcos, which requires downward-directed LED lighting, with the exception of specialized streetscape lighting or architectural detail lighting. The proposed project would be designed to adhere to these standards. Proposed roofing and building finishes would not be of a kind that would result in glare. As detailed in Figures 3.a through 3.c, the building finishes will be a combination of stucco, siding, stone veneer, and painted metal accents, which would not be considered a source of glare. Therefore, impacts would be less than significant.

**Figure 3a. Phase 1 Office/Retail Building Concept**

**Figure 3b. Phase 1 Free-Standing Restaurant Concept**

**Figure 3c. Phase 2 Residential Townhomes Concept**

## II. AGRICULTURE AND FORESTRY RESOURCES

**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? No Impact**

As concluded in the previous environmental document (SCH No. 2014101043), the project site does not fall within any areas mapped as prime farmland, unique farmland or farmland of statewide importance, as determined by the Farmland Mapping and Monitoring Program and as shown in the San Marcos General Plan (Figure 4-4, Agricultural Areas). The proposed project would have the same footprint as the previous project plan. Therefore, the project would not result in the conversion of such lands and no impact is identified for this issue area.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? No Impact**

As concluded in the previous environmental document (SCH No. 2014101043), the project site is not located within a Williamson Act contract area, as shown in the San Marcos General Plan (Figure 4-4, Agricultural Areas). Further, the project site is not zoned for agricultural use. The project site is identified as Specific Plan Area (Heart of the City) in the City's Zoning Ordinance. Under the proposed project, the site would still be zoned Specific Plan Area (Heart of the City). Therefore, no impact is identified for this issue area.

**c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? No Impact**

As concluded in the previous environmental document (SCH No. 2014101043), the proposed project site is not located in an area that is zoned for forest land, timber land, or for timber production. The project site is identified as Specific Plan Area (Heart of the City) in the City's Zoning Ordinance. Under the proposed project, the site would still be zoned Specific Plan Area (Heart of the City). Therefore, the project would not conflict with any existing zoning for forest land, timberland, or timber production and no impact is identified for this issue area.

**d) Result in the loss of forest land or conversion of forest land to non-forest use? No Impact**

As concluded in the previous environmental document (SCH No. 2014101043), the project site does not support forests, nor is there any forest land adjacent to the project site. The project site is adjacent to already developed areas. Therefore, the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use. No impact is identified for this issue area.

**e) Involve other changes in the existing environment that, 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? No Impact**

The project does not involve other changes in the existing environment that, 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. The project site does not support any agricultural or timber uses, nor is it adjacent to such uses. Therefore, no impact is identified for this issue area.

## III. AIR QUALITY

An air conformity analysis was prepared for the project by Scientific Resources Associated (2016a) and is included as **Appendix C**. A Health Risk Screening was prepared by Ldn Consulting (2016a) and is included as **Appendix D**.

**a) Conflict with or obstruct implementation of the applicable air quality plan? No Impact**

Projects that are consistent with existing General Plan documents, which are used to develop air emissions budgets for the purpose of air quality planning and attainment demonstrations, would be consistent with the San Diego Air Basin's (SDAB) air quality plans, including the Regional Air Quality Strategy (RAQS) and the State Implementation Plan (SIP). Both of these air quality plans contain strategies for the region to attain and maintain the ambient air quality standards. Provided a project proposes the same or less development as accounted for in the General Plan document, and provided the project is in compliance with applicable Rules and Regulations adopted by the San Diego Air Pollution Control District (SDAPCD) through their air quality planning process, the project would not conflict with or obstruct implementation of the RAQS or SIP.

The project site has a General Plan and Zoning Designation of Specific Plan Area, specifically the Heart of the City Specific Plan. No General Plan Amendment is required for the project. The project

will require a Specific Plan Amendment to modify the Town Center designation of the Heart of the City Specific Plan to allow residential uses. The trip generation and air emissions associated with the proposed residential uses (in lieu of commercial, retail or office uses) would result in a decrease in trips and corresponding decrease in air emissions. Trip generations reductions are discussed in Section XVI (Transportation/Traffic) of this document. Thus the project is consistent with the General Plan and would not conflict or obstruct implementation of the RAQS of SIP. No impact is identified for this issue area.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Less Than Significant Impact**

**Table 4** shows the state and federal attainment status for criteria pollutants in the SDAB. As shown, the SDAB is a nonattainment area for the state and federal $O_3$ standards, and for the state $PM_{10}$ and $PM_{2.5}$ standards.

**Table 4. Attainment Status of Criteria Pollutants in San Diego Air Basin**

| Pollutant | Federal Designation | State Designation |
|---|---|---|
| Ozone (one hour) | Attainment [1] | Non-attainment |
| Ozone (eight hour) | Non-attainment | Non-attainment |
| PM10 | Unclassified [2] | Non-attainment |
| PM2.5 | Attainment | Non-attainment |
| Carbon monoxide | Attainment | Attainment |
| Nitrogen dioxide | Attainment | Attainment |
| Sulfur dioxide | Attainment | Attainment |
| Lead | Attainment | Attainment |
| Sulfates | (no federal standard) | Attainment |
| Hydrogen sulfide | (no federal standard) | Unclassified |
| Visibility | (no federal standard) | Unclassified |

**Source:** San Diego Air Pollution Control District. January 2010. http://www.sdapcd.org/info/facts/attain.pdf

(1) The federal 1-hour standard of 12 parts per hundred million (pphm) was in effect from 1979 through June 15, 2005. The revoked standard is referenced here because it was employed for such a long period and because this benchmark is addressed in State Implementation Plans.

(2) At the time of designation, if the available data does not support a designation of attainment or nonattainment, the area is designated as unclassified.

To determine whether a project would result in emissions that would violate any air quality standard or contribute substantially to an existing or projected air quality violation, project emissions may be evaluated based on the quantitative emission thresholds established by the SDAPCD.

As part of its air quality permitting process, the SDAPCD has established thresholds in Rule 20.2 for the preparation of Air Quality Impact Assessments (AQIA). For CEQA purposes, these screening criteria can be used as numeric methods to demonstrate that a project's total emissions would not result in a significant impact to air quality. Since SDAPCD does not have AQIA thresholds for emissions of VOCs, the use of the threshold for VOCs from the City of San Diego's Significance Thresholds (City of San Diego 2007) is appropriate. The screening thresholds are presented in **Table 5**.

**Table 5. Screening-Level Criteria for Air Quality Impacts**

| Pollutant | Total Emissions | | |
|---|---|---|---|
| ***Construction Emissions*** | **Lb. per Day** | | |
| Respirable Particulate Matter ($PM_{10}$) | 100 | | |
| Fine Particulate Matter ($PM_{2.5}$) | 100 | | |
| Oxides of Nitrogen (NOx) | 250 | | |
| Oxides of Sulfur (SOx) | 250 | | |
| Carbon Monoxide (CO) | 550 | | |
| Volatile Organic Compounds (VOCs) | 137 | | |
| ***Operational Emissions*** | **Lb. Per Hour** | **Lb. per Day** | **Tons per Year** |
| Respirable Particulate Matter ($PM_{10}$) | --- | 100 | 15 |
| Fine Particulate Matter ($PM_{2.5}$) | --- | 100 | 15 |
| Oxides of Nitrogen (NOx) | 25 | 250 | 40 |
| Oxides of Sulfur (SOx) | 25 | 250 | 40 |
| Carbon Monoxide (CO) | 100 | 550 | 100 |
| Lead and Lead Compounds | --- | 3.2 | 0.6 |
| Volatile Organic Compounds (VOC) | --- | 137 | 15 |

**Construction Emissions**

Construction activities, including soil disturbance dust emissions and combustion pollutants from on-site construction equipment and from off-site trucks hauling dirt, cement or building materials, will create a temporary addition of pollutants to the local airshed.

**Table 6** presents the model results for the construction of the project. Construction projects within the City are required to implement fugitive dust control measures during grading, which includes watering the site a minimum of twice daily to control dust, as well as reducing speeds on unpaved surfaces to 15 mph or less, replacing ground cover in disturbed areas quickly, and reducing dust during loading/unloading of dirt and other materials. Also, projects would utilize low-VOC paints that would not exceed 50 grams of VOC per liter for interior surface and 100 grams of VOC per liter for exterior surfaces, in accordance with the requirements of SDAPCD Rule 67.0.1 for architectural coatings. Thus, Table 6 presents an estimate of the maximum daily construction emissions, assuming that these construction project design features will be employed.

As shown, maximum daily emissions would be below the significance thresholds for each criteria pollutant during project construction. Impacts would be less than significant.

**Operational Emissions**

Operational impacts associated with the proposed project would include impacts associated with vehicular traffic, as well as area sources such as energy use and architectural coatings use for maintenance purposes. Emissions associated with project operations were estimated using the CalEEMod Model, based on the project's overall trip generation rate of 4,204ADT (Urban Systems Associates 2016).

**Table 6. Construction Emissions – Proposed Project**

| Construction Project/Phase | VOC | NOx | CO | $SO_2$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| **Grading** | | | | | | |
| Fugitive Dust | - | - | - | - | 2.46 | 1.30 |
| Off-Road Diesel | 6.50 | 79.45 | 40.32 | 0.07 | 3.37 | 3.10 |
| Hauling Truck Trips | 0.48 | 15.29 | 3.07 | 0.03 | 0.86 | 0.29 |
| Worker Trips | 0.12 | 0.09 | 0.97 | 0.002 | 0.05 | 0.06 |
| **Total** | **7.10** | **94.83** | **44.36** | **0.10** | **6.74** | **4.75** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | **No** | **No** | **No** | **No** | **No** | **No** |
| **Building Construction – Phase 1** | | | | | | |
| Building Construction Off-Road Diesel | 3.11 | 26.55 | 18.18 | 0.03 | 1.79 | 1.68 |
| Building Construction Vendor Trips | 0.18 | 4.23 | 1.16 | 0.008 | 0.24 | 0.10 |
| Building Construction Worker Trips | 0.35 | 0.26 | 2.90 | 0.007 | 0.62 | 0.17 |
| **Total** | **3.64** | **31.04** | **22.24** | **0.05** | **2.65** | **1.95** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | **No** | **No** | **No** | **No** | **No** | **No** |
| **Paving – Phase 1** | | | | | | |
| Paving Off-Road Diesel | 1.68 | 17.04 | 12.66 | 0.02 | 1.02 | 0.94 |
| Paving Worker Trips | 0.09 | 0.07 | 0.77 | 0.002 | 0.17 | 0.04 |
| **Total** | **1.77** | **17.11** | **13.43** | **0.02** | **1.19** | **0.98** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | **No** | **No** | **No** | **No** | **No** | **No** |
| **Architectural Coatings Use – Phase 1** | | | | | | |
| Architectural Coating Offgassing | 8.15 | - | - | - | - | - |
| Off-Road Diesel | 0.30 | 2.01 | 1.85 | 0.003 | 0.15 | 0.15 |
| Architectural Coatings Worker Trips | 0.06 | 0.05 | 0.51 | 0.001 | 0.12 | 0.03 |
| **Total** | **8.51** | **2.06** | **2.36** | **0.00** | **0.27** | **0.18** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | **No** | **No** | **No** | **No** | **No** | **No** |
| **Building Construction – Phase 2** | | | | | | |
| Building Construction Off-Road Diesel | 3.11 | 26.55 | 18.18 | 0.03 | 1.79 | 1.68 |
| Building Construction Vendor Trips | 0.08 | 1.84 | 0.50 | 0.004 | 0.11 | 0.04 |
| Building Construction Worker Trips | 0.40 | 0.29 | 3.28 | 0.008 | 0.70 | 0.10 |
| **Total** | **3.59** | **28.68** | **21.96** | **0.04** | **2.59** | **1.91** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | **No** | **No** | **No** | **No** | **No** | **No** |
| **Paving – Phase 2** | | | | | | |
| Paving Off-Road Diesel | 1.94 | 20.72 | 15.03 | 0.02 | 1.16 | 1.07 |
| Paving Worker Trips | 0.07 | 0.05 | 0.58 | 0.001 | 0.12 | 0.03 |
| **Total** | **2.01** | **20.77** | **15.61** | **0.02** | **1.28** | **1.10** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | **No** | **No** | **No** | **No** | **No** | **No** |
| **Architectural Coatings Use – Phase 2** | | | | | | |
| Architectural Coating Offgassing | 9.58 | - | - | - | - | - |
| Off-Road Diesel | 0.27 | 1.84 | 1.84 | 0.003 | 0.13 | 0.13 |
| Architectural Coatings Worker Trips | 0.07 | 0.05 | 0.53 | 0.002 | 0.14 | 0.04 |
| **Total** | **9.92** | **1.89** | **2.37** | **0.01** | **0.27** | **0.17** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | **No** | **No** | **No** | **No** | **No** | **No** |

| Construction Project/Phase | VOC | NOx | CO | $SO_2$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| **Maximum Simultaneous Construction Emissions** | **12.67** | **94.82** | **44.36** | **0.11** | **6.89** | **4.75** |
| Significance Threshold | 137 | 250 | 550 | 250 | 100 | 100 |
| ***Above Threshold?*** | ***No*** | ***No*** | ***No*** | ***No*** | ***No*** | ***No*** |

**Source:** Scientific Resources Associated (2016a)

**Table 7** provides a summary of the estimated operational emissions for the proposed project.

**Table 7. Operational Emissions – Proposed Project**

| | VOC | NOx | CO | $SO_x$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| **Summer Day, Lbs/day** | | | | | | |
| Area Sources | 8.46 | 2.07 | 10.54 | 0.01 | 0.21 | 0.21 |
| Energy Use | 0.40 | 3.61 | 2.83 | 0.02 | 0.28 | 0.28 |
| Vehicular Emissions | 6.30 | 22.55 | 54.42 | 0.16 | 12.31 | 3.40 |
| **TOTAL** | **15.16** | **28.23** | **67.79** | **0.19** | **12.80** | **3.88** |
| Significance Screening Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| *Above Screening Criteria?* | *No* | *No* | *No* | *No* | *No* | *No* |
| **Winter Day, Lbs/day** | | | | | | |
| Area Sources | 8.46 | 2.07 | 10.54 | 0.01 | 0.21 | 0.21 |
| Energy Use | 0.40 | 3.61 | 2.83 | 0.02 | 0.28 | 0.28 |
| Vehicular Emissions | 6.11 | 22.94 | 56.34 | 0.15 | 12.31 | 3.40 |
| **TOTAL** | **14.97** | **28.61** | **69.71** | **0.18** | **12.80** | **3.89** |
| Significance Screening Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| *Above Screening Criteria?* | *No* | *No* | *No* | *No* | *No* | *No* |

**Source:** Scientific Resources Associated (2016a)

Operational emissions for the proposed project would be below the significance criteria for operations. Air quality impacts would therefore be less than significant.

**CO Hot Spot Analysis**

Projects that involve traffic impacts may have the potential for CO "hot spots" to occur (i.e., high concentrations of CO at intersections). For the previous project plan, the previous environmental document (SCH No. 2014101043) analyzed the screening evaluation of the potential for CO "hot spots" to verify that the project would not cause or contribute to a violation of the CO standard at three intersections identified as having a significant impact under Horizon Year conditions. As concluded in the previous environmental document (SCH No. 2014101043), the predicted CO concentrations would be substantially below the 1-hour and 8-hour NAAQS and CAAQS for CO. Therefore, no exceedances of the CO standard were predicted, and the project was determined to not cause or contribute to a violation of this air quality standard. Since the proposed project would generate fewer trips than the previously approved project and not result in any new significant impacts at any study area intersections, impacts would be less than significant.

**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)? Less Than Significant Impact**

The SDAB is a non-attainment area for the state and federal $O_3$ standards, and for the state $PM_{10}$ and $PM_{2.5}$ standards. Evaluating whether the project could result in a cumulatively considerable impact on air quality relies on both the project's consistency with the RAQS and SIP, which address attainment of the $O_3$ standards, and the potential for the project to result in a cumulatively considerable impact due to particulate emissions.

As part of the RAQS and SIP planning process, the SDAPCD develops an emission inventory, based on projections from the San Diego Association of Governments (SANDAG), of growth in the region as well as on information maintained by the SDAPCD on stationary source emissions within the SDAB. The SDAPCD then uses the emission inventory to conduct airshed modeling, which provides a demonstration that the SDAB will attain and maintain the $O_3$ standards. Provided a project's emissions are consistent with the projections within the RAQS and SIP, the project would not result in a cumulatively considerable impact on $O_3$ within the SDAB.

With regard to emissions of $O_3$ precursors NOx and VOCs during construction, the SIP includes emissions associated with construction in its emissions budget and therefore within its attainment demonstration. The $O_3$ precursor emissions associated with project construction are well below the screening level thresholds and are well within the construction emissions budget contained in the SIP, which includes a demonstration that the SDAB will attain and maintain the $O_3$ standards. Thus because the project will be consistent with the SIP and therefore consistent with the attainment demonstration for $O_3$ contained within the SIP, the project would not result in a cumulatively considerable impact that would cause or contribute to a violation of the $O_3$ standard.

Because the proposed project is projected to result in emissions below the significance thresholds for all nonattainment pollutants, it would not result in additional emissions of $O_3$ precursors above that projected in the attainment demonstration for $O_3$. The proposed project would therefore not result in a cumulatively considerable impact on $O_3$ levels within the SDAB.

No simultaneous major construction projects are anticipated within 100 meters of the project site. Furthermore, particulate emissions for both construction and operations would be below the significance thresholds. Therefore, no cumulatively considerable $PM_{10}$ impact would result from construction or operation of the proposed project. Impacts would be less than significant.

**d) Expose sensitive receptors to substantial pollutant concentrations? Less Than Significant With Mitigation Incorporated**

A health risk screening was prepared for the project by Ldn Consulting (2016b). The complete report is included in **Appendix D**. The purpose of the report was to identify potential health risks at the proposed project site from toxic air contaminants (TACs) originating from State Route 78 (SR-78).

This health risk analysis uses the California Office of Environmental Health Hazard Assessment (OEHHA) methodologies (OEHHA, 2015) and roadway modeling methodologies outlined by the California Air Pollution Control Officers Association (CAPCOA, July 2009).

Health risk impacts can exist when a project is exposed to toxic emissions. Sensitive receptors (and the facilities that house them) in proximity to sources of air pollutants that emit TACs are of particular concern. Exposure to TACs can increase the risk of contracting cancer or result in adverse non-cancer health effects. Non-cancer health risks associated with TAC exposure include birth defects and other reproductive damage, neurological disorders, and damage to the respiratory system (CARB 2005).

Generally, cancer risk can exist within 500-feet of a freeway or busy traffic corridor but the risk will drop off with distance from a ground level pollution source. Freeways and busy traffic corridors are defined as traffic volume of over 100,000 vehicles per day in urban areas and 50,000 vehicles per day in rural areas (Education Code Section 17312). CARB studies show that air pollution levels can be significantly higher within 500 feet (150 meters) of freeways or busy traffic corridors (SCAQMD, 2005). The project proposes residential townhomes within 500 feet of SR-78.

Projects within the San Diego County air basin are generally regulated by SDAPCD. Significance thresholds have been established under SDAPCDs "Hot Spots" and permitting program (SDAPCD Rule 1200 and 1210). Under this program, excess cancer risk significance threshold is set at 10 in a million and acute and chronic, non-carcinogenic health effect, a hazard index of one must not be exceeded. Cancer risk calculations are based on a 70-year lifetime exposure.
For this analysis, the AERMOD (version 15181) model was utilized, which is recommended by the U.S. Environmental Protection Agency (EPA) and SDAPCD for roadway modeling that uses local meteorology.

AERMOD input requires external data sources such as meteorological data, traffic data which was obtained by Caltrans and converted into segment specific data, vehicle emissions derived from the EMFAC model, Universal Transverse Mercator (UTM) Coordinate data for SR-78 and receptors onsite. The diesel specific emissions rates for the City were utilized and normalized for the specific roadway section modeled. Calculations are shown in Appendix D.

The project is adjacent to SR-78. According to Caltrans, the peak hour traffic is 10,800 trips and the average daily trips are 164,000 ADT (CALTRANS, 2013). The EMFAC BURDEN model was used to develop specific emissions rates for the ADT on the section modeled with AERMOD which was run for the 2020 scenario and is shown in Appendix D. The County wide daily vehicle miles traveled from EMFAC was used to develop normalization factors to calculate ADTs by vehicle type (diesel specific) for the SR-78 section analyzed which was ultimately used to derive the total diesel particulates in grams/day generated within the SR-78 section analyzed. The emissions were then converted to grams/second which was utilized within AERMOD using a series of adjacent volume sources. Modeling at the site included coordinates for SR-78 and four receptor points which were selected from points on the project site (Receptors 1-4) and represented facility structures. A graphical representation of the modeling receptor locations and AERMOD outputs are shown on a site aerial emission contour map on the following page in **Figure 4**.

**Figure 4. AEROMOD Emissions and Graphical Representation**


Cancer risk calculations for each receptor point are shown in **Table 8**.

**Table 8. Potential Cancer Risk Calculations at each Receptor**

| | Receptor 1 | Receptor 2 | Receptor 3 | Receptor 4 |
|---|---|---|---|---|
| Cancer Risk | 12.98 | 22.07 | 19.09 | 16.01 |
| Threshold | 10 | 10 | 10 | 10 |
| Exceed Threshold? | Yes | Yes | Yes | Yes |

**Source:** Ldn Consulting (2016a)
**Note:** See Table 1 in Appendix D for more detailed modeling data.

From these findings, the exterior facades of these structures would be exposed to diesel particulates which could increase cancer risks to greater than 10 in one million. This represents a significant impact (**Impact AQ-1**) and mitigation is required.

**MM-AQ-1** Prior to occupancy, mechanical air quality filtration systems on the fresh air intake systems shall be installed on all residential structures. The filtration system shall exceed a Minimum Efficiency Reporting Value (MERV) of 13. . The requirement shall be identified on building plans and reviewed and approved by the Planning Division Manager.

Implementation of mitigation measure MM-AQ-1, which requires a filtration system to exceed MERV 13, will reduce the impact to below a level of significance. Such filtration systems have been found to reduce particulates 2.5 microns or less by 87 to 95% (CARB, 2012). The cancer risks would be reduced to no more than 2.87 per one million persons exposed over 70 years. Given this, the mitigation would be sufficient to reduce impacts to less than 10 per one million exposed.

The reduced cancer risks are shown on the following page in **Table 9**.

**Table 9. Reduced Risk Calculations at each Receptor After Mitigation**

| | Receptor 1 | Receptor 2 | Receptor 3 | Receptor 4 |
|---|---|---|---|---|
| Cancer Risk | 1.69 | 2.87 | 2.59 | 2.08 |
| Threshold | 10 | 10 | 10 | 10 |
| Exceed Threshold? | No | No | No | No |

**Source:** Ldn Consulting (2016a)
**Note:** See Table 2 in Appendix D for more detailed modeling data.

As shown in Table 9, with implementation of mitigation measure MM-AQ-1, cancer risk levels will be below the threshold and impacts would be reduced to below a level of significance.

**e) Create objectionable odors affecting a substantial number of people? Less Than Significant Impact**

Project construction could result in minor amounts of odor compounds associated with diesel heavy equipment exhaust. These compounds would be emitted in various amounts and at various locations during construction. Odors are highest near the source and quickly dissipate off-site; any odors associated with construction would be temporary. Due to the temporary nature of construction odors and the anticipated dissipation of odors off-site, impacts during construction were determined to be less than significant.

The project is a residential, mixed-use site and would not include land uses that would be sources of nuisance odors. Thus the potential for odor impacts associated with the project is less than significant.

## IV. BIOLOGICAL RESOURCES

Mitigation measures for impacts to biological resources were identified in the 2014 MND and adopted as part of the Mitigation Monitoring and Reporting Program (MMRP). These measures include:

**MM-BIO-1** Impacts to southwestern spiny rush and San Diego sagewort will be mitigated through inclusion of this plant in the revegetation plant palette to expand the onsite population.

**MM-BIO-2** Impacts to southern tarplant will be mitigated through collection and dispersal of seeds within the remaining non-native grassland area within the open space easement.

**MM-BIO-3** Impacts to red-shouldered hawk, red tailed hawk, and Cooper's hawk will be mitigated through the requirement of a qualified biologist to inspect potential nesting areas onsite before initiation of any project development. The pre-construction surveys shall occur within three days prior to work on the project site. If nesting birds are found, project construction may need to be delayed until after the breeding season if an adequate buffer cannot be established to ensure mandatory avoidance. Brushing, clearing and grading shall be avoided during the

extended bird breeding season of January 15 through September 15; or if brushing, clearing and grading are to take place during this period, nest surveys must be conducted prior to such action. If active nests are detected, adequate noise protection measures must be undertaken.

**MM-BIO-4** Impacts to 0.13 acre of southern willow scrub will be mitigated at a 3:1 mitigation ratio for 0.39 acre of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/enhancement per the project's conceptual revegetation plan.

**MM-BIO-5** Impacts to 0.38 acre of arundo-willow scrub will be mitigated at a 2:1 mitigation ratio for 0.76 acre of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/enhancement per the project's conceptual revegetation plan.

**MM-BIO-6** Impacts to 0.49 acre of riparian scrub will be mitigated at a 3:1 mitigation ratio for 1.47 acres of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/enhancement per the project's conceptual revegetation plan.

**MM-BIO-7** Impacts to 0.55 acre of coastal sage scrub will be mitigated at a 1.5:1 mitigation ratio for 0.82 acres of habitat. Approximately 0.70 acre of this habitat type will be preserved within the onsite open space. If preserved onsite, the coastal sage scrub habitat will provide an adequate buffer area adjacent to the remainder wetland communities in the San Marcos Creek FPA. The remaining 0.12 acre will be provided through onsite creation, completing the mitigation requirement.

**MM-BIO-8** Impacts to 1.31 acres of non-native grassland will be mitigated at a 0.5:1 mitigation ratio for 0.66 acre of habitat. Approximately 1.66 acres of non-native grassland exist within the open space easement; however, at least 1.0 acre will be used for the creation of riparian habitat. The remaining 0.66 acre will completely satisfy the mitigation requirement for non-native grassland impacts.

**MM-BIO-9** In order to prevent inadvertent indirect impacts to biological resources during construction, protective fencing shall be installed around the limits of grading/construction, work crews shall be educated on the sensitive nature of the site's biological resources, and a biological monitor shall be present during brushing, clearing and grading.

These biological resource mitigation measures are still applicable to the proposed project; however these measures have already been implemented in conjunction with the rough grading that is occurring on the project site.

**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 Wildlife or U.S. Fish and Wildlife Service? Less than Significant**

Impacts to sensitive species were analyzed in the previous environmental document (SCH No. 2014101043). This included impacts to southwester spiny rush, San Diego sagewort, southern tarplant, red-shouldered hawk, red tailed hawk, and Cooper's Hawk. Implementation of mitigation measures MM-BIO-1, MM-BIO-2 and MM-BIO-3 reduced these impacts to below a level of significance. The site has been rough graded consistent with the grading plan analyzed in the 2014 MND. The proposed project falls within the same development footprint identified in the 2014 MND. Therefore there will be no new impacts to sensitive species that were not already identified in the 2014 MND.

**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 Wildlife or U.S. Fish and Wildlife Service? Less than Significant**

Impacts to riparian habitats and sensitive natural communities were analyzed in the 2014 MND (SCH No. 2014101043). The analysis concluded that the project would impact the following riparian or sensitive habitats: southern willow scrub, arundo-willow scrub, riparian scrub, coastal sage scrub, and nonnative grasslands. Implementation of mitigation measures MM-BIO-4, MM-BIO-5, MM-BIO-6 and MM-BIO-7 reduced these impacts to below a level of significance. The site has been rough graded consistent with the grading plan analyzed in the 2014 MND. The proposed project falls within the same development footprint identified in the 2014 MND. Therefore there will be no new impacts to riparian or sensitive habitats that were not already identified in the 2014 MND.

**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? Less than Significant Impact**

Impacts to federally protected wetlands were analyzed in the previous environmental document (SCH No. 2014101043). The analysis concluded that the project would impact wetlands and non-wetland waters that fall under the jurisdiction of the US Army Corps of Engineers. The analysis also identified impacts related to riparian habitat that falls under the jurisdiction of the California Department of Fish and Wildlife.

Implementation of mitigation measures MM-BIO-4, MM-BIO-5, MM-BIO-6 and MM-BIO-7 reduced these impacts to below a level of significance. The project site has been rough graded consistent with the grading plan analyzed in the 2014 MND. The proposed project falls within the same development footprint identified in the 2014 MND. Therefore there will be no new impacts jurisdictional water or wetlands that were not already identified in the 2014 MND.

**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? Less than Significant Impact**

The project site and vicinity are proximate to a north/south trending wildlife corridor per Figure 4-2 of the City of San Marcos General Plan. San Marcos Creek is supported by the lowland wetland habitats onsite and is important for the regional and local movement of plant and wildlife species. The creek is especially important for those species that may have limited home ranges and/or dispersal capabilities such as reptiles, amphibians, and small mammals because it offers sufficient cover and a suitable microclimate for many species that tend to avoid overland migrations. According to the previous environmental document (SCH No. 2014101043), direct impacts to this corridor would be minimal and impacts were determined to be less than significant. The proposed project would have the same footprint as the previous project plan. Therefore, impacts to wildlife corridors would be the same. The project would not 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 site. Impacts would be less than significant.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? No Impact**

The Open Space and Conservation Element of the City's General Plan includes policies related to the protection of biological resources. The applicable policies, as well as the project's consistency with the policies, were summarized in the previous environmental document (SCH No. 2014101043) and are presented below:

***Policy COS-1.1: Support the protection of biological resources through the establishment, restoration, and conservation of high quality habitat areas.***

As concluded in the previous environmental document (SCH No. 2014101043), the projet site would not be characterized as a high quality habitat area; however, implementation of mitigation measures MM-BIO-4 through MM-BIO-8 would restore and enhance sensitive habitat communities within an open space easement. The proposed project would have the same development footprint as the previous project plan and impacts to biological resources would be the same. Incorporation of mitigation identified in the previous environmental document (SCH No. 2014101043) would be required as a condition of project approval for the proposed project. Therefore, the project does not conflict with this policy.

***Policy COS-1-2: Ensure that new development, including Capital Improvement Projects, maintain the biotic habitat value of riparian areas, oak woodlands, habitat linkages, and other sensitive habitats.***

As concluded in the previous environmental document (SCH No. 2014101043), while the site does suppport jurisdictional wetland areas, impacts to these areas would be less than significant. Additionally, impacts to habitat linkages were determined to be less than significant. Impacts to non-jurisdictional riparian areas and other sensitive habitats would be mitigated through implementation of mitigation measures MM-BIO-4 through MM-BIO-8, as described above. The proposed project would have the same footprint as the previous project plan and impacts to biological resources would be the same. Incorporation of mitigation identified in the previous

environmental document (SCH No. 2014101043) would be required as a condition of project approval for the proposed project. Therefore, the project does not conflict with this policy.

In conclusion, consistent with the previous environmental document (SCH No. 2014101043), the proposed project would not conflict with local policies and no impact is identified for this issue area.

**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? Less than Significant Impact**

The Multiple Habitat Conservation Program (MHCP) is a comprehensive conservation planning process that addresses the needs of multiple plant and animal species in Northwestern San Diego County. The MHCP encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. Its goal is to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46%) are already in public ownership and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species.

The City of San Marcos began preparing a draft of the City Subarea Plan of the MHCP in December 1999 and although the Subarea Plan has not yet been approved by the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), the plan is a component of the adopted MHCP, and is currently being used as a guide for open space design and preservation within the City. The intent of the City's Subarea Plan is to identify a citywide preserve system that meets local and regional biological goals while minimizing fiscal and economic impacts to the City and adverse impacts on private property owners. To help achieve this goal, certain areas, known as focused planning areas (FPAs), have been designated with parcel-level preservation goals which would contribute to achieving local and regional conservation goals while minimizing adverse effects on property rights and property values.

As concluded in the previous environmental document (SCH No. 2014101043), onsite impacts would be mitigated using ratios based on the Subarea Plan and San Marcos Creek FPA. With incorporation of the mitigation measures described above, the project would 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. The proposed project would have the same footprint as the previous project plan and impacts to biological resources would be the same. Incorporation of mitigation identified in the previous environmental document (SCH No. 2014101043) would be required as a condition of project approval for the proposed project. Therefore, impacts would be less than significant.

## V. CULTURAL RESOURCES

Mitigation measures for cultural resources were identified in the previous environmental document (SCH No. 2014101043) and adopted as part of the MMRP. These measures included:

**MM-CR-1** A qualified archeological monitor and a Luiseño 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.

**MM-CR-2** 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 and take into account tribal customers and traditions.

**MM-CR-3** 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 Luiseño 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.

**MM-CR-4** 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 Luiseño Tribe referenced in MM-CR-3. 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 in MM-CR-3, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation the Luiseño 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 Tribal monitor shall also attend the cultural resources preconstruction meeting for the project.

**MM-CR-5** 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 in MM-CR-3. 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.

**MM-CR-6** All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

**MM-CR-7** 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 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.

**MM-CR-8** If inadvertent discoveries of subsurface archaeological/cultural resources, not included human remains or associated burial goods which is addressed in MM-CR-7, are discovered during grading, the Developer, the project archaeologist, and the Luiseño Tribe under agreement with the landowner described in MM-CR-3 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.

**MM-CR-9** Fill material brought onto the project site shall be clean of cultural resource material. The fill material shall be analyzed and confirmed by an archaeologist and/or Luiseño Native American monitor.

These cultural resources mitigation measures are still applicable to the proposed project, and have been implemented in conjunction with the rough grading which has occurred on the project site.

Tribal Cultural Resources are addressed in Section XVII of this document.

**a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? <u>No Impact</u>**

According to the previous environmental document (SCH No. 2014101043), the closest historic address on file at the South Coast Information Center (SCIC) is located at 236 Pico Avenue, San Marcos, and is commonly known as the San Marcos Forest Fire Station Gas and Oils House. This historic address is located approximately 0.08 mile northwest of the project site. No known

historical resources were identified on the project site. Since no historic resources have been previously recorded on the project site and the on-site pedestrian survey conducted by ASM Affiliates did not identify any historical resources on the site, no impact was identified for this issue area. The proposed project would have the same footprint as the previous project plan. Therefore, impacts to historical resources would be the same and no impact would occur.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? Less Than Significant with Mitigation Incorporated**

The potential for impacts to archaeological resources was analyzed in the 2014 MND (SCH No. 2014101043). While no resources were identified on the project site, due to obscured ground visibility in the southern portion of the project site and the presence of San Marcos Creek on the project site, it was concluded that there was a potential for buried cultural resources underlying alluvial deposits in the vicinity of the creek. Should such resources be present and encountered during project construction, this represented a potentially significant impact. Implementation of mitigation measures MM-CR-1 through MM-CR-9 reduced this potential impact to below a level of significance. The site has been rough graded consistent with the grading plan analyzed in the 2014 MND. The proposed project falls within the same development footprint identified in the 2014 MND. Therefore there will be no new impacts to archaeological resources that were not already identified in the 2014 MND.

**SB 18 Coordination**

Since the project proposes a Specific Plan Amendment letters were mailed on November 3, 2016 by the City to the appropriate tribes consistent with the requirements of SB 18. ~~The San Luis Rey Band of Mission Indians was the only respondent.~~

The City consulted with a representative of the San Luis Rey Band on November 9, 2016. The San Luis Rey Band, in a subsequent correspondence, stated as long as ground disturbing activities remain within the 2014 MND approved boundaries, no further coordination will be required, and consultation is concluded. On December 19, 2016, The San Luis Rey Band reconfirmed that they are satisfied and concur with the proposed cultural resources mitigation measures contained in the CEQA document.

The City also received correspondence from Ms. Victoria Harvey, Archaeological Monitoring Coordinator with the Agua Caliente Band of Cahuilla Indians. Ms. Harvey indicated that the project site in not located with the Traditional Use Area of the group and that they would defer to other tribes in the area. The letter also served as conclusion of the Agua Caliente Band's consultation efforts.

On December 2, 2016 the City received correspondence from the Rincon Band of Luiseno Indians. The Rincon Band indicated that the project site is within the Aboriginal Territory of the Luiseno people and it also within Rincon's historic area of cultural interest. The letter goes on to note that there is a potential for cultural findings including inadvertent discoveries and that the Rincon Band supports mitigation measures MM-CR-1 through MM-CR-9 to reduce the impacts to potential inadvertent discoveries.

**c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? No Impact**

As concluded in the previous environmental document (SCH No. 2014101043), the project site does not support any unique geologic features. Additionally, the project site is located in an area geologically mapped to be underlain by Cretaceous-age granitic bedrock materials, which have no potential to produce fossil resources due to their molten origin. Due to the limited availability of fossil-producing geologic formations, no impacts are anticipated to occur. The proposed project would have the same footprint as the previous project plan. Therefore, paleontological resources impacts would be the same. No impact would occur.

**d) Disturb any human remains, including those interred outside of dedicated cemeteries? Less Than Significant with Mitigation Incorporated**

According to the previous environmental document (SCH No. 2014101043), the cultural resource assessment prepared by ASM Affiliates for the previous project plan did not indicate the likelihood of human remains on the site. Additionally, existing regulations including California Health and Safety Code Section 7050.5 state that if human remains are discovered during project construction, 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 their treatment and disposition has been made. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The Most Likely Descendant shall then make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98. So, while the cultural resources assessment concluded that there is no evidence of human remains on the project site, MM-CR-7 requires a Native American monitor to be present during the earth moving grading activities to ensure that any resources found during project grading would be protected as directed by the Most Likely Descendant. The previous environmental document (SCH No. 2014101043) concluded that impacts would be less than significant with incorporation of this mitigation measure. The proposed project would have the same footprint as the previous project plan. Therefore, impacts to human remains would be the same. Incorporation of mitigation identified in the previous environmental document (SCH No. 2014101043) would be required as a condition of project approval for the proposed project to ensure impact would be less than significant.

## VI. GEOLOGY AND SOILS

**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. No Impact**

As identified in the previous environmental document (SCH No. 2014101043), the project site is located within a seismically active region, as is all of southern California. However, the project

site is not adjacent to any known active faults. The project site is not located on a fault, as delineated by the most recent Alquist-Priolo Earthquake Fault Zoning Map (CDC 2012). The closest faults are the Rose Canyon Fault (approximately 18 miles southwest of the project), the Elsinore Fault (18 miles to the northeast), and the San Jacinto Fault (44 miles to the northeast). Therefore, the previous environmental document (SCH No. 2014101043) concluded that the project is not anticipated to expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault. The proposed project would have the same footprint as the previous project plan. Therefore, impacts from rupture of a known earthquake fault would be the same and no impact is identified for this issue area.

**ii) Strong seismic ground shaking? Less Than Significant Impact**

As identified in the previous environmental document (SCH No. 2014101043), the proposed project is located in seismically active southern California and is considered likely to be subjected to strong ground motion from regional seismic activity. As identified in Section VI.a.i, the nearest identified potentially active fault is located approximately 18 miles from the project area. All structures on the site would be designed in accordance with seismic parameters of the 2013 California Building Code. Therefore, the previous environmental document (SCH No. 2014101043) concluded that the impact for this issue area would be considered less than significant. The proposed project would have the same footprint as the previous project plan and would also be designed in accordance with the California Building Code. Therefore, impacts from seismic ground shaking would be the same and impacts would be less than significant.

**iii) Seismic-related ground failure, including liquefaction? No Impact**

Liquefaction is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other rapid loading. Liquefaction and related phenomena have been responsible for substantial structural damage in historical earthquakes, and are a design concern under certain conditions. Liquefaction occurs in saturated soils, in which the space between individual particles is completely filled with water. This pore water exerts a pressure on the soil particle that influences how tightly the particles themselves are pressed together. Prior to an earthquake, pore water pressure is typically low; however, earthquake motion can cause the pore water pressure to increase to the point where the soil particles can readily move with respect to each other. When liquefaction occurs, the strength of the soil decreases and the ability of a soil deposit to support structural loads are reduced.

As identified in the previous environmental document (SCH No. 2014101043), free groundwater was encountered on the project site in three exploratory borings at the time of drilling. The groundwater depth was measured at 8 feet in borings B-10 and B-12 and at a depth of 12 feet in boring B-11. As concluded in the previous environmental document (SCH No. 2014101043), available information indicates that the location of and geotechnical conditions at the project site are not conducive to liquefaction. Therefore, no impact was identified. The proposed project would have the same footprint as the previous project plan. Therefore, impacts from seismic-related ground failure would be the same and no impact would occur.

**iv) Landslides? No Impact**

As identified in the previous environmental document (SCH No. 2014101043), the project site slopes gently to the southeast from about 578 to 560 feet above mean sea level. After grading,

permanent cut and fill slopes would be constructed no steeper than 2:1. Evidence of ancient landslides or slope instabilities at the project site was not observed during the geotechnical investigation for the previous project plan. As concluded in the previous environmental document (SCH No. 2014101043), available information indicates that the location of and geotechnical conditions at the project site are not conducive to landslides. Thus no potential for the exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides, was identified. The proposed project would have the same footprint as the previous project plan. Therefore, impacts from landslides would be the same and no impact is identified for this issue area.

**b) Result in substantial soil erosion or the loss of topsoil? No Impact**

As identified in the previous environmental document (SCH No. 2014101043) and above, the project site slopes gently to the southeast from about 578 to 560 feet above mean sea level. After development, the project site would support residential, a hotel, restaurant and retail/office uses. Due to the fact that the site is gently sloped and the project will not leave exposed areas of bare soil, the previous environmental document (SCH No. 2014101043) concluded that the project would not result in substantial soil erosion or loss of topsoil and no impact was identified. The proposed project would have the same footprint as the previous project plan and would also not leave exposed areas of bare soil. Therefore, impacts from soil erosion or the loss of topsoil would be the same and no impact would occur.

**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? Less than Significant Impact**

As identified in the previous environmental document (SCH No. 2014101043), ten subsurface drilling samples were collected during the field investigation for the previous project plan. These samples were collected from depths of 13 to 34.5 feet in the areas of the proposed structures. In addition, two exploratory borings were drilled to depths of 32.5 and 31.5 feet near the southerly boundary of the Phase 2 development area.

Based on the results of the subsurface exploration, the project site appears to be overlain by firm to stiff sandy clay residual soils, underlain by older alluvial soils comprised of medium dense to dense, silty and clayey sands and stiff to hard sandy clays. Granitic bedrock underlies the surficial soils and alluvial deposits. The residual topsoils are generally damp to moist, of variable density, and possess a high expansion potential. To support the proposed project, construction must incorporate recommendations contained in the geotechnical investigation and update prepared for the previous project plan.

Older alluvium comprised of medium dense to dense silty and clayey sands and stiff to hard sandy clays were encountered below the residual topsoils in all the exploratory borings. The upper, more clayey older alluvial soils have a high expansion potential and have good bearing strength characteristics.

The underlying Cretaceous-age bedrock materials consist of very dense, gray granitic materials. The granitic bedrock materials have excellent bearing strength characteristics.

As concluded in the previous environmental document (SCH No. 2014101043), adherence to the recommendations within the geotechnical report prepared for the previous project plan, including design parameters for proposed foundations, would reduce any potential concerns related to building stability on the project site.

Compliance with the recommendations within the geotechnical report and update reconnaissance related to site preparation, specifically removal and recompaction of residual topsoils and undocumented fill soils, would reduce the risk from soil expansion.

As discussed previously, geologic conditions at the project site are not conducive to liquefaction. Seismic settlement potential on this site is considered negligible.

In summary, the previous environmental document (SCH No. 2014101043) concluded that available information indicates that the location of and geotechnical conditions at the project site are not conducive to landslides, lateral spreading, subsidence, liquefaction, or collapse. Therefore, no impact was identified. Moreover, through compliance with design recommendations included in the geotechnical report and update reconnaissance prepared for the previous project plan, development of the project would not be subject to instability that would result in on- or off-site impacts. Impacts for this issue were determined to be less than significant. The proposed project would have the same footprint as the previous project plan and would also be required to adhere to all design recommendations. Therefore, impacts resulting from unstable soils would be the same and impacts would be less than significant.

**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? Less Than Significant Impact**

As identified in the previous environmental document (SCH No. 2014101043) and as identified above, the site appears to be overlain by firm to stiff sandy clay residual soils, underlain by older alluvial soils comprised of medium dense to dense, silty and clayey sands and stiff to hard sandy clays. Granitic bedrock underlies the surficial soils and alluvial deposits. The residual topsoils are generally damp to moist, of variable density. Older alluvium comprised of medium dense to dense silty and clayey sands and stiff to hard sandy clays were encountered below the residual topsoils in all the exploratory borings. The underlying Cretaceous-age bedrock materials were identified to consist of very dense, gray granitic materials.

Potentially expansive soils are classified from very low to very high. Based on test results for the previous project plan, the near-surface soils in the site were determined to have a high expansion potential. The upper, more clayey older alluvial soils were also determined to have a high expansion potential. The underlying granitic materials were determined to have no expansion potential.

In order to minimize possible damage to structures resulting from swelling and shrinkage of these materials, the previous environmental document (SCH No. 2014101043) concluded that adherence to the recommendations within the geotechnical report prepared for the previous project plan, specifically related to site preparation/grading and foundation design parameters for the Phase 1 and Phase 2 portions of the site development, would reduce any potential concerns related to expansive soil on the project site. Adherence to all recommendations was required as a condition of project approval. The proposed project would have the same footprint as the previous project plan and adherence to all recommendations would also be required as a condition of project approval for

the proposed project. Therefore, impacts resulting from expansive soil would be the same and expansion of soils on the site would not result in substantial risks to life or property. Impacts would be less than significant.

**e) Have soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? No Impact**

As concluded in the previous environmental document (SCH No. 2014101043), the project does not propose any septic tanks or alternative wastewater disposal systems and no impact was identified for this issue area. The proposed project does not propose any septic tanks or alternative wastewater disposal systems. Therefore, impacts would be the same and no impact is identified.

## VII. GREENHOUSE GAS EMISSIONS

A Greenhouse Gas technical memorandum for Climate Action Plan consistency was prepared by Scientific Resources Associates (2016b). The complete memorandum is included as **Appendix E1**. A Climate Action Plan Worksheet is included as **Appendix E2**. The original Greenhouse Gas Report prepared for the project is included as part of Appendix A.

**a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? Less Than Significant Impact**

As part of the previous environmental document (SCH No. 2014101043), GHG emissions associated with the project were estimated separately for five categories of emissions: (1) construction; (2) energy use, including electricity and natural gas usage; (3) water consumption; (4) solid waste handling; and (5) transportation. The analysis included a baseline estimate assuming Title 24-compliant buildings, which is considered business as usual for the proposed project. Emissions were estimated based on emission factors from the California Climate Action Registry General Reporting Protocol (CCAP 2009). The previous analysis concluded that impacts would be less than significant. The project further reduces vehicle-related GHG emissions since the project reduces the trip generation by 18%.

Additionally, a Climate Action Plan (CAP) technical memorandum was prepared by Scientific Resources Associated (2016b). According to the memorandum, the City of San Marcos has adopted a CAP that presents the City's plan for reducing emissions as required under Executive Order S-3-05 and AB 32. The CAP presents the City's 2005 baseline emissions, and adopts Climate Action Measures designed to reduce GHG emissions. These measures, which primarily list actions that can be taken by the City of San Marcos but also include incorporation of energy efficiency features in new construction, would reduce GHG emissions by 15 percent below 2005 levels by 2020, and 28 percent below 2005 levels by 2030.

An impact finding of less than significant would be appropriate if a project is consistent and complies with the requirements of the CAP. Per the previous environmental document (SCH No. 2014101043), the previous project plan would not conflict with any of the GHG reduction measures in the CAP. Accordingly, the previous project plan would not conflict with any applicable plan, policy, or regulation adopted to reduce greenhouse gas emissions and impacts would be less than significant. The proposed project would have the same footprint as the previous project plan but overall development intensity would be decreased and overall ADT would also be reduced.

Additionally, a CAP worksheet specific to the proposed project was completed and is presented in **Appendix F**. According to the analysis, the project is consistent with and incorporates as binding and enforceable all mandatory actions and one voluntary action of the CAP. The proposed project is consistent with the City's CAP. Therefore greenhouse gas impacts would be less than significant.

**b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? Less Than Significant Impact**

As detailed in response VII.a, above, the project is consistent with and incorporates as binding and enforceable all mandatory actions and one voluntary action of the CAP. The proposed project is consistent with the City's CAP. Therefore, the proposed project's relationship to applicable GHG reduction plans, policies, and regulations would be similar and impacts would be less than significant.

## IX. HAZARDS AND HAZARDOUS MATERIALS

**a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? Less Than Significant Impact**

As provided in the previous environmental document (SCH No. 2014101043), implementation of the previous project plan would involve the transport of fuels, lubricants, and various other liquids needed for operation of construction equipment at the site that would be transported to and from the construction site on an as-needed basis by equipment service trucks. These materials include diesel fuel, gasoline, equipment fluids, concrete, cleaning solutions and solvents, lubricant oils, adhesives, human waste, and chemical toilets. In addition, workers would commute to the project site via private vehicles, and would operate construction vehicles/equipment on both public and private streets. The potential exists for direct impacts to human health and biological resources from accidental spills of small amounts of hazardous materials from construction equipment during construction activities; however, the project would comply with Federal, State, and City Municipal Code regulations which regulate and control those materials handled on-site. As concluded in the previous environmental document (SCH No. 2014101043), compliance with these restrictions and laws would ensure that potentially significant impacts would not occur. Therefore, a less than significant impact was identified. The proposed project would have the same footprint as the previous project plan and construction-related impacts would be similar. Compliance with Federal, State, and City regulations and restrictions would also be required of the proposed project. Therefore, impacts would be less than significant.

**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? Less Than Significant Impact**

As stated in the previous environmental document (SCH No. 2014101043), the only hazardous materials anticipated for transport or disposal associated with the previous project plan would be routinely used household products such as cleaners, paints, solvents, motor oil/automotive products, batteries, and garden maintenance products. The use, handling, and disposal of these products is addressed by household hazardous waste programs that are part of the Integrated Waste Management Plan of the County of San Diego. Therefore, the previous environmental document (SCH No. 2014101043) concluded that impacts would be less than significant. The proposed project would have the same footprint as the previous project plan. No new uses that

could introduce potential upset and accident conditions are proposed. Therefore, the proposed project would not create a significant hazard through upset and accident conditions involving the release of hazardous materials into the environment and impacts would be less than significant.

**c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No Impact**

As identified in the previous environmental document (SCH No. 2014101043), the closest school is San Marcos Elementary School, which is located approximately 0.1 mile northwest of the project site. The previous project plan did not propose any uses that would emit hazardous emission or handle hazardous or acutely hazardous materials, substances, or waste. The previous project plan included office, retail, restaurant, and hotel uses and such development would not be characterized as emitting or handling hazardous materials. No impact was identified. The proposed project would have the same footprint as the previous project plan. No new uses that would emit hazardous emissions or handle hazardous materials, substances, or waste are proposed. The proposed project includes development of multi-family residential housing and reduces the intensity of the commercial development. Therefore, the proposed project would not emit hazardous emissions within one-quarter mile of an existing or proposed school. No impact is identified for this issue area.

**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? Less Than Significant Impact**

The previous environmental document (SCH No. 2014101043) concluded that no on- or off-site recognized environmental conditions (REC) related to the project were identified. The environmental site assessment prepared for the previous project plan included a site inspection and interviews, reconnaissance inspection of adjacent and nearby properties, review of regulatory agency records, review of historical site use information sources, and review of topographic, geologic, and hydrologic information. No evidence of hazardous materials and/or regulated substances was observed at the project site. Based upon the historical information, the site appeared to have been used for limited agricultural production from sometime prior to 1928 until approximately 2005. Several commercial occupants were also located at the site. The site has appeared vacant since 2005. None of the previous site users appeared to be likely to store or use significant quantities of hazardous materials or regulated substances.

A search of current Federal, State and Local regulatory agency databases was conducted in January 2013 as part of the Environmental Site Assessment conducted for the previous project plan. The project site was not listed in any of the governmental databases. A total of 133 off-sites were listed for properties located within the search area. Of this, 13 were sites with documented releases from leaking underground storage tanks (LUST). The nearest LUST site was identified north of the project site across San Marcos Boulevard. Based on information on the State Water Resources Control Board (SWRCB) Geotracker database, the release at this listed site did not appear to have significantly impacted the soil or groundwater beneath the project site. According to the Environmental Site Assessment conducted for the previous project plan, based on the nature of the listings and the locations of the listed properties, it was unlikely that the subject property had been significantly impacted by releases of hazardous or regulated substances from any of these locations.

A search of the Geotracker database in October 2016 identified 16 sites within a one mile radius of the project site that were not listed in the Environmental Site Assessment conducted for the

previous project plan. Of these 16 sites, a total of 14 unique addresses show a status of case closed. Two LUST sites are open cases for releases of gasoline to groundwater: San Marcos Texaco and Shell, located approximately 0.6 and 0.8 miles, respectively, southwest of the project site. Both of these sites are located south of SR-78. Based on information on the Geotracker database, ongoing monitoring has not indicated any increased concentration of these releases. Based on the nature of these listings and their locations, it remains unlikely that the project site has been significantly impacted by releases of hazardous or regulated substances from these locations.

In summary, the previous environmental document (SCH No. 2014101043) concluded that the project site is not included on a list of hazardous materials sites, and, as a result, would not create a significant hazard for people residing or working in the area. The proposed project would have the same footprint as the previous project plan and there is no additional information about potentially significant hazardous materials sites on or adjacent to the project site. Therefore, impacts related to hazardous materials sites would be similar and would be less than significant.

**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? Less than Significant**

The nearest public airport is the McClellan-Palomar Airport, which is located approximately six miles west of the project site. The McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) contains policies to promote land use compatibility between the McClellan-Palomar Airport and the adjacent and proximate land uses, to the extent these areas are not already developed with existing uses, and protect the public health, safety, and welfare. Using airport-related forecasts and background data approved by the California Department of Transportation, Division of Aeronautics, the plan reflects anticipated growth of the airport over a 20-year horizon. The plan includes land use compatibility criteria and identifies policies applicable to the airport and surrounding land uses.

According to the McClellan-Palomar Airport Land Use Compatibility Plan, the project site is located within Review Area 2 of the airport influence area. The influence area is regulated by the Airport Land Use Commission, which regulates land uses in the area to be compatible with airport-related noise, safety, airspace protection, and over-flight factors through review of development proposals within the airport influence area. Review Area 2 consists of limits on heights of structures in areas of high terrain. Residential development in Review Area 2 may be subject to annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights.

The project site would not be characterized as high terrain, as it is situated in a valley. The project site is outside of the 60 dBA noise contour generated by airport noise as illustrated in the ALUCP. Nevertheless, all residential development within Review Area 2 shall be required to record overflight notification documents as outlined in the McClellan-Palomar ALUCP, and per Chapter 20.265 of the City's Municipal Code, notifying residents of potential annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights. This notification will be required as a condition of project approval and impacts related to airport hazards would be less than significant.

**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? No Impact**

The project site is not located within the vicinity of a private airstrip therefore no impact is identified for this issue area.

**g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Less than Significant Impact**

The proposed project does not propose any development that would impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan. Construction of the project would not result in any complete road closures. The City's Fire Marshal has reviewed the project plans and has not identified any issues related to emergency access or evacuation. Impacts would be less than significant.

**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? Less than Significant Impact**

The project site is located in a developed portion of the City and is located in a moderate fire severity zone with the San Marcos Fire Department boundary. A Fire Protection Plan (FPP) – Letter Format was prepared for the project for the Phase 2 (residential townhome) portion of the site by FIREWISE 2000, Inc. (October 19, 2016). The complete letter report is included as **Appendix F** of this document.

The FPP was submitted to the City pursuant to the San Marcos Fire Department's local fire code and County guidance and referenced material in the 2014 Consolidated Fire Code, Guidelines for Determining Significance, the California Fire Code, the 2013 California Building Code, Chapter 7A, and San Diego County requirements for Ignition-Resistant Building Construction, and the California State Fire Marshal requirements for fire resistive construction. The FPP focused on the Phase 2 (residential townhome) portion of the site as it is adjacent to San Marcos Creek and the associated riparian vegetation. The northern portion of the project site will be completed surrounded by urban development.

The FPP addresses the adverse environmental effects that the proposed CR Townhomes Project may have from a wildland fire and to provide mitigation of those impacts to ensure that the project does not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Specific topics addressed include water supply, fire department response times, fire access roads, setbacks from property lines, building construction, vegetation management/defensive space, enhanced requirements for the projects' southern and western boundaries, and fire protection systems, safety signage and lighting.

The project proposes residential uses next to vegetated areas. The FPP details specific conditions that the project will be required to adhere to minimize the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires. Implementation of the conditions and measures identified in the FPP would ensure that impacts would be less than significant.

## X. HYDROLOGY AND WATER QUALITY

**a) Violate any water quality standards or waste discharge requirements? Less than Significant Impact**

The previous environmental document (SCH No. 2014101043) determined that the previous project plan would comply with all water quality standards and waste discharge requirements. Since the previous project plan included disturbance to more than an acre, a Construction General Permit from SWRCB was required prior to the issuance of a grading permit. A Storm Water Pollution

Prevention Plan (SWPPP) would be developed and implemented in accordance with Risk Level 2. The SWPPP would identify source and treatment control Best Management Practices (BMPs) to protect storm water runoff. The proposed project would have the same footprint as the previous project plan and similar construction-related and operational impacts would occur. Furthermore, a stormwater quality management plan (SWQMP) was prepared for the Phase 2 portion of the project by Leppert Engineering Corporation (2016) and identifies site development and structural BMPs, including biofiltration for combined pollutant control and hydromodification control. Project impacts would be less than significant.

**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? Less than Significant Impact**

As indicated in the previous environmental document (SCH No. 2014101043), the previous project plan did not propose any uses or irrigation with groundwater or wells that would impact ground water quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses. The previous project plan proposed commercial uses and incorporated source and treatment control BMPs to treat sediment, nutrients, and bacteria, ensuring no impact to water quality. Therefore, the previous project plan was determined to not result in any degradation to groundwater quality. The proposed project would have the same footprint as the previous project plan and would also incorporate source control and treatment control BMPs to ensure no impact to water quality, including biofiltration for combined pollutant control and hydromodification control. Therefore, impacts related to groundwater quality would be the same and impacts would be less than significant.

**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)? No Impact**

The project does not propose the use of groundwater. Potable water for commercial and residential uses commercial uses would be provided by Vallecitos Water District. No groundwater would be used. Thus, no impact was identified for this issue area.

**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? Less than Significant Impact**

**Short Term (Project Construction)** - Prior to the rough grading, stormwater sheet flowed southeasterly across the project site into the San Marcos Creek channel. The rough grading did not significantly alter the existing drainage pattern on the site. The project incorporates construction BMPs in compliance with Risk Level 2 of the General Construction Permit. These BMPs focus on areas such as good site management/housekeeping, non-stormwater management, erosion control, sediment control, run-on and run-off control, inspection/maintenance/repair, rain event action plan, and monitoring/reporting requirements. Implementation of these BMPs would reduce the potential for erosion and siltation entering waterways. Therefore, short-term impacts related to altering the existing drainage pattern of the site or area would be less than significant.

**Long Term (Project Operation) –** The project incorporates Low Impact Development (LID) features and source and treatment control BMPs to minimize the potential for erosion and siltation and impacts would be less than significant.

**e) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? Less than Significant Impact**

The project includes a comprehensive approach to hydromodification management to ensure that runoff rates and volumes in the post-development condition are equal to or less than the pre-development condition. LID features include a series of bioretention features, three biofiltration units , and the use of porous pavement. The project would not create a significant adverse environmental impact to drainage patterns due to changes in runoff rates or volumes and impacts would be less than significant.

**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? Less than Significant Impact**

San Marcos Creek runs along the southern portion of the project site. The previous project plan included grading to prepare the project site for development and raising a portion of the site out of the floodplain.

Prior to the rough grading, stormwater sheet flowed southeasterly across the project site into the San Marcos Creek channel. Flow joins San Marcos Creek beyond the headwall of an existing box culvert of a storm drain system that reroutes the creek. The creek leaves the property at the western property boundary. The previous environmental document (SCH No. 2014101043) identified a single point of discharge. Flows under the previous project plan would be reduced via flow control structures (storm drain boxes) before being discharged into San Marcos Creek, mimicking existing conditions. For Phase 1, seven flow control structures would be included and sized to satisfy hydromodification and match the existing flow. For Phase 2, a single storm drain box would satisfy hydromodification and match the existing flow.

The previous project plan incorporated a comprehensive approach to hydromodification management to ensure that runoff rates and volumes in the post-development condition were equal to or less than the pre-development condition. LID features included a series of bioretention features biofiltration units, and the use of porous pavement. For Phase 2, biofiltration BMPs would provide combined pollutant control and hydromodification control

Thus, the previous environmental document (SCH No. 2014101043) concluded that the previous project plan would not 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. Impacts were determined to be less than significant. The proposed project would have the same footprint as the previous project plan and does not propose any new uses that would alter the drainage patterns analyzed in the previous environmental document (SCH No. 2014101043). The proposed project would also incorporate LID features to minimize impacts. Therefore, impacts related to existing drainage patterns on the project site would be similar. Impacts would be less than significant.

**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? Less than Significant Impact**

According to the previous environmental document (SCH No. 2014101043), stormwater flows enter the public storm drain system at San Marcos Boulevard and Twin Oaks Valley Road. Existing offsite flow was identified as 5.3 cubic feet per second (cfs) for San Marcos Boulevard and 10.3 cfs for Twin Oaks Valley Road. Projected offsite flow was identified as 5.5 cfs for San Marcos Boulevard and 13.4 cfs for Twin Oaks Valley Road. Therefore, the previous project plan was calculated to contribute an increase of 0.2 cfs for San Marcos Boulevard and 3.1 cfs for Twin Oaks Valley Road.

The previous environmental document (SCH No. 2014101043) identifies that the inlet on San Marcos Boulevard has capacity for this increase. The inlet on Twin Oaks Valley Road would be replaced and improved by extending the pipe 12 feet and increasing inlet length from opening one inch. Therefore, the previous environmental document (SCH No. 2014101043) concluded that the previous project plan would not 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 and impacts were determined to be less than significant. The proposed project would have the same overall development footprint as the previous project plan, incorporated biofiltration for combined pollutant control and hydromodification control, and does not propose any new uses that would create or contribute runoff water beyond those analyzed in the previous environmental document (SCH No. 2014101043). Therefore, impacts related to runoff water would be similar. Impacts would be less than significant.

**h) Result in increased impervious surfaces and associated increased runoff? Less than Significant Impact**

The area proposed for future development has been rough graded. The site is undeveloped with the exception of the current construction of the hotel in the northwest corner of the project site consistent with the approved 2014 MND. The project will increase impervious surfaces on the project site via buildings/roof tops, parking lots, walkways, driveways, pavement and pool decks. The project includes comprehensive approach to hydromodification to ensure that runoff rates and volumes in the post-development condition are equal to or less than the pre-development condition. LID features include a series of bioretention features, biofiltration units, and the use of porous pavement. Therefore, impacts related to impervious surfaces and associated increased runoff would be similar. Impacts would be less than significant.

**i) Result in significant alteration of receiving water quality during or following construction? Less than Significant Impact**

**Short Term (Project Construction)**

The project incorporates construction-related water quality BMPs to protect water quality; such measures could include, but are not limited to:

- Use of sediment trapping devices to control sediment runoff;
- Proper containment and disposal of trash/debris;

- Use of erosion control devices to minimize runoff during rain events; and
- Additional measures to be identified once the SWPPP is available prior to the issuance of the grading permit and start of work onsite.

The previous environmental document (SCH No. 2014101043) indicated that preparation and implementation of a SWPPP and construction-related water quality BMPs would ensure that there are no significant alterations to receiving water quality during construction. Impacts were determined to be less than significant. The proposed project would have the same construction footprint as the previous project plan and includes a SWQMP for the Phase 2 development. The proposed project would also incorporate BMPs as required in the project-specific SWPPP and SWQMP, including biofiltration for combined pollutant control and hydromodifcation control. Therefore, impacts related to receiving water quality during construction would be similar. Impacts would be less than significant.

**Long Term (Project Operation)**

As provided in the previous environmental document (SCH No. 2014101043), the previous project plan included a comprehensive water quality management approach for implementation during project operation. The previous project plan incorporated biofiltration units, porous pavement and bioretention features of various sizes for water quality and HMP purposes. Additionally, the previous project plan included a variety of site design, source control, LID, and treatment control BMPs in accordance with Order No. R9-2013-0001 to treat to a medium pollutant removal rate or better for the pollutants of concern (nutrients and bacteria) and minimize the potential for pollutants such as sediment, trash, metals, bacteria, oil/grease and organics prior to reaching the storm drain and on- and off-site waterways.

Specific source control BMPs identified in the previous project plan's water quality plan included:

- Marking all inlets with the words "No Dumping! Drains to Waterways" and "No Contamine" in Spanish.
- Interior floor drains and elevator shaft sump pumps to be plumbed into sanitary sewer.
- Adding drains within food service areas, including floor sinks, to be connected to a grease interceptor and sanitary sewer.
- Any vehicle washing area provided shall be bermed and covered. Signage prohibiting carwashing shall be provided otherwise.
- Plaza, sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris.
- Dumpsters shall be covered and trash enclosures shall be designed to prevent runon. Trash enclosures shall drain into BMPs and be made of concrete masonry unit walls on three sides.
- Post signs on all dumpsters information that hazardous materials are not to be disposed of therein.
- Landscaping has been designed to minimize irrigation and runoff and to minimize the use of fertilizers and pesticides that can contribute to storm water.

- Roofing and gutters not be constructed of copper or other unprotected metals that may leach into the runoff.

Thus the previous environmental document (SCH No. 2014101043) concluded that the previous project plan would not result in significant alterations to receiving water quality after construction and impacts were determined to be less than significant. The proposed project would have the same overall impact area as the previous project plan. The proposed project would also incorporate LID and BMPs features as outlined above to minimize impacts. Therefore, impacts related to receiving water quality during project operation would be similar. Impacts would be less than significant.

**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). Less than Significant Impact**

As identified above, the previous project plan included a comprehensive water quality management approach. The previous plan incorporated biofiltration and bioretention features of various sizes for water quality and hydrology purposes (see the analysis in Section IX(k) below).

The project incorportes source control, site design, LID standards (e.g., permeable pavement, bioretention facilities), and water quality treatment for the pollutants of concern within the watershed. Engineered treatment controls include LID and BMP techniques such as biofiltration units, permeable pavement and bioretention facilities. The BMPs consisted of both structural and nonstructural measures, including retention basins, first flush diversion devices, porous pavements, public education, and street sweeping. Therefore, impacts related to pollutant discharges to receiving waters would be similar. Impacts would be less than significant.

**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? Less than Significant Impact**

The project site is located in the Richland (904.52) hydrologic sub-area of the San Marcos (904.5) hydrologic area of the Carlsbad watershed. Impaired waterbodies in this watershed include San Marcos Creek (phosphorus, sediment toxicity, selenium, and ammonia) and San Marcos Lake (nutrients).

Anticipated pollutants from the project could include sediments, nutrients, trash/debris, pesticides, and a potential for oxygen demanding substances, oil/grease, and bacteria/viruses. Potential pollutants that could occur from the parking lot areas of the previous project plan could include heavy metals, organic compounds, trash/debris, oil/grease, and to a lesser extent sediment, nutrients, and pesticides. Anticipated pollutants for the Phase 2 portion of the proposed project include sediment, nutrients, heavy metals, organic compounds, trash/debris, oxygen demanding substances, oil/grease, bacteria/viruses, and pesticides.

The project includes a comprehensive water quality management approach and incorporates bioretention features and biofiltration units for water quality and hydrology purposes. The features improve water quality of onsite runoff prior to leaving the project site. Impacts related to impaired water bodies would be similar. Impacts would be less than significant.

**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? Less than Significant Impact**

San Marcos Creek runs along the southern portion of the project site. The project incorporates biofiltration units, bioretention features, and porous pavement of various sizes for water quality and hydrology purposes. These features were sized to adequately treat runoff from the project site.

Additionally, the previous project plan includes a variety of source and treatment control BMPs to minimize the potential for pollutants such as sediment, trash, metals, bacteria, oil/grease, and organics to reach the storm drain and off-site waterways, minimizing the potential to have a significant environmental impact on surface water quality. The project would not exacerbate any existing sensitive conditions in environmentally sensitive areas and impacts would be less than significant.

**m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters? Less than Significant Impact**

The project includes a comprehensive water quality management approach that incorporates biofiltration units and bioretention features of various sizes for water quality and hydrology purposes. See IX(k), above. This reduced potential pollutant loads prior to discharge an minimizes potential impacts to surface water quality. Therefore, impacts related to surface water quality would be similar. Impacts would be less than significant.

**n) Otherwise substantially degrade water quality? Less than Significant Impact**

A thorough discussion related to water quality has been provided in Sections IX(h) through IX(m). There are no additional features of the previous project plan or proposed project that would result in a potential substantial degradation to water quality that was not already analyzed. Therefore, no additional impacts are identified and impacts would be less than significant.

**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? Less than Significant Impact**

As indicated in the previous environmental document (SCH No. 2014101043), the project site includes approximately eight acres within the Federal Emergency Management Agency (FEMA) 100 year floodway for San Marcos Creek, according to the 2012 Flood Insurance Rate Map. No housing was proposed as part of the previous project plan. Accordingly, the previous environmental document (SCH No. 2014101043) concluded that the previous project plan would not place housing in any areas that are described by this threshold. Therefore, no impacts were identified for this issue area.

While the proposed project would have the same footprint as the previous project plan, it does include the development of multi-family residential structures. Development under the previous project plan would be elevated above the floodplain by graded fill. This requires a letter of map revision based on fill to be approved by FEMA. FEMA requires that on-site structures must be elevated two feet above the water surface elevation. As proposed, the previous project plan would

be 2.5 feet above the water surface elevation, providing a buffer should the water surface elevation increase beyond its current condition. The proposed project would have the same footprint as the previous project plan and the structures would be elevated above the water surface elevation, consistent with FEMA requirements. Therefore, impacts would be less than significant.

**p) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? Less than Significant Impact**

As stated above, the project site was determined to include approximately eight acres within the FEMA 100 year floodway for San Marcos Creek. The development under the previous project plan would be elevated above the floodplain by graded fill. This will require a letter of map revision based on fill to be approved by FEMA. The previous project plan would be 2.5 feet above the water surface elevation, providing a buffer should the water surface elevation increase beyond its current condition. Therefore, the previous project plan was determined to not place any structure within a 100-year flood hazard area that would impede or redirect flood flows and impacts were determined to be less than significant. The proposed project would have the same footprint as the previous project plan and the structures would be elevated above the water surface elevation, consistent with FEMA requirements. Therefore, impacts related to placement of structures that would impede or redirect flood flows would be similar and impacts would be less than significant.

**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? Less than Significant Impact**

As identified above, eight acres of the project site are within the FEMA 100 year floodway for San Marcos Creek. Under the previous project plan, this acreage would not be developed, and the development would be elevated 2.5 feet above the water surface elevation of the floodplain by graded fill. According to Figure 6-3 of the City of San Marcos General Plan, the project site is not located within a dam inundation area. Therefore, the previous environmental document (SCH No. 2014101043) concluded that impacts of the previous project plan would be less than significant for this issue area. The proposed project would have the same footprint and development location as the previous project plan. Therefore, impacts related to flooding would be similar and impacts would be less than significant.

**r) Inundation by seiche, tsunami, or mudflow? No Impact**

The project site is not located near a coastline, lake, or mountainous area that would be subject to a seiche, tsunami, or mudflow. Therefore no impact is identified for this issue area.

## X. LAND USE AND PLANNING

The proposed project includes up to 14,400 s.f. of office/retail, 6,500 s.f. of restaurant, a 116-room hotel, and 118 3-story townhome residential units. The previous project plan included 54,000 s.f. of standard commercial office use, 19,000 s.f. of medical office, 19,000 s.f. of retail use, 9,000 s.f. of restaurant, and a 116-room hotel. The hotel is currently under construction, consistent with the 2014 approvals. The proposed site development plan is included as Figure 2 of this document.

**a) Physically divide an established community? No Impact**

The project site is undeveloped but designated and zoned for a town center development in the Heart of the City Specific Plan. The development of commercial and residential uses would create synergy with existing office, civic and retail uses in the project vicinity. No impacts related to a division of an established community are identified for the project.

**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? Less than Significant With Mitigation Incorporated**

The project site is designated Specific Plan Area in the General Plan. Within the Heart of the City Specific Plan, the site is designated Town Center. The Town Center area is primarily considered an office/commercial development, which could include civic and/or cultural uses, a corporate center, and a light rail station and also explicitly includes the proposed project's residential component. This area, in conjunction with the campus and surrounding development, serve as the focal point of the community. Design considerations within the Town Center designation include:

- Design of the Town Center shall conform to the guidelines and standards of the Heart of the City Specific Plan.
- Civic and cultural facilities shall focus on a major open space element, which includes a water feature.
- Special consideration shall be given to a vertical focal point such as a campanile, which is highly visible from the freeway and state university (ideally, this structure would have a visual tie with a similar element on the campus to denote the community's two major activity centers)
- Existing single-family residences to the east of Valpreda Road shall be buffered from the Town Center, in accordance with the design guidelines of this plan.
- Rancheros Drive should be rerouted through the Town Center to enhance access to the area and eliminate present conflicts with the westbound freeway off-ramp.
- Land is reserved for expansion of the existing light rail station in the Town Center.

Currently, the Town Center designation allows for office and commercial development. The project's proposed office/retail, restaurant, and hotel, and uses are consistent with the uses contemplated within the Heart of the City Specific Plan. The proposed residential townhomes are not identified as an allowable use in the Town Center and represents a conflict (**Impact LU-1**) and mitigation is required.

**MM-LU-1** The City shall adopt a Specific Plan Amendment to allow residential townhomes on the specific parcels identified within the project site. Specifically Corner@2Oaks (CR Townhomes), Assessor's Parcel Nos. ~~220-190-54, 55, 56, 57 and 58~~, 220-190-57-00, 220-190-58-00, and 220-190-59-00, ~~–~~shall be incorporated into the Town Center to introduce urban, transit, and pedestrian-oriented residential use, in accordance with the design guidelines of this plan, as found in Appendix G of the Specific Plan.

Implementation of MM-LU-1 would eliminate the inconsistency and reduce the impact to below a level of significance. APNs 220-190-57-00, 220-190-58-00, 220-190-59-00, combined, will be allowed to develop a maximum of 118 residential town homes.

The proposed residential uses will compliment the proposed commercial uses within Phase 1 of the project and in the vicinity. Further, an existing residential development is located immediately west of the project site. The proposed project includes residential uses adjacent to the existing residential uses. A parking strip lies between the existing residential development and the proposed residential uses. The hotel will remain set back from the property line, establishing a 100 foot separation from the residential development, and will incorporate shade trees between the building and the property boundary that will aide in attenuating noise levels. This setback meets the requirements of the Heart of the City Specific Plan. According to the noise report prepared for the project (LdN Consulting 2016b), none of the proposed operational noise levels directly or cumulatively exceeds the property line standards at the nearest residential property lines. No significant noise impacts resulting from operation of the proposed project on the nearby residential uses were identified.

In summary, land use impacts would be reduced to below a level of significance.

**c) Conflict with any applicable habitat conservation plan or natural community conservation plan? Less than Significant Impact**

The MHCP is a comprehensive conservation planning process that addresses the needs of multiple plant and animal species in Northwestern San Diego County. The MHCP encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. Its goal is to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46%) are already in public ownership and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species.

The City of San Marcos began preparing a draft of the City Subarea Plan of the MHCP in December 1999 and although the Subarea Plan has not yet been approved by the USFWS and CDFW, the plan is a component of the adopted MHCP, and is currently being used as a guide for open space design and preservation within the City. The intent of the City's Subarea Plan is to identify a citywide preserve system that meets local and regional biological goals while minimizing fiscal and economic impacts to the City and adverse impacts on private property owners. To help achieve this goal, certain areas, known as FPAs, have been designated with parcel-level preservation goals which would contribute to achieving local and regional conservation goals while minimizing adverse effects on property rights and property values.

As concluded in the previous environmental document (SCH No. 2014101043) concluded that onsite impacts would be mitigated using ratios based on the Subarea Plan and San Marcos Creek FPA. With incorporation of the mitigation measures identified for biological resources (BIO-1 through BIO-9) the previous project was determined to 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 and impacts were determined to be less than significant. The proposed project would have the same development footprint as the project analyzed in the previous environmental document and would not result in any new impacts.

## XI. MINERAL RESOURCES

**a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state? No Impact**

According to the previous environmental document (SCH No. 2014101043), there are no known mineral resources on the site of value to the region or to residents of the state. Therefore, it was determined that the previous project plan would not have an impact on any known mineral resource and no impact was identified for this issue area. The proposed project would have the same footprint as the previous project plan. Therefore, impacts related to mineral resources would be the same. No impact would occur.

**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? No Impact**

According to the previous environmental document (SCH No. 2014101043), there are no known mineral resources on the site of value to the region or to residents of the state. Therefore, it was determined that the previous project plan would not have an impact on any known mineral resource and no impact was identified for this issue area. The proposed project would have the same footprint as the previous project plan. Therefore, impacts related to mineral resources would be the same. No impact would occur.

## XII. NOISE

A noise assessment was prepared for the project by LdN Consulting (2016b). The complete report is included as **Appendix G** of this document. Noise was also analyzed in the 2014 adopted MND. The following mitigation measures identified in the adopted MMRP are still applicable:

**MM-N-1** An interior noise assessment is required for the hotel prior to the issuance of the first building permit once the architectural floor plans are available. This final report would identify the interior noise requirements to meet the City's established interior noise limit of 45 dBA CNEL.

**MM-N-2** To meet the 50 dBA CNEL interior noise standard at the commercial uses, an interior noise level reduction of minimum 18-25 dBA CNEL is needed for the proposed project. With the incorporation of a minimum STC 30 rated dual pane windows and mechanical ventilation will achieve the necessary interior noise reductions to meet the City's 50 dBA CNEL standard.

The 2014 MND also identified a noise mitigation measure (MM-N-3) related to future noise analysis for Phase 2 commercial uses. However, since commercial uses are no longer proposed for Phase 2, the mitigation measure is no longer applicable.

**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? Less Than Significant Impact with Mitigation Incorporated**

**Existing Noise Environment**

Noise measurements were taken near the center of the project site in August 2014. The results of the noise level measurements are presented in **Table 10**. The measurements were taken to establish a baseline of the vehicle noise from the adjacent roadways (i.e., San Marcos Boulevard, Twin Oaks Valley Road, and SR-78). The overall sound level was found to be roughly 55 dBA due to intervening topography between the roadways, mainly SR-78, and the meter location. The noise monitoring location can be seen in **Figure 5**.

**Table 10. Measured Ambient Noise Levels**

| Measurement Identification | Description | Time | Noise Levels (dBA Leq) | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | Leq | Lmax | Lmin | L10 | L50 | L90 |
| ML 1 | Near center of site | 7:45-8:00 a.m. | 54.5 | 78.6 | 50.0 | 56.5 | 53.5 | 51.4 |

**Future On-site Noise Analysis**

To determine the future noise environment and impact potential, the Sound32 model was utilized. **Table 11** presents the roadway parameters used in the analysis including the peak traffic volumes, vehicle speeds, and the hourly traffic flow distribution (vehicle mix). The vehicle mix provides the hourly distribution percentages of automobile, medium trucks, and heavy trucks for input into the Sound32 Model. The buildout conditions include the future traffic volume forecasts provided in the Project's Traffic Study (Urban Systems Associates 2014) and from SANDAG's Series 12 Traffic Prediction Forecast.

**Table 11. Future Traffic Parameters**

| Roadway | Average Daily Traffic (ADT) | Peak Hour Volumes | Modeled Speeds (MPH) | Vehicle Mix % | | |
|---|---|---|---|---|---|---|
| | | | | Auto | Medium Trucks | Heavy Trucks |
| Twin Oaks Valley Road | 44,261 | 4,426 | 45 | 96.0 | 2.0 | 2.0 |
| San Marcos Boulevard | 33,758 | 3,376 | 45 | 96.0 | 2.0 | 2.0 |
| SR-78 | 161,400 | 10,800 | 65 | 95.8 | 2.5 | 1.7 |

**Source:** Ldn Consulting (2016b)

It should be noted that the 2014 Urban Systems traffic study assumed a more intense level of development. Actual traffic generation under the proposed project will be approximate 18 percent less than what was identified assumed in the 2014 traffic study (5,153 vs. 4.204 ADT). Therefore, the noise analysis is conservative, as it uses the higher traffic generation numbers.

To evaluate the potential noise impacts on the proposed development, outdoor observers were located around the perimeter of the site and placed five feet above the finished pad elevation. The modeled observer locations for the potential outdoor use areas are presented in **Figure 6**. It should be noted that there are no ground floor outdoor private use areas and all units have second floor balconies that provide the private use area. The second floor balconies were modeled to determine if shielding or mitigation is required to reduce the noise levels below the City's exterior noise threshold of 65 dBA CNEL.

**Figure 5. Ambient Monitoring Location**

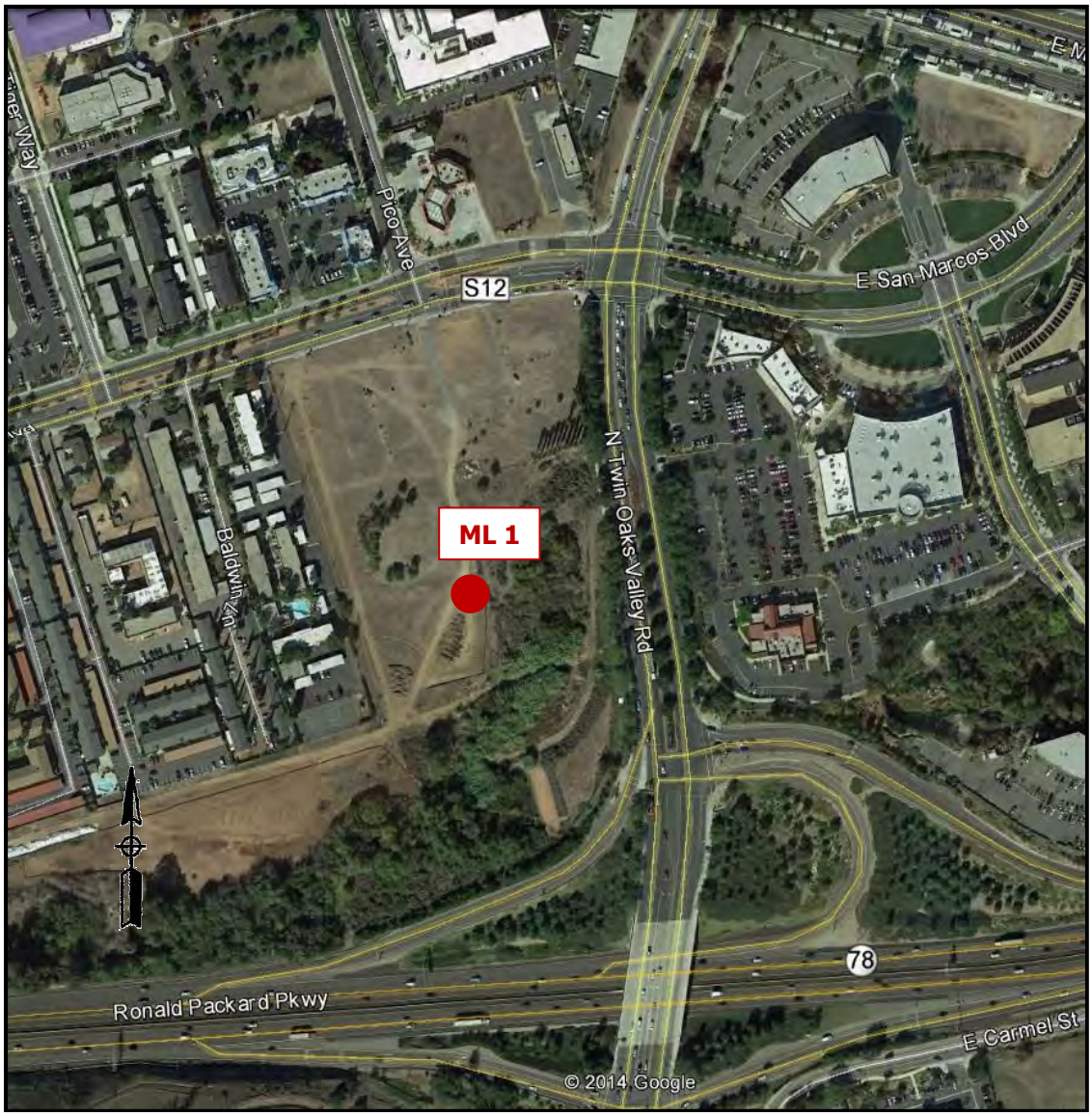
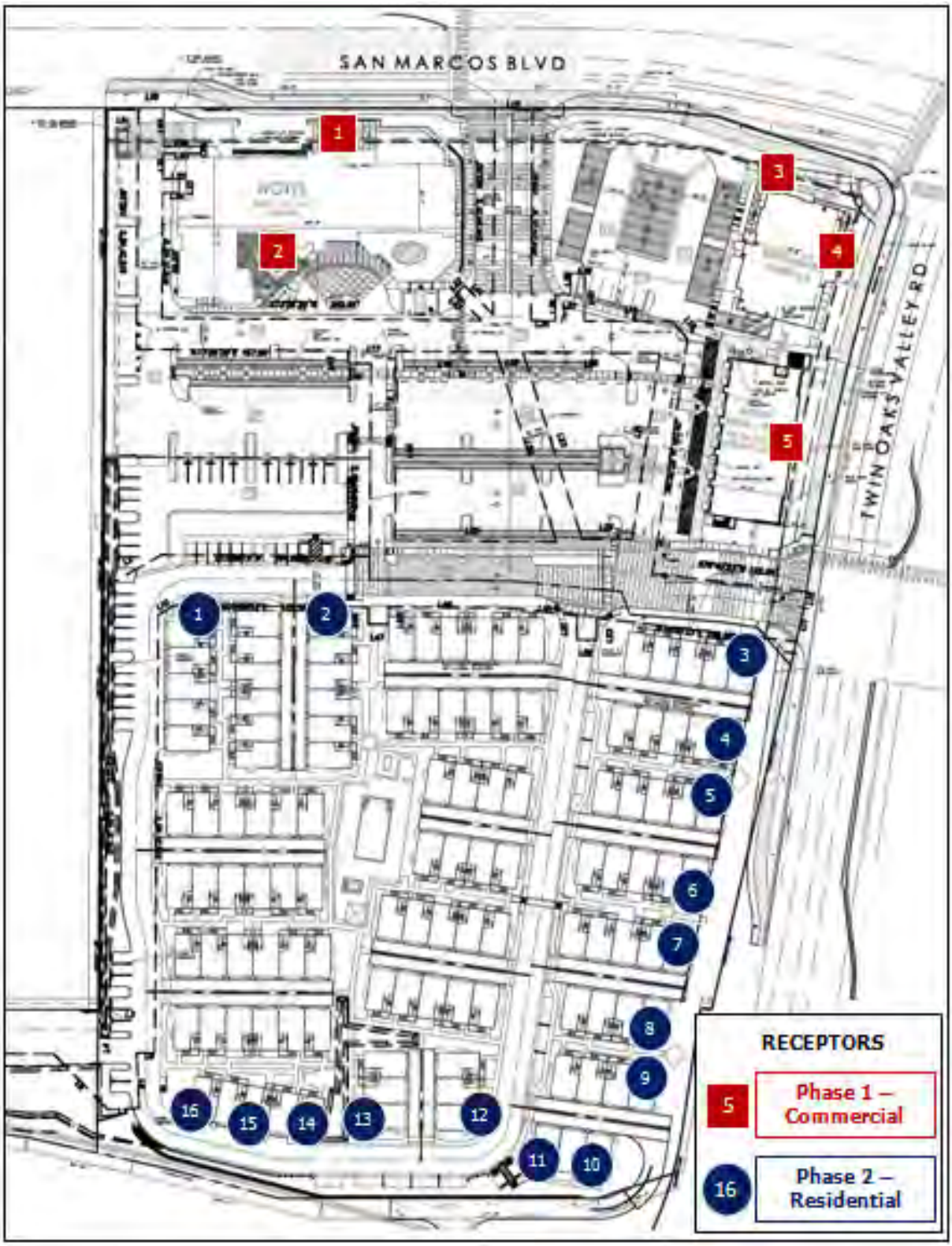


**Figure 6. Modeled Receptor Locations**




**Source:** Ldn Consulting (2016b)

***Phase 1 – Commercial***

The project proposes a sound wall at the outdoor area of the hotel located along San Marcos Boulevard. The pool area will be shielded from the roadways by the hotel building. These design features were incorporated into the noise modeling. The modeling results for Phase 1 are shown in **Table 12**.

**Table 12. Future Exterior Noise Levels (Phase 1 – Commercial)**

| Receptor Number | Receptor Description | Ground Floor Outdoor Area or Facade Noise Levels (dBA CNEL) | Upper Floor Facade Noise Levels (dBA CNEL) | Interior Noise Level Reduction Needed (dBA CNEL) |
|---|---|---|---|---|
| **1** | Hotel | 65 | 73 | 28 |
| **2** | Hotel Pool | 62 | 66 | 21 |
| **3** | Office Facade | 72 | 75 | 25 |
| **4** | Office Facade | 71 | 74 | 24 |
| **5** | Retail Facade | 70 | 73 | 23 |

Based upon these findings, the outdoor areas at the hotel will comply with the City of San Marcos Noise standards of 65 dBA CNEL.

The City also requires interior noise levels in hotel structures to be reduced to 45 dBA CNEL and office buildings be reduced to 50 dBA CNEL. A windows closed condition will typically reduce the interior noise levels 25 dBA CNEL if the windows are dual pane and have a minimum sound transmission class (STC) rating of 30. As shown, the upper floor façade noise levels at the hotel are modeled to exceed the noise threshold. This represents a significant impact (**Impact N-1**) and mitigation is required. This was also identified as an impact in the 2014 MND and mitigation measure MM-N-1, which was adopted in the MMRP, is still applicable to the project and will reduce the impact to below a level of significance.

Additionally, as shown, the office and retail, façades are modeled to exceed the noise threshold at the ground floor outdoor area or façade as well as the upper floor façade at receptors 3 through 5. This represents a significant impact (**Impact N-2**) and mitigation is required. This was also identified as an impact in the 2014 MND and mitigation measure MM-N-2, which was adopted in the MMRP, is still applicable to the project and will reduce the impact to below a level of significance.

***Phase 2- Townhomes***

The residential units are shielded from SR-78 due to an existing berm along the freeway and the westbound onramp that helps reduce the noise. The back row of buildings will be shielded from the roadway due to the first row of buildings along Twin Oaks Valley Road reducing the noise levels at least 5 dB. The modeling results are presented in **Table 13.**

**Table 13. Future Exterior Noise Levels (Phase 2 - Townhomes)**

| Receptor Number | Second Floor Balcony/ Deck Noise Levels (dBA CNEL) | Worst Case Building Façade Noise Levels (dBA CNEL) |
|---|---|---|
| 1 | 64 | 65 |
| 2 | 65 | 65 |
| 3 | **70** | **72** |
| 4 | **70** | **72** |
| 5 | **69** | **72** |
| 6 | **69** | **71** |
| 7 | **70** | **71** |
| 8 | **67** | **71** |
| 9 | **66** | **71** |
| 10 | 62 | **69** |
| 11 | 62 | 65 |
| 12 | 59 | 64 |
| 13 | 64 | 65 |
| 14 | 63 | 65 |
| 15 | 63 | 65 |
| 16 | 61 | 64 |

**Source:** Ldn Consulting (2016b)

As shown in Table 13, based upon the modeling results, seven receptors (numbers 3 through 9) were modeled to experience noise levels above the City's noise standard for the proposed project at the multi-family residences outdoor usable areas (balcony/decks). This represents a significant impact (**Impact N-3**) and mitigation is required.

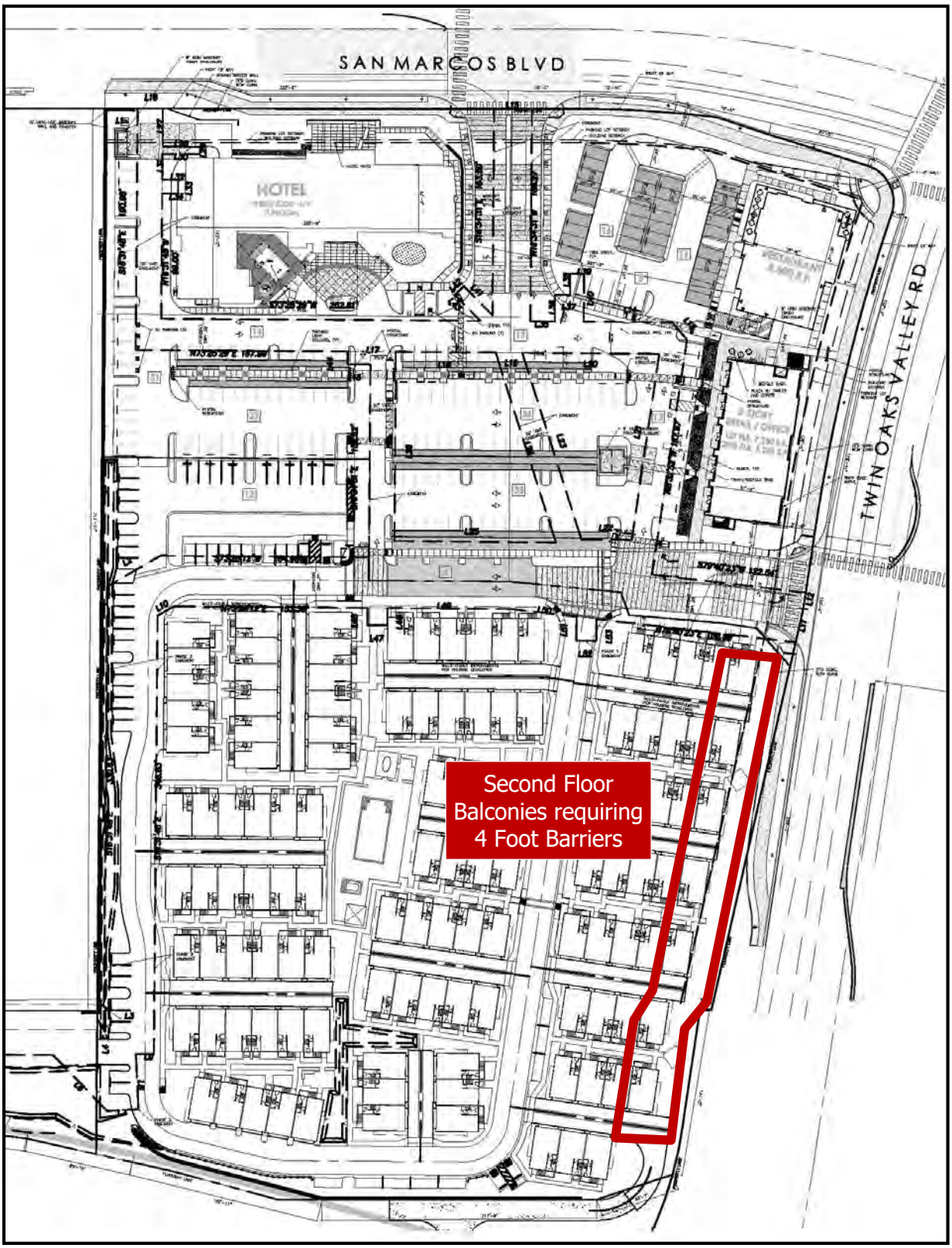
**MM-N-3** Four-foot barriers shall be installed at the balconies of the units along Twin Oaks Valley Road as shown in **Figure 7**. Barriers shall be constructed of a non-gapping material (i.e., masonry, stucco, ¼-inch thick glass or Plexiglas).

With the incorporation of MM-N-3, noise levels at the second floor balconies/decks would be 65 dBA CNEL or below consistent with the City's noise threshold. Expected second floor balconies/deck noise levels with incorporation of mitigation measures MM-N-3 are presented in **Table 14**.

An interior noise assessment is required if building façade noise levels are above 60 dBA CNEL. As shown in Table 14, based upon the modeling results, the worst-case building façade noise levels are modeled to exceed 60 dBA CNEL at all 16 receptor locations. Therefore, interior noise levels could exceed City standards. This represents a potentially significant impact (**Impact N-4**) and mitigation is required.

Interior noise levels of 45 dBA CNEL can be obtained with conventional building construction methods and providing a closed window condition requiring a means of mechanical ventilation (e.g., air conditioning) for each building and upgraded windows for all sensitive rooms (e.g., bedrooms and living spaces).

**Figure 7. Noise Mitigation**




Source: Ldn Consulting (2016b)

**Table 14. Mitigated Second Floor Balcony/ Deck Noise Levels (Phase 2 – Townhomes)**

| Receptor Number | Second Floor Balcony/ Deck Noise Levels (dBA CNEL) |
|---|---|
| 1 | 64 |
| 2 | 65 |
| 3 | 65 |
| 4 | 65 |
| 5 | 65 |
| 6 | 65 |
| 7 | 65 |
| 8 | 65 |
| 9 | 64 |
| 10 | 62 |
| 11 | 62 |
| 12 | 60 |
| 13 | 63 |
| 14 | 63 |
| 15 | 63 |
| 16 | 61 |

**Source:** Ldn Consulting (2016b)

**MM-N-4** A final noise assessment is required prior to the issuance of the first building permit. The final report would identify the interior noise requirements based upon architectural and building plans to meet the City's established interior noise limit of 45 dBA CNEL. The noise assessment shall be reviewed and approved by the Planning Division Manager.

With incorporation of MM-N-4, interior noise levels would comply with the City's interior noise limit and potential impacts would be reduced to below a level of significance.

**b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Less Than Significant Impact**

The nearest vibration-sensitive uses are the residences located 150 feet or more from the proposed construction activities. **Table 15** lists the average vibration levels that would be experienced at the nearest vibration-sensitive land uses from the temporary construction activities.

The United States Department of Transportation Federal Transit Administration (FTA) has determined vibration levels that would cause annoyance to a substantial number of people and potential damage to building structures. The FTA criterion for vibration-induced structural damage is 0.20 in/sec for the peak particle velocity (PPV). Project construction activities would result in PPV levels below the FTA's criteria for vibration-induced structural damage. Therefore, project construction activities would not result in

vibration-induced structural damage to residential buildings near the demolition and construction areas.

**Table 15. Vibration Levels from Construction Activities (Residential Receptors)**

| Equipment | Approximate Velocity Level at 25 Feet (VdB) | Approximate RMS Velocity at 25 Feet (in/sec) | Approximate Velocity Level at 150 Feet (VdB) | Approximate RMS Velocity at 150 Feet (in/sec) |
|---|---|---|---|---|
| Small bulldozer | 58 | 0.003 | 36.4 | 0.0002 |
| Jackhammer | 79 | 0.035 | 57.4 | 0.0024 |
| Large bulldozer | 87 | 0.089 | 65.4 | 0.0061 |
| | | FTA Criteria | 80 | 0.2 |
| | | **Significant Impact?** | **No** | **No** |

The FTA criterion for infrequent vibration-induced annoyance is 80 Vibration Velocity (VdB) for residential uses. Construction activities would generate levels of vibration that would not exceed the FTA criteria for nuisance for nearby residential uses. Therefore, the project would not expose persons to or generate excessive groundborne vibrations or groundborne noise levels. Impacts would be less than significant.

**c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? Less than Significant Impact**

**Project Related Off-site Transportation Noise**

Because mobile/traffic noise levels are calculated on a logarithmic scale, a doubling of the traffic noise or acoustical energy results in a noise level increase of 3 dBA. Therefore, the doubling of the traffic volume, without changing the vehicle speeds or mix ratio, results in a noise increase of 3 dBA. Mobile noise levels radiate in an almost oblique fashion from the source and drop off at a rate of 3 dBA for each doubling of distance under hard site conditions and at a rate of 4.5 dBA for soft site conditions. Hard site conditions consist of concrete, asphalt, and hard pack dirt while soft site conditions exist in areas having slight grade changes, landscaped areas, and vegetation. For a conservative analysis, hard site conditions were used to develop the noise contours and analyze noise impacts along all roadway segments.

Community noise level changes greater than 3 dBA are often identified as audible and considered potentially significant, while changes less than 1 dBA will not be discernible to local residents. In the range of 1 to 3 dBA, residents who are very sensitive to noise may perceive a slight change.

Community noise exposures are typically over a long time period rather than the immediate comparison made in a laboratory situation. Therefore, the level at which changes in community noise levels become discernible is likely greater than 1 dBA, and 3 dBA appears to be an appropriate threshold for most people. For the purposes of this analysis, direct and cumulative roadway noise impacts would be considered significant if the project increases noise levels for a noise-sensitive land use by 3 dBA CNEL and if the project increases noise levels above an unacceptable noise level per the City's General Plan in the area adjacent to the roadway segment.

The projected off-site project-related roadway segment noise levels were calculated using the methods in the Highway Noise Model published by the Federal Highway Administration (FHWA Highway Traffic Noise Prediction Model, FHWA-RD-77-108, December 1978).

**Project Direct Off-Site Noise Impact Analysis**

To determine if direct off-site noise level increases associated with the development of the proposed project would create noise impacts, the noise levels for the existing conditions were compared with the noise level increase from the project. Utilizing the traffic impact analysis prepared for the project (Urban Systems Associates 2014) to be conservative, noise contours were developed for the following traffic scenarios:

- Existing: Current day noise conditions without construction of the project.
- Existing Plus Project: Current day noise conditions plus the completion of the project.
- Existing vs. Existing Plus Project: Comparison of the direct project-related noise level increases in the vicinity of the project site.

The noise levels at 50 feet from the roadways in the vicinity of the project site are given in **Table 16** for the Existing scenario and in **Table 17** for the Existing Plus Project scenario. It should be noted that the values in Tables 16 and 17 do not take into account the effect of any noise barriers or topography that may affect ambient noise levels.

**Table 16. Existing Noise Levels**

| Roadway | Roadway Segment | ADT | Vehicle Speeds (MPH) | Noise Level @ 50 Feet (dBA CNEL) |
|---|---|---|---|---|
| Twin Oaks Valley Road | Richmar Avenue to San Marcos Blvd. | 30,812 | 45 | 74.1 |
| | San Marcos Blvd. to SR-78 WB Ramps | 39,201 | 45 | 75.2 |
| | SR-78 EB Ramps to Barham Dr. | 44,361 | 45 | 75.7 |
| San Marcos Boulevard | Grand Ave. to SR-78 EB Ramps | 50,790 | 45 | 76.3 |
| | SR-78 EB Ramps to SR-78 WB/Knoll Rd. | 42,600 | 45 | 75.5 |
| | Knoll Rd. to Westlake Dr. | 23,727 | 45 | 73.0 |
| | Westlake Dr. to Pico Ave. | 29,477 | 45 | 73.9 |
| | Pico Ave. to Twin Oaks Valley | 24,554 | 45 | 73.1 |
| | Twin Oaks Valley to Rancheros Dr. | 22,508 | 45 | 72.8 |
| | Rancheros Dr. to Mission Rd. | 16,771 | 45 | 71.5 |
| Pico Avenue | San Marcos Blvd. to Mission Rd. | 5,629 | 45 | 66.7 |

**Source:** Ldn Consulting (2016b)

**Table 17. Existing Plus Project Noise Levels**

| Roadway | Roadway Segment | ADT | Vehicle Speeds (MPH) | Noise Level @ 50 Feet (dBA CNEL) |
|---|---|---|---|---|
| Twin Oaks Valley Road | Richmar Avenue to San Marcos Blvd. | 31,327 | 45 | 74.2 |
| | San Marcos Blvd. to SR-78 WB Ramps | 41,262 | 45 | 75.4 |
| | SR-78 EB Ramps to Barham Dr. | 45,546 | 45 | 75.8 |
| San Marcos Boulevard | Grand Ave. to SR-78 EB Ramps | 51,305 | 45 | 76.3 |
| | SR-78 EB Ramps to SR-78 WB/Knoll Rd. | 43,373 | 45 | 75.6 |
| | Knoll Rd. to Westlake Dr. | 24,758 | 45 | 73.2 |
| | Westlake Dr. to Pico Ave. | 30,765 | 45 | 74.1 |
| | Pico Ave. to Twin Oaks Valley | 24,812 | 45 | 73.2 |
| | Twin Oaks Valley to Rancheros Dr. | 23,642 | 45 | 73.0 |
| | Rancheros Dr. to Mission Rd. | 17,647 | 45 | 71.7 |
| Pico Avenue | San Marcos Blvd. to Mission Rd. | 5,887 | 45 | 66.9 |

**Source:** LdN Consulting (2016b)

**Table 18** presents the comparison of the Existing Year with and without project-related noise levels. As shown in Table 18, the overall roadway segment noise levels will increase from 0.1 dBA CNEL to 0.2 dBA CNEL with the development of the proposed project. None of the segments have an increase of 3 dBA. Therefore, the project's direct contribution to off-site roadways is less than significant. No mitigation is required.

**Table 18. Existing vs. Existing Plus Project Noise Levels**

| Roadway | Roadway Segment | Existing Noise Level (dBA CNEL) | Existing Plus Project Noise Level (dBA CNEL) | Project Related Noise Increase (dBA CNEL) |
|---|---|---|---|---|
| Twin Oaks Valley Road | Richmar Avenue to San Marcos Blvd. | 74.1 | 74.2 | 0.1 |
| | San Marcos Blvd. to SR-78 WB Ramps | 75.2 | 75.4 | 0.2 |
| | SR-78 EB Ramps to Barham Dr. | 75.7 | 75.8 | 0.1 |
| San Marcos Boulevard | Grand Ave. to SR-78 EB Ramps | 76.3 | 76.3 | 0.0 |
| | SR-78 EB Ramps to SR-78 WB/Knoll Rd. | 75.5 | 75.6 | 0.1 |
| | Knoll Rd. to Westlake Dr. | 73.0 | 73.2 | 0.2 |
| | Westlake Dr. to Pico Ave. | 73.9 | 74.1 | 0.2 |
| | Pico Ave. to Twin Oaks Valley | 73.1 | 73.2 | 0.1 |
| | Twin Oaks Valley to Rancheros Dr. | 72.8 | 73.0 | 0.2 |
| | Rancheros Dr. to Mission Rd. | 71.5 | 71.7 | 0.2 |
| Pico Avenue | San Marcos Blvd. to Mission Rd. | 66.7 | 66.9 | 0.2 |

**Source:** Ldn Consulting (2016b)

### Cumulative Off-Site Noise Impact Analysis

To determine if cumulative off-site noise level increases associated with the development of the project and other planned or permitted projects in the vicinity would create noise impacts, the noise levels for

the near-term project buildout and other planned and permitted projects were compared with the existing conditions. Utilizing the project's traffic assessment (Urban Systems Associates 2014) to be conservative, noise contours were developed for the following traffic scenarios:

- ***Existing:*** Current day noise conditions without construction of the project.
- ***Existing Plus Cumulative Projects Plus Project:*** Current day noise conditions plus the completion of the project and the completion of other permitted, planned projects, or approved ambient growth factors.
- ***Existing vs. Existing Plus Cumulative Plus Project:*** Comparison of the existing noise levels and the related noise level increases from the combination of the project and all other planned or permitted projects in the vicinity of the site.

The existing noise levels at 50 feet from roadways in the vicinity of the project site are given in Table 18 above for the Existing Scenario. The near-term cumulative noise conditions are provided in **Table 19**. No noise barriers or topography that may affect noise levels were incorporated in the calculations.

**Table 19. Existing Plus Project Plus Cumulative Roadway Noise Levels**

| Roadway | Roadway Segment | ADT | Vehicle Speeds (MPH) | Noise Level @ 50 Feet (dBA CNEL) |
|---|---|---|---|---|
| Twin Oaks Valley Road | Richmar Avenue to San Marcos Blvd. | 45,315 | 45 | 75.8 |
| | San Marcos Blvd. to SR-78 WB Ramps | 44,261 | 45 | 75.7 |
| | SR-78 EB Ramps to Barham Dr. | 59,385 | 45 | 77.0 |
| San Marcos Boulevard | Grand Ave. to SR-78 EB Ramps | 58,202 | 45 | 76.9 |
| | SR-78 EB Ramps to SR-78 WB/Knoll Rd. | 51,873 | 45 | 76.4 |
| | Knoll Rd. to Westlake Dr. | 39,131 | 45 | 75.2 |
| | Westlake Dr. to Pico Ave. | 41,288 | 45 | 75.4 |
| | Pico Ave. to Twin Oaks Valley | 33,758 | 45 | 74.5 |
| | Twin Oaks Valley to Rancheros Dr. | 31,434 | 45 | 74.2 |
| | Rancheros Dr. to Mission Rd. | 29,976 | 45 | 74.0 |
| Pico Avenue | San Marcos Blvd. to Mission Rd. | 10,258 | 45 | 69.3 |

**Source:** Ldn Consulting (2016b)

**Table 20** presents the comparison of the Existing Year and the Near-Term Cumulative noise levels. The overall roadway segment noise levels will increase from 0.5 dBA CNEL to 2.6 dBA CNEL with the development of the project and proposed cumulative projects. No cumulative noise increase of more than 3 dBA CNEL was found; therefore, a less than significant impact would occur. No mitigation is required.

**Table 20. Existing vs. Existing Plus Project Plus Cumulative Roadway Noise Levels**

| Roadway | Roadway Segment | Existing Noise Level (dBA CNEL) | Existing Plus Project Noise Level (dBA CNEL) | Project Related Noise Increase (dBA CNEL) |
|---|---|---|---|---|
| Twin Oaks Valley Road | Richmar Avenue to San Marcos Blvd. | 74.1 | 75.8 | 1.7 |
| | San Marcos Blvd. to SR-78 WB Ramps | 75.2 | 75.7 | 0.5 |
| | SR-78 EB Ramps to Barham Dr. | 75.7 | 77.0 | 1.3 |
| San Marcos Boulevard | Grand Ave. to SR-78 EB Ramps | 76.3 | 76.9 | 0.6 |
| | SR-78 EB Ramps to SR-78 WB/Knoll Rd. | 75.5 | 76.4 | 0.9 |
| | Knoll Rd. to Westlake Dr. | 73.0 | 75.2 | 2.2 |
| | Westlake Dr. to Pico Ave. | 73.9 | 75.4 | 1.5 |
| | Pico Ave. to Twin Oaks Valley | 73.1 | 74.5 | 1.4 |
| | Twin Oaks Valley to Rancheros Dr. | 72.8 | 74.2 | 1.4 |
| | Rancheros Dr. to Mission Rd. | 71.5 | 74.0 | 2.5 |
| Pico Avenue | San Marcos Blvd. to Mission Rd. | 66.7 | 69.3 | 2.6 |

**Source:** Ldn Consulting (2016b)

### Operational Activities

Potential operational noise source levels associated with the development and operation of the proposed project are primarily anticipated from stationary noise sources such as the roof mounted mechanical ventilation system (HVAC).

In the absence of any specific numerical criteria, the San Diego County noise standards were adopted for use by this project to determine the project's impact to neighboring land uses. The County Ordinance Section 36.404 limits noise generation in commercial zones to 60 dB Leq (one-hour average) between the hours of 7:00 a.m. and 10:00 p.m. and 55 dB Leq between the hours of 10:00 p.m. and 7:00 a.m. as measured at the project property line. The Ordinance limits noise in residential areas with a density of more than 11 dwelling units per acre to 55 dB Leq between the hours of 7:00 a.m. and 10:00 p.m. and 50 dB between the hours of 10:00 p.m. and 7:00 a.m.

The sound level limit at a location on a boundary between two zones is the arithmetic mean of the respective limits for the two zones. Property lines surrounding the project site are mostly commercial but there are existing multi-family residential to the west. Therefore, a 57.5 dBA hourly noise standard during the daytime hours between 7:00 a.m. and 7:00 p.m., and a 52.5 dBA standard during the evening hours of 7:00 p.m. and 10:00 p.m. was applied. These standards represent the arithmetic mean of the limits for commercial and multi-family residential uses for day and evening conditions. Therefore, the most restrictive approach is to apply the nighttime standards (52.5 dBA) to the operational noise from the project.

Rooftop HVAC units will be installed on the proposed buildings. In order to evaluate the HVAC noise impacts, the analysis utilized reference noise level measurements taken at a Von's Shopping Center in Murrieta, CA in 2010. The unshielded noise levels for the HVAC units were measured at 65.9 dBA Leq at a distance of six feet. Even though the HVAC system would cycle on and off throughout the day, this approach provides the worst-case noise condition. In addition, the HVAC units are designed

to provide cooling during the peak summer daytime periods, and it is unlikely that all the units will be operating continuously.

The noise levels associated with the roof-top mechanical ventilation system would be limited with the proposed parapet walls on the building that may vary in height but would be used to shield the units both visually and acoustically. The noise level reductions due to distance and the parapet walls for the nearest property line located to the west are provided in **Table 21** along with the cumulative noise level. The noise level reductions due to distance and the parapet walls for the proposed Phase 2 residential development are provided in **Table 22** below along with the cumulative noise level.

**Table 21. Mechanical Ventilation Noise Levels (Existing Offsite Residential)**

| Building | # of HVAC units | Cumulative Noise Level (dBA) | Distance To Observer Location (Feet) | Noise Reduction Due To Distance (dBA) | Reduction Due To Parapets (dBA) | Property Line Cumulative Noise Level (dBA)* |
|---|---|---|---|---|---|---|
| Hotel | 10 | 76.0 | 60 | -20.0 | -15.0 | 41.0 |
| Office | 12 | 76.8 | 375 | -35.9 | -5.5 | 35.4 |
| Restaurant | 10 | 76.0 | 465 | -37.8 | -4.9 | 33.3 |
| **Cumulative Noise Level (dBA Leq)** | | | | | | **42.6** |

**Source:** Ldn Consulting (2016b)
**Note:** * Complies with the nighttime Noise Standard

**Table 22. Mechanical Ventilation Noise Levels (Future Onsite Phase 2 Residential)**

| Building | Quantity | Cumulative Noise Level (dBA) | Distance To Observer Location (Feet) | Noise Reduction Due To Distance (dBA) | Reduction Due To Parapets (dBA) | Property Line Cumulative Noise Level (dBA)* |
|---|---|---|---|---|---|---|
| Hotel | 10 | 76.0 | 305 | -34.1 | -15.0 | 26.9 |
| Office | 12 | 76.8 | 265 | -32.9 | -5.5 | 38.4 |
| Restaurant | 10 | 76.0 | 110 | -25.3 | -4.9 | 45.8 |
| **Cumulative Noise Level (dBA Leq)** | | | | | | **46.6** |

**Source:** Ldn Consulting (2016b)
**Note:** * Complies with the nighttime Noise Standard

As shown, none of the proposed operational noise levels directly or cumulatively exceed the property line standards at the nearest residential property lines. Therefore, operational noise levels resulting from the proposed project comply with the City's standards. Impacts would be less than significant.

The delivery trucks for the northern portion of the site (Phase 1) are anticipated to consist of smaller trucks (step side or box trucks) arriving during normal business hours to bring deliveries. The delivery trucks are anticipated to use the interior portions of the site and only service the site during the daytime hours. Therefore, truck noise is anticipated to be lower than the City's noise standards and no impacts were identified. Based upon the property line noise levels determined above, none of the proposed operational noise levels from Phase 1 will directly or cumulatively exceed the property line standards at the nearest residential uses. Therefore, the proposed development-

related operational noise levels comply with the City's standards. No impacts are anticipated and no mitigation is required.

**d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Less Than Significant Impact**

Construction noise represents a short-term impact on the ambient noise levels. Noise generated by construction equipment includes haul trucks, water trucks, graders, dozers, loaders, and scrapers. Such equipment can reach relatively high noise levels. Grading activities typically represent one of the highest potential sources for noise impacts. The most effective method of controlling construction noise is through local control of construction hours and by limiting the hours of construction to normal weekday working hours.

The City of San Marcos Municipal Code limits grading, extraction, and construction activities to between 7:00 a.m. and 4:30 p.m. Monday through Friday and no grading, extraction, or construction is allowed on the weekends or holidays. The Municipal Code does not set noise limits on construction activities. Commonly, the City has utilized the County of San Diego's Noise Ordinance noise limit of 75 dBA for other projects.

The U.S. Environmental Protection Agency (U.S. EPA) has compiled data regarding the noise-generating characteristics of specific types of construction equipment. Noise levels generated by heavy construction equipment can range from 60 dBA to in excess of 100 dBA when measured at 50 feet. However, these noise levels diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 75 dBA measured at 50 feet from the noise source to the receptor would be reduced to 69 dBA at 100 feet from the source to the receptor, and reduced to 63 dBA at 200 feet from the source.

Using a point-source noise prediction model, calculations of the expected construction noise impacts were completed. The essential model input data for these performance equations include the source levels of each type of equipment, relative source to receiver horizontal and vertical separations, the amount of time the equipment is operating in a given day, also referred to as the duty-cycle, and any transmission loss from topography or barriers.

The equipment needed for the development would consist of up to two large bulldozers, two rubber tire dozers, four scrapers, a water truck, a medium sized front loader, a medium sized excavator, and a small to medium sized road grader. Based on the EPA noise emissions, empirical data, and the amount of equipment needed, worst case noise levels from the construction equipment for site preparation would occur during the grading operations.

**Construction Grading Noise Analysis**

Rough grading has already been conducted on the project site consistent with the grading plan analyzed in the adopted 2014 MND. The 2014 MND concluded that grading activities would create less than significant noise level at the property line and would not impact the adjacent offsite residential use. Any remaining grading would be to create building pads and would be consistent with the grading identified in the 2014 MND. Therefore construction-related grading noise would continue to be less than significant.

**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? Less than Significant Impact**

According to the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP), the project site is located within Review Area 2 of the airport influence area. The influence area is regulated by the Airport Land Use Commission, which regulates land uses in the area to be compatible with airport-related noise, safety, airspace protection, and over-flight factors through review of development proposals within the airport influence area. Review Area 2 consists of limits on heights of structures in areas of high terrain. Residential development in Review Area 2 may be subject to annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights.

The project site is outside of the 60 dBA noise contour generated by airport noise as illustrated in the ALUCP. Nevertheless, all residential development within Review Area 2 shall be required to record overflight notification documents as outlined in the McClellan-Palomar ALUCP, and per Chapter 20.265 of the City's Municipal Code, notifying residents of potential annoyances commonly associated with proximity to airports, such as noise, vibration, and overflights. This notification will be required as a condition of project approval and impacts related to airport hazards would be less than significant.

**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? No Impact**

The project site is not located within the vicinity of a private airstrip. Therefore, no impact is identified for this issue area.

## XIII. POPULATION AND HOUSING

**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)? Less than Significant Impact**

The project proposes a mix of commercial and residential uses. The commercial uses are consistent with the existing General Plan and zoning for the project site. The site has a General Plan designation of Specific Plan Area and is associated with the Heart of the City Specific Plan. Within the Heart of the City Specific Plan, the project site is designated as Town Center. The uses proposed by the project are consistent with the Town Center. Additionally, upon adoption of the Specific Plan Amendment, the residential uses will also be consistent with the Town Center designation.

The project is proposed in an area of the city that is already development and is adjacent to existing infrastructure including water/sewer lines and roadways.

The offsite traffic, water quality, and water main improvements listed in Section II, Project Description were also considered during this analysis. These improvements involve road widening, lane modifications, installing water filters in storm drains, and pipeline upgrading. Each of these improvements will occur in already disturbed areas. Additionally, these improvements are being sized only to support the project and would not be characterized as growth inducing. Therefore, a less than significant impact is identified.

**b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? No Impact**

There is no existing housing on the project site; therefore the project would not displace any housing. The project will add to the housing stock in San Marcos by constructing 118 residential townhomes. No impacts are identified for this issue area.

**c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? No Impact**

There is no existing housing on the project site; therefore the project would not displace any people. The project will add to the housing stock in San Marcos by constructing 118 residential townhomes. No impacts are identified for this issue area.

## XIV. PUBLIC SERVICES

**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

**a) Fire protection? Less Than Significant With Incorporation of Mitigation**

The project site would increase demand on fire protection services due to the construction of multi-family residential units on the project site. The City of San Marcos Fire Department was contacted for their input on the project, including information regarding stations serving the project, current staffing, response times, and other items related to fire protection services. The Fire Department's response is included with the service provider letters in **Appendix H**.

The project site is closest to Station 1, located at 180 West Mission Road and staffed with one paramedic engine company (3 personnel), one paramedic truck company (3 personnel), and one paramedic ambulance (2 personnel). According to the Fire Department, average response time to the general area of the project site is three to four minutes. A more accurate response time would be required to be measured.

The San Marcos Fire Department (2015) indicated that current staff levels and equipment at nearby stations are adequate to serve the project; however, the Fire Department continues to experience an increase in emergency and non-emergency response. The project would create a minor population increase for the proposed multi-family residential use. In addition, the provision of emergency services to multi-level buildings requires special response considerations requiring additional personnel. Additional resources will be needed in the future to handle the increase in demand. This represents a significant impact and requires mitigation (**Impact PS-1**).

**MM-PS-1** Prior to the issuance of building permits, the project applicant shall pay into CFD 2001-01 for fire services.

Implementation of mitigation measure MM-PS-1, which will be required as a condition of project approval, will have the project participate in CFD 2001-01, a preexisting Fire Community Facilities District. CFD 2001-01 provides funding for fire protection, ambulance and paramedic services and may be used for fire stations, fire training facilities, fire dispatch centers, fire communication systems and fire equipment. Payment into CFD 2001-01, which would offset the increase in fire services demand that would be generated by the project and would reduce impacts to below a level of significance.

Additionally, the project will implement the following design features, per Fire Department requirements:

- Fire flow will be a minimum of 1,500 gallons per minute for a three-hour duration.
- Roadways serving the project shall have a minimum improved paved width of 24 feet with an additional 8 feet to each side for parking. Access drives between proposed buildings shall be 20 feet wide, with no parking allowed on either side. All main fire lanes and drive aisles between buildings shall provide a 28-foot turn radius to accommodate fire apparatus. If medians are proposed, then a minimum 12-foot drive lane is required on each side of the median. For access to lower lots and the creek area, a minimum 16-foot wide road shall be provided for emergency vehicle access. A turn-around is required at the bottom of the road. Any other roadway features such as cul-de-sacs and gates must meet the design criteria of the San Marcos Fire Department.
- Fire hydrants with an adequate water supply must be installed at locations approved by the San Marcos Fire Department.
- Entire Mid-Rise Ordinance (San Marcos Municipal Fire Code Section 17.64.210) will apply to any on-site structures that are four stories or more in height.
- Automatic fire sprinklers and fire alarm systems shall be installed in all structures. Standpipes may be required based on the layout and access to the residential complex. Wet standpipe outlets with separate fire department connections will be required along the south and west borders.
- Emergency responder radio coverage shall be provided in multi-story structures in compliance with 2013 California Fire Code and San Marcos Fire Department requirements.
- Knox key boxes shall be required for emergency access to all utility rooms and other common areas.
- A fuel management plan is required to ensure a 150’ wildland fuel modification from all sides of all structures. Where this distance cannot be provided, enhanced fire restrictive construction shall be provided as required by the San Marcos Fire Department, including, but not limited to, two-hour exterior fire rated walls, ember-resistant vents, and rated doors, windows, and skylights.
- Landscaping plans must be submitted. No trees shall be planted within 30 feet of structures along the southern and western boundary.

Implementation of these design features would be required as a condition of project approval.

**b) Police protection? Less Than Significant With Incorporation of Mitigation**

The San Diego County Sheriff's Department provided input on the proposed project (McClain 2015). The letter is provided with the service provider letters in **Appendix H**. In its response, the Sheriff's Department requested inclusion of a structural separation between the residential and commercial parking lots to ensure site user safety. For residents, each townhome will have private garage space for two vehicles. A parking management plan will also be developed that details the parking plan and enforcement mechanisms to ensure no parking conflicts would occur between the townhome guest parking and parking associated with the hotel and commercial components of the project. No physical separation between the parking lots is included; the open parking plan promotes the shared use of the space by providing a synergy between the proposed mixed uses. To ensure the safety of residents and visitors, a property manager will be on-site to address immediate concerns. In addition, the project would incorporate Crime Prevention Through Environmental Design (CPTED) measures, as appropriate. Such features would include maximizing visibility to the extent possible and ensuring the project site is well-lit, to deter criminal behavior and ensure the safety and security of site users.

Development of the project site would increase demand on police protection services due to the construction of commercial and residential uses. The project site would be served by the San Marcos Station located at 182 Santar Place, which is located approximately 1.5 miles from the project site. According to the Sheriff's Department response letter (Horst 2016), also included with the service provider letters in **Appendix H**, current staffing levels are adequate to meet current demand. The addition of development associated with this project will result in an increase in demand on police protection services and associated response times. This represents a significant impact and requires mitigation (**Impact PS-2**).

**MM-PS-2** Prior to the issuance of building permits, the project applicant shall pay into CFD 98-01 for police services.

Implementation of mitigation measure MM-PS-2, which will be required as a condition of project approval, will have the project participate in CFD 98-01 as a condition of project approval. This CFD finances police services and facilities, training and equipment and would offset the increase in demand for police protection services caused by the project and would reduce impacts to below a level of significance.

**c) Schools? Less than Significant Impact**

The project is located within the service boundary of the San Marcos Unified School District (SMUSD). The project proposes development of 118 multi-family residential townhomes. Based upon generation rates provided by SMUSD, the project is anticipated to generate 53 students. The official SMUSD response is included with the service provider letters in **Appendix H**. As described in SMUSD's School Facilities Needs Analysis dated February 13, 2015, district-wide enrollment is 20,065 students and school facilities have a capacity of 16,655 students. This represents a deficit of 3,410 students. These additional students are housed in portable buildings.

Local schools that would serve the project and current enrollment figures are as follows:

| School | Enrollment | Student Generation Rate | Students Generated by Project |
|---|---|---|---|
| San Marcos Elementary School, 1 Tiger Way | 942 | 0.2540 | 31 |
| San Marcos Middle School, 650 W. Mission Road | 1,331 | 0.0932 | 12 |
| San Marcos High School, 1615 San Marcos Boulevard | 2,776 | 0.0804 | 10 |
| **Total** | | **0.4276** | **53** |

**Source:** SMUSD 2015

The addition of 53 students generated by the proposed project would contribute to already overcrowded conditions at SMUSD schools.

The project applicant will be required to pay school mitigation fees pursuant to California Education Code Section 17620 and Government Code Section 65995. These fees will assist in funding the SMUSD's long-rage plans and development of future school facilities. Current Level II school fees are $3.79/s.f. for residential units (SMUSD 2014). Senate Bill 50 states that the fees imposed by school districts shall constitute the exclusive method of considering and mitigating impacts on school facilities caused by a development project. Such payment shall provide "full and complete mitigation of the impacts of any legislative or adjudicative act...on the provision of adequate school facilities" (Government Code Section 65995(h)). Therefore, with payment of required fees, impacts to schools would be less than significant.

**d) Parks? Less than Significant With Mitigation Incorporated**

The closest parks to the project site are Buelow Park and Connors Park. Buelow Park is a 1.90-acre neighborhood park that includes picnic shelters, benches, a tot lot, water play area, and basketball court. Connors Park is a 4.7-acre park adjacent to San Marcos Elementary School featuring a lighted multi-use synthetic turf field, lighted tennis/basketball courts, shaded picnic areas, two tot lots, restrooms and a concession stand.

The residential development proposed under the project includes private recreational amenities, including a pool, spa, fire pit and seating area, barbeque area, and dog run. However, the future residents of townhomes will increase the incremental demand for park and recreation facilities. This represents a significant impact and mitigation is required (**Impact PS-3**).

**MM-PS-3** Prior to the issuance of building permits, the project applicant shall pay Public Facility Fees (PFF).

The project's payment of PFF, as required by mitigation measure MM-PS-3 would reduce the park impact to below a level of significance. PFF fees paid by projects in the City, including the proposed project, would pay for development and/or improvement of neighborhood or and regional parks. This would offset the increase in demand for park and recreation facilities by future project residents and reduce impacts to below a level of significance.

With regard to the future commercial uses proposed as part of the project, guests at the hotel would potential utilize the existing park resources; however, this use was identified as sporadic and impacts were determined to be less than significant.

**e) Other public facilities? Less than Significant Impact**

In Sections XIV(a) through XIV(d), the analysis concluded that the project would have a less than significant impact related to police protection, fire protect, schools and parks. The project would not result in an impact to any other public facilities. Impacts would be less than significant.

## 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? Less than Significant With Mitigation Incorporated**

The closest parks to the project site are Buelow Park and Connors Park. Buelow Park is a 1.90-acre neighborhood park that includes picnic shelters, benches, a tot lot, water play area, and basketball court. Connors Park is a 4.7-acre park adjacent to San Marcos Elementary School featuring a lighted multi-use synthetic turf field, lighted tennis/basketball courts, shaded picnic areas, two tot lots, restrooms and a concession stand.

The residential development proposed under the project includes private recreational amenities, including a pool, spa, fire pit and seating area, barbeque area, and a dog run. However, the future residents of townhomes will increase the incremental demand for park and recreation facilities. This represents a significant impact and mitigation is required. Payment of PFF, as identified under MM-PS-3, above, would reduce this impact to below a level of significance.

The project's payment of PFF, as required by mitigation measure MM-PS-3 would reduce the park impact to below a level of significance. PFF fees paid by projects in the City, including the proposed project, would pay for development and/or improvement of neighborhood or and regional parks and recreation facilities. This would offset the increase in demand for park and recreation facilities by future project residents and reduce impacts to below a level of significance.

With regard to the future commercial uses proposed as part of the project, guests at the hotel would potential utilize the existing park resources; however, this use was identified as sporadic and impacts were determined to be less than significant.

**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? Less Than Significant Impact**

The residential development proposed under the project includes private recreational amenities, including a pool, spa, fire pit and seating area, barbeque area, and dog run. The area proposed for these amenities falls within the development footprint analyzed for the project and would not result in an adverse physical effects that are not already considered in this document. Impacts would be less than significant.

## XVI. TRANSPORTATION/TRAFFIC

In 2014 a traffic report was prepared for the project by Urban Systems Associates to support the 2014 MND (**Appendix I**). In 2015, a traffic impact analysis update technical memorandum was prepared for the proposed Phase 2 changes by Michael Baker International. The 2015 technical memorandum addressed changing the uses in the southern portion of the project site from commercial to residential (**Appendix J**). Subsequently, a memorandum was prepared for the proposed project by Urban Systems Associates to address the proposed reduction in development intensity in the northern portion (Phase 1) of the project site and to determine if the proposed project would result in new traffic impacts not identified in the previous traffic impact analysis performed in 2014 (**Appendix K**). An additional supplemental technical memorandum was prepared by Michael Baker International (2016) to evaluate the east/west pedestrian crosswalk on the north leg of the Twin Oaks Valley Road/Project Access-LA Fitness Driveway intersection. This memorandum is included in **Appendix L**.

The following traffic mitigation measures were adopted as part of the MMRP for the 2014 MND and would still be applicable to the project:

**MM-TR-1** Prior to the issuance of building permits, the project shall pay a fair-share contribution towards the following improvements at San Marcos Boulevard and Twin Oaks Valley Road:

- Provide a dedicated right-turn lane in the southbound direction; and
- Provide a third left-turn lane in the westbound direction.

**MM-TR-2** Prior to the issuance of building permits, the project shall pay a fair share contribution towards the following improvement at the intersection of San Marcos Boulevard and Knoll Road or an alternative solution providing the same or better impact relief, acceptable to Caltrans and the City:

- Restripe the San Marcos Boulevard eastbound through lanes to provide a third lane when the roadway is widened to a six lane prime arterial.
- Restripe San Marcos Boulevard to provide three left turn lanes and one northbound through-shared right turn lane, OR, restripe to provide a dual left, one through lane, and one dedicated right turn lane in the northbound direction.

**Traffic Study Scope and Approach**

The project study area included 12 intersections and 11 roadway segments and analyzed the following scenarios

- Existing Conditions
- Existing Plus Project Conditions
- Near Term Without Project
- Near Term With Project
- Horizon Year 2030 Conditions Without Project
- Horizon Year 2030 Conditions With Project

The project includes the following roadway improvements that are included in the updated site plan:

- Eastbound right-turn lane at San Marcos Boulevard / Pico Avenue – Project Access.
- Eastbound dual right-turn lanes with right-turn overlap at San Marcos Boulevard / Twin Oaks Valley Road.
- Eastbound bike lane on San Marcos Boulevard from Pico Avenue to Twin Oaks Valley Road.
- Fourth southbound lane on Twin Oaks Valley Road along project frontage that will transition to the existing southbound right-turn lane for the SR-78 westbound on-ramp.
- New traffic signal at Twin Oaks Valley Road / Project Access intersection.
- Dual northbound left-turn lanes for the new Twin Oaks Valley Road / Project Access intersection.
- A single east/west marked pedestrian crosswalk on the north leg of the Twin Oaks Valley Road / Project Access-LA Fitness Driveway intersection.

These updated improvements were taken into account in the traffic impact analysis update technical memoranda.

**a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? Less Than Significant with Mitigation Incorporated**

**Existing Level of Service**

Existing a.m. and p.m. peak hour intersection levels of service (LOS) of the study intersections based on the peak hour intersection volumes and intersection geometry existing at the time the original traffic impact analysis was prepared demonstrated that all study intersections were determined to operate at acceptable LOS (LOS D) or better during the peak hours. All study roadway segments were also determined to operate at acceptable LOS (LOS D or better).

**Project Trip Generation**

To determine the trips forecast to be generated by the proposed project, April 2002 (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region were used. The previously approved project under the 2014 MND was forecast to generate 5,153 average daily trips, with 366 a.m. peak hour trips and 505 p.m. peak hour trips. Trip generation for the proposed project has been updated based on the proposed changes in land use. Updated projections are 4,204 ADT, with 295 a.m. peak hour trips and 368 p.m. peak hour trips. This represents an 18% reduction in overall ADT, a 19% reduction in AM peak hour trips and a 27% reduction in PM peak hour trips.

**Previous Impacts Identified in 2014 MND**

***Existing Plus Project Conditions***

The previous traffic impact analysis concluded that the addition of project-generated trips was not forecast to result in a change in operating conditions from acceptable to deficient at any of the study intersections under existing plus project conditions. The study intersections were forecast to continue operating at LOS D or better with the addition of traffic generated by the proposed project.

Consistent with existing conditions, all study roadway segments were projected to continue operating at acceptable LOS (LOS D or better) with the inclusion of project-related traffic under existing plus project conditions. The calculated increase in the volume-to-capacity (v/c) ratio was not identified to exceed the significant impact threshold of 0.020 for daily roadway segment operations; therefore, a significant impact was not identified on any study segments

***Existing Plus Near Term Conditions***

The previous traffic impact analysis concluded that all intersections were forecast to operate at acceptable LOS (LOS D or better) except San Marcos Boulevard / Twin Oaks Valley Road, which was forecast to operate at LOS E in the a.m. and p.m. peak hours both without and with the proposed project under Existing Plus Near Term conditions.

The addition of project-related traffic to the above-listed deficient intersection was identified to result in an increase in delay that exceeds the significance threshold of 2.0 seconds. Therefore, a significant impact was identified at the intersection of San Marcos Boulevard / Twin Oaks Valley Road under Existing Plus Near Term conditions with the proposed project and mitigation was required. MM-TR-1 as identified in the previous MND (SCH No. 2014101043) required the project to pay a fair-share contribution towards the following improvements at the intersection of San Marcos Boulevard / Twin Oaks Valley Road: provide a dedicated right-turn lane in the southbound direction and provide a third left-turn lane in the westbound direction. The previous MND (SCH No. 2014101043) concluded that, with the incorporation of **MM-TR-1**, the project's impacts would result in LOS D at San Marcos Boulevard / Twin Oaks Valley Road. Impacts would be reduced to below a level of significance in the Existing Plus Near Term condition.

All street segments were projected to operate at acceptable LOS (LOS D or better) under Existing Plus Near Term conditions without and with the proposed project.

***Horizon Year 2030 Conditions***

Future year (2030) traffic volumes were taken directly from the approved University District Specific Plan traffic study dated June 2009, prepared by RBF Consulting, except for San Marcos Boulevard between Grand Avenue and SR-78 Eastbound Ramps. Traffic volumes for this segment were taken from SANDAG Series 11 Combined North County Model.

The following planned roadway improvements within the project study area were incorporated into Horizon Year 2030 projections:

- Widening of San Marcos Boulevard from four to six lanes from Knoll Road to Twin Oaks Valley Road
- Widening of San Marcos Boulevard from a six-lane prime arterial to a seven-lane prime arterial from Grand Avenue to SR-78 Eastbound Ramps

- Widening of Pico Avenue from a two lane collector to a 3 lane collector

The previous traffic impact analysis concluded that the following intersections were forecast to operate at deficient LOS (LOS E or F) under Horizon Year 2030 Conditions both without and with the proposed project:

- San Marcos Boulevard / Grand Avenue (p.m.: LOS F)
- San Marcos Boulevard / Knoll Road (a.m.: LOS E; p.m.: LOS F)
- San Marcos Boulevard / Twin Oaks Valley Road (a.m./p.m.: LOS E)

The addition of project-related traffic to the above-listed deficient intersections was identified to result in an increase in delay that exceeds the significance threshold of 2.0 seconds for the San Marcos Boulevard / Knoll Road and San Marcos Boulevard / Twin Oaks Valley Road intersections. Therefore, significant impacts were identified at the study intersections under Horizon Year 2030 conditions and mitigation was required. **MM-TR-2** as identified in the previous MND (SCH No. 2014101043) required the project to pay a fair share contribution towards the following improvements at the intersection of San Marcos Boulevard / Knoll Road or an alternative solution providing the same or better impact relief, acceptable to Caltrans and the City: restripe the San Marcos Boulevard eastbound through lanes to provide a third lane when the roadway is widened to a six lane prime arterial and restripe San Marcos Boulevard to provide three left turn lanes and one northbound through-shared right turn lane, OR, restripe to provide a dual left, one through lane, and one dedicated right turn lane in the northbound direction. The previous MND (SCH No. 2014101043) concluded that, with the incorporation of MM-TR-2, the project's impacts would result in LOS D at the intersection of San Marcos Boulevard / Knoll Road. Impacts would be reduced to below a level of significance in the Horizon Year 2030 condition.

For the Year 2030 cumulative impact to San Marcos Boulevard and Twin Oaks Valley Road, the previous MND (SCH No. 2014101043) concluded that implementation of mitigation measure MM-TR-1 (fair share payments towards specific intersection improvements) would result in LOS D at this intersection. Therefore, impacts would be reduced to below a level of significance.

The previous traffic impact study also identified that all study area street segments were projected to operate at acceptable LOS (LOS D or better), with the exception of Twin Oak Valley Road from Richmar Avenue to San Marcos Boulevard, which was projected to operate at LOS F under Horizon Year 2030 conditions without and with the proposed project. The addition of project-related traffic was projected to result in a change in v/c that exceeds the significant impact threshold of 0.01 along Twin Oaks Valley Road from Richmar Avenue to San Marcos Boulevard. This was identified as a significant impact and mitigation was required. According to the previous traffic impact analysis, this segment is access-controlled by the two intersections at either end, and operations of these two intersections during peak hours would most influence operations on this roadway segment. Improvements at the intersection of Twin Oaks Valley Road and San Marcos Boulevard would also serve to mitigate the significant impact on this segment of Twin Oaks Valley Road. Therefore, for the Year 2030, impacts to the segment of Twin Oak Valley Road from Richmar Avenue to San Marcos Boulevard would be mitigated through implementation of mitigation measure MM-TR-1 (fair share payments towards specific intersection improvements at Twin Oaks Valley Road/San Marcos Boulevard). This would reduce the identified segment impact to below a level of significance (LOS D).

A revised analysis of project conditions in Year 2030 without and with the proposed project was conducted to document potential changes from the original analysis. The revised analysis accounts for minor changes in lane configurations at project access points. Trip distribution assumptions were taken from the 2014 traffic impact analysis. As shown in **Table 23**, no additional project impacts to area intersections would occur with implementation of the proposed project.

**Table 23. Year 2030 Without and With Proposed Project Intersection Summary**

| | Year 2030 | | | | Year 2030 Plus Project | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | AM Peak Hour | | PM Peak Hour | | AM Peak Hour | | | | PM Peak Hour | | | |
| Intersection | Delay | LOS | Delay | LOS | Delay | LOS | Change | Significant? | Delay | LOS | Change | Significant? |
| San Marcos Boulevard/Pico Avenue | 22.2 | C | 25.5 | C | 31.5 | C | 9.3 | No | 27.6 | C | 2.1 | No |
| San Marcos Boulevard/Twin Oaks Valley Road | 65.9 | E | 73.2 | E | 51.2 | D | -14.7 | No | 54.3 | D | -18.9 | No |
| Twin Oaks Valley Road/Project Access | DNE | DNE | DNE | DNE | 13.8 | B | N/A | No | 14.1 | B | N/A | No |

**Notes:** DNE = Does Not Exist
LOS = Level of Service
Negative change in delay is due to implementation of mitigation measures.

**Proposed Project**

As identified above, the proposed changes in land use for the proposed project would result in a decrease in trip generation and peak hour trips (19% reduction in the AM peak and 27% reduction in the PM peak). As a result, the proposed project would add fewer trips to the roadway network and overall impacts would be reduced. Since the proposed project would result in fewer trips than analyzed in the previous traffic impact analysis, no new traffic impacts would occur as a result of project implementation.

The findings of the previous MND (SCH No. 2014101043) are still applicable. The significant impacts identified at the intersections of San Marcos Boulevard / Knoll Road and San Marcos Boulevard / Twin Oaks Valley Road in the traffic impact analysis would still occur with the proposed changes in land use. The mitigation identified in the previous MND (SCH No. 2014101043) and summarized above would still be required, but due to the reduction in trip generation, the project's proportionate fair share toward the recommended mitigation measures at these intersections would be lower.

As a result, the following modifications to the fair share contribution percentages are recommended for the mitigation measures:

- San Marcos Boulevard / Knoll Road: reduced from 6.1% to 4.7%
- San Marcos Boulevard / Twin Oaks Valley Road: reduced from 9.7% to 7.4%

**Supplemental Queuing Analysis**

A supplemental queuing analysis was performed by Urban Systems and Associates in November 2014 for the Near Term Plus Project With Mitigation and Year 2030 Plus Project With Mitigation conditions. The supplemental analysis showed that providing eastbound dual right-turn lanes at San Marcos Boulevard / Twin Oaks Valley Road as an alternative to a single eastbound right-turn lane with overlap signal phase would significantly reduce the eastbound right-turn queue lengths during the peak hours. The eastbound dual right-turn lanes at San Marcos Boulevard / Twin Oaks Valley Road has since been included in the project site plan and will be constructed by the proposed project.

The traffic impact analysis update technical memorandum included an updated queuing analysis for the Horizon Year 2030 With Project conditions that focuses on three intersections:

- San Marcos Boulevard / Pico Avenue – Project Access
- San Marcos Boulevard / Twin Oaks Valley Road
- Twin Oaks Valley Road / Project Access – LA Fitness Driveway

Table 2 of **Appendix K** summarizes the results of the queuing analysis. 95$^{th}$ percentile queue lengths would exceed the available storage capacities at two study intersections:

- San Marcos Boulevard / Pico Avenue – Project Access (2 approach lanes) and
- San Marcos Boulevard / Twin Oaks Valley Road (5 approach lanes).

At the intersection of San Marcos Boulevard / Pico Avenue – Project Access, the project would not add trips to either approach lane; however, to improve queuing conditions at the intersection, it is recommended that the traffic signal cycles between San Marcos Boulevard / Pico Avenue – Project Access and San Marcos Boulevard / Twin Oaks Valley Road be synchronized to favor the east-west through movements at both intersections. This has been identified as a project design feature (Table 2) and will be included as a condition of project approval.

The project would also contribute trips to the approach lanes at San Marcos Boulevard / Twin Oaks Valley Road. As identified above, the project will contribute a fair share toward improvements at San Marcos Boulevard / Twin Oaks Valley Road (MM-TR-1) to mitigate a project-related significant impact. The proposed improvements include constructing a third westbound left-turn lane and a dedicated southbound right-turn lane. The supplemental queuing analysis prepared previously assumed a storage length of 250 feet per lane for the westbound left-turn lanes and a storage length of 200 feet for the southbound right-turn lane. These lengths are insufficient to handle projected queue lengths as a result of the proposed project. This represents a significant impact and mitigation is required (**Impact TR-3**). To reduce the queuing impacts, the following mitigation measure shall be implemented as a condition of project approval:

**MM-TR-3** Prior to the issuance of building permits, the project applicant shall pay a fair share to increase storage bay lengths to improve queuing conditions during the peak hours at the intersection of San Marcos Boulevard / Twin Oaks Valley Road. The required storage bay length increases are as follows:

- Extend eastbound dual left-turn lanes from 135 feet to 210 feet (maximum length allowed);
- Extend westbound triple left-turn lanes from 250 feet to 270 feet;
- Extend northbound dual left-turn lanes from 195 feet to 220 feet; and
- Extend southbound single right-turn lane from 200 feet to 250 feet

Implementation of mitigation measure MM-TR-3 would provide adequate storage capacity and reduce impacts to below a level of significance. According to the 2016 technical memorandum prepared by Urban Systems Associates, Inc., no additional queuing impacts beyond what was previously analyzed would occur with implementation of the proposed project.

Additionally, to reduce trips and improve traffic congestion in the project vicinity, following mitigation measures will be required as a condition of project approval:

**MM-TR-4** Prior to the issuance of building permits, the project applicant (Phase 1 and Phase 2) shall annex into CFD 2011-01 (Congestions Management).

As required by this mitigation measure, both Phase 1 and Phase 2 of the project will be required to annex into CFD 2011-01 which This CFD funds local transportation and parking services and transportation facilities. Included in this CFD is a future intra-city shuttle route that would run along San Marcos Boulevard and Twin Oaks Valley Road along the project frontage. The intra-city shuttle would some of the key activity centers with the City, including the San Marcos Creek District and the University District and further reduce congestion in the project vicinity.

**Pedestrian Crosswalk Analysis**

The 2016 supplemental technical memorandum prepared by Michael Baker International analyzed the effect of the proposed single east/west crosswalk on the north leg of the Twin Oaks Valley Road/Project Access-LA Fitness Driveway intersection at two signalized intersections: Twin Oaks Valley Road/Project Access-LA Fitness Driveway and Twin Oaks Valley Road/San Marcos Boulevard.

To provide a conservative analysis, a.m. and p.m. peak hour traffic volumes were used to evaluate both intersections. As identified above, impacts at Twin Oaks Valley Road/San Marcos Boulevard were determined to be significant and incorporation of the proposed changes would contribute additional trips to this intersection. Implementation of MM-TR-1 (fair share payments towards specific intersection improvements at Twin Oaks Valley Road/San Marcos Boulevard) and MM-TR-3 (extension of storage bay lengths) would reduce impacts to this intersection to below a level of significance (LOS D). With incorporation of the previous and proposed mitigation measures, the memorandum noted that the delay and LOS at both study intersections were determined to be acceptable.

An additional queuing analysis was performed for the Twin Oaks Valley Road/Project Access-LA Fitness Driveway intersection to compare queuing without and with the east/west crosswalk. The inclusion of the crosswalk was determined to increase queuing in the northbound intersection approach; however, approximately 54 feet of excess storage remains available at this approach with the incorporation of the crosswalk. No significant changes to queuing lengths in any other direction

were identified. Therefore, the memorandum concluded that vehicles would not exceed the available storage capacity at any of the turn movements whether or not the east/west crosswalk is provided. No significant impacts resulting from the inclusion of this crosswalk would occur.

Incorporation of the previous and proposed mitigation measures would reduce project-related impacts to less than significant levels.

**Site Access and Internal Circulation**

As part of the traffic impact analysis update technical memorandum (2015), both the Phase 1 and Phase 2 site plan areas were reviewed to assess the vehicular and pedestrian access points and on-site circulation and to determine if modifications should be made to improve access, circulation, and queuing at the driveways, reduce vehicle speeds, reduce potential vehicular and/or pedestrian conflicts, and improve pedestrian safety.

Vehicle access to the project site would be 1) from the north, via full access traffic signal control entry from San Marcos Boulevard, except for the left turn from the west bound San Marcos Boulevard into the project site, and 2) from the east, full access from Twin Oaks Valley Road utilizing the proposed traffic signal controlled entry in alignment with the existing and commonly referred to as the "LA Fitness driveway".

The project would emphasize pedestrian access within the project, along with pedestrian access to the Town Center, Civic Center, and east on San Marcos Boulevard to the SPRINTER Light Rail. The project includes a single east/west marked pedestrian crosswalk on the north leg of the Twin Oaks Valley Road/Project Access-LA Fitness Driveway intersection. The proposed project is approximately 0.2 miles from the SPRINTER Light Rail station.

~~Access to the project site would be via one right-in/right-out driveway on eastbound San Marcos Boulevard and one right-in/right-out driveway on southbound Twin Oaks Valley Road.~~

The traffic impact analysis update technical memorandum compared the currently proposed improvements at the project access intersections and at San Marcos Boulevard / Twin Oaks Valley Road to those included in the previous traffic impact analysis. The technical memorandum also evaluated how the proposed change in land use for the Phase 2 site would affect the traffic impact analysis findings and mitigation measures.

The traffic impact analysis (2014) assumed only one southbound left-turn lane at the intersection of San Marcos Boulevard / Twin Oaks Valley Road under all analysis scenarios. The existing and future lane configuration in the traffic impact analysis is outdated as a second southbound left-turn lane was recently constructed. The analysis scenarios with the proposed project assumed the existing single eastbound right-turn lane at the intersection of San Marcos Boulevard / Twin Oaks Valley Road; however, the updated site plan includes a second eastbound right-turn lane at the intersection to improve operations and reduce queuing during the peak hours.

As concluded in the previous traffic impact analysis, based on the results of the intersection analysis, the proposed driveway intersection is forecast to operate acceptable LOS (LOS D or better) during the peak hours through the year 2030.

The 2016 memorandum (USA 2016) concluded that since the proposed land uses are largely similar and the trip generation is similar, no changes to access operations and no additional project impacts beyond what was originally studied are anticipated. Incorporation of mitigation as identified above would reduce all identified impacts resulting from substantial increases in traffic to below a level of significance.

**b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? Less Than Significant Impact**

The City and Regional Congestion Management Program (CMP) guidelines, as adopted by SANDAG (2006) determine the procedures to be used for intersection peak hour analysis. The guidelines stipulate that any development project generating 2,400 or more ADT, or 200 or more peak hour trips, must be evaluated in accordance with the requirements of the CMP. Based on the project's anticipated contribution of 4,204 ADT, 295 a.m peak hour trips, and 368 p.m. peak hour trips, a CMP level of analysis is required. However, based on criteria and thresholds established in the SANTEC/ITE Guidelines and the SANDAG CMP, street segments and intersections with less than 50 peak hour trips in the peak direction were not evaluated. Likewise, metered freeway ramp locations with less than 20 peak hour trips were not evaluated. Furthermore, the project study area does not include any freeway analysis, so calculation of the LOS of main-line freeway segments was not conducted. Impacts would be less than significant.

**Construction Truck Traffic Evaluation**

The project site has been rough graded consistent with the grading plan considered in the 2014 MND. Therefore, the soil import has already occurred. The 2014 MND did not identify any impacts related to soil import activities. Under the proposed project, no new construction trips are anticipated beyond those already considered in the 2014 MND. No new impacts are identified.

**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? No Impact**

The project site is located approximately six miles east of McClellan-Palomar Airport. Given the type of development proposed, as well as the project's distance from the airport, the project would not result in a change in air traffic patterns. Therefore, no impact is identified for this issue area.

**d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? No Impact**

Access to the project site would be via one right-in/right-out driveway on westbound San Marcos Boulevard and one right-in/right-out driveway on southbound Twin Oaks Valley RoadThe project does not result in a substantial increase in hazards due to design features or incompatible uses and no impact is identified for this issue area.

**e) Result in inadequate emergency access? Less Than Significant Impact**

The project provides adequate emergency access. As proposed plans are submitted and access is further defined for the project, the Fire Department will determine the location for primary and

secondary fire access roads on site. Street widths meet the requirements of the Fire Department (24 feet) and there are two entry points into the project site. Impacts would be less than significant.

**f) Result in inadequate parking capacity? Less Than Significant Impact**

Urban Systems Associates prepared an updated shared parking analysis for Phase 1 of the proposed project as part of its 2016 memorandum. Phase 1 will provide 234 parking spaces to be shared between visitors and employees. Parking calculations are based on the ULI, Shared Parking, Second Edition. The ULI rates utilized did not account for any adjustments that could reduce parking demand such that the number of parking spaces provided is conservative. Therefore, the project would provide adequate parking capacity for Phase 1 of the project.

Phase 2 will provide 236 garage parking spaces, 40 surface parking spaces, and 4 disabled surface parking spaces for a total of 280 parking spaces. Phase 2 parking exceeds the parking requirements identified in the Heart of the City Specific Plan. The Specific Plan requires two spaces per unit (with one of them covered), and one guest space for every three units. Using this methodology, the total Phase 2 parking requirement would be 276 parking spaces. Therefore, the project would provide adequate parking capacity for Phase 2. Impacts would be less than significant.

**g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? No Impact**

**Existing and Future Bicycle and Pedestrian Access**

There are existing Class II bike lanes along San Marcos Boulevard and portions of Twin Oaks Valley Road, which are signed and striped within the street right of way. Fronting the project site, existing Class I bike lanes are also along Twin Oaks Valley Road, which is a paved bike path within an exclusive right of way physically separated from the roadway. These routes access the regional Class I Inland Rail Trail bike path that currently extends from the intersection of Mission Road / Pacific Street to I-15 in Escondido. The project would retain the bike lanes along San Marcos Boulevard and Twin Oaks Valley Road in front of the project site and would not result in any impact to bicyclists.

Pedestrian and trail facilities connect neighborhoods to local parks, schools, Palomar Community College, and California State University San Marcos. The system also connects with the wider regional trail network and adjacent cities. The closest trail facilities are existing urban trails along Twin Oaks Valley Road, fronting the project site, and along Mission Road, farther north. There are currently sidewalks on both sides of San Marcos Boulevard and Twin Oaks Valley Road, providing pedestrian access to sidewalks in the area and to the urban trails. The project would retain the sidewalk along the project frontage and would not result in any impacts to pedestrians. The project will also improve the pedestrian crossing at the westbound on-ramp to SR-78 from southbound Twin Oaks Valley Road, subject to review and approval by Caltrans, and provide a single east/west crosswalk on the north leg of the Twin Oaks Valley Road / Project Access-LA Fitness Driveway intersection.

**Transit Access**

The SPRINTER light rail provides direct connectivity to San Marcos and the cities of Oceanside, Vista, and Escondido. The light rail transit station at Civic Center is located approximately one-quarter mile

northeast of the project site. North County Transit District Breeze bus route 305 runs along Mission Road in the project vicinity, with a stop at the Civic Center as well. Route 305 extends from the Vista Transit Center to the Escondido Transit Center via South Santa Fe Avenue and Mission Road. Route 305 provides service from 4:15 a.m. to 11:45 p.m. Monday through Friday, with headways every 30 minutes through most of the day.

Additionally, as identified above in MM-TR-4, both Phase 1 and Phase 2 of the project will be required to annex into CFD 2011-01 which This CFD funds local transportation and parking services and transportation facilities. Included in this CFD is a future intra-city shuttle route that would run along San Marcos Boulevard and Twin Oaks Valley Road along the project frontage. The intra-city shuttle would some of the key activity centers with the City, including the San Marcos Creek District and the University District.

The proposed project does not conflict with any plans, policies, or programs supporting alternative transportation. Therefore, no impact is identified for this issue area.

## XVII. TRIBAL CULTURAL RESOURCES

Under Assembly Bill 52 (AB 52), passed in 2014, these significance thresholds were added to ensure that local and tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources.

"Tribal cultural resources" considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation. Per Public Resources Code Section 21074, tribal cultural resources are either listed or determined to be eligible for listing on the national, state, or local register of historic resources or are a resources that the lead agency chooses, in its discretion, to treat as a tribal cultural resource. Tribal consultation is required under AB 52, as codified under Public Resources Code Section 21080.3.1(a).

Per the requirements of AB 52, on November 3, 2016, City sent letters to the two tribes that have requested to be informed of projects. These tribes include the Rincon Band of Mission Indians and the San Luis Rey Band of Mission Indians.

**Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

**a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? <u>No Impact.</u>**

The project site is not listed or eligible for listing in the California Register of Historical Resources nor is it listed in a local register of historical resources. According to the previous environmental document (SCH No. 2014101043) and as detailed in the cultural resources report prepared for the project (ASM Affiliates, 2014), the closest historic address on file at the South Coast Information Center (SCIC) is located at 236 Pico Avenue, San Marcos, and is commonly known as the San Marcos

Forest Fire Station Gas and Oils House. This historic address is located approximately 0.08 mile northwest of the project site. No known historical resources were identified on the project site. Since no historic resources have been previously recorded on the project site and the on-site pedestrian survey conducted by ASM Affiliates did not identify any historical resources on the site, no impact was identified for this issue area. The proposed project would have the same footprint as the previous project plan. Therefore, impacts to historical resources would be the same and no impact would occur.

**b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. No Impact**

Per the requirements of AB 52, on November 3, 2016, City sent letters to the two tribes that have requested to be informed of projects. These tribes include the Rincon Band of Mission Indians and the San Luis Rey Band of Mission Indians. ~~The San Luis Rey Band of Mission Indians was the only respondent.~~

The City consulted with a representative of the San Luis Rey Band on November 9, 2016. The San Luis Rey Band, in a subsequent correspondence, stated as long as ground disturbing activities remain within the 2014 MND approved boundaries, no further coordination will be required, and consultation is concluded. . On December 19, 2016, The San Luis Rey Band reconfirmed that they are satisfied and concur with the proposed cultural resources mitigation measures contained in the CEQA document.

On December 2, 2016 the City received correspondence from the Rincon Band of Luiseno Indians. The Rincon Band indicated that the project site is within the Aboriginal Territory of the Luiseno people and it also within Rincon's historic area of cultural interest. The letter goes on to note that there is a potential for cultural findings including inadvertent discoveries and that the Rincon Band supports mitigation measures MM-CR-1 through MM-CR-9 to reduce the impacts to potential inadvertent discoveries. This potential impact was disclosed in Section V of this document.

## XVIII. UTILITIES AND SERVICE SYSTEMS

A Water and Sewer Study was prepared for the project by Vallecitos Water District (2015) to address changing the Phase 2 (southern portion) from commercial to residential townhome. In 2016, a water/sewer study memorandum was prepared to address the revised land uses (2016). The complete report and memorandum are included as **Appendices M1 and M2** of this document.

**a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Less Than Significant Impact**

The Vallecitos Water District (VWD) is responsible for disposal of treated wastewater. The Regional Water Quality Control Board (RWQCB) regulates the treatment of wastewater at treatment plants and the discharge of the treated wastewater into receiving waters. VWD is responsible for adhering to RWQCB regulations as they apply to wastewater generated by the any project. The VWD facilities have been designed to treat typical wastewater flows from different land uses within their service

area. The previous environmental document (SCH No. 2014101043) concluded that the previous project plan would generate wastewater flows typical of the uses currently operating in VWD's service area and an exceedance of wastewater treatment requirements of the applicable RWQCB were not anticipated. While the proposed project would have the same footprint as the previous project plan, according to the Water and Sewer Study, it would generate 23,626 gallons per day (gpd) above that estimated for the currently approved land use for the site. Nevertheless, the type of wastewater would be typical of the flows currently handled by VWD. Therefore, impacts related to wastewater treatment and the project's adherence to applicable requirements would be similar. Impacts would be less than significant.

**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? Less Than Significant Impact ~~with Mitigation Incorporated~~**

**Water Facilities Analysis**

***Water Distribution Infrastructure Analysis* –** The project is within the boundaries of VWD for water service within the 855 pressure zone. The water mains along San Marcos Boulevard are within a pressure zone with a hydraulic grade line of 855 feet above sea level. The water main in Twin Oaks Valley Road is within a pressure zone with a hydraulic grade line of 920 feet above sea level. The water main in Twin Oaks Valley Road is a transmission main. No service connections are permitting to this main. The project would construct new 8- and 10-inch public water mains to be connected to the existing water main in San Marcos Boulevard in the 855 Pressure Zone.

According to the 2016 VWD memorandum, the proposed land use changes of the project would not alter the estimated water use contained in the Water and Sewer Study prepared for the project (VWD 2015). According to the Water and Sewer Study, project-specific water distribution infrastructure must comply with the design and pressure criteria provided in VWD's 2008 Master Plan. The demand criteria for minimum allowable pressure at peak hour apply for the entire pressure zone that the project lies within. The developer has stated that the City of San Marcos Fire Marshal has set the required fire demand for the proposed project at 1,700 gallons per minute (gpm) for the hotel and office buildings and 1,500 gpm for retail buildings and townhomes. If the actual fire flow requirements exceed these demand projections, additional analysis will be required.

Water modeling prepared by VWD focused on the infrastructure in the direct vicinity of the proposed project and assumes construction of new 8- and 10-inch water lines within the project site that would connect into the existing main within San Marcos Boulevard. VWD modeled eight water demand scenarios, ranging from average to maximum demand, both with and without the proposed project. Under average day demand, maximum day demand, peak hour demand, and maximum day demand conditions, the model determined that the project would not require creation of any new distribution facilities. Impacts would be less than significant.

***Water Storage Analysis* -** Based upon the Water and Sewer Study prepared for the project (VWD 2015) the project would increase water demand. Under the current allowable use in the 2008 VWD Master Plan (commercial), estimated water demand at the project site is estimated at 28,740 gallons per day (gpd). Under the proposed project, water demand at the project site is estimated to be 52,366 gpd. This represents an increase of 23,626 gpd.

Potable water storage within VWD is sized for operational, emergency, and fire flow storage. Pursuant to the design criteria, each pressure zone should contain reservoirs sized for the greater of 450 percent of average daily demand plus fire flow storage or 500 percent of average daily demand. While the project is located within the 855 Pressure Zone, water storage for this zone is located within the 920 and 1028 Pressure Zones. The increase in water demand would result in an increase of potable water storage demand capacity by 118,130 gallons.

According to the 2008 Master Plan design criteria, VWD has water storage capacity currently available to serve the project's increased storage requirements; however, VWD has forecasted a water storage deficit of 0.7 MG, failing to provide the required 91.7 MG of suitable storage projected in 2030. As identified above, development of the proposed project would increase water demand by 23,626 gpd over demands projected in the 2008 Master Plan, requiring increased water storage of 118,130 gallons, thereby exacerbating this deficiency. To offset the increase in storage demand, the project would be required to pay Water Capital Facility Fees per VWD Ordinance No. 175 as a condition of project approval and as a condition of receiving service form VWD. These fees would go towards water infrastructure improvements identified in VWD's 2008 CIP and would offset the increased demand for potable water storage and impacts would be less than significant.

***Water Pump Station Analysis*** **-** Based upon the Water and Sewer Study for the project (VWD 2015), the proposed project is located in a pressure zone that is not served by pumping facilities. Therefore, there are no pump station upgrade requirements for the project. Thus, no impact is identified related to existing or proposed water pump stations.

**Wastewater Facilities Analysis**

The project site is within the boundaries of VWD for sewer service and lies completely within VWD sewer shed 24C. There are existing 10-, 36-, and 39-inch diameter pipelines running through the project site.

According to the 2016 VWD memorandum, the proposed land use changes of the project would not alter the estimated wastewater generation contained in the Water and Sewer Study prepared for the project (VWD 2015). Based upon the Water and Sewer Study, the project would increase wastewater flows. Under the current allowable use per the 2008 VWD Master Plan (commercial), the estimated wastewater flows at the site would be 22,992 gpd. Under the proposed project, estimated wastewater flows at the project site would be 46,684. This represents an increase in wastewater flows of approximately 23,692 gpd.

***Wastewater Collection System Analysis*** **–** As part of the project, the developer will relocate approximately 800 feet of VWD's existing 36-inch Interceptor pipeline. The relocation will be within the project site and the Interceptor will be within a new VWD easement.

The Water and Sewer Study (VWD 2015) modeled six wastewater flow scenarios, ranging from average to peak flows, both with and without the proposed project.

Modeling focused on the sewer collection infrastructure in the direct vicinity of the project site and on all downstream infrastructure from the project site to Lift Station No. 1 on San Marcos Boulevard that would be impacted by the additional flows generated by the proposed project. In order to alleviate impacts to existing sewer mains in San Marcos Boulevard, VWD has determined that flow

must be diverted south from San Marcos Boulevard via Pico Avenue through the site to the interceptor pipeline. The modeling analysis assumed new 12-inch sewer mains would be constructed from San Marcos Boulevard and Pico Avenue through the project site to eventually connect into the 36-inch interceptor pipeline. The project would connect to the new 12-inch mains within the project site. This improvement is identified as a project design feature (Table 2). The modeling results showed that with the 12-inch diameter sewer mains proposed, the wastewater flow from the project site, together with the flows from the Pico Avenue sewer main, does not result in system deficiencies under peak wet weather flows during ultimate buildout conditions.

The study concluded that the increased generation of wastewater from the project would not result in any additional deficiencies in the wastewater collection system under peak wet weather flows during ultimate buildout conditions. Impacts would be less than significant.

***Wastewater Lift Station Analysis*** **-** Lift stations are sized for peak wet weather flow with manufacturer's recommended cycling times for pumping equipment. Since the project site is not located in a sewer shed that is served by a lift station, there are no lift station upgrade requirements for the project. Thus no impact is identified.

***Parallel Land Outfall Analysis*** **-** VWD's existing outfall is approximately eight miles in length and consists of four gravity pipeline sections and three siphon sections varying from 20 to 54 inches in diameter. VWD maintains the entire pipeline from Lift Station No. 1 to the Encina Water Pollution Control Facility (EWPCF).

The Meadowlark Water Reclamation Facility (MRF) has a capacity of 5.0 million gallons per day (MGD) with a peak wet weather capacity of 8.0 MGD for liquids treatment. When this capacity is added to the 12.10 MGD capacity at EQPCF, VWD has a combined peak wet weather wastewater collection capacity of 20.10 MGD. VWD's 2014 average daily wastewater flow was 7.2 MGD, which corresponds to a peak wet weather flow of 16.9 MGD. This falls within VWD's combined peak wet weather collection capacity.

The 2008 Master Plan estimated that, under approved land uses, VWD has an ultimate buildout average daily flow of 13.3 MGD. This corresponds to a peak wet weather flow of 29.5 MGD, which exceeds VWD's peak wet weather collection capacity. To accommodate additional wastewater flows from planned development, the 2008 Master Plan recommended conveyance of peak flows to the EWPCF through a parallel land outfall.

The proposed project would generate an additional average wastewater flow of 23,692 gpd beyond what was anticipated by the 2008 Master Plan. This results in the need for additional capacity in the parallel land outfall in the buildout scenario. As a condition of project approval and prior to the issuance of building permits, the project applicant shall pay Wastewater Capital Facility Fees per Vallecitos Water District Ordinance No. 176. The purpose of the fee is to provide adequate wastewater conveyance and treatment to serve new development within VWD's service area and to provide adequate funding for future financing and construction of facilities described in VWD's 2008 CIP. Proof of fee payment shall be provided to the City of San Marcos Planning Division. Payment of the fees per VWD Ordinance No. 176 would offset the demand for additional wastewater flows.

***Wastewater Treatment Facility Analysis*** **-** VWD uses two wastewater treatment facilities to treat wastewater that is collected within its sewer service area: the MRF and the EWPCF. As identified

above, the project would increase the wastewater flows from the project site by approximately 23,692 gpd. VWD is already projected to experience ultimate solids handling, liquids handling and ocean disposal capacity deficiencies. The 2008 Master Plan CIP has not identified the expansion of any existing wastewater treatment facilities through 2030 to remedy these deficiencies. While there is a capacity deficiency in the future, per the Water and Sewer Memo prepared for the project (VWD 2015), adequate solids treatment, liquids treatment, and ocean disposal capacity exists at this time to serve the proposed project. As a condition of project approval and prior to the issuance of building permits, the project applicant shall pay Wastewater Capital Facility Fees per Vallecitos Water District Ordinance No. 176. The purpose of the fee is to provide adequate wastewater conveyance and treatment to serve new development within VWD's service area and to provide adequate funding for future financing and construction of facilities described in VWD's 2008 CIP. Proof of fee payment shall be provided to the City of San Marcos Planning Division. Payment of the fees per VWD Ordinance No. 176 would offset the demand for additional wastewater treatment.

**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? Less Than Significant Impact**

The site is currently vacant covering an area of 19.3 acres with the exception of the new hotel that is under construction in the northwest portion of the project site. The project site fronts Twin Oaks Valley Road along its eastern boundary and San Marcos Boulevard along its northern boundary. Adjacent uses to the west are apartment homes. SR-78 forms the southern boundary. According to the previous environmental document (SCH No. 2014101043), the northeast portion of the property has no offsite flows. The southwest panhandle has offsite flows coming from the existing adjacent multifamily housing.

The previous environmental document (SCH No. 2014101043) identified a single point of discharge. Flows under the previous project plan would be reduced via flow control structures (storm drain boxes) before being discharged into San Marcos Creek, mimicking existing conditions. For Phase 1, seven flow control structures would be included and sized to satisfy hydromodification and match the existing flow. For Phase 2, a single storm drain box would satisfy hydromodification and match the existing flow.

The previous environmental document (SCH No. 2014101043) also noted that all proposed storm drain improvements would be within the project development footprint and were considered in the preceding environmental analysis of that document. Impacts were therefore determined to be less than significant. The proposed project would have the same footprint as the previous project plan. Proposed storm water drainage facilities would be slightly larger under the proposed project (12-inch versus 10-inch mains); however, all improvements would be within the project development footprint as with the previous project plan. Therefore, these improvements were also considered in the preceding environmental analysis and impacts related to storm water drainage facilities would be similar. Impacts would be less than significant.

**d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed? Less Than Significant Impact**

Under the uses allowed per VWD's 2008 Master Plan, the project site would be developed with commercial uses and estimated water demand at the site would be 28,740 gpd. Under the proposed

project, water demand at the project site is estimated to be 52,366 gpd. This represents an increase of 23,626 gpd over demands projected in the 2008 Master Plan.

Based on a normal water supply year as described in VWD's 2015 Urban Water Management Plan (UWMP), VWD estimated five-year increments for a 15-year projection and indicates projected potable water demand would exceed the projected water supply through 2035. Based on single and multiple dry year forecasts, the estimated water demand would also exceed the projected water supply before incorporation of water conservation measures. In all scenarios, conservation measures would be employed to reduce water demand and use from VWD to match available water supply such that any projected supply shortages would be offset by these measures. These measures include those provided in VWD's water shortage contingency planning documents and demand management measures within the 2015 UWMP.

It should be noted that in July 2009, VWD declared a Level 2 Drought Alert to lower water use by ten percent to meet their water allocation. This alert required implementation of a number of mandatory conservation actions. These alerts were lifted in mid-2011 once regional hydrologic conditions began to improve. On January 17, 2014, Governor Brown declared a State of Emergency and VWD once again declared Drought Response Level 2 in August 2014 mandating the incorporation of water conservation measures for all customers.

In an acknowledgement of the state's continuing drought conditions, on April 1, 2015, Governor Brown ordered state officials to impose mandatory water restrictions to reduce statewide water usage by 25 percent via Executive Order B-29-15. In response, the VWD Board of Directors adopted Ordinance 195 to reduce water use. Executive Order B-36-15, which extended the water use restrictions, was lifted in May 2016. As such, in July 2016, the VWD Board of Directors moved to Level 1 Drought Watch conditions, rescinding prior mandatory restrictions.

The Water and Sewer Study prepared for the project (VWD 2015) did not indicate any impacts related to water supply resulting from the proposed project. Therefore, impacts would be less than significant.

**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? Less Than Significant Impact ~~with Mitigation Incorporated~~**

As analyzed above, due to an increase in density, the proposed project would increase the demand for wastewater treatment as well as land outfall capacity the project would pay Wastewater Capital Facility Fees per VWD Ordinance No. 176, would be used by VWD for any increase in Master Plan Land Outfall pipeline size necessitated by the project's additional wastewater generation. This would offset any increase in wastewater treatment and flow generated by the project. Therefore, impacts would be less than significant. ~~with mitigation incorporated.~~

**f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Less than Significant Impact**

Solid waste service in the City is provided by a private franchise hauler, EDCO Waste and Recycling (EDCO), which handles all residential, commercial, and industrial collections within the City. Waste

collected by EDCO is hauled to the Escondido Transfer Station where it is then transported to the Sycamore Sanitary Landfill in Santee. A service request confirmation letter was prepared by EDCO stating they can provide residential trash and recycling pickup for the Phase 2 portion of the proposed project (2015). The Escondido Transfer Station accepts mixed municipal waste, green materials, and construction/demolition materials. It has a daily capacity of 2,500 tons with a permitted capacity of 5,249 tons/day (CalRecycle 2016a). The Sycamore Sanitary Landfill has a daily permitted capacity of 5,000 tons/day of solid waste, with an anticipated closure date of 2042 (CalRecycle 2016b).

To reduce landfill waste and to promote recycling, onsite waste and recycling receptacles will be provided. Based upon typical generation rates, the proposed project is anticipated to generate approximately 1,500 lbs/day of waste (274 tons/year).

This calculation does not consider any waste diversion through recycling. It is expected that at least 50 percent of this total volume would be diverted from the landfill through recycling, thus the volume going to the landfill is expected to be 137 tons/year or 0.37 tons/day. The project's contribution would result in a less than significant impact.

| Use | Generation Rate (per day) | Proposed Project Development | Waste Generation (per day) |
|---|---|---|---|
| Office/Retail* | 15.5 lbs/1,000 s.f. | 14,400 s.f. | 223.2 lbs |
| Restaurant | 17 lbs/employee | 6,500 s.f. (20 employee estimate) | 340 lbs |
| Hotel | 4 lbs/room | 116 rooms | 464 lbs |
| Residential | 4 lbs/dwelling unit | 118 units | 472 lbs |
| Total lbs/per day | | | 1,499.2 lbs |

**Source:** Generation rates provided by CalRecycle, 2015.

**Note:** * Retail shops generate 2.5 lbs of waste per 100 s.f., or 25 lbs per 1,000 s.f. Office uses generate 6 lbs of waste per 1,000 s.f. For this analysis, a conservative average of both rates was assumed.

g) **Comply with federal, state, and local statutes and regulations related to solid waste? No Impact**

The project would comply with all federal, state, and local statutes and regulations related to solid waste, including proper handling of construction and demolition debris. No impact would result from implementation of the proposed project.

# V. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

**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? Less Than Significant Impact With Mitigation Incorporated**

The project site has been rough graded and impacts to sensitive biological resources have been mitigated in accordance with the adopted MMRP for the 2014 MND (SCH No. 2014101043). Revisions to the project, as analyzed in this document will change the type and/or intensity of uses within the previously approved footprint of disturbance. No further impacts to biological resources are anticipated. The project will not 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, or reduce the number or restrict the range of a rare or endangered plant or animal. Previously identified mitigation measures MM-BIO-1 through MM-BIO-9 would still be applicable to the project.

A cultural resources study was prepared for the project and did not identify any resources on the site. The project site has been rough graded and cultural resources mitigation measures have been implemented in accordance with the adopted Mitigation Monitoring and Reporting Program for the 2014 MND (SCH No. 2014101043). The City also conducted outreach to tribes consistent with the requirements of SB 18 and AB 52. Mitigation measures MM-CR-1 through MM-CR-9 would still be applicable to the 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.) Less Than Significant Impact With Mitigation Incorporated**

Cumulative impacts related to traffic, air quality, grenenhouse gas and noise were analyzed in this CEQA document. Based upon the analysis, the project will not have any cumulative impact related to air quality or noise.

For traffic impacts, the project is anticipated to contribute to cumulative traffic impacts at the intersections of San Marcos Boulevard / Twin Oaks Valley Road and San Marcos Boulevard / Knoll Road. The project is also projected to cumulatively impact the roadway segment along Twin Oaks Valley Road from Richmar Avenue to San Marcos Boulevard. For each of these impacts, the project will be required to contribute a fair share towards specific roadway improvements through MM-TR-1, MM-TR-2 and MM-TR-3. The project will also annex into CFD 2011-01 (Congestion Management). With incorporation of these improvements, intersection performance is projected to improve to acceptable LOS D. Therefore, with incorporation of mitigation measures, the project's

cumulative impacts will be reduced to below a level of significance. Therefore, this project has been determined not to meet this Mandatory Finding of Significance and impacts are less than significant with the incorporation of mitigation.

**c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? Less Than Significant Impact with Mitigation Incorporated**

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VIII. Hazards and Hazardous Materials, IX. Hydrology and Water Quality, XII. Noise, XIII. Population and Housing, XIV. Public Services, and XVI. Transportation and Traffic. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. All impacts in these environmental issue areas are less than significant or mitigated to below a level of significance (MM-AQ-1, MM-N-1 through MM-N-4, MM-PS-1 through MM-PS-3, and MM-TR-1 through MM-TR-4). Therefore, this project has been determined not to meet this Mandatory Finding of Significance and impacts are less than significant with the incorporation of mitigation.

# VI. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

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# VIII. MITIGATED NEGATIVE DECLARATION

## City of San Marcos

**The following Mitigated Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Sections 21091 and 21092 of the Public Resources Code.**

**Public Review Period:** November 23 to December 14, 2016

**Project Name:** Corner@2Oaks Phase 1 and Phase 2 Revisions

**Project Applicants:**

*Project Applicant for Phase 1 (Northern Portion of Project Site – commercial):*
University District Holdings II, LLC, 3525 Del Mar Heights Road, Suite 246, San Diego, CA 92130

*Project Applicant for Phase 2 (Southern Portion of Project Site – town homes):*
CR TOVR, LLC, 444 West Beech Street, Suite 300, San Diego, CA 92101

**Project Location:** The approximately 19.3-acre project site located in the City of San Marcos in north San Diego County, north of SR-78 at the southwest corner of San Marcos Boulevard and Twin Oaks Valley Road. The project site is bounded on the east by Twin Oaks Valley Road, on the west by the Meadowlark Apartments, on the north by San Marcos Boulevard, and on the south by an open space lot, Lot 4 of San Marcos Tract No. 659. San Marcos Creek runs through this open space lot, which is adjacent to State Route 78. The project site is currently rough graded and a 116-room hotel is under construction consistent with the project approved under SCH No. 2014101043 in December 2014.

**Project Description:** The proposed project is the combined changes proposed under two separate applications for the project site. One application addresses the northern (Phase 1) portion of the project site and the other application addresses the southern portion (Phase 2) of the project site.

Under the project, the southern portion (Phase 2) of the overall Corner@2Oaks site would be developed with 118 residential townhomes instead of 35,000 s.f. of commercial office, 15,000 s.f. of retail, and a 5,000 s.f. restaurant. This change would also require an amendment to the Heart of the City Specific Plan. Additionally, under the proposed project, the northern portion of the overall site (Phase 1) would be developed with 14,400 s.f. of office/retail uses and 6,500 s.f. of restaurant uses instead of 19,900 s.f. of commercial office, 19,000 s.f. of medical office, 4,000 s.f. of retail, and a 4,000 s.f. restaurant. The 116-room hotel would remain as a Phase 1 project component. The hotel is currently under construction.

**Discretionary Actions:**

**Phase 1 (Commercial)** – Site Development Plan, Adoption of Mitigated Negative Declaration, Adoption of Mitigation Monitoring and Reporting Program.

**Phase 2 (Residential)** – Specific Plan Amendment, Tentative Subdivision Map, Multi-family Site Development Plan, Adoption of Mitigated Negative Declaration, Adoption of Mitigation Monitoring and Reporting Program.

# IX. FINDINGS

**This is to advise that the City of San Marcos, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this Mitigated Negative Declaration based upon the following findings:**

☐ The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

The following mitigation measures identified in the 2014 MND (SCH No. 2014101043) are still applicable to the proposed project:

**MM-BIO-1** Impacts to southwestern spiny rush and San Diego sagewort will be mitigated through inclusion of this plant in the revegetation plant palette to expand the onsite population.

**MM-BIO-2** Impacts to southern tarplant will be mitigated through collection and dispersal of seeds within the remaining non-native grassland area within the open space easement.

**MM-BIO-3** Impacts to red-shouldered hawk, red tailed hawk, and Cooper's hawk will be mitigated through the requirement of a qualified biologist to inspect potential nesting areas onsite before initiation of any project development. The pre-construction surveys shall occur within three days prior to work on the project site. If nesting birds are found, project construction may need to be delayed until after the breeding season if an adequate buffer cannot be established to ensure mandatory avoidance. Brushing, clearing and grading shall be avoided during the extended bird breeding season of January 15 through September 15; or if brushing, clearing and grading are to take place during this period, nest surveys must be conducted prior to such action. If active nests are detected, adequate noise protection measures must be undertaken.

**MM-BIO-4** Impacts to 0.13 acre of southern willow scrub will be mitigated at a 3:1 mitigation ratio for 0.39 acre of habitat. Mitigation will occur onsite and will be

a mix of habitat creation and restoration/enhancement per the project's conceptual revegetation plan.

**MM-BIO-5** Impacts to 0.38 acre of arundo-willow scrub will be mitigated at a 2:1 mitigation ratio for 0.76 acre of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/enhancement per the project's conceptual revegetation plan.

**MM-BIO-6** Impacts to 0.49 acre of riparian scrub will be mitigated at a 3:1 mitigation ratio for 1.47 acres of habitat. Mitigation will occur onsite and will be a mix of habitat creation and restoration/enhancement per the project's conceptual revegetation plan.

**MM-BIO-7** Impacts to 0.55 acre of coastal sage scrub will be mitigated at a 1.5:1 mitigation ratio for 0.82 acres of habitat. Approximately 0.70 acre of this habitat type will be preserved within the onsite open space. If preserved onsite, the coastal sage scrub habitat will provide an adequate buffer area adjacent to the remainder wetland communities in the San Marcos Creek FPA. The remaining 0.12 acre will be provided through onsite creation, completing the mitigation requirement.

**MM-BIO-8** Impacts to 1.31 acres of non-native grassland will be mitigated at a 0.5:1 mitigation ratio for 0.66 acre of habitat. Approximately 1.66 acres of non-native grassland exist within the open space easement; however, at least 1.0 acre will be used for the creation of riparian habitat. The remaining 0.66 acre will completely satisfy the mitigation requirement for non-native grassland impacts.

**MM-BIO-9** In order to prevent inadvertent indirect impacts to biological resources during construction, protective fencing shall be installed around the limits of grading/construction, work crews shall be educated on the sensitive nature of the site's biological resources, and a biological monitor shall be present during brushing, clearing and grading.

**MM-CR-1** A qualified archeological monitor and a Luiseño 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.

**MM-CR-2** 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 and take into account tribal customers and traditions.

**MM-CR-3** 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 Luiseño 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.

**MM-CR-4** 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 Luiseño Tribe referenced in MM-CR-3. 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 in MM-CR-3, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation the Luiseño 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 Tribal monitor shall also attend the cultural resources preconstruction meeting for the project.

**MM-CR-5** 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 in MM-CR-3. 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.

**MM-CR-6** All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

**MM-CR-7** 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 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.

**MM-CR-8** If inadvertent discoveries of subsurface archaeological/cultural resources, not included human remains or associated burial goods which is addressed in MM-CR-7, are discovered during grading, the Developer, the project archaeologist, and the Luiseño Tribe under agreement with the landowner described in MM-CR-3 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.

**MM-CR-9** Fill material brought onto the project site shall be clean of cultural resource material. The fill material shall be analyzed and confirmed by an archaeologist and/or Luiseño Native American monitor.

**MM-N-1** An interior noise assessment is required for the hotel prior to the issuance of the first building permit once the architectural floor plans are available. This final report would identify the interior noise requirements to meet the City's established interior noise limit of 45 dBA CNEL.

**MM-N-2** To meet the 50 dBA CNEL interior noise standard at the commercial uses, an interior noise level reduction of minimum 18-25 dBA CNEL is needed for the proposed project. With the incorporation of a minimum STC 30 rated dual pane windows and mechanical ventilation will achieve the necessary interior noise reductions to meet the City's 50 dBA CNEL standard.

**MM-TR-1** Prior to the issuance of building permits, the project shall pay a fair-share contribution towards the following improvements at San Marcos Boulevard and Twin Oaks Valley Road:

- Provide a dedicated right-turn lane in the southbound direction; and
- Provide a third left-turn lane in the westbound direction.

**MM-TR-2** Prior to the issuance of building permits, the project shall pay a fair share contribution towards the following improvement at the intersection of San Marcos Boulevard and Knoll Road or an alternative solution providing the same or better impact relief, acceptable to Caltrans and the City:

- Restripe the San Marcos Boulevard eastbound through lanes to provide a third lane when the roadway is widened to a six lane prime arterial
- Restripe San Marcos Boulevard to provide three left turn lanes and one northbound through-shared right turn lane, OR, restripe to provide a dual left, one through lane, and one dedicated right turn lane in the northbound direction.

The following mitigation measures are additionally required for the project:

**MM-AQ-1** Prior to occupancy, mechanical air quality filtration systems on the fresh air intake systems shall be installed on all residential structures. The filtration system shall exceed a Minimum Efficiency Reporting Value (MERV) of 13. The requirement shall be identified on building plans and reviewed and approved by the Planning Division Manager.

**MM-LU-1** The City shall adopt a Specific Plan Amendment to allow residential townhomes on the specific parcels identified within the project site. Specifically Corner@2Oaks (CR Townhomes), Assessor's Parcel Nos. ~~220-190-54, 55, 56, 57, 58~~ 220-190-57-00, 220-190-58-00, and 220-190-59-00 shall be incorporated into the Town Center to introduce urban, transit, and pedestrian-oriented residential use, in accordance with the design guidelines of this plan, as found in Appendix G of the Specific Plan.

**MM-N-3** Four-foot barriers shall be installed at the balconies of the units along Twin Oaks Valley Road as shown in **Figure 6**. Barriers shall be constructed of a non-gapping material (i.e., masonry, stucco, ¼-inch thick glass or Plexiglas).

**MM-N-4** A final noise assessment is required prior to the issuance of the first building permit. The final report would identify the interior noise requirements based upon architectural and building plans to meet the City's established interior noise limit of 45 dBA CNEL. The noise assessment shall be reviewed and approved by the Planning Division Manager

**MM-PS-1** Prior to the issuance of building permits, the project applicant shall pay into CFD 2001-01 for fire services.

**MM-PS-2** Prior to the issuance of building permits, the project applicant shall pay into CFD 98-01 for police services.

**MM-PS-3** Prior to the issuance of building permits, the project applicant shall pay Public Facility Fees (PFF).

**MM-TR-3** Prior to the issuance of building permits, the project applicant shall pay a fair share to increase storage bay lengths to improve queuing conditions during the peak hours at the intersection of San Marcos Boulevard / Twin Oaks Valley Road. The required storage bay length increases are as follows:

- Extend eastbound dual left-turn lanes from 135 feet to 210 feet (maximum length allowed);
- Extend westbound triple left-turn lanes from 250 feet to 270 feet;
- Extend northbound dual left-turn lanes from 195 feet to 220 feet; and
- Extend southbound single right-turn lane from 200 feet to 250 feet

**MM-TR-4** Prior to the issuance of building permits, the project applicant (Phase 1 and Phase 2) shall annex into CFD 2011-01 (Congestions Management).

A MITIGATED NEGATIVE DECLARATION will be prepared.

If adopted, the Mitigated Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the Planning Division Counter at the City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069.

## NOTICE

**The public is invited to comment on the proposed Mitigated Negative Declaration during the review period.**

Garth Koller, Project Planner

**Date of Determination**: November 22, 2016

**Appendices A through M are included on CD.**

**Please see back pocket of document.**