

**Attachment G**  
Mitigated Negative Declaration

*See Attached*

# **FINAL**

## **Mitigated Negative Declaration for Discovery Village South (MND 16-001)**

*Prepared for:*

**City of San Marcos**  
1 Civic Center Drive  
San Marcos, California 92069-2918  
*Contact: Joseph Farace, Principal Planner*

*Prepared by:*

**DUDEK**  
605 Third Street  
Encinitas, California 92024  
*Contact: Vanessa Currie, Project Manager*

## **JANUARY 2018**



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## ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
AB	Assembly Bill
ACOE	U.S. Army Corps of Engineers
ADT	average daily traffic
ALUCP	Airport Land Use Compatibility Plan
BMPs	Best Management Practices
BSA	Biological Study Area
CAAQS	California Emissions Estimator Model
CalEEMod	California Emissions Estimator Model
Cal-IPC	California Invasive Plant Council
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFD	Community Facilities District
cfs	cubic feet per second
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CO	carbon monoxide
CRHR	California Register of Historical Resources
CSUSM	California State University San Marcos
dBA	A-weighted decibel
Department	Development Services Department, Planning Division
DMA	drainage management area
DPM	diesel particulate matter
EDCO	EDCO Waste and Recycling
EIR	Environmental Impact Report
EO	Executive Order
EWPCF	Encina Water Pollution Control Facility
FEMA	Federal Emergency Management Agency
GHG	greenhouse gases
g/L	grams per Liter
gpd	gallons per day
HOA	homeowners' association
L <sub>eq</sub>	equivalent sound level
LID	Low Impact Development
LOS	level of service
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MHCP	Multiple Habitat Conservation Program
MLD	Most Likely Descended

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## Final Mitigated Negative Declaration for Discovery Village South

Acronym/Abbreviation	Definition
MMRP	<u>mitigation monitoring and reporting program</u>
MND	Mitigated Negative Declaration
MRF	Meadowlark Reclamation Facility
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer System
MTCO <sub>2</sub> E	metric tons of carbon dioxide equivalent
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NOI	<u>Notice of Intent to Adopt a Mitigated Negative Declaration</u>
NO <sub>x</sub>	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
O <sub>3</sub>	ozone
PFF	Public Facility Fee
PGA	peak ground acceleration
PM <sub>10</sub>	coarse particulate matter; particulate matter less than or equal to 10 microns in diameter
PM <sub>2.5</sub>	fine particulate matter; particulate matter less than or equal to 2.5 microns in diameter
POC	points of compliance
POD	point of discharge
ppm	parts per million
RAQS	Regional Air Quality Strategy
ROZ	Ridgeline Protection and Management Overlay Zone
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SB	Senate Bill
SCIC	South Coastal Information Center
SCS	Sustainable Communities Strategy
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDWA	San Diego Water Authority
SHCCSP	Scripps Health Care Campus Specific Plan
SIP	State Implementation Plan
SMFD	San Marcos Fire Department
SMUSD	San Marcos Unified School District
SO <sub>x</sub>	sulfur oxides
SR	State Route
SWQMP	Stormwater Quality Management Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
TIS	Traffic Impact Study
VOC	volatile organic compound
VWD	Vallecitos Water District

# **Final Mitigated Negative Declaration for Discovery Village South**

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## **1 PREFACE TO THE FINAL MITIGATED NEGATIVE DECLARATION**

The Final Mitigated Negative Declaration (MND) is an informational document intended to disclose to the City of San Marcos (City) and to the public the environmental consequences of approving and implementing the Discovery Village South project (proposed project). This Final MND for the proposed project has been prepared in accordance with the California Environmental Quality Act (CEQA) as outlined below.

The Initial Study/MND for the proposed project was released for public review and comment on November 28, 2017. The comment period ended on December 28, 2017. Pursuant to the CEQA Guidelines Section 15073(a), a public review period of not less than 20 days was provided. Pursuant to Section 15072(a) of the CEQA Guidelines, a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) was prepared and provided to the public, agencies, and the county clerk. The City also mailed an NOI to the last known name and address of all organizations and individuals who had previously requested such notice, and mailed a notice to all property owners and residents within a 500-foot radius of the proposed project, thereby fulfilling the noticing requirements identified in CEQA Guidelines Section 15072(b). Three comment letters were received on the Draft MND. Responses to these comment letters are addressed in Section 2 of this Final MND. The City has prepared a mitigation monitoring and reporting program (MMRP) pursuant to CEQA Guidelines, Section 15074(d), which requires that a lead or responsible agency adopt a mitigation monitoring plan when approving or carrying out a project when an MND identifies measures to mitigate or avoid significant environmental effects. The MMRP constitutes Section 3 of this Final MND.

Pursuant to CEQA Guidelines, Section 15073.5, the City is required to recirculate an MND when the document is substantially revised after public notice of its availability but prior to its adoption. A substantial revision is identified as follows: (1) a new avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance or (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significant and new measures or revisions must be required.

The City has determined that based on CEQA Guidelines Section 15073.5, recirculation of the MND prior to adoption is not required. This conclusion is based on the fact that no new, avoidable significant effects have been identified; no new mitigation measures were added; and the text of the document has not been substantially revised in a manner requiring recirculation. Following this Preface, the original text of the MND is included in its entirety in Section 4. Comment letters received during the public review period did not result in any revisions to the MND. As seen in Section 4, the project acreage has been revised from 41 acres to 39 acres to

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reflect the most up to date Tentative Map, as well as the most up to date Specific Plan for the proposed project (updated January 2018), which has replaced the previous November 2017 version of the Specific Plan as **Appendix A** to this Final MND. Additionally, Figure 7 of this MND (Parks and Open Space Locations) and minor changes to open space acreage in the Public Services and Recreation sections have been incorporated to reflect the most up to date Discovery Village South Specific Plan. This minor decrease in project site acreage and minor increase in open space acreage does not change any significance conclusions and is not considered a substantial change. Project acreage revisions are identified in ~~strikeout~~/underline throughout Section 4. Besides the minor revisions to project and open space acreage, as well as section and table renumbering, no additional changes to the text have been made since the publication of the MND in November 2017.

The Final MND for the Discovery Village South project is organized as follows:

### **Section 1 Preface to the Final Mitigated Negative Declaration**

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

### **Section 2 Responses to Comment Letters**

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

### **Section 3 Mitigation Monitoring and Reporting Program**

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

### **Section 4 Draft Mitigated Negative Declaration**

This section consists of the Draft MND and Initial Study checklist made available to the public in November 2017.

### **2 RESPONSES TO COMMENT LETTERS**

This section contains responses to all comment letters received on the November 2017 Draft MND. Three comment letters were received during the comment period, which closed December 28, 2017. Comment letters were received from the California Department of Transportation (Caltrans) on December 27, 2017; the San Luis Rey Band of Mission Indians, on December 28, 2017; and the Viejas Band of Kumeyaay Indians on December 11, 2017. These comment letters, along with City responses to comment letters, are included below. As described in Section 1, there were no required revisions to the MND as a result of comments received.

## **Final Mitigated Negative Declaration for Discovery Village South**

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# Final Mitigated Negative Declaration for Discovery Village South

## Comment Letter A

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

### DEPARTMENT OF TRANSPORTATION

DISTRICT 11  
4050 TAYLOR STREET, MS-240  
SAN DIEGO, CA 92110  
PHONE (619) 688-3193  
FAX (619) 688-4299  
TTY 711  
www.dot.ca.gov



Making Conservation  
a California Way of Life.

December 27, 2017

11-SD -78

PM 12.3

Discovery Village South  
MND / SCH#2017111080

Mr. Garth Koller  
City of San Marcos  
Development Services Department  
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 Mitigated Negative Declaration (MND 16-001) for the Discovery Village South located near State Route 78 (SR-78). 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 has the following comments:

A-1

#### Traffic Impact Study Synchro Results

- The scenarios included in the Traffic Impact Study dated 2017 (TIS) for eastbound and westbound exit ramps should be revised to show existing conditions. In the TIS, the storage lengths appear to be the same length as the through lengths, making the ramps appear to function with more lanes than the existing field condition. Therefore, in order to obtain adequate results, the correct storage lengths should be used in the analysis.

A-2

If you have any questions, please contact Roger Sanchez of the Caltrans Development Review Branch, at (619) 688-6494.

Sincerely,

KERI ROBINSON, Acting Branch Chief  
Local Development and Intergovernmental Review Branch

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

## **Final Mitigated Negative Declaration for Discovery Village South**

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# **Final Mitigated Negative Declaration for Discovery Village South**

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## **Response to Comment Letter A**

**Department of Transportation**

**Keri Robinson**

**December 27, 2017**

- A-1** The City of San Marcos (City) acknowledges the comment as an introduction to the mission of the California Department of Transportation (Caltrans), as well as comments that follow. This comment letter is included in the Final Mitigated Negative Declaration (MND) for review and consideration by the decision makers prior to a final decision on the project. No further response is required, however, because the comment does not raise an environmental issue.
- A-2** The appendices of the Traffic Impact Study (TIS) for the proposed project have been revised to show existing conditions for storage lengths, as requested by the Caltrans Development Review Branch. The Synchro network has been updated to reflect the pocket length at both State Route (SR-) 78 westbound / Twin Oaks Valley Road and SR-78 eastbound / Twin Oaks Valley Road. The change to the Synchro network does not affect the findings of the TIS because pocket length does not affect the HCM 2010 analysis; therefore, there were no required changes to the body of the TIS. Revisions to the TIS appendices can be seen within Appendix B, E, G, and H of the TIS. Additionally, the implemented changes to the TIS appendices do not affect any delay or level of service calculations, and therefore they do not result in any changes to the MND analysis, specifically Section 3.16 of the MND.



## **Final Mitigated Negative Declaration for Discovery Village South**

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# Final Mitigated Negative Declaration for Discovery Village South

Comment Letter B

## SAN LUIS REY BAND OF MISSION INDIANS

1889 Sunset Drive • Vista, California 92081  
760-724-8505 • FAX 760-724-2172  
[www.slrmisionindians.org](http://www.slrmisionindians.org)

December 28, 2017

Joseph Farace  
Principal Planner  
Planning Division  
City of San Marcos  
1 Civic Center Drive  
San Marcos, CA 92069-2918

VIA ELECTRONIC MAIL  
[jfarace@san-marcos.net](mailto:jfarace@san-marcos.net)

**RE: COMMENTS ON MITIGATED NEGATIVE DECLARATION FOR THE  
DISCOVERY VILLAGE SOUTH PROJECT ( P16-0037: GPA 17-0003, SPA  
16-002, TSM 16-003, SDP 17-006, GV 17-004, MND 16-001)**

Dear Mr. Farace:

We, the San Luis Rey Band of Mission Indians ("Tribe"), have received and reviewed the City of San Marcos' ("City's") Mitigated Negative Declaration ("MND") and all of its supporting documentation as it pertains specifically to the protection and preservation of Luiseño tribal cultural resources that may be located within the parameters of Discovery South Project's ("Project's") property boundaries and areas of impact, including, but not limited to, the construction and infrastructure related to Discovery Street. The Tribe and the City have been actively engaged in government-to-government consultation regarding this Project via Senate Bill 18 and Assembly Bill 52 consultation. The Tribe continues to discuss with the City and the Project Applicant the tribal cultural sensitivity of the proposed development area, culturally appropriate mitigation measures for the significant negative impacts the development may cause and intends to continue to consult with both entities during the MND process<sup>1</sup>.

B-1

The San Luis Rey Band of Mission Indians appreciates this opportunity to provide the City of San Marcos with our comments during the public comment period for the Discovery Village South Project; however, the Tribe at this time declines to provide any specific comments on the document and wishes to continue to discuss any modifications to the document via the SB 18 and AB 52 confidential process<sup>2</sup>. Supplemental comments will be provided to the City once the document has gone through the public comment process, the statutorily mandated consultation process has concluded, and a final document is presented for public review. As always, we look forward to working with the County to guarantee that the requirements of the California Environmental Quality Act are rigorously applied to this Project and all projects. We

B-2

<sup>1</sup> AB 52 consultation remains open and has not yet been concluded in accordance with California Public Resources Code Section 21080.3.2(b). SB 18 consultation also remains open.

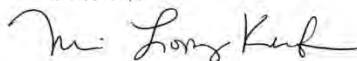
<sup>2</sup> Pursuant to California Public Resources Code Section 21082.3(d)(1), the MND may not be adopted until the tribal consultation has concluded.

## Final Mitigated Negative Declaration for Discovery Village South

thank you for your continuing assistance in protecting our invaluable Luiseño tribal cultural resources and sacred places.

↑ B-2  
Cont.

Sincerely,



Merri Lopez-Keifer  
Chief Legal Counsel

# **Final Mitigated Negative Declaration for Discovery Village South**

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## **Response to Comment Letter B**

**San Luis Rey Band of Mission Indians**

**Merri Lopez-Keifer**

**December 28, 2017**

**B-1** The City of San Marcos (City) notes that this comment provides factual background information about the project, and the Assembly Bill (AB) 52 and Senate Bill (SB) 18 consultation process. The City acknowledges the active engagement in government-to-government consultation with San Luis Rey representatives during the preparation of the Draft Mitigated Negative Declaration (MND). The City will include the comment as part of the Final MND for review and consideration by the decision makers prior to a final decision on the project.

To assist City staff in the formal consultation discussions, the City coordinated a field reconnaissance meeting on October 25, 2017, with San Luis Rey (SLR) Band of Mission Indians, the Temecula Band of Mission Indians (Pechanga), the California Environmental Quality Act (CEQA) consultant (Dudek), and Project Applicant. The goal was to discuss tribal concerns regarding resource significance, impacts, and mitigation. The tribes also requested controlled grading and grubbing to identify and reduce potential impacts to unknown resources. It was concluded that additional mitigation language would be included to address tribal concerns. The additional mitigation language is included as **MM-TCR-1** and **MM-TCR-2** of the Draft MND. It should be noted that the Cultural Resources section analysis (Section 3.5) and Tribal Cultural Resources section analysis (Section 3.17) of the Draft MND, as well as associated mitigation measures proposed, were provided to representatives of SLR Band by the City for review at a formal consultation meeting on the afternoon of November 21, 2017, prior to the public review period. At conclusion of this meeting, SLR Band representatives had no final requests for revisions to the Draft MND cultural resources sections analysis, or the proposed mitigation measures.

The City recognizes that the milling features identified at the project site are important to the SLR Band and to the greater Luiseño community. However, the City does not find that these features meet the criteria for significance under CEQA under Criteria 1 or 4. The project is conditioned with mitigation language to require the applicant and contractor(s) to make reasonable efforts to preserve the features through controlled removal and relocation to an open space area. The City expects the details of this preservation/relocation effort to be detailed in the pre-excavation agreement to ensure the City, construction personnel, SLR Band and other interest tribes, and on-site monitors will all understand the procedures.

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Per mitigation measure **MM-CUL-3**, the Project Applicant shall enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a Luiseño Tribe at least thirty (30) days prior to beginning project construction. 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.

- B-2** As described in response to comment B-1, the Cultural Resources section analysis (Section 3.5) and Tribal Cultural Resources section analysis (Section 3.17) of the Draft MND, as well as associated mitigation measures, were provided to representatives of San Luis Rey Band of Mission Indians by the City on the afternoon of November 21, 2017. The City acknowledges that the SLR Band declined to provide any specific comments on the MND at this time; however, the formal consultation process will continue through the entitlement process and prior final project action, including CEQA document certification.

Because this comment does not raise new or additional environmental issues concerning the adequacy of the Draft MND, the City provides no further response to this comment.

# Final Mitigated Negative Declaration for Discovery Village South

Comment Letter C



RECEIVED

DEC 11 2017

PO Box 908  
CITY OF SAN MARCOS Alpine, CA 91903  
PLANNING DIVISION #1 Viejas Grade Road  
Alpine, CA 91901

Phone: 6194453810  
Fax: 6194455337  
viejas.com

December 4, 2017

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

**RE: Discovery Village South Project**

Dear Ms. Koller,

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site has cultural significance or ties to the Kumeyaay Nation. We recommend that you notify the:

San Pasqual Band of Mission Indians  
P.O. Box 365  
Valley Center, Ca 92082

Additionally, we request, as appropriate, the following:

- All NEPA/CEQA/NAGPRA laws be followed
- Immediately contact San Pasqual on any changes or inadvertent discoveries.

Thank you for your collaboration and support in preserving our Tribal cultural resources. I look forward to hearing from you. Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314, or email, [rteran@viejas-nsn.gov](mailto:rteran@viejas-nsn.gov) or [epingleton@viejas-nsn.gov](mailto:epingleton@viejas-nsn.gov), for scheduling. Thank you.

Sincerely,

Ray Teran, Resource Management  
VIEJAS BAND OF KUMEYAAY INDIANS

Cc: San Pasqual

C-1

C-2

## **Final Mitigated Negative Declaration for Discovery Village South**

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# **Final Mitigated Negative Declaration for Discovery Village South**

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## **Response to Comment Letter C**

**Viejas Band of Kumeyaay Indians**

**Ray Teran**

**December 4, 2017**

- C-1** The City of San Marcos (City) appreciates the Viejas Band of Kumeyaay Indians' (Viejas') review of the Draft Mitigated Negative Declaration (MND), and acknowledges Viejas' determination of cultural significant ties to the Kumeyaay Nation. The City also acknowledges the recommendation to notify the San Pasqual Band of Mission Indians.

During preparation of the cultural resource study, included as Appendix D to the Draft MND, Dudek (the environmental consultants for the proposed project) requested from the Native American Heritage Commission (NAHC) a search of the Sacred Lands File on April 26, 2017. The NAHC responded on April 27, 2017, indicating that no known Native American traditional cultural places are on file in the project area and provided an NAHC Native American representatives list to contact for more specific information than NAHC has on file. On May 4, 2017, Dudek sent letters to each of the listed Native American representatives, including the San Pasqual Band of Mission Indians, asking if they have any knowledge of resources in the project area. No response to the May 4, 2017, Information Request has been received from the San Pasqual Band of Mission Indians to date. Additionally, in accordance with California Government Code Section 65352.3, a Senate Bill 18 notification letter was sent on July 31, 2017, to the San Pasqual Band of Mission Indians, and to date, no response from San Pasqual Band of Mission Indians has been received.

The project analysis identified the Luiseño Indians as more likely to be culturally affiliated with the project location site in San Marcos within north San Diego County. The City does not have enough information to broaden the scope of California Environmental Quality Act (CEQA) review regarding the potential for Kumeyaay Indian tribal cultural resources in the project area. However, the City would like to respond to the interests of the Viejas Tribal Government (VTG) and will therefore condition the project developer to contact VTG or other Kumeyaay tribe designee to provide (1) a project construction schedule, (2) any project schedule changes, (3) accommodation of a Kumeyaay monitoring during project construction, and (4) outreach if there are any inadvertent discoveries during project construction.



## **Final Mitigated Negative Declaration for Discovery Village South**

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Although, this comment letter does not raise new or additional environmental issues concerning the adequacy of the MND, this comment letter is included in the Final MND for review and consideration by the decision makers prior to a final decision on the project.

- C-2** The City acknowledges this comment and notes that it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the MND. Therefore, the City provides no further response to this comment.

## **Final Mitigated Negative Declaration for Discovery Village South**

### **3 MITIGATION MONITORING AND REPORTING PROGRAM**

The following table addresses requirements identified in California Environmental Quality Act (CEQA) Guidelines Section 15091(d) and 15097 that lead agencies, such as the City of San Marcos, adopt a program for reporting and monitoring the implementation of mitigation measures identified in a mitigated negative declaration (MND) as project conditions of approval. For each mitigation measure identified in the MND, the following monitoring components are identified: action required, timing of implementation, and enforcement agency responsible for monitoring measure implementation. These mitigation monitoring and reporting program (MMRP) commitments have been incorporated into the project and are to be implemented before construction, during construction, and/or operation of the project in accordance with the Final MND. Mitigation measures were identified for the following environmental resource topics: biological resources, cultural resources, land use and planning, noise, public services, transportation and traffic, and tribal cultural resources.

## Final Mitigated Negative Declaration for Discovery Village South

**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
<i>Biological Resources</i>				
Direct and indirect impacts to sensitive vegetation communities during project construction	<p><b>MM-BIO-1:</b> The compensatory mitigation of impacts to regionally sensitive native and naturalized habitats within the proposed project site, consisting of southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, alkali marsh, Diegan coastal sage scrub, valley needlegrass grassland, and non-native grassland involves the implementation of habitat-based land conservation in accordance with <b>Table 4.3-4</b>. The mitigation ratios presented in <b>Table 4.3-4</b> are subject to approval by the resource and regulatory agencies.</p> <p>Mitigation for impacts to southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, and alkali marsh could occur through a combination of the following: establishment/re-establishment or establishment/re-establishment combined with enhancement, rehabilitation, and/or preservation; however, the mitigation cannot result in a net-loss of habitat or biological functions and values. Mitigation for impacts to Diegan coastal sage scrub, valley needlegrass grassland, and non-native grassland could occur through a combination of establishment/re-establishment or establishment/re-establishment combined with enhancement, rehabilitation, and/or preservation.</p> <p>Mitigation may be achieved via onsite mitigation and/or offsite mitigation at a City approved mitigation site and/or purchase of habitat credits from a resource and regulatory agency approved mitigation bank (typically required to be within the same watershed as the proposed project impact). If habitat credits cannot be purchased in an existing mitigation bank, then permittee-responsible off-site mitigation would be required. Mitigation may occur via preservation within the San Marcos Creek corridor or</p>	Compensatory mitigation through establishment/re-establishment or establishment/re-establishment combined with enhancement, rehabilitation, and/or preservation; however, the mitigation cannot result in a net loss of habitat or biological functions and values.	Prior to project construction	Project Applicant, Project Biologist, and City Planning Division Manager

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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
	north of the Biological Study Area (BSA). Permittee responsible offsite mitigation would require the following: preparation of a compensatory mitigation and monitoring plan, preparation of a long-term resource management plan, open space easement, selection of a resource manager, and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs.			
Potential impacts to sensitive habitats adjacent to the project site during project construction	<p><b>MM-BIO-2:</b> During construction, impacts to regionally sensitive habitats adjacent to the project limit of work may occur if not effectively controlled through project design and construction monitoring and management actions. This includes the following recommended impact control measures:</p> <p>A. A monitoring biologist should inspect and oversee installation of temporary perimeter fencing and should be on site full-time during the initial clearing and grubbing of habitat, and should conduct weekly inspections thereafter during grading operations to ensure compliance with the project biological requirements. The biologist should be knowledgeable about upland and wetland biology and ecology, possess a bachelor's degree in a biological related field, and have at least 2 years of experience in field biology or current certification of a nationally recognized biological society. In lieu of the above qualifications, a resume should demonstrate to the satisfaction of the City that the proposed biologist has the appropriate training and background to effectively implement the recommended construction period mitigation and monitoring measures. The biologist should have the authority to halt construction activities, if needed and should report any violation to the City within 48 hours of detection.</p>	Implementation of fencing and monitoring during project grading/ clearing. Project Biologist shall provide training to construction personnel. Implementation of a stormwater pollution prevention plan (SWPPP).	During construction	Project Biologist and City Planning Division Manager

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Impact	Mitigation Measure	Action Required	Timing	Responsibility
	<p>B. Environmental training should be provided for contractors and construction personnel by the project biologist prior to the start of construction work, should be repeated if gaps in construction operations are required, and should be provided annually thereafter.</p> <p>C. A Stormwater Pollution Prevention Plan or similar should be developed for the project and Best Management Practices (BMPs) implemented to control erosion and export of sediment from the site during storm events.</p> <p>D. Prior to the start of mass clearing and grubbing of habitat, temporary fencing (e.g., orange silt fence, orange snow fence, etc.) should be installed along the perimeter of the project footprint to prevent inadvertent disturbance to adjacent biological resources. Installation of perimeter control may require removal of vegetation using handheld equipment.</p> <p>E. Temporary fencing should be installed and maintained by the contractor under direction of the project biologist and construction manager.</p> <p>F. BMPs proposed for the project should not include any species listed by the California Invasive Plant Council (Cal-IPC) in the California Invasive Plant Inventory.</p> <p>G. Temporary night lighting, if required, should be downcast/fully shielded and directed away from adjacent habitat.</p>			

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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
Potential for permanent and temporary impacts to existing vegetation as a result of invasive plants due to site disturbance	<p><b>MM-BIO-3:</b> Areas of recent disturbance are highly susceptible to being invaded by invasive plants, or eroding and degrading drainage courses and downstream waters. For this reason, special actions are recommended during construction. These include the following:</p> <p>A. Upon completion of project construction activities or when work is ceased for an extended period of time, areas disturbed and not stabilized by landscaping or development should be protected by appropriate BMPs and kept free of nonnative invasive species. Invasive plant species include any species identified as having a High inventory rating or Alert status by Cal-IPC and any plant determined by the project biologist to be a nuisance, causing potential detriment to native flora and/or fauna associated with San Marcos Creek (e.g., whitetop (<i>Lepidium draba</i>)).</p> <p>B. The planting palette for all proposed development uses onsite (e.g., residential lots, detention basins, etc.) should not include any species listed by CalIPC in the California Invasive Plant Inventory.</p>	Implementation of project BMPs, and monitoring of invasive or nuisance plant species by the Project Biologist.	Upon completion of project construction or when work is ceased for an extended period of time	Project Applicant/Developer, Project Biologist and City Planning Division Manager
Potential impact to coastal California gnatcatcher due to project construction	<p><b>MM-BIO-4:</b> Impacts to approximately 5.21 acres of coastal California gnatcatcher-occupied Diegan coastal sage scrub habitat will occur from implementation of the project. To mitigate these impacts to a level of less than significant, implementation of <b>MM-BIO-2</b>, as well as the following measures, is recommended:</p> <p>A. The compensatory mitigation of impacts involves the implementation of habitat based land conservation in accordance with <b>Table 4.3-4</b>. Specifically, the Applicant should mitigate for impacts to gnatcatcher occupied</p>	Purchase of gnatcatcher-occupied habitat from a resource agency-approved mitigation bank by the Applicant. Preconstruction survey and clearing/grubbing prior to the gnatcatcher breeding season.	Prior to construction activities	Project Applicant, Project Biologist, and City Planning Division Manager

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Impact	Mitigation Measure	Action Required	Timing	Responsibility
	habitat via onsite mitigation and/or offsite mitigation at a City approved mitigation site and/or purchase, at a 2:1 mitigation ratio, 10.42 acres of gnatcatcher-occupied habitat, from a resource agency approved mitigation bank. B. Clearing and grubbing in or within 300 feet of gnatcatcher-occupied habitat should occur from September 1 (or sooner if a resource agency approved biologist demonstrates to the satisfaction of the resource agencies that all nesting is complete) to February 14 to avoid the gnatcatcher breeding season.			
Potential impact to least Bell's vireo due to project construction and operation	<b>MM-BIO-5:</b> If least Bell's vireo nesting territories are determined to be present within 300 feet of construction activities during the breeding season for this species (April 10 to July 31), then noise generated from construction activities should be kept below 60 A-weighted decibels (dBA) hourly average at the edge of the riparian canopy or below ambient levels if ambient is determined to be louder than 60 dBA.	Preconstruction survey and implementation of buffer and noise monitoring, if needed.	Prior to and during construction activities	Developer, Project Biologist, and City Planning Division Manager
Permanent and temporary impacts to jurisdictional resources and associated vegetation	<b>MM-BIO-6:</b> Impacts to jurisdictional resources consisting of southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, and alkali marsh would require acquisition of the following permits and approvals, or demonstration to the City Planning Manager that such approvals are not required: A. A Clean Water Act Section 404 permit for discharge of dredged or fill material within waters of the United States;  B. A Clean Water Act Section 401 state water quality certification for an action that may result in degradation of waters of the State, and;  C. A Streambed Alteration Agreement issued under Section 1602 of the California Fish and Game Code.	Acquisition of a Section 404 permit, Section 401 certification, and a Streambed Alteration Agreement.	Prior to issuance of grading permit	Project Applicant, City Planning Division Manager

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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
Potential impacts to raptors, nesting migratory birds, and/or species covered by the MBTA due to project construction	<b>MM-BIO-7:</b> To avoid impacts to nesting migratory birds and raptors, all clearing, grubbing, and/or grading of vegetation that has a potential to support active nests should not take place from January 1 through September 15, the “restricted work period.” If avoidance of the nesting migratory bird breeding season is not feasible, clearing, grubbing and/or grading of vegetation may occur during the “restricted work period” if a qualified biologist conducts a focused survey for active nests within (approximately) 48 hours prior to work in the area and determines the area to be free of nesting birds. If active bird nests were found, then all construction activities undertaken for the project must comply with regulatory requirements of the federal MBTA and California Fish and Game Code Sections 3503 and 3513. This would require protection of the nest, eggs, chicks, and adults until such time as the nestlings have fully fledged and are no longer dependent upon the nest site.	Preconstruction survey, and implementation of restricted work period, if needed.	Prior to project construction/prior to construction activities scheduled between January 1 through September 15	Developer, Project Biologist, and City Planning Division Manager
<i>Cultural Resources</i>				
Development of the proposed project may impact previously unidentified archaeological resources	<b>MM-CUL-1:</b> A San Diego County 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.	Retain a qualified archeological monitor and Luiseño Native American monitor on site during initial construction activities.	During all earth-moving and grading activities	Project Applicant, City Planning Division Manager
Development of the proposed project may impact previously unidentified archaeological resources	<b>MM-CUL-2:</b> Prior to beginning project construction, the Project Applicant shall retain a San Diego County qualified archeological 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.	Retain a qualified archeological monitor to monitor all ground-disturbing activities.	Prior to project construction	Project Applicant, City Planning Division Manager



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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
Potential impacts to cultural resources and treatment of such resources as a result of site grading, excavation, and ground-disturbing activities associated with project development	<b>MM-CUL-3:</b> Project Applicant shall enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a Luiseño Tribe at least thirty (30) days prior to beginning project construction. 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.	Project Applicant shall enter into a Cultural Resource Treatment and Monitoring Agreement with a Luiseño Tribe to address the treatment of known cultural resources.	At least 30 days prior to beginning project construction	Project Applicant, Luiseño Tribe, City Planning Division Manager
Development of the proposed project may impact previously unidentified archaeological resources	<b>MM-CUL-4:</b> 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. 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 required Agreement, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with 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. 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 Manager for decision.	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.	Prior to beginning project construction	Project Archaeologist, Project Applicant/Developer, City Planning Division Manager

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**Table 3-1  
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Impact	Mitigation Measure	Action Required	Timing	Responsibility
Development of the proposed project may impact previously unidentified archaeological resources	<b>MM-CUL-5:</b> The pre-construction meeting with the developer, contractor, and City staff shall include the Project Archaeologist and Tribal Monitor in discussion of the proposed earth disturbing activities for the project site, including excavation schedules and safety protocol, as well as consultation with the Project Archaeologist regarding proposed archaeological techniques and strategies for the project.	All identified project personnel shall discuss the proposed earth-disturbing activities for the project site, techniques, and strategies.	During the pre-construction meeting	City Planning Division Manager, Developer, Contractor, Project Archaeologist and Tribal Monitor
Potential impacts to cultural resources as a result of project development	<b>MM-CUL-6:</b> The import of fill onto the site shall be clean of cultural resources and documented as such.	Monitor and document import of fill on site.	During site grading and construction	Developer, Project Archaeologist, City Planning Division Manager
Potential impacts related to the finding	<b>MM-CUL-7:</b> 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. 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.	Monitoring during grading to ensure proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement.	During project construction	Project Applicant/Developer, Project Archaeologist, Tribal Monitor, City Planning Division Manager  NAHC, if needed

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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
Potential impacts related to the encounter of human remains and sacred sites	<p><b>MM-CUL-8:</b> All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.</p> <p>Suspected Native American remains shall be examined in the field and kept in a secure location at the site, and if the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within twenty-four (24) hours. The NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants(s) shall then make recommendations within forty-eight (48) hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98. If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the Project Archaeologist, and the Luiseño Tribe under the required Agreement with the landowner 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</p>	Monitoring during grading and notification of San Diego County Coroner and NAHC if remains are found.	During project construction	Developer, Project Archeologist and City Planning Division Manager

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Impact	Mitigation Measure	Action Required	Timing	Responsibility
	Manager for decision. The Planning Manager 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 Manager shall be appealable to the Planning Commission and/or City Council.			
<i>Land Use and Planning</i>				
The project is subject to approval of a Specific Plan Amendment	<b>MM-LU-1:</b> The City shall adopt a Specific Plan to allow residential, single-family homes and recreational amenities on the proposed project site. The details of the Specific Plan are presented in Appendix A.	Adoption of a Specific Plan Amendment.	Prior to project approval	City Planning Division Manager
<i>Noise</i>				
Potential for substantial construction-related noise	<b>MM-NOI-1:</b> Construction activities shall only take place between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays, and shall not take place on Sundays or City holidays. This condition shall be listed on the project's final design to the satisfaction of the City of San Marcos Development Services Department.	Compliance with the City's Noise Ordinance.	During all construction activities	Developer, City Planning Division Manager
Potential for substantial construction-related noise	<b>MM-NOI-2:</b> Prior to issuance of a grading permit, the City of San Marcos shall require the applicant to adhere to the following measures: <ul style="list-style-type: none"> <li>The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.</li> <li>All construction equipment, fixed or mobile, shall be equipped with properly operating and</li> </ul>	These measures shall be listed on the project's final design and implemented during construction.	Prior to issuance of a grading permit	Project Applicant/Developer, City Planning Division Manager

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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
	<p>maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Development Services Department.</p> <ul style="list-style-type: none"> <li>• Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.</li> <li>• During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.</li> <li>• Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.</li> </ul>			
Potential for substantial operation-related noise	<b>MM-NOI-3:</b> The proposed residences adjacent to Discovery Street and Craven Road shall require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors at the second-floor elevations can remain closed while maintaining a comfortable environment. Additionally, sound-rated (i.e., minimum Sound Transmission Class	Installation of mechanical ventilation systems or air conditioning systems for proposed residences adjacent to Discovery Street and Craven Road. Completion and approval of an interior noise	Prior to project occupancy	Developer, City Planning Division Manager

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**Table 3-1  
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Impact	Mitigation Measure	Action Required	Timing	Responsibility
	(STC) rated) windows may be installed (if deemed necessary). An interior noise analysis shall be required and approved by the City of San Marcos for the proposed habitable rooms on the second floor of lots adjacent to Discovery Street and Craven Road prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the state and City's 45 (dBA CNEL/L <sub>dn</sub> ) interior noise standard. The interior noise analysis shall substantiate that with the implementation of required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will result in a less-than-significant impact.	analysis.		
Potential impacts as a result of blasting for project construction	<p><b>MM-NOI-4:</b> If blasting is deemed necessary for project construction, the applicant or qualified representative (i.e., licensed blasting contractor) shall conduct a pre-blast survey and prepare a blasting plan. A written report of the pre-blast survey and final blasting plan shall be provided to the appropriate regulatory agency and approved prior to any rock removal using explosives. In addition to any other requirements established by the appropriate regulatory agencies, the pre-blast survey and blasting plan shall meet the following conditions, as well as those outlined in mitigation measures <b>MM- NOI-1</b> and <b>MM-NOI-2</b>:</p> <ul style="list-style-type: none"> <li>The pre-blast survey shall be conducted for structures within a minimum radius of 500 feet from the identified blast site to be specified by the applicant. Sensitive receptors that could reasonably be affected by blasting shall be surveyed as part of the pre-blast survey. Notification that blasting would occur shall be provided to all owners of the identified</li> </ul>	Completion of a pre-blast survey, and blasting plan, approved by the City of San Marcos.	During construction, prior to any blasting activities	<p>Project Applicant/Developer, City Planning Division Manager</p> <p>Licensed blasting contractor, if needed</p>

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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
	<p>structures to be surveyed prior to commencement of blasting. The pre-blast survey shall be included in the final blasting plan.</p> <ul style="list-style-type: none"> <li>The final blasting plan shall address air-blast limits, ground vibrations, and maximum peak particle velocity for ground movement, including provisions to monitor and assess compliance with the air-blast, ground vibration, and peak particle velocity requirements. The blasting plan shall meet criteria established in Chapter 3 (Control of Adverse Effects) in the Blasting Guidance Manual of the U.S. Department of Interior Office of Surface Mining Reclamation and Enforcement.</li> <li>The blasting plan shall outline the anticipated blasting procedures for the removal of rock material at the proposed locations. The blasting procedures shall incorporate line control to full depth and controlled blasting techniques to create minimum breakage outside the line control and maximum rock fragmentation within the target area. Prior to blasting, all applicable regulatory measures shall be met. The applicant, or its subcontractor (as appropriate), shall keep a record of each blast for at least 1 year from the date of the last blast.</li> </ul>			
<i>Public Services</i>				
Potential for impacts to police and fire services	<b>MM-PS-1:</b> The proposed project shall be subject to the City of San Marcos Community Facilities District (CFD) No. 98-01 (Police and Fire). The project applicant shall be required to pay applicable fees to CFD 98-01 associated with the residential property classification at the time of	Project Applicant shall pay applicable fees to CFD 98-01.	At the time of project construction	Project Applicant, City Planning Division Manager

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**Table 3-1  
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Impact	Mitigation Measure	Action Required	Timing	Responsibility
	project construction. Fees to CFD 98-01 are used to finance authorized facilities and services including fire stations, fire training facilities, police and fire communication systems, and police and fire equipment.			
Potential impacts to the San Marcos Fire Protection District	<b>MM-PS-2:</b> The proposed project shall be subject to the City of San Marcos CFD No. 2001-01 (San Marcos Fire Protection District). The project applicant shall be required to pay applicable fees to CFD 2001-01 associated with the residential property classification at the time of project construction. Fees to CFD 2001-01 are used to finance authorized facilities and services including fire stations, fire training facilities, fire dispatch center, fire communication systems, fire equipment, fire protection, ambulances, and paramedic services.	Project Applicant shall pay applicable fees to CFD 2001-01.	At the time of project construction	Project Applicant, City Planning Division Manager
Potential impacts to police services	<b>MM-PS-3:</b> The proposed project shall be subject to the City of San Marcos CFD No. 98-01 Improvement Area No. 1 (CFD 98-01 IA #1) (Police Only). The project applicant shall be required to pay applicable fees to CFD 98-01 IA #1 associated with the residential property classification at the time of project construction. Fees to CFD 98-01 IA #1 are used to finance authorized facilities and services including police facilities, police communication systems, police equipment, and police services.	Project Applicant shall pay applicable fees to CFD 98-01 IA#1.	At the time of project construction	Project Applicant, City Planning Division Manager
Potential impacts to schools within the City	<b>MM-PS-4:</b> The project applicant shall pay school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h), 65996(b), and 65996(h) in effect at the time of building permit issuance.	Project Applicant shall pay applicable school mitigation fees.	At the time of building permit issuance	Project Applicant, City Planning Division Manager
Potential impacts to park facilities within the City	<b>MM-PS-5:</b> The project applicant shall pay the City's Public Facility Fee (PFF), a portion of which is designated for parks. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City. Payment of the PFF shall be made prior to project occupancy.	Project Applicant shall pay applicable fees to the City's PFF.	Prior to project occupancy	Project Applicant, City Planning Division Manager



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**Table 3-1  
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Impact	Mitigation Measure	Action Required	Timing	Responsibility
Potential impacts to lighting, landscape, open space, and preserve maintenance within the City	<b>MM-PS-6:</b> The proposed project shall be subject to the City of San Marcos CFD No. 98-02 (Lighting, Landscape, Open Space, and Preserve Maintenance). The project applicant shall be required to pay applicable fees to CFD 98-02 associated with the residential property classification at the time of project construction. Fees to CFD 98-02 are used to finance authorized facilities and services including public lighting, including but not limited to, street lighting and traffic signals; parkway landscaping; median landscaping; and public or private property required by the City to be maintained as passive open space areas, including but not limited to, passive open space areas, habitat preservation areas, slope areas, and earthen/natural drainage channels.	Project Applicant shall pay applicable fees to City of San Marcos CFD No. 98-02.	At the time of project construction	Project Applicant, City Planning Division Manager
<i>Transportation and Traffic</i>				
Existing Plus Project Scenario – Direct impact to Bent Avenue between San Marcos Boulevard and Discovery Street	<b>MM-TRA-1:</b> <ol style="list-style-type: none"> <li>1) Prior to occupancy of the 107<sup>th</sup> home, Bent Avenue shall be reconstructed and in operation per City of San Marcos CIP Project No. 88623 or:</li> <li>2) Prior to occupancy of the 107<sup>th</sup> home, Applicant/developer shall construct the following: <ul style="list-style-type: none"> <li>• Bent Avenue/Discovery – Complete the at grade improvement of the intersection including a traffic signal</li> <li>• Discovery/Craven – Relocate the existing intersection eastward, to create a new three legged, signalized intersection matching the proposed Discovery Street extension</li> <li>• Restripe Bent Avenue to provide 2 – 12' travel lanes (one each direction)</li> </ul> </li> </ol>	Either Bent Avenue shall be reconstructed and in operation, or the Project Applicant shall construct the listed circulation elements.	Prior to occupancy of the 107 <sup>th</sup> home	Project Applicant/Developer, City Planning Division Manager

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**Table 3-1  
Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
	with striping to provide a northbound left turn lane, thru lane, and right turn lane at the intersection of Bent Avenue and West San Marcos Boulevard, consistent with the current plans for the City's CIP project 88623, to the satisfaction of the City engineer.			
Near-Term Year 2020 Plus Project Scenario – Impact to Bent Avenue from San Marcos Boulevard to Discovery Street	<b>MM-TRA-2:</b> The project applicant shall make a fair share contribution towards the construction of Grand Avenue, between the existing southern terminus and Discovery Street. This fair share contribution is in addition to payments required as part of the City of San Marcos' Public Facilities Fee (PFF) program.	Project Applicant shall make a fair-share contribution toward the construction of Grand Avenue.	Prior to project occupancy	Project Applicant, City Planning Division Manager
<i>Tribal Cultural Resources</i>				
Impacts to milling features	<b>MM-TCR-1:</b> Milling features shall be preserved in place, if possible, or shall be relocated to onsite open space or landscaped areas prior to disturbance, if feasible, and as reflected in the Cultural Resource Treatment and Monitoring Agreement.	Protection of Tribal Cultural Resources in compliance with the Cultural Resource Treatment and Monitoring Agreement.	During grading and project construction	Project Applicant/Developer, City Planning Division Manager, Tribal Monitor
Controlled grading and grubbing	<b>MM-TCR-2:</b> All grubbing shall be controlled in areas of concern as determined by the Project Archaeologist and the Luiseño Native American monitor, and as reflected in the Treatment and Monitoring Agreement developed in consultation with the Luiseño Tribe, and shall be inspected by the Project Archaeologist and Luiseño Native American monitor prior to initiating grading for those areas. Grading shall be controlled within the area of CA-SDI-11809 and San Marcos Creek using a slope board or similar equipment to allow soil to be removed in increments of only a few inches at a time. Other areas which may require controlled grading shall be determined by the Project Archaeologist and the Luiseño Native American monitor, as reflected in the Treatment and	Monitoring of all grubbing in controlled areas of concern by Project Archaeologist and Tribal Monitor, as outlined in the Treatment and Monitoring Agreement.	Prior to initiating grading for areas of concern	Project Applicant/Developer, City Planning Division Manager, Project Archaeologist, Tribal Monitor

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## Final Mitigated Negative Declaration for Discovery Village South

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**Table 3-1**  
**Mitigation Monitoring and Reporting Program**

Impact	Mitigation Measure	Action Required	Timing	Responsibility
	Monitoring Agreement developed in consultation with the Luiseño Tribe.			

## **4 DRAFT MITIGATED NEGATIVE DECLARATION**

### **4.1 Introduction**

#### **4.1.1 Project Overview**

The Discovery Village South project (proposed project) is located in the City of San Marcos in northern San Diego County (refer to **Figure 1, Regional Map**). The proposed project would involve construction of up to 230 single-family homes on an approximately ~~394~~4-acre site that is currently vacant (refer to **Figure 2, Vicinity Map**, and **Figure 3, Aerial Map**). The proposed residential development would introduce two product types. Type A would be a compact single-family detached home, two stories (35-foot maximum height) with an enclosed two-car garage. Type B would be a single-family detached home, designed in a motor court configuration, two stories (35-foot maximum height) with an enclosed two-car garage. Type A uses would be concentrated in the central areas of the project site, and Type B uses would be concentrated on the east and southern portions of the project site. Other uses proposed within the project site include natural open space, recreational space, community amenity space, and associated circulation, which would be dispersed throughout the community (refer to **Figure 4, Conceptual Site Plan**). A homeowners' association (HOA) would maintain these common recreational areas and proposed private streets. Construction activities are expected to begin in spring of 2019.

#### **4.1.2 California Environmental Quality Act Compliance**

The California Environmental Quality Act (CEQA) requires that any project in the state of California determined to have the potential to result in adverse impacts to the environment be analyzed under the CEQA Guidelines and the results disclosed to the general public (14 CCR 15000 et seq.; California Public Resources Code Section 21000 et seq.). A lead agency is determined under CEQA as the agency with greatest authority over the resources or land the proposed project is likely to impact, often a city, county, school district, or public resource agency.

The proposed project would be required to complete environmental review under CEQA, led by the City of San Marcos (City), to identify and disclose potential environmental impacts related to the construction and operation of the proposed residential development.

As stipulated in Sections 65450 through 65454 of the California Government Code, cities may prepare specific plans for the systematic implementation of a general plan for all or part of the area covered by a general plan. The emphasis of this and all specific plans is on standards and development criteria intended to supplement and assist in implementing those of a city's general plan. Contents of the specific plan address the planning and funding of necessary infrastructure and facilities as well as land uses. The Discovery Village South Specific Plan is included as **Appendix A** to this MND.

## **Final Mitigated Negative Declaration for Discovery Village South**

The City has prepared this Mitigated Negative Declaration (MND) in conformance with Section 15070(a) of the CEQA Guidelines. The purpose of the MND environmental evaluation is to describe the proposed project, determine any potentially significant impacts associated with the proposed project, and incorporate mitigation measures into the project design as necessary to reduce or eliminate the potentially significant effects of the project.

### **44.1.3 Project Planning Setting**

The proposed project site is located within the City of San Marcos. The San Marcos General Plan was updated in 2012 and includes policies and standards to guide the location, density, and distribution of various land use activities throughout the city. The proposed project site currently lies within the boundaries of the Scripps Health Care Campus Specific Plan (SHCCSP), which the City adopted in 1991. The existing SHCCSP calls for a hospital/health care campus on 80 acres of vacant land. The plan envisioned a development in phases, including a hospital with up to 450 beds, 250,000 square feet of medical office space, a 100-bed mental health center/chemical dependency hospital, a 150-bed skilled nursing facility, a health education center, child care center, fitness center, special treatment clinic, and research buildings. The total anticipated buildout under the SHCCSP is 1,240,000 square feet with 3,102 parking spaces in non-structured, surface parking. The buildings range in height from one to seven stories across the site. The SHCCSP anticipated several signalized intersections/entrances on Barham/Discovery Street and Craven Avenue.

The Discovery Village South Specific Plan prepared for the proposed project replaces the SHCCSP in its entirety to change the use from medical/hospital to single-family residential on approximately ~~394~~ acres. The scale, density, and height of the development proposed would be significantly reduced, and the land use standards, design standards, and architecture are revised within the Discovery Village South Specific Plan, as appropriate, to correspond with the proposed new use. The circulation design is also revised to serve the proposed residential use. The boundary of the SHCCSP would consequently be amended. The amended SHCCSP boundary is presented in **Figure 5, Planning Context Map**, which represents approximately ~~394~~ acres of the original SHCCSP acreage.

The Discovery Village South Specific Plan area is located directly south of the Discovery Village North project and the associated Discovery Street extension (within the University District Specific Plan Area), east of Craven Road, north of the Discovery Meadows development and northwest of the Kaiser Permanente Medical Center. Access to the site would be taken directly from the future extension of Discovery Street. The Specific Plan area is located in the Barnham/Discovery Community of San Marcos and surrounded by the San Marcos Creek Specific Plan area to the west, Discovery Hills to the south, and the University District Specific Plan area to the north (**Figure 5**). The California State University San Marcos

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## **Final Mitigated Negative Declaration for Discovery Village South**

(CSUSM) campus and the Heart of the City Specific Plan Area are to the east of the Specific Plan/proposed project site.

### **4.1.4 Public Review Process**

Pursuant to CEQA Guidelines Section 15105(b), the MND will be available for a public comment period of not less than 30 days from Tuesday, November 28, 2017, to Thursday, December 28, 2017.

In reviewing the MND, affected public agencies and the interested public should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment, as well as ways in which the significant effects of the project are proposed to be avoided or mitigated.

Comments may be made on the MND in writing before the end of the comment period. Following the close of the public comment period, the City will consider this MND and comments thereto in determining whether to approve the proposed project. Written comments on the MND should be sent to the following address by Thursday, December 28, 2017:

City of San Marcos  
Attn: Joseph Farace, Principal Planner, c/o ~~Lisa Kiss~~Sandra Gallegos, Planning Division  
1 Civic Center Drive  
San Marcos, California 92069

## **4.2 Summary of Findings**

The City, through its Development Services Department, Planning Division (Department), is the lead agency responsible for the review and approval of the proposed project. The City has made the determination that an MND is the appropriate environmental document to be prepared in compliance with the CEQA.

### **4.2.1 Environmental Factors Potentially Affected**

Based on the scope of the proposed project, the environmental factors listed below were determined to be potentially significant.

- Biological Resources
- Cultural Resources
- Land Use and Planning
- Noise
- Public Services

## **Final Mitigated Negative Declaration for Discovery Village South**

- Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Mandatory Findings of Significance

However, mitigation measures recommended for these topics within Section 3 of this MND would reduce all potentially significant impacts to a less-than-significant level.

### **4.2.2 Environmental Determination**

The City finds that all potentially significant impacts would be mitigated to a less-than-significant level, and the mitigation measures recommended within this MND are feasible and appropriate for these topics.

### **4.3 Initial Study Checklist**

**1. Project title:**

Discovery Village South

**2. Lead agency name and address:**

City of San Marcos  
Development Services Department, Planning Division  
1 Civic Center Drive  
San Marcos, California 92069-2918

**3. Contact person and phone number:**

Joseph Farace, Principal Planner  
760.744.1050 ext. 3248

**4. Project location:**

The project site is located in the City of San Marcos (City), California, south of the onramp to State Route 78 (SR-78) at San Marcos Boulevard. The project site is located directly southeast of Bent Avenue and the proposed extension of Discovery Street; it is bounded on the west by Craven Road, and the south project boundary is defined by the Discovery Meadows development and to the southeast by the Kaiser Permanente Medical Center (refer to **Figure 1**). The project site spans portions of Assessor's Parcel Numbers

## **Final Mitigated Negative Declaration for Discovery Village South**

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221-142-07, 221-070-19, 221-070-20, 221-080-19, 221-080-11, 220-080-12, 221-080-18, 221-080-23, and 221-080-24, and City right-of-way (refer to **Figures 1–3**).

**5. Project sponsor’s name and address:**

H.G. Fenton Development Company LLC  
7577 Mission Valley Road  
San Diego, California 92108

**6. General Plan designation:**

The City of San Marcos General Plan indicates that the proposed project site is in the Scripps Health Care Campus Specific Plan Area.

**7. Zoning:**

The Scripps Health Care Campus Specific Plan zones the proposed project site as medical/hospital.

**8. Description of project. (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):**

As described in Section 1.1 above, the proposed project would involve construction of up to 230 single-family detached homes on an approximately ~~3941~~-acre site that is currently vacant. The proposed residential development would introduce two product types. Type A would be compact single-family detached homes, two stories (35-foot maximum height) with an enclosed two-car garage. Type B would be single-family detached homes, designed in a motor court configuration (arranged around shared driveways), two stories (35-foot maximum height) with an enclosed two-car garage. Type A uses would be concentrated in the central areas of the project site, and Type B uses would be concentrated on the east and southern portions of the project site (refer to **Figure 4**). Other uses proposed within the project site include natural open space, recreational space, and community amenity space, which would be dispersed throughout the community. These common recreational areas, as well as proposed private streets, would be maintained by an HOA. Construction activities are expected to begin in spring of 2019.

The Discovery Village South Specific Plan (**Appendix A** to this MND) allows up to 230 residential dwelling units on approximately 40 acres. The gross density for the Specific Plan area is approximately 5.64 dwelling units per acre. **Table 1** in **Appendix A** breaks down the approximate dwelling units per gross acre by proposed housing type. Upon

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## **Final Mitigated Negative Declaration for Discovery Village South**

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adoption of the Specific Plan for the proposed project, development would be governed by the Specific Plan. The standards in the Specific Plan would replace and take precedence over the base zone regulations of the City's Zoning Ordinance and Scripps Health Care Campus for the proposed project. Where regulations of the Specific Plan are silent, the comparable regulations of the City's Zoning Ordinance and all adopted ordinances, regulations, standards, and guidelines of the City would prevail.

### **Circulation**

The project site would be accessed by two street connections to Discovery Street, an unbuilt section of the City's mobility element, which would be constructed concurrent with the grading of the proposed project. The extension of Discovery Street was previously approved for development (with a certified Environmental Impact Report (EIR)) under the University District Specific Plan Area, as a part of the Discovery Village North Project (immediately north of the proposed project). Discovery Street is a four-lane major arterial that begins at Twin Oaks Valley Road. The proposed extension would run from the existing intersection of Discovery Street at Rush Drive (just east of the project site), west, to join the existing segment of Discovery Street at the intersection of Bent Avenue, and Craven Road, northwest of the project site (refer to **Figure 4**). From this point west, Discovery Street would be constructed to a four-lane road, as one of the City's Capital Improvement Projects within the adjacent San Marcos Creek District.

On-site circulation would be provided by a system of private streets, defined by a primary loop road that provides a backbone of access and connectivity to the community from the proposed extension of Discovery Street, and secondary residential streets that stem from the loop road and, in turn, connect back with it (refer to **Figure 4**). These private streets would have on-street parking. The loop road would be considered a private residential street, and would serve as the primary east-west connector within the project site. The loop road would be designed to accommodate on-street parking, bicycle and pedestrian uses, and tree-lined parkways.

A center median is proposed at the project entrances to provide a sense of arrival and a gateway. Bicycle facilities would be provided in the community and connect to bicycle infrastructure on Craven Road and Discovery Street. Class 1 bicycle facilities would be integrated into the design of the loop road, connecting the residential clusters to bicycle facilities planned for the proposed extension of Discovery Street. Pedestrian access would be provided through non-contiguous sidewalks along the loop road and contiguous sidewalks on residential streets. Additionally, pedestrian paseos located between key points in the neighborhood would link residents to an expanded network of trails that lead to the creek and to transit. A greenway connecting the community from Craven Road to

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## **Final Mitigated Negative Declaration for Discovery Village South**

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the secondary entrance on Discovery Street is also proposed. The proposed project would be required to comply with the circulation and street design standards and policies outlined in Section D of the Specific Plan.

For public transit, residents of the proposed project would have close access to North County Transit District bus service, provided on Craven Road, connecting to the light-rail transit station at CSUSM. In addition, the proposed extension of Discovery Street is envisioned in the General Plan and the University District Specific Plan to be included in an Intra-City Shuttle service that would connect the proposed project site with CSUSM, the University District, and the San Marcos Creek District.

### **Open Space**

The proposed project is designed to provide no less than 2 acres of common passive and active private open space distributed throughout the village. A diversity of open spaces and community amenities would be made available within walking distance from every home (**Appendix A**). The proposed project would include a central commons area that would serve as the ceremonial community amenity space, with a shaded plaza and recreational amenities. Pocket playgrounds and green spaces are also proposed at either end of the community. Additionally, natural open space, active open space, and passive open space areas would be integrated throughout the community, consistent with the Discovery Village South Specific Plan. The design of common amenities and open space areas on site would be required to comply with standards outlined in Chapter 4, Section G of the Discovery Village South Specific Plan (**Appendix A**).

### **Public Facilities**

Infrastructure improvements necessary within the Specific Plan Boundary and surrounding area include extensions of existing water, sewer, and roadways. New storm drains and associated drainage improvements are also planned for the project site. These improvements are intended to implement the concepts stipulated in City Master Plans, the City's General Plan, and planned facilities of adjacent developments.

Water service to the project site would be provided by Vallecitos Water District (VWD). There are existing points of connection on both the east and west sides of the project site. Water would be extended to serve the project within the extension of Discovery Street, which fronts the project site. Tee's would be provided at the two project entrances from Discovery Street and would also provide points of connection for Discovery Village North (within the University District), on the north side of Discovery Street (**Appendix A**). Water line sizes are expected to range from 8 to 12 inches in size.

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Sewer service to the project site would also be provided by VWD. Similar to water connection, there are existing sewer facilities to the west, within Bent Avenue, north of Discovery Street. Proposed sewer facilities would be extended east, uphill, to gravity serve the project site within the extension of Discovery Street, which fronts the project site. Manhole stubs would be provided at the two project entrances from Discovery Street, which would provide additional points of connection for Discovery Village North (within the University District), on the north side of Discovery Street (**Appendix A**). Sewer line sizes are expected to range from 8 to 12 inches in size. Both water and sewer line connections would be designed in accordance with the standards and specifications of VWD. Water and sewer services for the proposed project are further outlined within Section 3.18, Utilities and Service Systems.

Gas and electric services within the project site would be provided through San Diego Gas and Electric facilities. Gas and electric service would be extended to serve the site within the extension of Discovery Street, which fronts the project site. All electric distribution facilities servicing the project would be underground.

On-site storm drain facilities would be private and would be located based on existing drainage patterns. Proposed drainage facilities are intended to compliment proposed drainage facilities planned (but not yet built) by adjacent developments. Drainage design would be in concert with master drainage plans for the downstream proposed Creek District Specific Plan Area, as well as the planned drainage of the upstream planned University District Specific Plan Area. There would be no increase in flows discharged into the San Marcos Creek. Project site drainage is further detailed under Section 3.9, Hydrology and Water Quality below, and in Chapter 3, Section G, of the Discovery Village South Specific Plan (**Appendix A**).

### **Architecture**

The proposed project would be required to comply with the architectural design standards and guidelines outlined in Chapter 4, Section C, of the Discovery Village South Specific Plan (**Appendix A**). Architectural styles considered for the project's residential units include contemporary, craftsman, Irving Gill, and Spanish styles. Additional styles may be requested at the time of Site Development Plan review, subject to approval by the City's Planning Manager. A minimum of three different floor plans would be provided for each planning area, and a minimum of three elevation treatments would be provided for each floor plan type during the site design review.

## **Final Mitigated Negative Declaration for Discovery Village South**

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### **Landscaping**

The proposed project would be required to comply with the landscape design standards and guidelines outlined in Chapter 4, Section E of the Discovery Village South Specific Plan (**Appendix A**). Landscaping is proposed to be strategically located in different areas of the community including the edges around the community; gateways into the community; entrances to motorcourts; internal drives; and paseos, greenways, and courtyards to create an attractive appearance and unify the project site. All proposed landscaping would be required to comply with the City's Water Efficient Landscape Ordinance.

### **Lighting**

The proposed project would be required to comply with the lighting design standards and guidelines outlined in Chapter 4, Section F of the Discovery Village South Specific Plan (**Appendix A**). Lighting would be provided throughout the project site in all community amenity areas, pedestrian walkways, paseos, greenways, courtyards, building entrances, and common areas.

### **Grading**

The proposed project would be required to comply with the grading regulations outlined in Section H of the Specific Plan (**Appendix A**). The existing knoll on site would be lowered, and a potential rock crushing location would be located on the Discovery Village North site as well.

The proposed project site and the adjacent Discovery Village North site are expected to be mass graded in one phase. Approximately 502,500 cubic yards of earthwork would occur specifically within the proposed project site. A separate application is in process to create a mass graded pad on the Discovery Village North site (same parcel/ownership), which was previously approved for development (with a certified EIR) under the University District Specific Plan Area. Grading within the project site would be required to comply with site-specific grading regulations outlined in Chapter 4, Section H, of the Discovery Village South Specific Plan (**Appendix A**).

### **Walls and Fencing**

Walls and fences on site would be an extension of the community theme and character and would be designed according to the architectural character of the residential units. Additional styles, final design, texture, and color would be determined at the time of Site Development Plan review, subject to approval by the City's Planning Manager.

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Walls and fences on site would be strategically placed to provide privacy, noise relief, and identify boundaries.

### **Sustainability**

The proposed project would be required to comply with the sustainability standards and regulations outlined in Chapter 4, Section J of the Discovery Village South Specific Plan (**Appendix A**). The proposed project would incorporate water-efficient landscape design, non-vehicular circulation connections, non-polluting and non-toxic building materials with low volatile organic compounds, reduced paving use, and recycled building materials where feasible. The location and features of the proposed project would comply with the connectivity goals of sustainable design and Smart Growth within the City.

### **Compliance with the City of San Marcos General Plan**

The San Marcos General Plan was updated in 2012 and includes policies and standards to guide the location, density, and distribution of various land use activities within each of the eight community planning areas identified in the City. Land use policies may be further detailed and defined through specific plans. The City of San Marcos General Plan identifies 48 specific plan areas, and the Discovery Village South Specific Plan is within the SHCCSP area. The Discovery Village South Specific Plan would require an amendment to the San Marcos General Plan.

Approval for a residential use meets a number of goals/policies to support the change in land use proposed for the project site. The proposal would reduce a number of important metrics of environmental impacts, as measured against the land use currently of record, within the existing General Plan:

- Average daily traffic (ADT) would be reduced by approximately 90% from the current Specific Plan;
- Land Use compatibility would revert the property back to a residential use, more compatible with the adjacent residential developments;
- Visual impacts of a seven-story office building would be reduced to that of a two-story single-family home;
- Noise impacts would be greatly reduced with the elimination of a helipad and emergency room services;
- Locating new residential uses within walking/biking distance to major retail, employment, mass transit, medical, and education facilities meets the principles of smart growth and results in a reduced carbon footprint.

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## **Project Objectives**

The Specific Plan for the proposed project implements the goals of the City of San Marcos General Plan through the following objectives:

- Provide residential uses adjacent to the Heart of the City, near and within walking distance to community resources (such as transit, medical, educational, employment, and commercial uses);
- Focus residential development around open space amenities to establish a clear sense of place;
- Provide a choice of housing products and a variety of building architecture for greater visual diversity and to establish distinct areas within the village;
- Balance development with a respect for the topographic and natural resources of the site;
- Provide pedestrian trails, paseos, and bicycle facilities that link homes with common amenity spaces, open space, and the surrounding community;
- Establish clear entry gateways into the village from Discovery Street, and align the main entrances of the village with planned intersections in the University District Specific Plan;
- Allow access and views to the San Marcos Creek from the northwest corner of the village, creating defined edges and an open space connection through the site;
- Provide a clear circulation network of private drives that connect directly to a pedestrian-friendly central loop road and to the two primary gateways to the village;
- Respect adjacent medical and residential uses existing in the area to the south of the village with landscape buffers, building setbacks and enhanced fencing along the southern edge of the village;
- Maximize the potential for surrounding valley and mountain views from the village.

## **9. Surrounding land uses and setting:**

The proposed project site is located within undeveloped land on the south side of San Marcos Creek and is generally surrounded by dense development. The project site is in the Barham/Discovery Community of San Marcos and surrounded by the San Marcos Creek Specific Plan Area to the west, Discovery Hills Specific Plan Area to the south, the University District Specific Plan Area to the north, and the CSUSM campus and the Heart of the City Specific Plan area to the east (refer to **Figure 3** and **Figure 5**) .

## Final Mitigated Negative Declaration for Discovery Village South

The Barham/Discovery Community is located in the central portion of the City, south of SR-78. The Barham/Discovery Community contains a wide variety of land uses, including residential, commercial, park, open space, and CSUSM. Multiple residential types are located within the neighborhood, including rural and estate residential, single-family neighborhoods, and higher density apartment and condominium complexes in proximity to CSUSM.

**10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

The following actions and approvals outlined in **Table 43-1** would be required by public agencies prior to project approval. Actions and approvals required by the City are also included as part of the table below.

**Table 43-1**  
**Required Actions and Approvals**

Agency	Required Action/Approval
ACOE	CWA Section 404 individual permit
RWQCB	CWA Section 401 Water Quality Certification
CDFW	Section 1602, Streambed Alteration Agreement
City of San Marcos	Development Agreement Application – In order to proceed with this proposal, the Scripps Development Agreement would need to be rescinded
City of San Marcos	General Plan Amendment – To change the land use from Scripps Health Medical Campus land use to residential development of up to 230 single-family homes.
City of San Marcos	Specific Plan Amendment (SP 16-001) – To replace the adopted “Scripps Memorial Hospital/SP 90-24” from a medical/office campus land use to single-family detached residential.
City of San Marcos	Tentative Map (TSM 16-003)/Preliminary Grading Plan – As the project seeks to subdivide the property into seven lots, which serve as master plan phases allowing up to 230 residential units in a single-family detached unit configuration on 39 acres (gross) of the 80-acre property.
City of San Marcos	Site Development Permit (SDP 17-006) – Up to 230-unit development of single-family, detached residential consisting of two residential product types.
City of San Marcos	Grading Variance (GV 17-0004) – For slopes in excess of 20 feet in height.

**Notes:**

ACOE = U.S. Army Corps of Engineers; CWA = Clean Water Act; RWQCB = Regional Water Quality Control Board; CDFW = California Department of Fish and Wildlife

## **Final Mitigated Negative Declaration for Discovery Village South**

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### **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                                    | <input type="checkbox"/> Agriculture and Forestry Resources   | <input type="checkbox"/> Air Quality                   |
| <input checked="" type="checkbox"/> Biological Resources               | <input checked="" type="checkbox"/> Cultural Resources        | <input type="checkbox"/> Geology and Soils             |
| <input type="checkbox"/> Greenhouse Gas Emissions                      | <input type="checkbox"/> Hazards and Hazardous Materials      | <input type="checkbox"/> Hydrology and Water Quality   |
| <input checked="" type="checkbox"/> Land Use and Planning              | <input type="checkbox"/> Mineral Resources                    | <input checked="" type="checkbox"/> Noise              |
| <input type="checkbox"/> Population and Housing                        | <input checked="" type="checkbox"/> Public Services           | <input checked="" type="checkbox"/> Recreation         |
| <input checked="" type="checkbox"/> Transportation and Traffic         | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance |   |  |



## **Final Mitigated Negative Declaration for Discovery Village South**

### **DETERMINATION:** (To be completed by the Lead Agency)

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.



Signature

November 22, 2017

Date

## **Final Mitigated Negative Declaration for Discovery Village South**

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### **EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of 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.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated

## **Final Mitigated Negative Declaration for Discovery Village South**

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or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

## Final Mitigated Negative Declaration for Discovery Village South

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

### 4.3.1 Aesthetics

#### a) *Would the project have a substantial adverse effect on a scenic vista?*

The proposed project site is located within undeveloped land on the south side of San Marcos Creek and is generally surrounded by dense development. The proposed project site is bordered by residential development to the south and to the west. The Kaiser Permanente San Marcos Medical Offices are located to the southeast, and commercial properties are located to the north. Directly to the east of the proposed project site is partially developed with dirt roads. Scenic resources and vistas within the City include, but are not limited to, undeveloped hillsides within the Ridgeline Protection and Management Overlay Zone; prominent landforms such as the San Marcos Mountains, Merriam Mountains, Mount Whitney, Cerro de La Posas Mountains, and Double Peak Mountains; Owens Peak; and Franks Peak. Features including parks, scenic roads and SR-78 routes are considered to capture the ridgeline views considered of value. These viewing platforms capture views of the ridgelines, canyons and urban/suburban landscapes.

Scenic vistas within the City are primarily associated with primary and secondary ridgelines, which are identified by the City's Ridgeline Protection and Management Overlay Zone (ROZ), outlined within Chapter 20.260 of the City's Zoning Ordinance. The ROZ aims to preserve Primary Ridgelines in their natural state and minimize visual impact to Secondary Ridgelines through a "Ridgeline Overlay Zone" that protects natural view sheds, unique natural resources, minimizes the physical impacts to ridgelines, and establishes innovative site and architectural design standards. 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 (City of San Marcos 2012a). The project site is not identified as a

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viewing platform location, nor a scenic vista under the City's General Plan; and therefore, **no impact** would occur.

**b) *Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

The proposed project site is located just south of SR-78. The California Department of Transportation (Caltrans) recognizes a portion of SR-78 as a Scenic Highway; however, that portion is not in the project vicinity (Caltrans 2011). The portion identified as a Scenic Highway is approximately 40 miles southeast of the proposed project site near Anza Borrego (Caltrans 2011). There are no designated state Scenic Highways or eligible state Scenic Highways within the City. Due to the distance of the project site from the closest Scenic Highways, **no impact** would occur.

**c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?***

The project site is located in an area of multiple land uses. The proposed project site is a generally flat lot with no existing development. The project site is bordered by residential uses to the west, including Lakeview Mobile Estates; residential uses and the Kaiser Permanente San Marcos Medical Offices to the south; undeveloped land to the east; and retail property to the north, including Hobby Lobby, Staples, and Best Buy. Implementation of the proposed project would change a vacant site to a residential space.

Project construction involves grading activities to prepare the project site for roadway and infrastructure. Grading on site would permanently alter the existing topography. During construction, existing views of the project site would be temporarily altered as a result of grading of the existing knoll and manufactured slopes on site, and through the inclusion of staging areas with construction equipment and supplies. Construction of the proposed project would change the existing visual character and quality of the site; however, since these visual changes during construction would be temporary in nature, impacts would not be considered substantial.

Buildout of the proposed project would alter the existing visual character of the proposed project site in terms of adding residential development, landscaping, streets, lighting, recreational space, and community amenity space to a currently vacant lot. However, proposed residential units would be designed to incorporate architectural elements such as bay windows, porches, projecting eaves, awnings, and similar elements to add visual interest and reduce the scale and mass of the building. Complementary building materials, textures, and colors would unify homes and community facilities within the

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neighborhood. Exterior columns or supports for site elements, such as trellises and porches, would utilize materials and colors compatible with the rest of the development. Consistent with the SPA, single-family lots would incorporate a variety of architectural styles and character-defining elements to provide visual diversity to the neighborhood. Architectural styles including contemporary, Craftsman, Irving Gill, and Spanish styles would be considered appropriate for the proposed single-family residences. As outlined in the Discovery Village South Specific Plan, additional styles may be considered at the time of Site Development Plan review, subject to approval by the City. The proposed project would not involve construction of any buildings or large permanent structures that would cast shadows outside of the property boundaries, and all on-site development would be restricted to a 35-foot maximum height limit.

Neighborhood connectivity is a primary goal of the SPA. With the project location in the center of the City, the proposed project would incorporate pedestrian, bicycle, and vehicular connections to surrounding districts, trails, bicycle infrastructure, and transit services. Mobility would be supported internally through a loop road, connected residential streets, pedestrian paseos and trails, and bicycle paths, ensuring that all uses are integrated and accessible to residents of the area (refer to **Figure 4, Conceptual Site Plan**).

The change from medical hospital campus to single-family residential uses would result in reduced visual impacts of the project site. Implementation of the proposed project would create a walkable and interconnected residential community, connecting residents to community amenity spaces and a clear circulation design providing a sense of place and organization. A primary goal of the Discovery Village South Specific Plan is to respect the existing natural views and topography of the site, with open space connections preserved through the natural low points of the project site. The proposed project would not degrade the existing visual character or quality of the site and its surroundings, but rather, the project would be visually and functionally compatible with surrounding urban uses. Therefore, impacts to visual character and quality would be **less than significant**.

**d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

Existing sources of light and glare on the project site are mainly the result of headlights from cars driving on Craven Road. The proposed project would incorporate lighting into the project design to the extent necessary for safety and security, and to complement architectural character. Lighting proposed under the project would be guided by standards set by the City, which requires downward-directed LED lighting, except for specialized streetscape lighting or architectural detail lighting. These requirements aid in the preservation of dark-sky conditions. Development of the proposed project would be

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required to comply with the City's lighting standards, and the location, type, and direction of the lighting would be reviewed during Specific Plan review to ensure compliance. The SPA specifies that all structural finishes shall be non-reflective, the use of reflective glass shall be restricted, and mirrored glass shall be prohibited. Therefore, project compliance with City lighting regulations and the SPA would result in **less-than-significant** impacts related to lighting and glare.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES</b> – 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 and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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### **4.3.2 Agriculture and Forestry Resources**

- a) *Would the project 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?*

The proposed project site is not in agricultural use and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on both the Department of Conservation's Farmland Mapping and Monitoring Program (DOC 2014a) and Figure 4-4 of the General Plan (City of San Marcos 2013). Additionally, the proposed project would not convert designated farmland to a non-agricultural use. Therefore, **no impact** would occur.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The proposed project site is not located within a Williamson Act contract area (DOC 2014b). Further, the proposed project site is not zoned for agricultural use. Currently, the SHCCSP identifies this area as medical/hospital (City of San Marcos 2013). The applicant has prepared the Discovery Village South Specific Plan (**Appendix A**) requesting the proposed project site land uses be modified from medical/hospital to be rezoned as single-family residential. Under the proposed project, the site would never be zoned for agricultural use. Therefore, **no impact** would occur.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

As previously described under threshold b) above, the SHCCSP identifies the proposed project site as medical/hospital (City of San Marcos 2013). The applicant has prepared the Discovery Village South Specific Plan requesting the proposed project site land uses be modified from the existing medical/hospital to single-family residential. The proposed project would not conflict with or cause re-zoning of land zoned as forest land, timberland, or timberland production. Therefore, **no impact** would occur.



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**d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?***

As previously described, the proposed project site is not zoned for forest land, and therefore would not result in the loss or conversion of forest land. Therefore, **no impact** would occur.

**e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

The proposed 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 proposed project site does not support any agricultural or timber uses, nor is it adjacent to such uses. Therefore, **no impact** would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>III. AIR QUALITY</b> – 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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### 4.3.3 Air Quality

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

The County of San Diego Air Pollution Control District (SDAPCD) and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plans for attainment and maintenance of the ambient air quality standards in the basin; specifically, the State Implementation Plan (SIP) and Regional Air Quality Strategy (RAQS).<sup>1</sup> The federal O<sub>3</sub> maintenance plan, which is part of the SIP, was adopted in 2012. The SIP includes a demonstration that current strategies and tactics will maintain acceptable air quality in the basin based on the National Ambient Air Quality Standards (NAAQS). The RAQS was initially adopted in 1991 and is updated every 3 years (most recently in 2016). The RAQS outlines SDAPCD's plans and control measures designed to attain the state air quality standards for ozone (O<sub>3</sub>). The SIP and RAQS rely on information from California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions as well as information regarding projected growth in the County of San Diego (County) as a whole and the cities in the County, to project future emissions and determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of the development of their general plans.

While the SDAPCD and City do not provide guidance regarding the analysis of impacts associated with air quality plan conformance, the County's *Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality* does discuss conformance with the RAQS (County of San Diego 2007). The guidance indicates that, if the project, in conjunction with other projects, contributes to growth projections that would not exceed SANDAG's growth projections for the City, the project would not be in conflict with the RAQS (County of San Diego 2007). If a project involves development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the SIP and RAQS and may contribute to a potentially significant cumulative impact on air quality. The project site is zoned Specific Plan Area, which allows the site to be developed in accordance with the existing specific plan, which permits the development of

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<sup>1</sup> For the purpose of this discussion, the relevant federal air quality plan is the Ozone Maintenance Plan (SDAPCD 2012). The RAQS is the applicable plan for purposes of state air quality planning. Both plans reflect growth projections in the basin.

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hospital/health care campus. The proposed project would require a General Plan Amendment and Specific Plan Amendment to allow for residential uses.

The proposed project would result in the development of up to 230 residential units. This conflicts with the existing Specific Plan land use, which does not permit housing; however, the proposed project would only account for 7% of the housing units projected to be built out in the City between 2020 and 2035 in the SANDAG Series 13 forecast (SANDAG 2013). Additionally, the proposed project is infill, and as a result, residents would have a lower per-capita vehicle miles traveled and associated air quality impacts than similarly sized growth outside of the City center. As illustrated in Section 2.6.4 of the Air Quality and Greenhouse Gas Emissions Technical Report for this project (included as **Appendix B** to this MND), the proposed project would emit fewer emissions than buildout of the Specific Plan, and therefore would result in fewer emissions than accounted for in the SIP and RAQS. As such, the project would not conflict with or obstruct implementation of the RAQS. Furthermore, the proposed project would not result in substantial construction or operational emissions that would conflict with the local air quality plan.

Therefore, implementation of the proposed project would not conflict with the RAQS or SIP, and proposed development would be consistent with the growth in the region. As a result, impacts are considered **less than significant**.

- b) *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

### **Construction**

Construction of the proposed project would result in the addition of pollutants to the local airshed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling construction materials. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and for dust, the prevailing weather conditions. Therefore, such emissions levels can only be estimated, with a corresponding uncertainty in precise ambient air quality impacts. Fugitive dust (particulate matter less than or equal to 10 microns in diameter (PM<sub>10</sub>) and particulate matter less than or equal to 2.5 microns in diameter (PM<sub>2.5</sub>)) emissions would primarily result from grading and site preparation activities. Oxides of nitrogen (NO<sub>x</sub>) and carbon monoxide (CO) emissions would primarily result from the use of construction equipment and motor vehicles.

Construction emissions were calculated using the California Emissions Estimator Model (CalEEMod) for the estimated worst-case day over the construction period associated

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with each phase and reported as the maximum daily emissions estimated during each year of construction (2018 through 2020). Construction schedule assumptions, including phase type, duration, and sequencing, were based on information provided by the applicant and is intended to represent a reasonable scenario based on the best information available. A detailed depiction of the construction schedule—including information regarding phasing, equipment utilized during each phase, haul trucks, vendor trucks, and worker vehicles—is included in Section 2.6.1, Construction Assumptions and Methodology, of **Appendix B**. The information contained in **Appendix B** (CalEEMod Output Files, Proposed Project and Existing) was used as CalEEMod inputs.

Implementation of the proposed project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, architectural coatings, and asphalt pavement application. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in PM<sub>10</sub> and PM<sub>2.5</sub> emissions. The proposed project is subject to SDAPCD Rule 55, Fugitive Dust Control. This rule requires that the project take steps to restrict visible emissions of fugitive dust beyond the property line. Compliance with Rule 55 would limit fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) that may be generated during grading and construction activities (SDAPCD 2009). To account for dust control measures in the calculations, it was assumed that the active sites would be watered at least three times daily, resulting in an approximately 61% reduction of particulate matter.

Exhaust from internal combustion engines used by construction equipment and hauling trucks (dump trucks), vendor trucks (delivery trucks), and worker vehicles would result in emissions of NO<sub>x</sub>, reactive organic compounds, CO, sulfur oxides (SO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>. The application of architectural coatings, such as exterior/interior paint and other finishes, would also produce volatile organic compound (VOC) emissions; however, the contractor is required to procure architectural coatings from a supplier in compliance with the requirements of SDAPCD Rule 67.0.1, Architectural Coatings (SDAPCD 2016). This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories. The proposed project would comply with SDAPCD Rule 67.0.1 through the incorporation of low-VOC architectural coatings. The VOC content assumed for the analysis includes 50 grams per Liter (g/L) for interior coatings and 100 g/L for exterior coatings.

**Table 43.3-1** shows the estimated maximum daily construction emissions associated with the construction of the proposed project. Complete details of the emissions calculations are provided in **Appendix B**.

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**Table 43.3-1**  
**Estimated Maximum Daily Construction Emissions**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>Pounds per Day</i>					
2018	1.63	0.07	0.08	0.00	0.01	0.01
2019	1.18	12.09	8.00	0.02	2.62	1.61
2020	1.07	11.24	6.73	0.01	2.49	1.53
<b>Maximum daily emissions</b>	<b>1.63</b>	<b>12.09</b>	<b>8.00</b>	<b>0.02</b>	<b>2.62</b>	<b>1.61</b>
<i>Emission threshold</i>	75	250	550	250	100	55
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = particulate matter with an aerodynamic diameter equal to or less than 10 microns; PM<sub>2.5</sub> = particulate matter with an aerodynamic diameter equal to or less than 2.5 microns.

See **Appendix B** for complete results.

The values shown are the maximum summer or winter daily emissions results from CalEEMod.

As shown in **Table 43.3-1**, daily construction emissions would not exceed the significance thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>; therefore, impacts during construction would be **less than significant**.

### Operation

Following the completion of construction activities, the project would generate VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from mobile sources, including vehicular traffic generated by residents of the proposed project; area sources, including the use of landscaping equipment and consumer products; and from architectural coatings.

**Table 43.3-2** presents the maximum daily emissions associated with the operation of the proposed project after all construction has been completed. The values shown for motor vehicles and area sources are the maximum summer or winter daily emissions results from CalEEMod.

**Table 43.3-2**  
**Estimated Proposed Project Maximum Daily Operational Emissions**

Emission Source	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>pounds per day</i>					
Area	12.98	0.22	19.02	0.00	0.10	0.10
Energy	0.15	1.26	0.54	0.01	0.10	0.10
Mobile	4.91	21.23	57.20	0.16	13.30	3.69
<b>Total</b>	<b>18.04</b>	<b>22.71</b>	<b>76.75</b>	<b>0.17</b>	<b>13.51</b>	<b>3.90</b>
<i>Emission threshold</i>	55	250	550	250	100	55
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = particulate matter with an aerodynamic diameter equal to or less than 10 microns; PM<sub>2.5</sub> = particulate matter with an aerodynamic diameter equal to or less than 2.5 microns.

See **Appendix B** for complete results.

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As shown in **Table 43.3-2**, the daily operational emissions from the proposed project would not exceed the significance thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. Therefore, operational emissions would be less than significant.

**Table 43.3-3** presents the maximum annual emissions associated with the operation of the proposed project after all construction has been completed. The values shown for motor vehicles and area sources are the maximum summer or winter daily emissions results from CalEEMod.

**Table 43.3-3**  
**Estimated Proposed Project Annual Operational Emissions**

Emission Source	VOCs	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	tons per year					
Area	2.32	0.02	1.71	0.00	0.01	0.01
Energy	0.04	0.30	0.13	0.00	0.02	0.02
Mobile	0.89	4.03	10.76	0.03	2.51	0.70
<b>Total</b>	<b>3.24</b>	<b>4.35</b>	<b>12.60</b>	<b>0.03</b>	<b>2.55</b>	<b>0.73</b>
<i>Emission threshold</i>	<i>13.7</i>	<i>40</i>	<i>40</i>	<i>100</i>	<i>15</i>	<i>10</i>
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter.

See **Appendix B** for complete results.

As shown in **Table 43.3-3**, the annual operational emissions from the proposed project would not exceed the significance thresholds for VOCs, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. Therefore, operational emissions would be **less than significant**.

- c) ***Would the project 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)?***

In analyzing cumulative impacts from the proposed project, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the basin is designated as nonattainment for the California Ambient Air Quality Standards (CAAQS) and NAAQS. If the proposed project does not exceed thresholds and is determined to have less-than-significant project-specific impacts, it may still contribute to a significant cumulative impact on air quality if the emissions from the project, in combination with the emissions from other proposed or reasonably foreseeable future projects, are in excess of established thresholds. However, the project would only be considered to have a significant cumulative impact if the project's contribution accounts

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for a significant proportion of the cumulative total emissions (i.e., it represents a “cumulatively considerable contribution” to the cumulative air quality impact).

Additionally, for the basin, the RAQS serves as the long-term regional air quality planning document for the purpose of assessing cumulative operational emissions in the basin to ensure the San Diego Air Basin (SDAB) continues to make progress toward NAAQS and CAAQS attainment status. As such, cumulative projects located in the San Diego region would have the potential to result in a cumulative impact to air quality if, in combination, they would conflict with or obstruct implementation of the RAQS. Similarly, individual projects that are inconsistent with the regional planning documents upon which the RAQS is based would have the potential to result in cumulative operational impacts if they represent development and population increases beyond regional projections.

The SDAB has been designated as a federal nonattainment area for O<sub>3</sub> and a state nonattainment area for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. PM<sub>10</sub> and PM<sub>2.5</sub> emissions associated with construction generally result in near-field impacts. The nonattainment status is the result of cumulative emissions from all sources of these air pollutants and their precursors within the basin. As discussed previously, the emissions of all criteria pollutants would be below the significance levels. Construction would be short term and temporary in nature. Once construction is completed, construction-related emissions would cease. Operational emissions generated by the proposed project would not exceed the significance thresholds for VOCs, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>, and would not cause a substantial impact. As such, the proposed project would result in less-than-significant impacts to air quality relative to operational emissions.

Regarding long-term cumulative operational emissions in relation to consistency with local air quality plans, the SIP and RAQS serve as the primary air quality planning documents for the state and SDAB, respectively. The SIP and RAQS rely on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and the County as part of the development of their general plans. Development that is consistent with the growth anticipated by local plans would be consistent with the SIP and RAQS and would result in emissions that are accounted for. Projects that conform to the permitted land use, or result in a less emissions-intensive use, and are therefore accounted for in the SIP and RAQS, would not be considered to result in cumulatively considerable impacts from operational emissions. As stated previously, the proposed project would result in fewer emissions than buildout of the existing permitted land use that was anticipated by the RAQS and therefore would not result in substantial regional emissions that are not accounted for within the RAQS. As a result, the proposed project would not result in a cumulatively considerable contribution to

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regional O<sub>3</sub> concentrations or other criteria pollutant emissions. Cumulative impacts would be **less than significant**.

**d) *Would the project expose sensitive receptors to substantial pollutant concentrations?***

Air quality varies as a direct function of the amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the prevailing meteorological conditions. Air quality problems arise when the rate of pollutant emissions exceeds the rate of dispersion. Reduced visibility, eye irritation, and adverse health impacts upon those persons termed “sensitive receptors” are the most serious hazards of existing air quality conditions in the area. Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution, as identified by CARB, include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases; however, for the purposes of this analysis, residents are also considered sensitive receptors. As such, sensitive receptors include residences, schools, playgrounds, childcare centers, athletic facilities, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes.

### **Health Impacts of Toxic Air Contaminants**

In addition to impacts from criteria pollutants, project impacts may include emissions of pollutants identified by the state and federal government as toxic air contaminants (TACs) or hazardous air pollutants. State law has established the framework for California’s TAC identification and control program, which is generally more stringent than the federal program and aimed at TACs that are a problem in California. The state has formally identified more than 200 substances as TACs, including the federal hazardous air pollutants, and is adopting appropriate control measures for sources of these TACs. The greatest potential for TAC emissions during construction would be diesel particulate emissions from heavy equipment operations and heavy-duty trucks, and the associated health impacts to sensitive receptors. State law requires the following measures to reduce diesel particulate emissions (**Appendix A**):

- Fleet owners of mobile construction equipment are subject to the CARB Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, Section 2449), the purpose of which is to reduce diesel particulate matter (DPM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles.
- All commercial diesel vehicles will be subject to the City’s Climate Action Plan, limiting engine idling time. Idling of heavy-duty diesel construction equipment

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and trucks during loading and unloading shall be limited to three minutes; electric auxiliary power units should be used whenever possible.

The greatest potential for TAC emissions during construction would be diesel particulate emissions from heavy equipment operations and heavy-duty trucks during construction of the proposed project and the associated health impacts to sensitive receptors.

As shown in **Table 43.3-1** above, Estimated Maximum Daily Construction Emissions, maximum daily particulate matter (PM<sub>10</sub> or PM<sub>2.5</sub>) emissions generated by construction equipment operation and haul-truck trips (exhaust particulate matter, or DPM), combined with fugitive dust generated by equipment operation and vehicle travel, would be below the SDAPCD significance thresholds. Moreover, total construction of the proposed project would last less than 2 years, after which project-related TAC emissions would cease. Thus, the proposed project would not result in a long-term (i.e., 9-year, 30-year, or 70-year) source of TAC emissions. No residual TAC emissions and corresponding cancer risk are anticipated after construction, and no long-term sources of TAC emissions are anticipated during operation of the proposed project. No emissions for criteria pollutants exceed the SDAPCD significance thresholds. Therefore, the exposure of project-related TAC emission impacts to sensitive receptors would be less than significant.

Additionally, CARB has published the *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB 2005), which identifies certain types of facilities or sources that may emit substantial quantities of TACs and therefore could conflict with sensitive land uses, such as “schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities.” The *Air Quality and Land Use Handbook* is a guide for siting of new sensitive land uses, but it does not mandate specific separation distances to avoid potential health impacts. The enumerated facilities or sources include the following:

- High-traffic freeways and roads
- Distribution centers
- Rail yards
- Ports
- Refineries
- Chrome plating facilities
- Dry cleaners

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- Large gas-dispensing facilities

CARB recommends that sensitive receptors not be located downwind or in proximity to such sources to avoid potential health hazards. The proposed project is infill and is located near both a high-traffic roadway (SR-78) and two gas stations; however, the project site is not located within the recommended siting distance as defined by CARB. The project is located approximately 1,600 feet south from the SR-78, beyond the 1,000-foot siting recommendation by CARB, and 2,000 feet west from the nearest gas station, beyond the 50-foot siting recommendation. Therefore, the proposed project would not generate substantial TAC emissions that would conflict with surrounding sensitive receptors. Impacts would be **less than significant**.

### Health Impacts of Carbon Monoxide

As described previously, exposure to high concentrations of CO can result in dizziness, fatigue, chest pain, headaches, and impairment of central nervous system functions. Mobile-source impacts, including those related to CO, occur essentially on two scales of motion. Regionally, Project-related construction travel would add to regional trip generation and increase the VMT within the local airshed and the SDAB. Locally, construction traffic would be added to the roadway system in the vicinity of the Project site. Although the SDAB is currently an attainment area for CO, there is a potential for the formation of microscale CO “hotspots” to occur immediately around points of congested traffic. Hotspots can form if such traffic occurs during periods of poor atmospheric ventilation, is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and/or is operating on roadways already crowded with non-project traffic. Because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the SDAB is steadily decreasing.

CO transport is extremely limited and CO disperses rapidly with distance from the source. Under certain extreme meteorological conditions, however, CO concentrations near a congested roadway or intersection may reach unhealthy levels, affecting sensitive receptors such as residents, school children, hospital patients, and the elderly. Typically, high CO concentrations are associated with urban roadways or intersections operating at an unacceptable level of service (LOS). Projects contributing to adverse traffic impacts may result in the formation of CO hotspots.

To verify that the proposed project would not cause or contribute to a violation of the CO standards, a screening evaluation of the potential for CO hotspots was conducted. The Caltrans and the University of California, Davis, Institute of Transportation Studies’

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*Transportation Project-Level Carbon Monoxide Protocol (CO Protocol)* (Caltrans and University of California, Davis 1997) was followed. CO hotspots are typically evaluated when (1) the LOS of an intersection or roadway decreases to LOS E or worse; (2) signalization and/or channelization is added to an intersection; and (3) sensitive receptors such as residences, schools, and hospitals are located in the vicinity of the affected intersection or roadway segment. Additionally the SDACPD provides an additional screening threshold of 3,000 peak trips (County of San Diego 2007).

The Traffic Impact Study prepared for the project (**Appendix K**) analyzed existing, existing plus project, near-term year 2020 conditions, and near-term plus project conditions at six existing and five proposed intersections near the project site. The results of the LOS assessment show that under near-term plus project conditions, 3 of the 11 study intersections are forecast to operate at unacceptable LOS (LOS E or worse) during the peak hours with a volume over 3,000 trips. As shown in **Appendix K**, the three key study intersections according to the criteria above are (1) Bent Avenue and San Marcos Boulevard (LOS E in PM), (2) Bent Avenue and Discovery Street (LOS E in PM), and (3) Twin Oaks Valley Road and Craven Road (LOS E in PM). The remaining key intersections are projected to operate at acceptable LOS conditions in the near-term plus project scenario.

The screening evaluation presents LOS and whether a quantitative CO hotspots analysis may be required. According to the CO Protocol, there is a cap on the number of intersections that need to be analyzed for any one project. For a single project with multiple intersections, only the three intersections representing the worst LOS ratings of the project, and, to the extent they are different intersections, the three intersections representing the highest traffic volumes, need be analyzed. For each intersection failing a screening test as described in this protocol, an additional intersection should be analyzed (Caltrans 2010).

Based on the CO hotspot screening evaluation, key study intersections were determined to have similar geometry with 16 links and signalized control. Twin Oaks Valley Road was determined to have higher PM peak hour volumes and therefore was analyzed. The potential impact of the proposed project on local CO levels was assessed at this intersection with the Caltrans CL4 interface based on the California LINE Source Dispersion Model (CALINE4), which allows microscale CO concentrations to be estimated along each roadway corridor or near intersections (Caltrans 1998a).

The emissions factor represents the weighted average emissions rate of the local San Diego County vehicle fleet expressed in grams per mile per vehicle. Consistent with the traffic scenario, emissions factors for 2020 were used. Emissions factors were predicted

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by EMFAC2007 based on a 5-mile-per-hour (mph) average speed for all of the intersections for approach and departure segments. The hourly traffic volume anticipated to travel on each link, in units of vehicles per hour, was based on information provided by the traffic consultant, and modeling assumptions are outlined in **Appendix B**.

Four receptor locations were modeled at each intersection to determine CO ambient concentrations. A receptor was assumed on the sidewalk at each corner of the modeled intersections, to represent the future possibility of extended outdoor exposure. CO concentrations were modeled at these locations to assess the maximum potential CO exposure that could occur in 2020. A receptor height of 5.9 feet (1.8 meters) was used in accordance with Caltrans recommendations for all receptor locations (Caltrans 1998b).

The South Coast Air Quality Management District guidance recommends using the highest 1-hour measurement in the last 3 years as the projected future 1-hour CO background concentration for the analysis. A CO concentration of 3.8 parts per million by volume (ppm) was recorded in 2014 for the Escondido monitoring station in San Diego and was assumed in the CALINE4 model for 2020 (EPA 2016). To estimate an 8-hour average CO concentration, a persistence factor of 0.69, as calculated based on South Coast Air Quality Management District guidance (SCAQMD 1993), was applied to the output values of predicted concentrations in ppm at each of the receptor locations. Model input and output data are available in **Appendix B**.

The maximum CO concentration predicted for the 1-hour averaging period at the studied intersections would be 4.5 ppm, which is below the 1-hour CO CAAQS of 20 ppm (CARB 2014a). The maximum predicted 8-hour CO concentration of 3.12 ppm at the studied intersections would be below the 8-hour CO CAAQS of 9.0 ppm (CARB 2016b). Neither the 1-hour nor 8-hour CAAQS would be equaled or exceeded at any of the intersections studied. Accordingly, the project would not cause or contribute to violations of the CAAQS and would not result in exposure of sensitive receptors to localized high concentrations of CO. As such, impacts to sensitive receptors with regard to potential CO hotspots resulting from project contribution to cumulative traffic-related air quality impacts would be **less than significant**.

### **Health Impacts of Other Criteria Air Pollutants**

Construction and operation of the proposed project would not result in emissions that exceed the SDAPCD significance thresholds for any criteria air pollutants, including VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. Some VOCs would be associated with motor vehicles and construction equipment, while others are associated with architectural coatings, the emissions of which would not result in the exceedances of the SDAPCD significance thresholds

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(**Appendix B**). Generally, the VOCs in architectural coatings are of relatively low toxicity. Additionally, the proposed project would use low-VOC architectural coatings that would comply with SDAPCD Rule 67.0.1, which restricts the VOC content of coatings for both construction and operational applications (SDAPCD 2016).

In addition, VOCs and NO<sub>x</sub> are precursors to O<sub>3</sub>, for which the SDAB is designated as nonattainment with respect to the NAAQS and CAAQS. (The SDAB is designated by the U.S. Environmental Protection Agency as an attainment area for the 1-hour O<sub>3</sub> NAAQS standard and 1997 8-hour NAAQS standard.) The health effects associated with O<sub>3</sub>, as discussed in Section 2.2, are generally associated with reduced lung function. The contribution of VOCs and NO<sub>x</sub> to regional ambient O<sub>3</sub> concentrations is the result of complex photochemistry. The increases in O<sub>3</sub> concentrations in the SDAB due to O<sub>3</sub> precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O<sub>3</sub> concentrations would also depend on the time of year that the VOC emissions would occur because exceedances of the O<sub>3</sub> AAQS tend to occur between April and October when solar radiation is highest.

The holistic effect of a single project's emissions of O<sub>3</sub> precursors is speculative due to the lack of quantitative methods to assess this impact. Nonetheless, the VOC and NO<sub>x</sub> emissions associated with project construction could minimally contribute to regional O<sub>3</sub> concentrations and the associated health impacts. Due to the minimal contribution during construction and operation, health impacts would be considered less than significant.

Similar to O<sub>3</sub>, construction of the proposed project would not exceed the SDAPCD significance thresholds for PM<sub>10</sub> or PM<sub>2.5</sub> and would not contribute to exceedances of the NAAQS and CAAQS for particulate matter. The proposed project would also not result in substantial DPM emissions during construction and operation and therefore, would not result in significant health effects related to DPM exposure. Due to the minimal contribution of particulate matter during construction and operation, health impacts would be considered less than significant.

Regarding nitrogen dioxide (NO<sub>2</sub>), according to the construction emissions analysis, construction of the proposed project would not contribute to exceedances of the NAAQS and CAAQS for NO<sub>2</sub>. NO<sub>2</sub> and NO<sub>x</sub> health impacts are associated with respiratory irritation, which may be experienced by nearby receptors during the periods of heaviest use of off-road construction equipment (**Appendix B**). Off-road construction equipment would be operating at various portions of the site and would not be concentrated in one portion of the site at any one time. Construction of the proposed project would not require

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any stationary emission sources that would create substantial, localized NO<sub>x</sub> impacts. Therefore, health impacts would be considered less than significant.

In summary, construction and operation of the proposed project would not result in exceedances SDAPCD significance thresholds for criteria pollutants. The VOC and NO<sub>x</sub> emissions, as described previously, would minimally contribute to regional O<sub>3</sub> concentrations and the associated health effects. In addition to O<sub>3</sub>, NO<sub>x</sub> emissions would not contribute to potential exceedances of the NAAQS and CAAQS for NO<sub>2</sub>. The existing NO<sub>2</sub> concentrations in the area are well below the NAAQS and CAAQS standards (**Appendix B**). Thus, the proposed project's operational NO<sub>x</sub> emissions are not expected to result in exceedances of the NO<sub>2</sub> standards or contribute to the associated health effects. CO tends to be a localized impact associated with congested intersections. The associated CO "hotspots" were discussed previously as a less-than-significant impact. Thus, the proposed project's CO emissions would not contribute to significant health effects associated with this pollutant. PM<sub>10</sub> and PM<sub>2.5</sub> would not contribute to potential exceedances of the NAAQS and CAAQS for particulate matter, would not obstruct the SDAB from coming into attainment for these pollutants, and would not contribute to significant health effects associated with particulates. Therefore, health impacts associated with criteria air pollutants would be considered **less than significant**.

***e) Would the project create objectionable odors affecting a substantial number of people?***

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the proposed project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors would disperse rapidly from the project site and generally occur at magnitudes that would not affect substantial numbers of people. Therefore, impacts associated with odors during construction would be considered less than significant.

Land uses and industrial operations associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (CARB 2005). The proposed project would not engage in any of these activities. Moreover, typical odors generated from operation of the proposed project would primarily include vehicle exhaust generated by residents, as well as through the periodic use of landscaping or maintenance equipment. Therefore, the proposed project would result in an odor impact that is considered to be **less than significant**.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES</b> – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 4.3.4 Biological Resources

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

A Biological Impact Analysis Report for the proposed project was completed on June 20, 2017, by Merkel & Associates Inc. and is included as **Appendix C** to this MND. The analysis herein is based on information from the Biological Impact Analysis Report.

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The City is no longer an active participant in the Natural Community Conservation Plan (NCCP) program under the Multiple Habitat Conservation Program (MHCP) conservation planning efforts (**Appendix C**). However, the City continues to pursue goals of the MHCP, including habitat and species conservation and habitat connectivity. As such, design of the proposed project has made use of MHCP conservation planning maps. For purposes of CEQA evaluation, sensitive habitats are considered to include those designated as such under the MHCP, and habitat mitigation ratios have been identified to be consistent with those outlined in the MHCP. Implementation of the proposed project would result in direct, permanent impacts to the entire project footprint and thus, all communities on site. Implementation of habitat-based mitigation in accordance with **Table 4.3-43.4-1** below would be required to reduce impacts to a level below significance. The mitigation ratios presented in **Table 4.3-43.4-1** are based on mitigation guidance provided as mitigation standards presented in the MHCP; however, the ratios are subject to review by the regulatory and resource agencies.

**Table 4.3-43.4-1**  
**Habitats and Vegetation Communities, Impacts, and Mitigation**

<b>Vegetation Type</b>	<b>Existing (acre)</b>	<b>Impact-Acreage within Discover Village – North<sup>1</sup></b>	<b>Project Impact (acre)</b>	<b>Mitigation Ratio</b>	<b>Mitigation Required (acre)</b>
Southern willow scrub (ACOE, RWQCB, CDFW)	0.20	0.02	0.18	3:1	0.54 <sup>2</sup>
Southern willow scrub (CDFW only)	0.43	0.00	0.43	3:1	1.29
Coastal and valley freshwater marsh (ACOE, RWQCB, CDFW)	0.68	0.07	0.61	3:1	1.83 <sup>2</sup>
Herbaceous wetland (ACOE, RWQCB, CDFW)	0.19	0.17	0.02	3:1	0.06 <sup>2</sup>
Alkali marsh (ACOE, RWQCB, CDFW)	<b>0.02</b>	<b>0.00</b>	<b>0.02</b>	<b>3:1</b>	<b>0.06<sup>2</sup></b>
Alkali marsh (CDFW only)	<b>1.31</b>	<b>0.04</b>	<b>1.27</b>	<b>3:1</b>	<b>3.81</b>
Diegan coastal sage scrub	<b>12.01</b>	<b>2.06</b>	<b>9.95<sup>3</sup></b>	<b>2:1</b>	<b>19.90</b>
Diegan coastal sage scrub – Isocoma menziesii dominated	<b>0.57</b>	<b>0.16</b>	<b>0.41</b>	<b>2:1</b>	<b>0.82</b>
Diegan coastal sage scrub – Disturbed	<b>2.50</b>	<b>0.11</b>	<b>2.39<sup>3</sup></b>	<b>2:1</b>	<b>4.78</b>
Diegan coastal sage scrub – revegetated	<b>1.49</b>	<b>0.00</b>	<b>1.49</b>	<b>2:1</b>	<b>2.98</b>
Valley needlegrass grassland – disturbed	<b>1.27</b>	<b>0.14</b>	<b>1.13</b>	<b>2:1</b>	<b>2.26</b>
Non-native grassland	<b>10.89</b>	<b>0.78</b>	<b>10.11</b>	<b>0.5:1</b>	<b>5.06</b>
Non-native grassland: Broadleaf-dominated	<b>4.63</b>	<b>0.45</b>	<b>4.18</b>	<b>0.5:1</b>	<b>2.09</b>
Eucalyptus woodland	<b>1.32</b>	<b>0.29</b>	<b>1.03</b>	<b>N/A</b>	<b>N/A</b>
Non-native vegetation	<b>0.21</b>	<b>0.00</b>	<b>0.21</b>	<b>N/A</b>	<b>N/A</b>
Disturbed habitat	<b>0.87</b>	<b>0.16</b>	<b>0.71</b>	<b>N/A</b>	<b>N/A</b>

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**Table 4.3-43.4-1**  
**Habitats and Vegetation Communities, Impacts, and Mitigation**

Vegetation Type	Existing (acre)	Impact-Acreage within Discover Village – North <sup>1</sup>	Project Impact (acre)	Mitigation Ratio	Mitigation Required (acre)
Urban developed	0.76	0.13	0.63	N/A	N/A
<b>Total:</b>	39.35	4.58	34.77	-	45.48

**Notes:**

ACOE = U.S. Army Corps of Engineers; RWQCB = Regional Water Quality Control Board; CDFW = California Department of Fish and Wildlife.

<sup>1</sup> All impacts associated with the footprint for Discovery Village – North inclusive of Discovery Street have been accounted for in the Final EIR for the University District Specific Plan. Impacts associated with a portion of the grading necessary for Discovery Street, an element of Discovery Village – North do encroach into the boundary of Discovery Village – South. This column has been included to quantify the location of overlap and ensure that these impacts are not accounted for in this report since they were previously evaluated in the Final EIR for the University District Specific Plan.

<sup>2</sup> Mitigation for ACOE wetland defined habitat cannot result in a net-loss of habitat; thus, at minimum a 1:1 ratio of establishment/re-establishment is required. The remaining can occur through enhancement, rehabilitation, and/or preservation as approved by the regulatory agencies.

<sup>3</sup> 4.76 acres of Diegan coastal sage scrub and 0.45 acres of disturbed Diegan coastal sage scrub are occupied by the coastal California gnatcatcher (*Poliophtila californica californica*). Compensatory mitigation must be achieved at the specific mitigation ratio with similar quality habitat (i.e., occupied by gnatcatcher).

**Source:** Appendix C

Impacts to southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, alkali marsh, Diegan coastal sage scrub, valley needlegrass grassland, and non-native grassland on site are considered to be substantial and would require habitat-based mitigation as these communities are regionally considered sensitive habitat types. Implementation of mitigation measures **MM-BIO-1** and **MM-BIO-2**, outlined below, would reduce direct impacts to sensitive vegetation communities.

Impacts to the remaining communities of eucalyptus woodland, non-native vegetation, disturbed habitat, and urban developed land would not be considered substantial since these habitats are not regionally considered to have high conservation value requiring mitigation. This is consistent with guidance provided by the MHCP.

Indirect impacts as a result of the proposed project were determined based on the design, intended use, and location of the proposed project elements relative to biological resources. Project construction is expected to result in indirect impacts to vegetation communities within the adjacent San Marcos Creek corridor, most notably from the effects of disturbance/clearing of vegetation within the project footprint that could result in conditions suitable for non-native, weedy species intrusion and potential erosion. Specifically, those lands within the Biological Study Area (BSA) that are not immediately converted to urban uses during construction of the project could serve as a source of non-native, weedy plants and potential erosion that could negatively affect the biological resources within San Marcos Creek. Indirect impacts from intrusion of non-native weedy

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species and erosion would be substantial and would require implementation of mitigation measure **MM-BIO-3**, outlined below.

**MM-BIO-1** The compensatory mitigation of impacts to regionally sensitive native and naturalized habitats within the proposed project site, consisting of southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, alkali marsh, Diegan coastal sage scrub, valley needlegrass grassland, and non-native grassland involves the implementation of habitat-based land conservation in accordance with **Table 4.3-43.4-1**. The mitigation ratios presented in **Table 4.3-43.4-1** are subject to review by the resource and regulatory agencies.

Mitigation for impacts to southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, and alkali marsh could occur through a combination of the following: establishment/re-establishment or establishment/re-establishment combined with enhancement, rehabilitation, and/or preservation; however, the mitigation cannot result in a net-loss of habitat or biological functions and values. Mitigation for impacts to Diegan coastal sage scrub, valley needlegrass grassland, and non-native grassland could occur through a combination of establishment/re-establishment or establishment/re-establishment combined with enhancement, rehabilitation, and/or preservation.

Mitigation may be achieved via purchase of habitat credits from a resource and regulatory agency approved mitigation bank (typically required to be within the same watershed as the proposed project impact). If habitat credits cannot be purchased in an existing mitigation bank, then permittee-responsible off-site mitigation would be required. Mitigation may occur via preservation within the San Marcos Creek corridor or north of the Biological Study Area (BSA). Permittee responsible off-site mitigation would require the following: preparation of a compensatory mitigation and monitoring plan, preparation of a long-term resource management plan, open space easement, selection of a resource manager, and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs.

**MM-BIO-2** During construction, impacts to regionally sensitive habitats adjacent to the project limit of work may occur if not effectively controlled through project design and construction monitoring and management actions. This includes the following recommended impact control measures:

- A. A monitoring biologist should inspect and oversee installation of temporary perimeter fencing and should be on site full-time during

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the initial clearing and grubbing of habitat, and should conduct weekly inspections thereafter during grading operations to ensure compliance with the project biological requirements. The biologist should be knowledgeable about upland and wetland biology and ecology, possess a bachelor's degree in a biological related field, and have at least 2 years of experience in field biology or current certification of a nationally recognized biological society. In lieu of the above qualifications, a resume should demonstrate to the satisfaction of the City that the proposed biologist has the appropriate training and background to effectively implement the recommended construction period mitigation and monitoring measures. The biologist should have the authority to halt construction activities, if needed and should report any violation to the City within 48 hours of detection.

- B. Environmental training should be provided for contractors and construction personnel by the project biologist prior to the start of construction work, should be repeated if gaps in construction operations are required, and should be provided annually thereafter.
- C. A Stormwater Pollution Prevention Plan or similar should be developed for the project and Best Management Practices (BMPs) implemented to control erosion and export of sediment from the site during storm events.
- D. Prior to the start of mass clearing and grubbing of habitat, temporary fencing (e.g., orange silt fence, orange snow fence, etc.) should be installed along the perimeter of the project footprint to prevent inadvertent disturbance to adjacent biological resources. Installation of perimeter control may require removal of vegetation using handheld equipment.
- E. Temporary fencing should be installed and maintained by the contractor under direction of the project biologist and construction manager.
- F. BMPs proposed for the project should not include any species listed by the California Invasive Plant Council (Cal-IPC) in the California Invasive Plant Inventory.
- G. Temporary night lighting, if required, should be downcast/fully shielded and directed away from adjacent habitat.

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**MM-BIO-3** Areas of recent disturbance are highly susceptible to being invaded by invasive plants, or eroding and degrading drainage courses and downstream waters. For this reason, special actions are recommended during construction. These include the following:

- A. Upon completion of project construction activities or when work is ceased for an extended period of time, areas disturbed and not stabilized by landscaping or development should be protected by appropriate BMPs and kept free of nonnative invasive species. Invasive plant species include any species identified as having a High inventory rating or Alert status by Cal-IPC and any plant determined by the project biologist to be a nuisance, causing potential detriment to native flora and/or fauna associated with San Marcos Creek (e.g., whitetop (*Lepidium draba*)).
- B. The planting palette for all proposed development uses onsite (e.g., residential lots, detention basins, etc.) should not include any species listed by CalIPC in the California Invasive Plant Inventory.

Seven special-status species were identified within the BSA during the biological investigations (**Appendix C**). These species are listed below and analyzed herein.

- Orcutt's brodiaea (*Brodiaea orcuttii*), a California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) Special Plant and California Rare Plant Rank List 1B.1
- Coastal California gnatcatcher (*Polioptila californica californica*), a federally listed threatened and CDFW Species of Special Concern and CNDDDB Special Animal (nest location only)
- Monarch (*Danaus plexippus*), a CDFW CNDDDB Special Animal (overwintering populations)
- Belding's orange-throated whiptail (*Aspidoscelis hyperythra beldingi*), CDFW CNDDDB Special Animal and Species of Special Concern
- Cooper's hawk (*Accipiter cooperii*), a CDFW Watch List and CNDDDB Special Animal (nest location only)
- Great blue heron (*Ardea herodias*), a CNDDDB Special Animal (nest location only)
- Nuttall's woodpecker (*Picoides nuttallii*), a CDFW CNDDDB Special Animal (nest location only)

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### Orcutt's Brodiaea

Construction activities would result in permanent, direct impacts to Orcutt's brodiaea, a CNDDDB Special Plant and California Rare Plant Rank List 1B.1. Based on current and previous surveys conducted on the project site since approximately 2001, the maximum number of individuals detected on site were 21 in 2008, with only 9 detected in 2016. For comparison, 100s of Orcutt's brodiaea were visually estimates at the San Marcos reference site in 2016. In addition, 165 and 339 Orcutt's brodiaea were counted at a translocation site and lands managed by the Center for Natural Lands Management, respectively (both in Carlsbad, California). Based on previous, non-project-related investigations, the number of Brodiaea corms observed on a given project site often does not correlate with the number of corms present at a site (USFWS 1998). This is locally confirmed at the Carlsbad reference populations evaluated by Center for Natural Lands Management; it was found that approximately 3% of the known population was detected in 2016. As a result, impacts to the on-site population of Orcutt's brodiaea are not expected to adversely affect the local long-term survival of Orcutt's brodiaea. Thus, the project impacts to Orcutt's brodiaea would be less than significant.

### Coastal California Gnatcatcher

Construction activities would result in direct impacts to Diegan coastal sage occupied by the federally listed threatened coastal California gnatcatcher (refer to **Table 4.3-43.4-1**). In addition, if work is to occur on site during gnatcatcher breeding season, construction-generated noise impacts to this species could occur in off-site suitable habitat within 300 feet of construction. Impacts to the gnatcatcher and habitat occupied by the gnatcatcher are significant, and would require implementation of **MM-BIO-4** to reduce impacts to a less-than-significant level. Consultation between the U.S. Army Corps of Engineers (ACOE) and U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act and allocation of take for gnatcatchers would also be required.

**MM-BIO-4** Impacts to approximately 5.21 acres of coastal California gnatcatcher-occupied Diegan coastal sage scrub habitat will occur from implementation of the project. To mitigate these impacts to a level of less than significant, implementation of **MM-BIO-2**, as well as the following measures, is recommended:

- A. The compensatory mitigation of impacts involves the implementation of habitat based land conservation in accordance with **Table 4.3-43.4-1**. Specifically, the Applicant should mitigate for impacts to gnatcatcher occupied habitat via purchase, at a 2:1 mitigation ratio,

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10.42 acres of gnatcatcher-occupied habitat, from a City and resource agency approved mitigation property or land bank.

- B. Clearing and grubbing in or within 300 feet of gnatcatcher-occupied habitat should occur from September 1 (or sooner if a resource agency approved biologist demonstrates to the satisfaction of the resource agencies that all nesting is complete) to February 14 to avoid the gnatcatcher breeding season.

### **Least Bell's Vireo**

As discussed within the Occurrence Potential for Special-Status Species within the BSA section of **Appendix C**, the least Bell's vireo (*Vireo bellii pusillus*) was determined to have a low potential to occur within the BSA due to lack of suitable nesting habitat. However, there is a potential for the least Bell's vireo to occur/nest within approximately 300 feet of the BSA, within the riparian canopy associated with San Marcos Creek. If work is to occur on site during the least Bell's vireo breeding season, construction-generated noise impacts to this species could occur in off-site suitable habitat within 300 feet of construction. Impacts to the least Bell's vireo would be significant and would require implementation of **MM-BIO-5** to reduce impacts to a less than significant level.

**MM-BIO-5** If least Bell's vireo nesting territories are determined to be present within 300 feet of construction activities during the breeding season for this species (April 10 to July 31), then noise generated from construction activities should be kept below 60 A-weighted decibels (dBA) hourly average at the edge of the riparian canopy or below ambient levels if ambient is determined to be louder than 60 dBA.

### **Other Faunal Species**

Individual monarch butterflies were observed on site in the non-native grassland, while one great blue heron was observed flying over the BSA. The project would not impact an overwintering population of monarch since suitable habitat is not present on site. In addition, the project would not impact a nesting site for the blue heron since suitable habitat is not present on site.

The orange-throated whiptail, Cooper's hawk, Nuttall's woodpecker, yellow-breasted chat (*Icteria virens*), and yellow warbler (*Setophaga petechia*) occur in suitable habitat (e.g., sage scrub, eucalyptus woodlands urban development, riparian woodlands) throughout San Diego County. Implementation of the proposed project is not expected to

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adversely affect the local populations of these species, and impacts would be considered less than significant.

With implementation of **MM-BIO-1** through **MM-BIO-5**, potential impacts to candidate, sensitive, or special-status species are determined to be **less than significant with mitigation incorporated**.

**b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

As previously described under threshold a) above, the City is no longer an active participant in the NCCP program under the MHCP conservation planning efforts (**Appendix C**). However, the City continues to pursue goals of the MHCP program including habitat and species conservation and habitat connectivity. As such, design of the proposed project has made use of MHCP conservation planning maps.

As discussed under threshold a) above, implementation of the proposed project would result in direct, permanent impacts to the entire project footprint and thus, all communities on site. Implementation of habitat-based mitigation in accordance with **Table 4.3-43.4-1** would be required to reduce impacts to a level below significance. Impacts to southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, alkali marsh, Diegan coastal sage scrub, valley needlegrass grassland, and non-native grassland on site are considered to be substantial and would require habitat-based mitigation as these communities are regionally considered sensitive habitat types. Implementation of mitigation measures **MM-BIO-1** and **MM-BIO-2** outlined above would reduce direct impacts to sensitive vegetation communities. As previously discussed, impacts to the remaining communities of eucalyptus woodland, non-native vegetation, disturbed habitat, and urban developed land would not be considered substantial since these habitats are not regionally considered to have high conservation value requiring mitigation. This is consistent with guidance provided by the MHCP.

Project construction is expected to result in indirect impacts to vegetation communities within the adjacent San Marcos Creek corridor, most notably from the effects of disturbance/clearing of vegetation within the project footprint that could result in conditions suitable for non-native, weedy species intrusion and potential erosion. Specifically, those lands within the BSA that are not immediately converted to urban uses during construction of the project could serve as a source of non-native, weedy plants and potential erosion that could negatively affect the biological resources within San Marcos Creek. Indirect impacts from intrusion of non-native weedy species and erosion would be

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substantial and would require implementation of mitigation measure **MM-BIO-3**, outlined above.

With implementation of **MM-BIO-1** through **MM-BIO-3**, impacts to riparian habitat or other sensitive natural communities are determined to be **less than significant with mitigation incorporated**.

- c) *Would the project 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?*

As described in Section 1.5.2.4, Survey Methodology, of the Biological Impact Analysis Report (**Appendix C**), Merkel & Associates biologists conducted a jurisdictional wetland delineation in 2016 using the routine on-site determination methods noted in the *Corps of Engineers Wetland Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*. The delineation review was expanded to provide a full review of jurisdictional regulatory authority over wetlands and non-wetland waters of the United States/state to define the physical boundaries of regulation by the ACOE, RWQCB, and CDFW. The delineation was limited to the BSA. Figure 7 of **Appendix C** indicates the locations of jurisdictional resources within the BSA.

As previously discussed under Threshold a), the BSA is located within a small side valley on the south side of San Marcos Creek. Within this valley is a low-lying mesic area that persists from urban runoff that passes through the BSA and drains northward toward San Marcos Creek. It is expected that the mesic area persists from the urban runoff and high water table maintained by the recharge in this side valley, which creates a water bulge against the San Marcos Creek water table. It should be noted that mesic conditions have changed substantially since the previous 2002–2009 surveys. Most notably, the extent of the mesic area has reduced in size with a portion of the land previously identified as herbaceous wetland now classified as upland habitat and alkali marsh, which does not currently meet the three tier wetland criteria. This significant change is likely due to the drought conditions San Diego County has experienced over the past several years during which residents have been ordered to reduce outdoor water consumption (**Appendix C**).

The BSA supports three relatively well-defined but narrow channels surrounded by a mesic area. From west to east, one channel originates from the toe of Craven Road. Here a narrow channel of coastal and valley freshwater marsh persists under and adjacent to a canopy of southern willow scrub, which is intermixed with pampas grass.



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The community quickly transitions to a relatively flat area dominated by alkali marsh before draining into the basin of the valley comprised of a mixture of coastal and valley freshwater marsh, southern willow scrub, and herbaceous wetland. Soils within the channel bed were determined to meet the hydric soil criteria with a depleted matrix and support wetland hydrology indicators (e.g., surface water, saturation, drainage patterns). However, adjacent to the channel bed hydric soils were not met and wetland hydrology indicators were not found, suggesting that although the area receives runoff and/or supports a high water table, conditions are not saturated long enough to meet the wetland criteria. As it pertains to the soil, while redox features were present, the matrix value was one hue too low to be considered a depleted matrix (**Appendix C**). Where all three wetland parameters are present (i.e., within the channel bed), the communities would be jurisdictional wetland regulated by ACOE under Section 404 of the Clean Water Act, RWQCB under Section 401 of the Clean Water Act, and CDFW under Section 1602 of the California Fish and Game Code. The canopies of southern willow scrub and low-growing alkali marsh adjacent to the channel bed would not be classified as a wetland since these communities do not meet the criteria for hydric soils or wetland hydrology. However, they would be under the regulatory authority of the CDFW as adjacent riparian habitat since CDFW extends its regulatory authority to “adjacent riparian habitats” that are supported by a river, stream, or lake, regardless of the riparian area’s federal wetland status.

The other two channels originate near the basin of the valley and are near concrete-lined channels that drain the residential development to the south. These channels are expected to persist from the high groundwater table and/or from surface urban runoff. These channels are relatively narrow but well defined. Both drain northward into the basin of the valley. They are dominated by coastal and valley freshwater marsh with a small inclusion of herbaceous wetland. All three wetland perimeters are present within these communities, and therefore are classified as a jurisdictional wetland. It should be noted that non-wetland waters of the United States were previously identified during the 2002–2009 biological surveys as a surface connection between the concrete-lined channels and the marsh habitat along the southern perimeter of the site. While these channels are still present, they are in the form of swales and lack consistency with ordinary high water mark indicators (e.g., discernible bed and bank with a break in slope bank, flow patterns, etc.). While the on-site swales likely convey concentrated surface flow, the lack of hydrophytic vegetation and ordinary high water mark indicators suggests a low and infrequent volume of water. The regulatory agencies are not expected to assert jurisdiction over these swales due to lack of hydrology and hydrophytic vegetation. However, this would be confirmed through the jurisdictional determination process (**Appendix C**).

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The low-lying mesic area has moderate physical and chemical functions to the low gradient and dominance of low-growing herbaceous species, which generally results in water flowing slower, yielding higher groundwater recharge, sediment retention, and nutrient transformation. However, the lack of riparian canopy and/or native plant structural diversity within the BSA reduces the biological value. Riparian habitats are known to support more species of birds than any other habitat type in California and also provide a corridor for a variety of mammals and their prey (**Appendix C**). Without the canopy and structural diversity, fewer species are able to seek and find food, nest sites, and/or cover for dispersal. As a result, the wetland habitats and adjacent riparian communities within the BSA are expected to be classified as low quality wetlands due to the lack of structural diversity and lack of native floristic diversity.

Although wetlands identified within the BSA are classified as low quality wetlands, construction of the proposed project would still result in permanent, direct impacts to habitat regulated as wetlands by ACOE, RWQCB, and CDFW, as well as habitat under the regulatory authority of CDFW as adjacent riparian habitat (refer to **Table 4.3-43.4-1**). Impacts to jurisdictional resources would be substantial and would require implementation of the mitigation measures discussed in the response to threshold analysis a) (**MM-BIO-1** through **MM-BIO-3**), as well as mitigation measure **MM-BIO-6** outlined below.

**MM-BIO-6:** Impacts to jurisdictional resources consisting of southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, and alkali marsh would require acquisition of the following permits and approvals, or demonstration to the City Planning Manager that such approvals are not required:

- A. A Clean Water Act Section 404 permit for discharge of dredged or fill material within waters of the United States;
- B. A Clean Water Act Section 401 state water quality certification for an action that may result in degradation of waters of the State, and;
- C. A Streambed Alteration Agreement issued under Section 1602 of the California Fish and Game Code.

With implementation of **MM-BIO-1** through **MM-BIO-3**, and **MM-BIO-6**, impacts to federally protected wetlands are determined to be **less than significant with mitigation incorporated**.

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- d) *Would the project 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?*

The BSA is expected to support the San Marcos Creek corridor and facilitate wildlife movement along the corridor for native and migratory wildlife species. However, due to the lack of riparian canopy coverage and/or other topographic features that facilitate wildlife movement (e.g., ridgelines) within the BSA, the primary use of the area is expected to be forage and dispersal use by urban-tolerant species with breeding limited to avian species. Implementation of the project is not expected to interfere with connectivity to off-site habitat (San Marcos Creek) or adversely affect the local long-term survival of resident or migratory wildlife species (**Appendix C**). Therefore, impacts are determined to be **less than significant**.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The following regulations and local ordinances are applicable to the proposed project, and are evaluated below for consistency purposes.

**Multiple Habitat Conservation Program (MHCP):** While the City is no longer an enrolled entity within an NCCP program, the City continues to pursue the goals of the NCCP program including habitat and species conservation and mitigation. Implementation of the project would result in impacts to habitats designated by the MHCP as Group A wetland communities (i.e., southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, alkali marsh), Group B rare upland (i.e., valley needlegrass grassland), Group C coastal sage scrub, and Group E annual non-native grassland. Implementation of mitigation measures **MM-BIO-1** through **MM-BIO-6**, listed in the previous sections would continue to support the goals of the NCCP program.

**Federal Migratory Bird Treaty Act and California Fish and Game Code:** The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703-712) was enacted in 1918. Its purpose is to prohibit the kill or transport of native migratory birds, or any part, nest, or egg of any such bird unless allowed by another regulation adopted in accordance with the MBTA. Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit the “take, possession, or destruction of bird nests or eggs” (**Appendix C**).

Nesting birds may be present within the project footprint during construction and could include such species as red-tailed hawk (*Buteo jamaicensis*), song sparrow (*Melospiza melodia*), Bewick’s wren (*Thryomanes bewickii*), and California towhee (*Melospiza melodia*).

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*crissalis*). Although initial vegetation clearing and grubbing would occur largely outside of the breeding season for most avian species (per **MM-BIO-4**), early and/or late breeding avian species may still be present within the project footprint during construction.

Impacts to active migratory bird nests, if present at the time of construction, are prohibited under the federal MBTA and California Fish and Game Code Sections 3503 and 3513. Since avian species could potentially nest in the on-site habitats, the proposed project could result in impacts to active bird and/or raptor nests, if present at the time of construction under the federal MBTA and California Fish and Game Code Sections 3503 and 3513; therefore, **MM-BIO-7** is required and is outlined below.

**MM-BIO-7:** To avoid impacts to nesting migratory birds and raptors, all clearing, grubbing, and/or grading of vegetation that has a potential to support active nests should not take place from January 1 through September 15, the “restricted work period.” If avoidance of the nesting migratory bird breeding season is not feasible, clearing, grubbing and/or grading of vegetation may occur during the “restricted work period” if a qualified biologist conducts a focused survey for active nests within (approximately) 48 hours prior to work in the area and determines the area to be free of nesting birds. If active bird nests were found, then all construction activities undertaken for the project must comply with regulatory requirements of the federal MBTA and California Fish and Game Code Sections 3503 and 3513. This would require protection of the nest, eggs, chicks, and adults until such time as the nestlings have fully fledged and are no longer dependent upon the nest site.

With implementation of **MM-BIO-1** through **MM-BIO-7**, impacts related to compliance with local policies and ordinances is determined to be **less than significant with mitigation incorporated**.

*f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

As previously discussed under threshold analyses a), b), and c), the City is no longer an enrolled entity in an NCCP program; however, the City continues to pursue the goals of the NCCP program including habitat and species conservation and mitigation. Implementation of the project would result in impacts to habitats designated by the MHCP as Group A wetland communities (i.e., southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, alkali marsh), Group B rare upland (i.e., valley

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needlegrass grassland), Group C coastal sage scrub, and Group E annual non-native grassland. Implementation of mitigation measures **MM-BIO-1** through **MM-BIO-6**, listed within the previous sections would continue to support the goals of the NCCP program and would ensure compliance with the MHCP. Therefore, impacts would be **less than significant with mitigation incorporated**.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 4.3.5 Cultural Resources

**a) *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?***

A Cultural Resources Survey and Evaluation Report for the proposed project was completed in May 2017 by Dudek and is included as **Appendix D** to this MND. The Cultural Resources Survey and Evaluation Report is compliant with cultural resource regulations that apply to the project area including provisions for the California Register of Historic Resources (CRHR), the California Native American Graves Protection and Repatriation Act, CEQA, California Health and Safety Code Section 7050.5, Assembly Bill 52 (AB 52), and the City's General Plan. The analysis herein is based on information from the Cultural Resources Survey and Evaluation Report.

With permission from the South Coastal Information Center (SCIC), Dudek conducted an in-house records search of SCIC data on April 26, 2017. The records search indicated that a total of 91 previous cultural resources studies that have been performed within 1 mile of the project area. Eighteen of these previous cultural studies address either all or part of the current project area (**Appendix D**). The records search identified 44 previously recorded cultural resources within 1 mile of the project area, one of which was recorded

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on the project site. Three additional resources are located adjacent to, but outside the project site boundary. All four of these identified resources are archaeological sites (three prehistoric, one historic-era). The remaining 40 resources within the 1-mile project radius include 3 multi-component archaeological sites, 28 prehistoric sites and isolates, 5 historic-period buildings, and 4 historic-period archaeological sites (**Appendix D**). The cultural resource survey of the project site identified one additional archaeological site, but did not identify any built-environment (historic) resources. This additional archaeological site is analyzed below under threshold b).

The cultural resources study completed by Dudek (**Appendix D**) did not identify any historic resources (i.e., structures or other built-environment resources) in the project area. As there are no historic resources in the project area, none will be impacted by the project. Therefore, impacts are determined to be **less than significant**.

**b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?***

The Cultural Resources Survey and Evaluation Report completed by Dudek (**Appendix D**) identified and evaluated two archaeological resources (CA-SDI-11809 and CA-SDI-22095) within the project area. Three more sites (CA-SDI-17896, CA-SDI-17897, and CA-SDI-17988) were initially identified within the project area but later determined to be immediately adjacent and outside the project area. The evaluated resources include three prehistoric bedrock milling station sites (CA-SDI-11809, CA-SDI-17896, and CA-SDI-17897) and two historic period foundations/pads (CA-SDI-17898 and CA-SDI-22095).

A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following CRHR criteria:

- Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Associated with the lives of persons important in our past.
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Has yielded, or may be likely to yield, information important in prehistory or history.

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those

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for the National Register of Historic Places, and properties listed or formally designated as eligible for listing on the National Register of Historic Places are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys. Based on the results of the evaluation program conducted by Dudek, none of the five cultural resources (three prehistoric sites and two historic foundations/pads) evaluated during the current investigation are considered significant under CEQA, and none are eligible for listing in the CRHR.

During the preparation of the cultural resources study, Dudek requested from the Native American Heritage Commission (NAHC) a search of the Sacred Lands File on April 26, 2017. The NAHC responded on April 27, 2017, indicating that no known Native American traditional cultural places are on file in the project area, and provided a NAHC Native American representatives list to contact for more specific information than NAHC has on file. On May 4, 2017, Dudek sent letters to each of the listed Native American representatives asking if they have any knowledge of resources in the project area. At the time this Draft MND was finalized for public review, three responses to the May 4, 2017, Information Request had been received, including the Pala Band of Mission Indians, the Pauma Band of Luiseño Indians, and the Rincon Band of Luiseño Indians. However, none of these Tribes were able to identify or provide specific cultural sites or resources within the project area. Tribal outreach letters to NAHC Native American representatives sent by Dudek, as well as Tribal response letters, are included as part of **Appendix D** to this MND. Additionally, these Tribal response letters are summarized below.

On May 31, 2017, Vincent Whipple, a cultural resources representative of the Rincon Band of Luiseño Indians responded to Dudek's information request stating that the location of the project is within the Aboriginal Territory of the Luiseño people and situated within Rincon's specific area of cultural interest. Mr. Whipple notes that while the project is located in their Traditional Use Area, they have no new information to share regarding cultural resources for the project. However, the Tribe believes there is the potential for cultural findings, including inadvertent discoveries, and therefore recommends as a mitigation measure that a Luiseño Tribal Monitor be present for all ground-disturbing activities.

On May 31, 2017, Chris Devers, a cultural liaison for the Pauma Band of Luiseño Indians, responded to Dudek's information request for the proposed project stating that this project lies within the ancestral territory of the Luiseño people, but the Tribe is unaware of any specific cultural sites or resources on the proposed project property. Mr. Devers recommends that a Cultural Study be completed for the project and requests an opportunity to review and

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comment on the study. Additionally, Mr. Devers requests monitors for any geotechnical activities recommended in the geotechnical study prepared for the project.

On July 19, 2017, Shasta C. Gaughen, the Tribal historic preservation officer for the Pala Band of Mission Indians, responded to Dudek's information request by stating that the project is not within the boundaries of the recognized Pala Indian Reservation and is beyond the boundaries of the territory that the Tribe considers its Traditional Use Area. However, the project site is situated in close proximity to the reservation, and information generated would be useful in better understanding regional culture and history. The Tribe requests to be kept informed as the project progresses and would appreciate receiving any documentation that might be generated regarding previously reported or newly discovered sites. The Tribe recommended that approved cultural monitors be present on site during all survey and all ground-disturbing activities.

### **Senate Bill 18 Consultation Initiative**

To provide Native American tribes the opportunity to participate in local land use decisions at an early planning stage, Senate Bill (SB) 18 "requires government to government consultation with tribes to aid in the protection of traditional tribal cultural places through local land use planning" (OPR 2005). SB 18 applies to certain types of projects, including Specific Plans and Specific Plan Amendments; therefore, SB 18 is applicable to the proposed project.

The City sent project specific SB 18 consultation invitation letters out on July 31, 2017, to California Native American Tribes who are traditionally and culturally affiliated with the geographic area, as determined on the approved NAHC list. The City letter specified that under Government Code Section 65352.3, Native American Tribes had 90 days to request consultation. To date, five responses were received, with three Tribes—the San Luis Rey Band of Mission Indians (San Luis Rey), the Rincon Band of Luiseño Indians (Rincon), and the Temecula Band of Luiseño Mission Indians (Pechanga)—requesting consultation. Two other Native American Tribes who responded, Viejas Band of Kumeyaay Indians and the Pala Band of Mission Indians, requested a monitor and stated no project objection, respectively. The City's July 31, 2017, SB 18 consultation letter and Tribal responses to this letter are included as part of **Appendix D** to this MND. Tribal responses to the City's July 31, 2017, SB 18 notification letter to solicit consultation are summarized below.

On August 22, 2017, Ray Teran, resource manager of the Viejas Band of Kumeyaay Indians (Viejas Band), responded to the City's notification letter stating the Tribe has reviewed the proposed project and at this time and determined the project site has cultural significance or ties to Viejas Band. Although Viejas Band did not request a formal



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consultation, the Tribe recommends that a Kumeyaay Cultural Monitor be on site for ground-disturbing activities. The City has identified the Luiseño Indians as more likely to be culturally affiliated with the project location site in San Marcos within north San Diego County. The City has not been provided with enough information regarding the potential for Viejas Band of Kumeyaay Indian tribal cultural resources in the project area to support a finding in the CEQA document to broaden the scope of the mitigation measures to include a Native American Kumeyaay monitor in addition to the Luiseño monitor. However, the City would like to respond to the interests of the Viejas Tribal Government, and therefore will condition the project developer to: 1) provide the project construction schedule to the Viejas Tribal Government, 2) inform the Viejas Tribal Government of any project schedule changes, and 3) accommodate the observation of a Native American Kumeyaay monitoring during project construction.

On August 23, 2017, Erica A. Ortiz-Martinez, of the Rincon Band of Luiseño Indians, responded to the City's notification letter stating the project site is within the Luiseño Aboriginal Territory, and that Rincon's history, culture, and identification are embedded in the this territory. Rincon therefore requests consultation and shape/CAD files of the project plans in order to provide the City with additional cultural resource information.

On August 28, 2017, Shasta C. Gaughen, Tribal historic preservation officer of the Pala Band of Mission Indians, responded to the City's notification letter stating the project is not within the boundaries of the recognized Pala Indian Reservation and is beyond the boundaries of the territory that the Tribe considers its Traditional Use Area. Therefore, the Tribe has no objection to the continuation of project activities as currently planned.

On September 1, 2017, Merri Lopez-Keifer, Tribal counsel for the San Luis Rey Band of Mission Indians (San Luis Rey Band), responded to the City's notification letter stating that the San Luis Rey Band has concerns about the project and wishes to participate in a formal consultation with the City pursuant to SB 18. The Tribe requests that a Luiseño Native American monitor be present during any evaluation of potential impacts to the Tribe's Native American tribal cultural resources within the project boundary.

On September 1, 2017, Tuba Ebru Ozdil, planning specialist for the Pechanga Band of Luiseño Indians (Pechanga Band), responded to the City's notification letter stating that their response serves as the Tribe's formal request for consultation under SB 18 for this project. The Tribe formally requests to be notified and involved in the entire CEQA environmental review process for the duration of the project, and requests to be added to the distribution list(s) for public notices and circulation of all documents. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning the project and for this letter to be included into the record of approval for the

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project. The Pechanga Band asserts that the project area is part of Luiseño, and therefore the Tribe's aboriginal territory as evidenced by the existence of Luiseño place names, rock art/pictographs/petroglyphs, and an extensive Luiseño artifact record in the vicinity of the project. The Pechanga Band notes that the project's culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians, and that during further consultation, more specific, confidential information on the resources located on and near the project site will be provided. The Pechanga Band requests consultation and copies of all available documents as soon as possible so that they may be reviewed prior to the initial SB 18 meeting.

Rincon requested consultation in their August 23, 2017, email and the City initiated consultation via a conference call on September 19, 2017. San Luis Rey requested project SB 18 consultation in a September 1, 2017, letter, and the City initiated the consultation on September 12, 2017, with San Luis Rey representatives to discuss the concerns outlined in their letter. Pechanga requested SB 18 project consultation in a September 1, 2017, letter, and the City conducted a conference call with Pechanga on October 12, 2017, to discuss the concerns outlined in their letter. The City will continue to consult with both tribal government representatives, as well as other interested Tribes who request formal consultation. To assist City staff in the formal consultation discussions, the City coordinated a field reconnaissance meeting on October 25, 2017, between City staff, San Luis Rey representatives, Pechanga representatives, the CEQA consultant (Dudek), and project applicant. The goal was to discuss Tribal concerns regarding resource significance, impacts, and mitigation.

### **AB 52 Consultation Initiative**

Assembly Bill (AB) 52 required an update to Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to tribal cultural resources. Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. AB 52 adds new requirements regarding consultation with California Native American Tribes and consideration of tribal cultural resources, requiring consultation prior to the release of an environmental document if requested by a California Native American Tribe. On August 1, 2017, the City sent letters to the California Native American Tribes on the City's AB 52 consultation list. Only Tribes having previously requested AB 52 listing with the City through the formal request process can request AB 52 consultation. The Native American Tribes on the City's AB 52 consultation list include the San Luis Rey Band of Mission Indians, Mesa Grande Band of Mission Indians, and Rincon Band of Luiseño Indians. San Luis Rey Band of Mission Indians and Rincon Band of Mission Indians have requested AB 52

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consultation. The City's letter initiating AB 52 consultation is included as part of **Appendix D** to this MND.

Based on the results of the evaluation program conducted by Dudek, none of the evaluated archaeological sites meets the criteria to be considered eligible for listing in the CRHR or the local register, and none of the sites are recommended as significant under CEQA. The evaluated resources do not possess substantial archaeological deposits or extensive artifact variability, are not associated with important persons or events in history, and do not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values.

However, the Phase I inventory and Phase II evaluation (**Appendix D**) and consultation efforts with the Luiseño tribes completed for the project site suggest that there is a moderate potential for the inadvertent discovery of archaeological resources during project construction. Based on available information and in consideration of the topography and presence of archaeological resources within and adjacent to the project site, **MM-CUL-1, MM-CUL-2, MM-CUL-3, MM-CUL-4, MM-CUL-5, MM-CUL-6, and MM-CUL-7** outlined below would ensure potential impacts to archaeological resources would not be substantial. Therefore, impacts are determined to be **less than significant with mitigation incorporated**.

**MM-CUL-1** A San Diego County-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-CUL-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.

**MM-CUL-3** Project Applicant shall enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a Luiseño Tribe at least thirty (30) days prior to beginning project construction. The Agreement shall address the treatment of known cultural resources; the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation,

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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-CUL-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. 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 required Agreement, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with 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. 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 Manager for decision.
- MM-CUL-5** The pre-construction meeting with the developer, contractor, and City staff shall include the Project Archaeologist and Tribal Monitor in discussion of the proposed earth-disturbing activities for the project site, including excavation schedules and safety protocol, as well as consultation with the Project Archaeologist regarding proposed archaeological techniques and strategies for the project.
- MM-CUL-6** The import of fill onto the site shall be clean of cultural resources and documented as such.
- MM-CUL-7** 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. 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

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required, curation shall be conducted by an approved facility and the curation shall be guided by California State Historical Resources Commission 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.

**c) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

The Paleontological Resource Survey Report prepared for the proposed project By Dudek in May 2017 did not identify any existing paleontological resources in the proposed project area (**Appendix E**). Based on the survey and records search results, the site has a low to no potential to produce paleontological resources during construction. No mitigation is proposed as a result of the project. However, in the event that fossils are uncovered during construction, a qualified paleontologist should be retained to evaluate the find, in accordance with City, County, and state guidelines. Potential impacts to paleontological resources are determined to be **less than significant**.

**d) *Would the project disturb any human remains, including those interred outside of formal cemeteries?***

As previously described under the analysis of threshold b), the cultural resources study completed by Dudek (**Appendix D**) identified and evaluated two cultural resources (CA-SDI-011809 and CA-SDI-22095) within the project area and three cultural resources (CA- CA-SDI-017896, CA-SDI-17897, CA-SDI-017898) adjacent to the project site. None of the identified cultural resources (three prehistoric sites and two historic foundations/pads) evaluated during Dudek's investigation are considered significant under CEQA; none are eligible for listing in the CRHR; and none contain human remains. The project site has not historically been used, nor is it currently used as a cemetery, and there is no evidence that the site has been used for any human burials. There is a low probability of encountering human remains during ground-disturbing activities.

However, unanticipated discoveries of human remains require handling in accordance with California Health and Safety Code, Section 7050.5, which states that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin, and California Public Resources Code, Section 5097.98, which states that in the event that human remains are discovered during construction, construction activity shall be halted and the area shall be protected until consultation and

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treatment can occur as prescribed by law. In the unexpected event that human remains are unearthed during construction activities, **MM-CUL-8** is proposed to ensure potential impacts to human remains would not be substantial. With implementation of **MM-CUL-8**, impacts are determined to be **less than significant with mitigation incorporated**.

**MM-CUL-8** All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site, and if the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within twenty-four (24) hours. The NAHC must then immediately notify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendants(s) shall then make recommendations within forty-eight (48) hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98. If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the Project Archaeologist, and the Luiseño Tribe under the required Agreement with the landowner 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 Manager for decision. The Planning Manager 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 Manager shall be appealable to the Planning Commission and/or City Council.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS</b> – Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 4.3.6 Geology and Soils

a) *Would the project 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.*

Geocon prepared a Geotechnical Investigation for the proposed project in February 2017; this investigation is included as **Appendix F** to this MND.

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Information from this Investigation is used throughout the analysis herein. In Geocon's review of the U.S. Geological Survey fault database, it was found that there are no faults crossing the project site trending toward the site vicinity. The project site is not located within an Alquist-Priolo Earthquake Fault Zone, nor a State of California Earthquake Fault Zone, and therefore the risk associated with ground rupture hazard is low. Implementation of the proposed project would not expose people or structures to potential substantial adverse effects related to ground rupture and impacts are determined to be **less than significant**.

### ii) *Strong seismic ground shaking?*

Geocon performed a deterministic seismic analysis using the computer program *EZ-FRISK* to locate nine known active faults located within a search radius of 50 miles from the project site. The 2008 U.S. Geological Survey fault database, which provides several models and combinations of fault data, was used to evaluate the fault information. Based on this database, the Newport-Inglewood/Rose Canyon Fault Zone, located approximately 10 miles from the project site, is the nearest known active fault and is the dominant source of potential ground motion. Earthquakes that might occur on the Newport-Inglewood/Rose Canyon Fault Zone or other faults within the Southern California and northern Baja California area are potential generators of substantial ground motion at the project site. The estimated maximum earthquake magnitude and peak ground acceleration (PGA) for the Newport-Inglewood/Rose Canyon Fault are 7.5g and 0.24g, respectively. **Table 4.3-53.6-1** below lists the estimated maximum earthquake magnitude and PGA for the most dominant faults in relation to the project site location. PGA was calculated using Boore-Atkinson (2008), Campbell-Bozorgnia (2008), and Chiou-Youngs (2008) acceleration-attenuation relationships.

**Table 4.3-53.6-1**  
**Deterministic Spectra Site Parameters**

Fault Name	Distance from Site (miles)	Maximum Earthquake Magnitude (Mw)	Peak Ground Acceleration		
			Boore-Atkinson 2008 (g)	Campbell-Bozorgnia 2008 (g)	Chiou-Youngs 2008 (g)
Newport-Inglewood/Rose Canyon	11	7.5	0.23	0.19	0.24
Rose Canyon	11	6.9	0.19	0.17	0.18
Elsinore	17	7.85	0.21	0.15	0.20
Coronado Bank	27	7.4	0.13	0.09	0.11
Palos Verdes Connected	27	7.7	0.15	0.10	0.13

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**Table ~~4.3-53.6-1~~**  
**Deterministic Spectra Site Parameters**

Fault Name	Distance from Site (miles)	Maximum Earthquake Magnitude (Mw)	Peak Ground Acceleration		
			Boore-Atkinson 2008 (g)	Campbell-Bozorgnia 2008 (g)	Chiou-Youngs 2008 (g)
Earthquake Valley	34	6.8	0.08	0.06	0.05
San Jacinto	43	7.88	0.11	0.08	0.10
San Joaquin Hills	43	7.1	0.07	0.07	0.06
Palos Verde	44	7.3	0.08	0.06	0.06

Source: See Appendix F.

In the event of a major earthquake on the referenced faults or other significant faults in the Southern California and northern Baja California area, the project site could be subjected to moderate to severe ground shaking. As a result, Geocon performed a probabilistic seismic hazard analysis using the computer program *EZ-FRISK*, which operates under the assumption that the occurrence rate of earthquakes on each mapped Quaternary fault is proportional to the fault slip rate. The program estimates earthquake magnitude as a function of fault rupture length. Site acceleration estimates are projected using the earthquake magnitude and distance from the site to the rupture zone. The program also accounts for uncertainty in each of the following: (1) earthquake magnitude, (2) rupture length for a given magnitude, (3) location of the rupture zone, (4) maximum possible magnitude of a given earthquake, and (5) acceleration at the site from a given earthquake along each fault. By calculating the expected accelerations from considered earthquake sources, the program calculates the total average annual expected number of occurrences of site acceleration greater than a specified value. Acceleration-attenuation relationships suggested by Boore-Atkinson (2008), Campbell-Bozorgnia (2008), and Chiou-Youngs (2007) were utilized in the analysis. **Table ~~4.3-63.6-2~~** presents the site-specific probabilistic seismic hazard parameters including acceleration-attenuation relationships and the probability of exceedance.

**Table ~~4.3-63.6-2~~**  
**Probabilistic Seismic Hazard Parameters**

Fault Name	Peak Ground Acceleration		
	Boore-Atkinson 2008 (g)	Campbell-Bozorgnia 2008 (g)	Chiou-Youngs 2008 (g)
2% in a 50-Year Period	0.42	0.38	0.44
5% in a 50-Year Period	0.31	0.28	0.32

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**Table 4.3-63.6-2**  
**Probabilistic Seismic Hazard Parameters**

Fault Name	Peak Ground Acceleration		
	Boore-Atkinson 2008 (g)	Campbell-Bozorgnia 2008 (g)	Chiou-Youngs 2008 (g)
10% in a 50-Year Period	0.24	0.22	0.24

Source: See Appendix F.

As previously stated, earthquakes that might occur on the Newport-Ingelwood/Rose Canyon Fault Zone or other faults within the Southern California and northern Baja California area are potential generators of substantial ground motion at the project site. Although the risk associated with seismic ground rupture and ground shaking is low, it could occur within the useful life of the proposed development. With incorporation of geotechnical recommendations provided in the project's Geotechnical Investigation (**Appendix F**), and conformance to the 2016 California Building Code (CBC) guidelines (currently adopted by the City of San Marcos), requiring specific performance standards to minimize adverse effects of earthquakes and other geologic hazards (California Building Standards Commission 2016), impacts relating to seismicity would be **less than significant**.

**iii) Seismic-related ground failure, including liquefaction?**

Liquefaction is a phenomenon where loose, saturated, and relatively cohesion-less soil deposits lose strength during strong ground motions. Primary factors controlling the development of liquefaction include intensity and duration of ground accelerations, characteristics of the subsurface soil, within stress conditions, and depth to groundwater. According to Figure 6-1 of the City's General Plan Safety Element, the project site is located in an area of the City designated as zero to low soil slippage (landslides/liquefaction) susceptibility (City of San Marcos 2013).

However, Geocon performed a liquefaction analysis using boring data performed previously. The analysis is based on the methodology of NCEER (2001 and 2008) (**Appendix F**). Based on the analyses, there is a high potential for liquefaction of the loose, granular portions of the alluvium below the groundwater level along the northern slope area where groundwater may preclude removal and re-compaction of the alluvium. However, the area impacted is expected to be limited as the majority of the alluvial soils within proposed buildings pads would be removed and replaced as compacted fill.

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Graphical printouts of the liquefaction analysis are provided as part of **Appendix F**. Potential adverse impacts associated with liquefaction include settlement of the liquefiable layers, ground rupture and/or sand boils, flow slide potential, and lateral spread.

Potential areas of liquefaction are limited to the northern area of the project site (**Appendix F**). Where proposed structures are located within potentially liquefiable areas, provided the building foundations are designed to accommodate estimated settlement from both static loading and liquefaction, building collapse as a result of ground failure is not anticipated. The potential for liquefaction in the remaining portions of the project site is very low due to the dense nature of the underlying formational bedrock and the ability to perform remedial grading due to the lack of a permanent shallow groundwater level.

With incorporation of geotechnical recommendations provided in the project's Geotechnical Investigation (**Appendix F**), and conformance to the 2016 CBC guidelines (California Building Standards Commission 2016), impacts relating to seismic-related ground failure, including liquefaction would be **less than significant**.

### ***iv) Landslides?***

According to Figure 6-1 of the City's General Plan Safety Element, the project site is located in an area of the City designated as zero to low soil slippage (landslides/liquefaction) susceptibility (City of San Marcos 2013). No evidence of landsliding was observed at the project site or in a location that could potentially affect the project site (**Appendix F**). The risk associated with landslide hazards is considered low, and therefore impacts are determined to be **less than significant**.

### ***b) Would the project result in substantial soil erosion or the loss of topsoil?***

Surficial deposits encountered at the project site consist of undocumented fill, compacted fill, previously placed fill, topsoil, and alluvium. Topsoil is present over the majority of the project area and varies in thickness from approximately 1 to 4 feet with an average thickness of approximately 2 feet. Topsoil is characterized as soft to stiff, dry to wet, dark brown, sandy clays to clayey sands derived from weathering of underlying formations. Clayey portions of the topsoil are expansive in nature. Removal and re-compaction of topsoil would be necessary in areas to receive structural fill.

Construction activities such as excavation and grading may have the potential to cause soil erosion or loss of topsoil. Short-term erosion effects during the construction phase of the project would be prevented through required implementation of a stormwater

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pollution prevention plan, compliance with the National Pollutant Discharge Elimination System (NPDES) permit, and incorporation of BMPs intended to reduce soil erosion.

During construction, the contractor would be required to properly grade all excavated surfaces to provide positive drainage and prevent ponding of water. Drainage of surface water would be controlled to avoid damage to adjoining properties or to finished work on site. The contractor would be required to take remedial measures to prevent erosion of freshly graded areas until such time as permanent drainage and erosion control features have been installed. Areas subjected to erosion or sedimentation would be properly prepared in accordance with the specifications in the grading plans and Geotechnical Investigation, prior to placing additional fill or structures.

A network of storm drains and gutters would be maintained and upgraded as necessary, along with landscaped areas and groundcovers; therefore, soil erosion is not anticipated to be an issue upon buildout of the project. With incorporation of geotechnical recommendations provided in the project's Geotechnical Investigation (**Appendix F**), and conformance to the 2016 CBC guidelines (California Building Standards Commission 2016), impacts relating to seismic-related ground failure, including liquefaction, would be **less than significant**.

c) ***Would the project 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?***

As previously discussed above, there was no evidence of potential landslide areas observed at the project site or in a location that could potentially affect the project site. The risk associated with landslide hazards is considered low (**Appendix F**).

Three geologic formations and five surficial soil types were encountered during previous geotechnical studies. Geologic units consist of Mesozoic-aged undifferentiated metamorphic rock, Cretaceous-aged granitic rock, and Cretaceous-aged Lusardi Formation. Surficial deposits consist of undocumented fill, compacted fill, previously placed fill, topsoil, and alluvium.

Alluvium in the San Marcos Creek floodplain consists of wet to saturated, soft to firm, sandy clay and clayey sand to depths varying from approximately 10 to 25 feet. They clays are underlain by loose to medium dense, silty to clayey sands. The alluvial soils were encountered to a maximum depth of 25 feet in Borings Nos. B-7 and B-8 (**Appendix F**). Within the proposed grading limits of the proposed project, trenches and borings encountered shallower alluvium, and the majority can be removed and re-

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compacted to minimize settlement potential. It is anticipated that remedial grading within these areas would vary from 1 to 6 feet due to shallow groundwater but may be greater if drier soils are encountered during drier seasons of the year and/or lower groundwater conditions. Dependent upon conditions encountered during grading, settlement monitoring of areas where fills are placed over alluvium left in place would be required (**Appendix F**).

Older Alluvium is located in the northwest-trending drainages and typically consists of loose to medium dense sand and soft to firm, sandy clay. Depth of older alluvial soils varies from 2 to 14 feet. Localized areas of seepage were encountered within several of the excavations within Older Alluvium. These soils typically have a “medium” to “high” expansive potential and would require removal and re-compaction prior to placement of fill soils.

The Lusardi Formation was encountered in the northwest-trending drainage channel in the western portion of the project site. These deposits were encountered overlying the Santiago Peak Volcanic bedrock and underlying the alluvium, varying from 3 to 25 feet in thickness. The soils encountered within this formation consist of a dense, pale olive-green, clayey, fine to coarse gravel with cobbles and boulders up to 18 inches in diameter, interbedded with lens of very stiff, pale olive-green, claystone. The cobbles and boulders are subrounded and are of volcanic origin. The thickness of the Lusardi Formation encountered in large-diameter borings (LB-1 and LB-2) ranges from approximately 18 to 22 feet (**Appendix F**). The Lusardi Formation is considered suitable for support of fill and loading from proposed fill and/or structures.

Granitic rock of the Cretaceous-aged Southern California Batholith constitutes the underlying bedrock material on the eastern portion of the project site. Generally, a mantle of decomposed granitic rock occurs near the surface composed of dense, damp, orange to tan, silty sand and is locally covered by a dry to moist, weathered, dense, brown, sandy, topsoil horizon. The decomposed granitic bedrock has moderate to high shear strength and “very low” to “low” expansive potential.

The area of potential liquefaction is relatively flat in its existing condition. At the completion of grading, the site would slope gently from north to south. A fill slope that ranges from approximately 10 feet to 32 feet high would be constructed along the northern property margin. Slopes would also be constructed for the proposed BMP basins. Geocon analyzed flow slide potential for liquefaction conditions using liquefiable layers identified in the analyses. Geocon performed a slope stability analysis using residual shear strength parameters for the potentially liquefiable soils based on information provided in *Recommended Procedures for Implementation of DMG Special*

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*Publication 117 Guidelines for Analyzing and Mitigating Liquefaction in California (Appendix F).* Based on the analysis, there is a low potential for flow slide impacts to the proposed street and lots. Therefore, it is determined that with incorporation of geotechnical recommendations provided in the project's Geotechnical Investigation (**Appendix F**), conformance to the 2016 CBC guidelines, and proper engineering design and utilization of standard construction practices, potential impacts related to on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse as a result of the proposed project would be **less than significant**.

**d) *Would the project 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?***

Expansive soils contain minerals, such as clay, that are capable of absorbing water and expanding, and losing water and shrinking. The repetitive stress of a swell/shrink cycle on a foundation can cause severe damage to buildings and structures. No soil or geologic conditions were encountered during the geotechnical investigation (**Appendix F**) that would preclude the development of the property as presently planned, with adherence to the recommendations of the geotechnical investigation and requirements under the CBC.

As discussed above under threshold c), the Older Alluvium encountered on site in the northwest-trending drainages typically consists of loose to medium dense sand and soft to firm, sandy clay. These soils typically have a “medium” to “high” expansive potential and would require removal and re-compaction prior to placement of fill soils. The Lusardi Formation was encountered in the northwest trending drainage channel in the western portion of the project site. The Lusardi Formation is considered suitable for support of fill and loading from proposed fill and/or structures. Granitic rock of the Cretaceous-aged Southern California Batholith constitutes the underlying bedrock material on the eastern portion of the project site. Generally, a mantle of decomposed granitic rock occurs near the surface composed of dense, damp, orange to tan, silty sand and is locally covered by a dry to moist, weathered, dense, brown, sandy, topsoil horizon. The decomposed granitic bedrock has moderate to high shear strength and “very low” to “low” expansive potential.

Although the Older Alluvium encountered in the Geotechnical Investigation is considered to have a “medium” to “high” expansive potential, the majority of soils encountered at the project site are expected to possess a “very low” to “medium” expansion potential (expansion index of 90 or less). It is not anticipated that soils encountered on site would have a substantial impact to foundation or surface improvements associated with the proposed project. Compliance with the

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recommendations of the Geotechnical Investigation (**Appendix F**), conformance to the 2016 CBC guidelines, and proper engineering design and utilization of standard construction practices, would ensure potential impacts related to expansive soils would be **less than significant**.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

The project would connect to existing sewer facilities provided by VWD and would not involve the use of septic tanks or alternative wastewater disposal systems; therefore, **no impact** would result.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>VII. GREENHOUSE GAS EMISSIONS</b> – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 4.3.7 Greenhouse Gas Emissions

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

An Air Quality and Greenhouse Gas Emissions Technical Report for the proposed project was completed in July 2017 by Dudek and is included as **Appendix B** to this MND. The analysis herein is based on information from the Air Quality and Greenhouse Gas Emissions Technical Report.

The City has adopted a Climate Action Plan (CAP), which was developed to help reduce the City's greenhouse gas (GHG) emissions. The CAP is the implementation framework that contains the details of recommended GHG reduction measures which the City should implement in order to meet the 15% by 2020 and 28% by 2030 GHG reduction targets (**Appendix B**). The first step in determining conformance with the CAP is demonstrating that emissions from the project were accounted for in the CAP. Generally, this is achieved by demonstrating consistency with the permitted land use; however, the project

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would not be consistent with the existing land use and zoning as inventoried in the CAP. As illustrated below, however, the proposed project would generate fewer GHGs per year than the buildout of the permitted land use; therefore, the proposed land use change would not result in an increase in GHG emissions or conflict with an applicable plan.

The City's GHG inventory's reduction thresholds were based on the land use as designed in the City's General Plan and existing SHCCSP as adopted in 1991 (existing Specific Plan). Projects that do not comply with the land use designation at the time the CAP was developed are generally considered inconsistent with the CAP. If buildout of the proposed land use can be demonstrated to result in fewer emissions than buildout of the existing land use designated in the Specific Plan, the proposed project would be consistent with the CAP. Evaluation of the potential emissions from buildout of the existing Specific Plan was modeled using CalEEMod Version 2016.3.1. The existing Specific Plan for the project site was analyzed as buildout of up to 776,000 square feet of medical office space (including 585,000 square feet of acute care space, 66,000 square feet of community care space, and a 125,000-square-foot outpatient facility). Where applicable, compliance with regulations assumed in the modeling of the proposed project, such as reducing the carbon dioxide (CO<sub>2</sub>) intensity as per the Renewables Portfolio Standard, were retained and assumed when modeling the existing Specific Plan.

### Construction Emissions

Construction of the proposed project would result in GHG emissions, which are primarily associated with use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. GHG emissions associated with temporary construction activity were quantified using CalEEMod. A detailed depiction of the construction schedule—including information regarding phasing, equipment used during each phase, haul trucks, vendor trucks, and worker vehicles—is included in **Appendix B**.

**Table 4.3-73.7-1** below shows the estimated annual GHG construction emissions associated with the project, as well as the annualized construction emissions over a 30-year period.

**Table 4.3-73.7-1**  
**Estimated Annual Construction Greenhouse Gas Emissions**

Year	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> E
	<i>metric tons per year</i>			
2018	12.76	0.00	0.00	12.78
2019	1,343.64	0.35	0.00	1,352.43

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**Table 4.3-73.7-1**  
**Estimated Annual Construction Greenhouse Gas Emissions**

Year	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> E
	<i>metric tons per year</i>			
2020	1,122.25	0.34	0.00	1,130.67
<b>Total</b>	<b>1,343.64</b>	<b>0.35</b>	<b>0.00</b>	<b>1,352.43</b>
<b>Annualized Construction Emissions</b>				<b>45.08</b>

**Notes:** CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>E = carbon dioxide equivalent.  
See **Appendix B** for complete results.

Estimated annualized project-generated construction emissions would be approximately 45 metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>E). However, because there is no separate GHG threshold for construction, the evaluation of significance is discussed in the operational emissions analysis below.

### Operational Emissions

Operation of the project would generate GHG emissions through motor vehicle trips to and from the project site; landscape maintenance equipment operation; energy use (natural gas and generation of electricity consumed by the project); solid waste disposal; and generation of electricity associated with water supply, treatment, and distribution and wastewater treatment. CalEEMod was used to calculate the annual GHG emissions based on the operational assumptions, outlined in **Appendix B**.

The estimated operational (Year 2021) project-generated GHG emissions from area sources, energy usage, motor vehicles, solid waste generation, and water usage and wastewater generation are shown in **Table 4.3-83.7-2**.

**Table 4.3-83.7-2**  
**Estimated Annual Proposed Project Operational Greenhouse Gas Emissions**

Emission Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> E
	<i>metric tons per year</i>			
Area	2.79	0.00	0.00	2.86
Energy	875.66	0.03	0.01	879.36
Mobile	2,728.63	0.16	0.00	2,732.61
Solid waste	14.25	0.84	0.00	35.31
Water supply and wastewater	82.26	0.39	0.01	95.05
<b>Total</b>	<b>3,703.59</b>	<b>1.43</b>	<b>0.02</b>	<b>3,745.19</b>

**Notes:** CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>E = carbon dioxide equivalent.  
See **Appendix B** for detailed results.

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As shown in **Table 4.3-83.7-2**, annual emissions of the proposed project would be approximately 3,745 MT CO<sub>2</sub>E.

The proposed project's change in land use was not accounted for in the development of the CAP. Therefore, the emissions from the proposed project must be compared to those emissions that would occur if the existing land use were built out. **Table 4.3-93.7-3** presents the annual GHG emissions from the buildout of the Specific Plan land use if it was to have the same initial operational year as the proposed project.

**Table 4.3-93.7-3**  
**Estimated Annual Specific Plan Buildout Operational Greenhouse Gas Emissions**

Emission Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> E
	<i>metric tons per year</i>			
Area	0.02	0.00	0.00	0.02
Energy	5,558.34	0.19	0.06	5,582.02
Mobile	13,951.96	0.86	0.00	13,973.45
Solid waste	240.75	14.23	0.00	596.44
Water supply and wastewater	396.88	2.47	0.06	476.88
<b>Total</b>	<b>20,147.95</b>	<b>17.75</b>	<b>0.12</b>	<b>20,628.81</b>

**Notes:** CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>E = carbon dioxide equivalent.  
See **Appendix B** for detailed results.

As shown in **Table 4.3-93.7-3**, annual emissions of buildout of the Specific Plan land use designation would be approximately 20,629 MT CO<sub>2</sub>E.

**Table 4.3-103.7-4** presents the annual GHG emissions from the buildout of the proposed project and existing Specific Plan land use designation buildout.

**Table 4.3-103.7-4**  
**Estimated Annual Proposed Project and Specific Plan Buildout Operational Greenhouse Gas Emissions**

Emission Source	CO <sub>2</sub> E (metric tons per year)
Proposed project emissions	3,745.19
Annualized construction emissions	45.08
<i>Operation + annualized construction total</i>	3,790.27
<i>Specific Plan buildout</i>	20,661.15
<b><i>Exceeds Specific Plan buildout?</i></b>	<b>No</b>

**Notes:** CO<sub>2</sub>E = carbon dioxide equivalent.  
See **Appendix B** for detailed results.

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As shown in **Table 4.3-103.7-4**, estimated GHG emissions generated by the proposed project (operation plus amortized construction) would be approximately 3,790 MT CO<sub>2</sub>E per year. Buildout of the existing Specific Plan land use designation would result in 20,661 MT CO<sub>2</sub>E in annual emissions. Therefore, emissions from the proposed project would be less than buildout of the land use inventoried in the CAP, and impacts would be **less than significant**.

**b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

Under the City's CEQA thresholds, the method for determining significance for project-level environmental documents is through the CAP Consistency Worksheet. The CAP Consistency Worksheet is the primary document used by the City to ensure project-by-project consistency with the underlying assumptions in the CAP and that the City would achieve its emission reduction targets identified in the CAP. The CAP Worksheet includes specific mandatory and voluntary actions, generally outlined in the General Plan or Municipal Code. Projects that are consistent with the CAP worksheet are generally considered to have less-than-significant GHG impacts. The project would be consistent with every mandatory project design feature in the completed CAP Consistency Worksheet (provided as part of **Appendix B**).

At the regional level, SANDAG's 2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) has been adopted for the purpose of reducing GHG emissions attributable to passenger vehicles in the San Diego region. Although the EIR for SANDAG's 2050 RTP/SCS is still pending before the California Supreme Court, SANDAG recently adopted the next iteration of its RTP/SCS in accordance with statutorily mandated timelines. More specifically, in October 2015, SANDAG adopted its Regional Plan. Like the 2050 RTP/SCS, the Regional Plan meets CARB's 2020 and 2035 reduction targets for the region. The RTP/SCS does not regulate land use or supersede the exercise of land use authority by SANDAG's member jurisdictions, whereas the RTP/SCS is a relevant regional reference document for purposes of evaluating the intersection of land use and transportation patterns and the corresponding GHG emissions. The RTP/SCS is not directly applicable to the proposed project because the underlying purpose of the RTP/SCS is to provide direction and guidance on future regional growth (i.e., the location of new residential and non-residential land uses) and transportation patterns throughout the City and greater San Diego County, as stipulated under SB 375. CARB has recognized that the approved RTP/SCS is consistent with SB 375 (CARB 2015). The proposed project would be not consistent with existing zoning and land use designations; however, the proposed project would generate fewer emissions than buildout of the existing land

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use designation. In addition, the traffic generated by the proposed project would not increase vehicle trips or land use intensities as provided in the RTP/SCS.

Executive Order (EO) S-3-05 established a goal to reduce statewide GHG emissions to the 1990 level by 2020, and to reduce statewide GHG emissions to 80% below the 1990 level by 2050.<sup>2</sup> EO B-30-15 identified an interim GHG reduction target in support of targets previously identified under S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing statewide GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing statewide GHG emissions to 80% below 1990 levels by 2050, as set forth in EO S-3-05. EO B-30-15 does not require the City to set a specific numeric method in order to demonstrate that a project meets the state's 2030 and 2050 GHG emissions reduction targets as expressed in EO S-3-05; however, the City has established thresholds to meet the interim goals through 2030. In addition, CARB notes in the First Update to the AB 32 Scoping Plan that "California is on track to meet the near-term 2020 GHG limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32" (CARB 2014b). The proposed project would help support achievement of the EO S-3-05 near-term 2020 goal (as codified in AB 32) and the long-term 2050 goal by being infill development and incorporating design features such as water-efficient fixtures, drought-tolerant landscaping, use of energy-efficient heating, ventilation and air conditioning equipment, and from use of cooling roofing.

The project is consistent with the GHG emission reduction measures in the Scoping Plan and would not conflict with the state's trajectory toward future GHG reductions. In addition, since the specific path to compliance for the state in regards to the long-term goals will likely require development of technology or other changes that are not currently known or available, specific additional mitigation measures for the project would be speculative and cannot be identified at this time. The project's consistency would assist in meeting the City's contribution to GHG emission reduction targets in California. With respect to future GHG targets under SB 32 and EO S-3-05, CARB has also made clear its legal interpretation that it has the requisite authority to adopt whatever regulations are necessary, beyond the AB 32 horizon year of 2020, to meet SB 32's 40% reduction target by 2030 and EO S-3-05's 80% reduction target by 2050. This legal interpretation by an expert agency provides evidence that future regulations will be adopted to continue the state on its trajectory toward meeting these future GHG targets. Based on the above considerations, the project would not conflict with an applicable plan,

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<sup>2</sup> In adopting AB 32, the legislature did not adopt the 2050 horizon-year goal from EO S-3-05, and in the 2013–2014 legislative session, the legislature rejected bills proposing to enact the EO 2050 goal (*Cleveland National Forest Foundation v. SANDAG* (2014); *Professional Engineers in California Government et al. v. Schwarzenegger and Chiang* (2010)).

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policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and no mitigation is required. This impact would be **less than significant**.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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### **4.3.8 Hazards and Hazardous Materials**

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Implementation of the proposed project would involve the transport of fuels, lubricants, and other various 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, 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. Compliance with these restrictions and laws would ensure that impacts would not occur.

Operation of the proposed project would not include any uses that would require the transport, handling, or disposal of hazardous materials, other than typical household and landscaping materials, which are also subject to existing state and federal regulations intended to minimize the risk of hazardous material release. The types and quantities of these common household chemicals would not be substantial and would not pose a health risk to residents associated with the proposed project, or any adjacent uses. Therefore, compliance with applicable construction and operation regulations and policies related to hazards and hazardous materials would ensure impacts would be **less than significant**.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

As discussed above under the analysis for threshold a), construction equipment accessing the site would use hazardous and/or flammable materials, including diesel fuel, gasoline, and other oils and lubricants. During construction of the proposed project, there is the potential for the short-term use of hazardous materials/fuels; however, the use, storage, transport, and disposal of these materials would be required to comply with all existing local, state, and federal regulations governing construction activities.

Operation of the proposed project would not include any uses that would require the transport, handling, or disposal of hazardous materials, other than typical household and

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landscaping materials. The types and quantities of these common household chemicals would not be substantial and would not pose a health risk to residents of the project, or any adjacent uses. Hazardous materials used during operation of the proposed project would be subject to applicable local, state, and federal regulations intended to minimize risk of hazards and hazardous materials release. Therefore, compliance with all applicable regulations during construction and operation of the proposed project would ensure impacts would be **less than significant**.

- c) ***Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

The schools located closest to the proposed project site include Discovery Elementary School and CSUSM. Discovery Elementary School is located approximately 0.7 miles west of the proposed project site, and CSUSM is located approximately 1.0 mile east of the proposed project site. Given that the nearest school to the proposed project site is 0.7 miles away, more than 0.25 miles, the proposed project would have no impact on local schools. Furthermore, the project does not include uses that would emit hazardous emissions or handle hazardous or acutely hazardous materials or substances. Therefore, **no impact** would occur.

- d) ***Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

According to the EnviroStor database maintained by the Department of Toxic Substances Control (DTSC 2017) and the GeoTracker database maintained by the State Water Resources Control Board (SWRCB 2017), the proposed project site is not located on any hazardous materials sites pursuant to Government Code Section 65962.5. Because the proposed project site is currently undeveloped and has never been developed, it is unlikely that any contaminant would be uncovered or disturbed by the proposed activities. Therefore, **no impact** would occur.

- 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?***

The nearest public airport is the McClellan-Palomar Airport, which is located approximately 7 miles west of the project site. The McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) contains policies to promote land use compatibility

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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 Caltrans Division of Aeronautics, the ALUCP reflects anticipated growth of the airport over a 20-year horizon. The ALUCP includes land use compatibility criteria and identifies policies applicable to the airport and surrounding area.

According to the McClellan-Palomar ALUCP, the proposed project site is located within Review Area 2 of the airport influence area (San Diego County ALUC 2010). 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 close proximity to airports, such as noise, vibration, and overflights.

The proposed project site would not be characterized as high terrain. The proposed 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 (City of San Marcos 2012b) and Policy S-7.1 of the City's General Plan (City of San Marcos 2013), notifying residents of potential annoyances commonly associated with close proximity to airports, such as noise, vibration, and overflights. This notification would 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?*

The project site is not located within the vicinity of a private airstrip. Therefore, **no impact** would occur.

- g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The proposed project does not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency response plan or emergency evacuation plan. All proposed internal roadways and project access points would comply with City standards for



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emergency and fire protection vehicles and distances. The proposed project would comply with all design recommendations and requirements provided by the San Marcos Fire Department to ensure that emergency access meets City standards. Therefore, impacts would be **less than significant**.

- h) Would the project 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?***

According to Figure 6-4 in the City's General Plan (City of San Marcos 2013), the proposed project site is not located in an area known to be at risk from wildfire. The Coronado Hills region of the city, located southeast of the proposed project site, is considered an extreme risk area. However, the proposed project site is not within the immediate vicinity of Coronado Hills. There would be little risk of exposing people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, impacts would be **less than significant**.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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 pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 4.3.9 Hydrology and Water Quality

**a) *Would the project violate any water quality standards or waste discharge requirements?***

Maintaining water quality is essential for the health of residents and the sustainability of the environmental resources in the City and surrounding areas. In the City, five water bodies are known to be adversely affected by pollutants generated by activities associated with each land use type in each watershed and as a result are listed on the State Water Resources Control Board's (SWRCB) 303(d) impaired waters list. The project site currently drains, and would continue to drain, to San Marcos Creek, one of the five water bodies included on the SWRCB 303(d) list. The other four water bodies listed are Agua Hedionda Creek, Buena Creek, Escondido Creek, and Lake San Marcos. According to the SWRCB 303(d) list, pollutants in San Marcos Creek include dichlorodiphenyldichloroethylene (DDE), phosphorus, sediment toxicity, and selenium. The San Diego Regional Water Quality Control Board (RWQCB) regulates the City's stormwater discharge.

Construction of the proposed project would involve ground-disturbing activities for grading and excavating that could result in sediment discharge in stormwater runoff. Additionally, construction would involve use of oil, lubricants, and other chemicals that could be discharged from leaks or accidental spills. These potential sediment and chemical discharges during construction would have the potential to impact water quality in receiving water bodies.

Because construction of the proposed project would result in more than 1 acre of land disturbance, the applicant would be required to obtain an NPDES permit, as well as

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prepare and implement a stormwater quality management plan (SWQMP) in accordance with the Statewide Construction General Permit. The SWQMP requires implementation of water quality BMPs to ensure that water quality standards are met and that stormwater runoff from the construction work areas do not cause degradation of water quality in receiving water bodies. BMPs may include use of silt screening or fiber filtration rolls, appropriate handling and disposal of contaminants, restrictions on fertilizer and pesticide application, litter control and pick up, and repair and maintenance of vehicle and equipment in designated areas.

A SWQMP was prepared for the proposed project in June 2017 by REC Consultants, and is included as **Appendix G** to this MND. As described within the SWQMP, runoff and water percolation from the proposed project would drain to the San Marcos Creek hydrographic subareas (HSA), which is part of the San Marcos Hydrologic Areas (HAs) within the Carlsbad hydrographic unit. In the proposed condition, the flow patterns would largely stay the same. The three north–south storm drain systems would be re-used and/or added to. As seen on **Figure 6, Drainage Network**, curb and gutter drainage would be incorporated throughout the private streets on-site, which would direct stormwater to the proposed private storm drains on site, which would then flow into the proposed private treatment basin located within the northwestern portion of the project site. This treatment basin would be landscaped and designated as natural open space. Biofiltration with partial retention would be utilized to treat runoff before draining to San Marcos Creek. Runoff within the pads would be conveyed to the BMPs via surface flow, thus separate “clean” and “dirty” systems would not be necessary (**Appendix G**).

According to the Drainage Study prepared for the proposed project by REC Consultants, Inc. (included as **Appendix H** to this MND), the project shall be designed to be consistent with the Priority Development Project requirements of the *City of San Marcos Best Management Practice (BMP) Design Manual*. This design manual outlines compliance with local City and regional Municipal Separate Storm Sewer System (MS4) Permit requirements for stormwater management. Additionally, the proposed project would be required to comply with the City’s Municipal Code Section 14.15, which identifies specific BMPs for businesses and other activities to address pollutants generated by land use and activity (City of San Marcos 2008). Development projects are required to implement source control, site design, Low Impact Design (LID) standards (i.e., permeable pavement and bioretention facilities), hydromodification management, and water quality treatment for the pollutants of concern within the watershed.

Implementation of BMPs; implementation of recommendations within the SWQMP, Drainage Study, Water and Sewer Study, and Geotechnical Investigation prepared for the proposed project; and compliance with all applicable regional and City regulations, would

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ensure that the proposed project would not violate water quality standards or waste discharge requirements during construction or operation. Therefore, impacts would be **less than significant**.

- b) *Would the project 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 (i.e., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?*

Groundwater is contained in underwater aquifers and is recharged by the entire land surface. The San Marcos Area Groundwater Basin is identified as Basin 9-32 by the Department of Water Resources South Coast Hydrologic Region. The San Marcos Area Groundwater Basin is located entirely within the San Marcos Creek HSA, which is designated as impaired, and has a hydrologic connection to Lake San Marcos. Lake San Marcos is currently being assessed under the City's Nutrient Plan total maximum daily load process, in which the outcome of the assessment is to understand the groundwater influence on the lake's water quality impairment. Groundwater basins in San Diego County and in the City have mainly calcium and sodium cations and bicarbonate and sulfate anions. Local impairments of nitrate, sulfate, and total dissolved solids are found common. In general, groundwater in the City is not considered to be a major water source (City of San Marcos 2012c).

According to the Geotechnical Investigation (**Appendix F**), groundwater was present at a depth of approximately 1 to 2 feet (see borings nos. 1 through 4) below the ground surface in the northern portion of the site adjacent to San Marcos Creek in February 1990. Soil borings and backhoe trenches excavated in December 1990, adjacent to San Marcos Creek, encountered groundwater elevations approximately 5 feet below the ground surface; additional backhoe trenches were excavated in February 1994, to obtain groundwater levels adjacent to San Marcos Creek. Groundwater was encountered at a depth of 1 to 6 feet within alluvium. Exploratory borings for the Grand Avenue Bridge project across San Marcos Creek encountered groundwater near depths of 4 to 10 feet in April 2003. Based on the Geotechnical Investigation (**Appendix F**), groundwater is present within the project boundaries; however, no groundwater issues are known to exist in the subject property area.

Existing water supplies and distribution pipelines from VWD, in addition to proposed pipeline extensions, would supply project water needs, and no groundwater would be drawn from the site for construction or operational usage. However, water that percolates on site or off site downstream may percolate and flow into the San Marcos Creek. The

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proposed project would be required to comply with General Plan Conservation and Open Space Element policies, which protect groundwater quality through monitoring programs and BMPs; direct watershed assessment and protection programs; and the requirement of new development to protect the quality of water bodies and natural drainage systems through site design, source controls, stormwater treatment, runoff reduction measures, LID, and hydromodification strategies. Additionally, as outlined above, the project would comply with the Model BMP Design Manual and the required NPDES permit. With consideration that the proposed project would comply with all applicable regulations and policies, and would not draw groundwater for construction or operational uses, impacts to groundwater would be **less than significant**.

- c) ***Would the project 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?***

Under existing conditions, the project site is an undisturbed lot. Runoff from the existing site flows overland to one point of discharge (POD-1), which ultimately drains to San Marcos Creek located to the northwest of the project site. There is also an existing off-site segment of Discovery Street located at the southeastern boundary of the project site.

Methodology used for the computation of design rainfall events, runoff coefficients, and rainfall intensity values are consistent with criteria set forth in the County of San Diego Drainage Design Manual. Per County of San Diego criteria, runoff coefficients 0.25 (previous-Type B soils), 0.30 (previous-Type C soils), 0.35 (previous-Type D soils), and 0.90 (impervious) were assumed in the determination of weighted coefficient values for tributary areas to the POD. Per County of San Diego rainfall isopleth maps, the design 100-year rainfall depth for the project site is 3.12 inches.

**Appendix H** analyzes the hydrology and drainage improvements for both the proposed project site and the Discovery Village North project immediately north of the proposed project site (which is a different project being processed separately but concurrently, under the same ownership), since these projects are relying on each other for infrastructure and grading. It is expected that both projects would be graded concurrently, and therefore drainage impacts to existing grounds would also happen at one time. For these reasons, hydrology and water quality impacts and improvements for the proposed project and Discovery Village North have been analyzed as one in **Appendix H** to ensure that the “systems” operate as one (**Appendix H**). **Table 4.3-113.9-1** summarizes the existing conditions design 100-year peak flow from the project site.

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**Table 4.3-113.9-1**  
**Summary of Existing Conditions Flow**

Discharge Location	Drainage Area (Ac)	100-Year Peak Flow (cfs)
POD-1	80.65*	105.73

**Notes:** Ac = acres; cfs = cubic feet per second

\* This acreage represents both the project site (Discovery Village South) and the adjacent Discovery Village North project. The drainage area specific to the project site would account for approximately 3944 acres.

**Source:** Appendix H

In developed conditions, the proposed project involves development of single-family residences with associated amenities such as internal roadways, pedestrian and bike trails, and open space and recreation areas. Weighted runoff coefficients were calculated per County of San Diego criteria and are provided in **Appendix H**. For the proposed project site, a runoff coefficient of 0.51 was calculated based on proposed impervious and pervious areas. **Table 4.3-123.9-2** summarizes the unmitigated-developed conditions design 100-year peak flow from the project site

**Table 4.3-123.9-2**  
**Summary of Unmitigated-Developed Conditions Flow**

Discharge Location	Drainage Area (Ac)	100-Year Peak Flow (cfs)
POD-1	81.58	228.00

**Notes:** Ac = acres; cfs = cubic feet per second

\* This acreage represents both the project site (Discovery Village South) and the adjacent Discovery Village North project. The drainage area specific to the project site would account for approximately 3944 acres.

**Source:** Appendix H

Prior to discharging from the site, first flush runoff would be treated via biofiltration-based BMPs in accordance with standards set forth by the RWQCB and the County of San Diego's BMP Design Manual discussed in the SWQMP for the proposed project (**Appendix G**).

As seen on **Figure 6, Drainage Network**, curb and gutter drainage would be incorporated throughout the private streets on site, which would direct stormwater to the proposed private storm drains on site, which would then flow into the proposed private treatment basin located within the northwestern portion of the project site. This treatment basin would be landscaped and designated as natural open space. LID multiple-purpose biofiltration basins are located within the project site and are responsible for addressing peak flow and hydromodification requirements for the project. A hydromodification analysis of the basins would be completed during final engineering. As such, all BMP orifices would be set equal to 6 inches as per the County of San Diego's BMP Design Manual. In developed conditions, the basins would have surface ponding and riser spillway structures (**Appendix H**). Flows would then discharge from the basin via the

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outlet structures or infiltrate through the base of the facility to the receiving amended soil and French drain. The riser structure would act as a spillway such that peak flows could be safely discharged to the receiving storm drain systems (**Appendix H**). In final engineering, the basins would be further analyzed for both hydromodification and 100-year flow requirements for the project.

In existing conditions, there are three points of discharge that normally would be considered three points of compliance (POCs): POC-1 downstream, POC-2<sub>aux</sub>, and POC-3<sub>aux</sub> upstream, with POC-3<sub>aux</sub> further upstream than POC-2<sub>aux</sub>. However, only one POC is selected (the most downstream, POC-1) because in post-development conditions all water is diverted to POC-1. As San Marcos Creek is the north boundary of the project site and represents the stream that needs hydromodification protection from the proposed project, a justification of the selection of a single POC was performed and is outlined in Section 1.4 of **Appendix H**. The proposed project would divert area out of POC-3<sub>aux</sub> and POC-2<sub>aux</sub>, but is not diverting area out of POC-1. In post-development conditions, less area would drain to POC-2<sub>aux</sub> and POC-3<sub>aux</sub>, but this diversion has no negative impacts because the reduction on the discharges is the purpose of the hydromodification analysis, as no additional erosion would occur in those points as a consequence of the development and the corresponding diversion.

**Table 4.3-133.9-3** summarizes developed and existing condition drainage areas and resultant 100-year peak flow rates at the existing 60-inch reinforced concrete pipe discharge location from the project site. Per County of San Diego rainfall isopleth maps, the design 100-year rainfall depth for the project area is 3.12 inches.

**Table 4.3-133.9-3**  
**Summary of Peak Flows**

Discharge Location	Area (ac)			100 Year Peak Flow (cfs)		
	Existing	Developed	Difference	Existing	Developed*	Difference
POD-1	80.65	81.58	+0.93	105.73	83.42	22.31

Source: Appendix H

Note: \* Flows are unmitigated

As shown in the **Table 4.3-133.9-3** above, the proposed project would result in a net decrease of peak flows discharged from the project site by approximately 22.31 cubic feet per second (cfs). In final engineering, the flood hydrograph of each drainage management area (DMA) would be routed through its respective basin. The routing would serve to further mitigate the developed condition's peak flow to a rate equal to or less than the runoff for existing conditions. The grading design along with proposed development was designed with consideration of the existing drainage patterns, and such that the project

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would not result in substantial erosion or siltation on or off site. Furthermore, all runoff from the proposed project site would receive water quality treatment in accordance with site-specific SWQMP recommendations, which would ensure erosion and sediment control. Therefore, impacts are determined to be **less than significant**.

- d) *Would the project 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?*

Implementation of the proposed project would develop the existing vacant, undeveloped site to include approximately 14.9 acres of impervious area, and approximately 22.4 acres of pervious area. Therefore, approximately 37.3 acres (14.9 acres of impervious and 22.4 acres of pervious) of the approximately 3941-acre project site would be disturbed as a result of proposed development.

In developed conditions, runoff from the project site would be directed via a combination of curb and gutter and storm drain to one proposed biofiltration BMP for treatment and detention. After reaching the discharge point (POC-1) the flows would enter an existing storm drain conveyance network and ultimately discharge onto San Marcos Creek, located to the northwest of the project site (refer to **Figure 6**). As shown in **Table 4.3-133.9-3** under threshold c) above, the proposed project would result in a net decrease of peak flows discharged from the project site by approximately 22.31 cfs. Additionally, as described in threshold c), in final engineering, the flood hydrograph of each DMA would be routed through its respective basin. The routing would serve to further mitigate the developed condition's peak flow to a rate equal to or less than the runoff for existing conditions. The grading design along with proposed development was designed with consideration of the existing drainage patterns, such that the project would not result in or substantially increase the rate or amount of surface runoff. With consideration that the proposed project would comply with all applicable regulations and policies outlined in thresholds a) through c), impacts related to drainage patterns and flooding on site and in the immediate vicinity would be **less than significant**.

- e) *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

As outlined above under threshold d), the proposed project would introduce approximately 14.9 acres of impervious area to a currently undeveloped site. As described in the analysis under threshold c), the proposed project would result in a net



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decrease of peak flows discharged from the project site to POD-1 by approximately 22.31 cfs. In final engineering, the flood hydrograph of each DMA would be routed through its respective basin. The routing would serve to further mitigate the developed condition's peak flow to a rate equal to or less than the runoff for existing conditions.

As previously described, the project would be designed to be consistent with the Priority Development Project requirements of the City of San Marcos Best Management Practice (BMP) Design Manual. This design manual outlines compliance with local City and regional MS4 Permit requirements for stormwater management. Additionally, the proposed project would be required to comply with the City's Municipal Code Section 14.15, which identifies specific BMPs for businesses and other activities to address pollutants generated by land use and activity (City of San Marcos 2008). Furthermore, the City maintains an extensive storm drain system that diverts any excessive rainfall into appropriate channels (City of San Marcos 2013), which is anticipated to adequately serve the project site.

As seen on **Figure 6**, Drainage Network, curb and gutter drainage would be incorporated throughout the private streets on site, which would direct stormwater to the proposed private storm drains on site, which would then flow into the proposed private treatment basin located within the northwestern portion of the project site. This treatment basin would be landscaped and designated as natural open space. LID multiple-purpose biofiltration basins located within the project site would be responsible for addressing water quality requirements for the project. Prior to discharging from the site, first flush runoff would be treated via biofiltration-based BMPs in accordance with standards set forth by the RWQCB and the City of San Marcos' BMP Design Manual discussed in the SWQMP for the proposed project (**Appendix G**).

The proposed development was designed with consideration of the existing drainage patterns, and such that the project would not exceed the capacity of existing stormwater drainage systems and would not result in substantial additional sources of polluted runoff. Implementation of BMPs; implementation of recommendations within the SWQMP, Drainage Study, and Geotechnical Investigation prepared for the proposed project; and compliance with all applicable regional and City regulations, would ensure that the proposed project would not exceed existing stormwater drainage capacities, nor violate water quality standards. Therefore, impacts would be **less than significant**.

***f) Would the project otherwise substantially degrade water quality?***

As outlined above under threshold a), the project would drain to San Marcos Creek, which is on the 303(d) impaired list. The project is required to prepare and implement a

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SWQMP in accordance with the Statewide Construction General Permit that would implement BMPs to reduce stormwater pollutants such as use of filter rolls and detention basins. As previously described, a SWQMP was prepared for the proposed project and is included as **Appendix G** to this MND. Based on information from the SWQMP, biofiltration with partial retention would be utilized to treat runoff before it enters the storm drain system (**Appendix G**).

As previously described, the project would be designed to be consistent with the Priority Development Project requirements of the City of San Marcos Best Management Practice (BMP) Design Manual. This design manual outlines compliance with local City and regional MS4 Permit requirements for stormwater management. The proposed project would be required to comply with the City's Municipal Code Section 14.15, which identifies specific BMPs for businesses and other activities to address pollutants generated by land use and activity (City of San Marcos 2008). Development projects are required to implement source control, site design, LID standards, hydromodification management, and water quality treatment for the pollutants of concern within the watershed.

As seen on **Figure 6, Drainage Network**, curb and gutter drainage would be incorporated throughout the private streets on site, which would direct stormwater to the proposed private storm drains on site, which would then flow into the proposed private treatment basin located within the northwestern portion of the project site. This treatment basin would be landscaped and designated as natural open space. As previously described, the ten LID multiple purpose biofiltration basins located within the project site would be responsible for addressing water quality requirements for the project. Prior to discharging from the site, first flush runoff would be treated via biofiltration-based BMPs in accordance with standards set forth by the RWQCB and the County of San Diego's BMP Design Manual discussed in the SWQMP for the proposed project (**Appendix G**).

Implementation of BMPs; implementation of recommendations within the SWQMP, Drainage Study, and Geotechnical Investigation prepared for the proposed project; and compliance with all applicable regional and City regulations, would ensure that the proposed project would not substantially degrade water quality. Therefore, impacts are determined to be **less than significant**.

- g) Would the project 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?***

Some areas of the City are determined to be within a Federal Emergency Management Agency (FEMA)-designated 100-year floodplain, 100-year floodway, and/or 500-year

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floodplain. The City participates in the federal Flood Insurance Study to determine the mandatory insurance necessary for identified properties. Federal Insurance Rate Maps (FIRMs) designate flood areas that have a 1% annual chance of flooding; these are in the “100-year floodplain” (City of San Marcos 2013). FEMA-designated 100-year floodplains and floodways are associated with San Marcos Creek and its tributaries. According to Figure 6-3 of the City’s General Plan Safety Element, the project site lies mostly outside of designated FEMA flood hazard areas including 100-year floodplain zones, but does encroach in the northwestern portion of the project site (City of San Marcos 2013). According to Figure 6-3 of the City’s General Plan Safety Element, flood hazard areas/zones that encroach on the most northeastern portion of the project site include floodway areas designated as “Special Flood Hazard Zone AE,” “Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood,” and “Other Flood Areas.” Additionally, Figure 4 of the Biological Technical Report (**Appendix C**) clearly shows the FEMA 100-year and 500-year floodplain areas that encroach into the northwestern portion of the project site.

However, construction of Discovery Street (conditioned under Discovery Village North) will cause a shift in the mapped floodplain, resulting in the floodplain being removed from the Discovery Village South site. Construction of Discovery Street would follow all protocols by processing Conditional Letter of Map Revision/Letter of Map Revision documents. Additionally, a Letter of Map Revision would be required as part of completion of grading for the project to address flood hazard areas on site. Upon approval of a Letter of Map Revision and final site design, impacts would be **less than significant**.

***h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?***

As outlined above under threshold g), the most northeastern portion of the proposed project is within areas designated as “Special Flood Hazard Zone AE,” “Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood,” and “Other Flood Areas.” As previously stated in response to threshold g) above, construction of Discovery Street (conditioned under Discovery Village North) will cause a shift in the mapped floodplain, resulting in the floodplain being removed from the Discovery Village South site. Construction of Discovery Street would follow all protocols by processing Conditional Letter of Map Revision/Letter of Map Revision documents. Additionally, a Letter of Map Revision would be required as part of completion of grading for the project to address flood hazard areas on site. Upon approval of a Letter of Map Revision and final site design, impacts would be **less than significant**.

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- i) *Would the project 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?*

The City lies generally downstream from dams, reservoirs, and debris basins whose drainages ultimately flow toward the City (City of San Marcos 2013). There are four dams (Lake San Marcos, Discovery Lake, South Lake, and Jack's Pond) and ten reservoir structures (Palomar, Richland #1, Meadowlark #1, Meadowlark #2, School House, Sage Canyon, Via Vera Cruz, Double Peak, Palomar Estates (Carlsbad Municipal), and Simmons Park (Carlsbad Municipal)) associated with the City. According to Figure 6-3 of the City's General Plan Safety Element, the project site is located outside of any designated dam inundation areas (City of San Marcos 2013). Therefore, impacts would be **less than significant**.

- j) *Inundation by seiche, tsunami, or mudflow?*

The project site is over 500 feet above mean sea level, and it not located downstream from any large body of water (**Appendix F**). Therefore, the risk associated with flooding hazards due to seiche, tsunami, or mudflow events is unlikely, and impacts are considered to be **less than significant**.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>X. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 4.3.10 Land Use and Planning

- a) *Would the project physically divide an established community?*

The project site is vacant and undeveloped and is currently under the SHCCSP, zoned as Specific Plan Area that allows medical/hospital campus land uses. The proposed project would require a General Plan Amendment and a Specific Plan Amendment for the proposed residential community. The proposed project involves a compact, intern-

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connected community between the Creek District Specific Plan Area and the University District Specific Plan Area within the City (**Figure 5**). Proposed homes would be oriented around open space amenities, and paseos and greenways would connect residents to their homes, common areas, and off-site linkages. Trails, bicycle facilities, and pedestrian paths would provide access to the Creek District Specific Plan and University District Specific Plan.

Consistent with objectives of the Discovery Village South Specific Plan (**Appendix A**), the proposed project would provide for new residential development in close proximity to employment and education uses, reinforcing the living and learning environment envisioned for the adjacent University District area. Additional objectives of the project include development design to provide an orderly and visually pleasing environment with a sense of place; a safe pedestrian environment; protection of privacy and security of adjacent residential uses; compatibility with the character of existing residential neighborhoods; high quality building and landscape amenities; and on-site community amenities and facilities that adequately serve the needs of the project residents.

The proposed project would be visually and functionally compatible with surrounding urban uses and would not result in the divide of an established community. Therefore, **no impact** would occur.

- b) *Would the project 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?***

The proposed project site is designated Specific Plan Area in the City's General Plan. In 1991, the City adopted the SHCCSP, which calls for a hospital/health care campus on 80 acres of vacant land. The plan envisioned a development in phases, including a hospital with up to 450 beds, 250,000 square feet of medical office space, a 100-bed mental health care center, fitness center, special treatment clinic and research buildings. The total anticipated buildout for the SHCCSP is 1,240,000 square feet with 3,102 parking spaces in non-structure, surface parking. The buildings would range in height from one to seven stories across the site. The current specific plan anticipated several signalized intersections/entrances on Barham/Discovery Street and Craven Avenue. Prior to being zoned for healthcare, the project site was zoned for a mix of residential, multifamily, and office development.

The project's proposed residential and recreation uses are not consistent with uses established under the SHCCSP. Therefore, mitigation measure **MM-LU-1**, outlined

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below would be required to reduce impacts to below a level of significance. The Discovery Village South Specific Plan would amend the SHCCSP in its entirety to change the use from medical/hospital to single-family residential. The scale, density, and height of the development proposed would be significantly reduced, and the land use standards, design standards, and architecture would be revised as appropriate to correspond with the proposed new uses. The circulation design would also be revised to serve the proposed residential use. Implementation of **MM-LU-1** would eliminate all inconsistencies with the existing SHCCSP. The proposed project's consistencies with the City's General Plan are outlined within Table 4 of the Discovery Village South Specific Plan (**Appendix A**).

The proposed residential uses would complement the residential uses located to the south and west of the proposed project site, and the proposed implementation of recreational amenities would reduce impacts on surrounding parks, trails, and open space areas. With implementation of **MM-LU-1**, and approval of the required General Plan Amendment and a Specific Plan Amendment for the proposed residential community, impacts would be **less than significant with mitigation incorporated**.

**MM-LU-1:** The City shall adopt a Specific Plan to allow residential, single-family homes and recreational amenities on the proposed project site. The details of the Specific Plan are presented in **Appendix A**.

*c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?*

As previously discussed in Section 3.4, Biological Resources, implementation of the project would result in impacts to habitats designated by the MHCP as Group A wetland communities (i.e., southern willow scrub, coastal and valley freshwater marsh, herbaceous wetland, alkali marsh), Group B rare upland (i.e., valley needlegrass grassland), Group C coastal sage scrub, and Group E, annual non-native grassland. Implementation of the mitigation measures **MM-BIO-1** through **MM-BIO-5** would ensure compliance with the MHCP. Therefore, the impacts would be **less than significant with mitigation incorporated**.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES</b> – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 4.3.11 Mineral Resources

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

According to the City of San Marcos General Plan, the City has land classified in all four Mineral Resource Zones (MRZ) (City of San Marcos 2013). California does not require that local governments protect land designated as MRZ-1, MRZ-3, or MRZ-4. However, the City is responsible for recognizing lands designated as MRZ-2 and protecting these areas from premature development incompatible with mining. The lands designated as MRZ-2 include small portions between Double Peak, Mt. Whitney, and Franks Peak; and small portions in the northern Sphere of Influence within Twin Oaks Valley Neighborhood. These locations do not overlap with the proposed project site; therefore, no loss of known mineral resources would occur. Therefore, **no impact** would occur.

- b) *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The proposed project site is not designated as a locally important mineral resource recovery site on any local general plan, specific plan, or other land use plan (City of San Marcos 2013). Due to the location and the nature of the proposed project, there would be **no impact** to mineral resources.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. NOISE</b> – 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 4.3.12 Noise

- a) *Would the project result in 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?*

Dudek prepared a Technical Noise Report for the proposed project in August 2017 (amended November 2017), which is included as **Appendix J** to this MND. Information from this technical report is used herein. On-site noise-generating activities associated with the proposed project would include short-term construction as well as long-term operational noise. The proposed project would generate off-site traffic noise along adjacent roadways (primarily along Discovery Street and Twin Oaks Valley Road). In addition, the proposed residences on site would be subject to traffic noise from Discovery Street and Craven Road. These potential effects are analyzed below.

#### Construction Noise (Short-Term Impacts)

It is anticipated that construction of the project would commence in spring 2019 and would last approximately 26 months. Construction would take place in phases, as follows:

- Site preparation – 66 days

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- Grading – 326 days
- Building construction – 394 days
- Asphalt paving – 66 days
- Architectural coating – 394 days

No pile driving is anticipated as part of this project; however, blasting is likely to be necessary on site to remove and re-use native rock material for on-site roadway base or for other purposes. This would also eliminate the need for truck trips exporting material off site. The specific locations, duration, and the extent of blasting is unknown at this time.

Construction activities would only occur during the City's allowable hours of operation (Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m. and on Saturdays 8:00 a.m. to 5:00 p.m.). Project construction would involve five phases as detailed above. Construction equipment would include dozers, excavators, scrapers, backhoes, compactors, loaders, and miscellaneous trucks. The noise levels generated by construction equipment would vary depending upon factors such as the type and specific model of the equipment, the soil conditions, the operation being performed, and the condition of the equipment. The average sound level of the construction activity also depends upon the amount of time that the equipment operates and the intensity of the construction during the time period. The range of maximum noise levels for various types of construction equipment at a distance of 50 feet is depicted in Table 3 of Appendix J.

The noise values represent maximum noise generation, or full-power operation of the equipment. As an example, a loader and two dozers, all operating at full power and relatively close together, would generate a maximum sound level of approximately 90 dBA at 50 feet from their operation. As the distance between equipment increases, and/or the separation of areas with simultaneous construction activity increases, dispersion and distance attenuation reduce the effects of separate noise sources added together. In addition, typical operating cycles may involve 2 minutes of full-power operation, followed by 3 or 4 minutes at lower levels. The average noise level during construction activities is generally lower, since maximum noise generation may only occur up to 50% of the time.

Residences exist on the south and west sides of the project boundary. Project construction would take place both near and far from adjacent, existing noise-sensitive uses. For example, construction activities would take place within approximately 50 feet of the nearest existing residential boundaries for relatively brief periods of time, but during construction of other project components, construction would be 1,200 feet or more

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away. Typically, construction noise would occur at distances of approximately 250 feet or more from adjacent residential boundaries. The noise levels from proposed construction activities are summarized in Table 4 of **Appendix J**. At the nearest residential project boundary, noise levels would range from approximately 74 dBA Leq to 87 dBA Leq when construction would take place near the project boundary. More typical noise levels would range from approximately 60 dBA Leq to 73 dBA Leq.

Construction activities would take place within the hours for which construction noise is exempt from the City's Municipal Code, and thus would not violate City of San Marcos standards for construction. Although construction-related noise would be temporary and would cease upon project completion, construction noise levels would be substantially higher than existing ambient daytime noise levels for nearby off-site residences. Therefore, noise impacts from construction are considered potentially significant. Implementation of mitigation measures **MM-NOI-1** and **MM-NOI-2**, outlined below, would reduce construction noise to less-than-significant levels.

### Rock Blasting

Rock blasting (i.e., blasting) could be necessary during project construction. The location, duration, and extent of blasting activities is undetermined at this time. The purpose for blasting is to sufficiently break the rock in order for it to be excavated and removed, or to be crushed and re-used as aggregate on site. To accomplish this, the blaster drills a pattern of boreholes distributed evenly throughout the rock to be shattered. These boreholes are then filled with a pre-determined amount of explosives. When these explosives are detonated, they release energy in the form of shock waves and high gas pressure. The energy confined in the rock shatters the surrounding rock but a small percentage of the gas pressure escapes into the atmosphere, which produces the noise and air concussion. The force exerted on the rock causes the desired fracturing effect and at the same time, produces a shock wave. It is this shock wave, or ground vibration, that radiates out from the blast site and can be felt by people or cause buildings to vibrate. Methodology of rock blasting is outlined in detail in **Appendix J**.

Because the locations, duration, and extent of blasting is not known at this time, this is considered a potentially significant impact. With implementation of mitigation measure **MM-NOI-3**, the significance of this impact would be reduced to less than significant. If rock crushing is found necessary, all materials from the project site would be transferred to the Discovery Village North pad, where all rock crushing would occur north of Discovery Street. Temporary rock crushing uses on the North pad have been analyzed within the scope of the Final EIR for the *University District Specific Plan and 2014*

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*Addendum to the FEIR (State Clearinghouse No. 2008101083) for the University District Specific Plan.* Additionally, appropriate mitigation measures have been identified for such uses within the University District Specific Plan FEIR.

### **Operational Noise (Long-Term Impacts)**

#### ***Off-Site Traffic Noise Levels***

The proposed project would generate traffic along adjacent arterial roadways, primarily Discovery Street and Twin Oaks Valley Road.<sup>3</sup> Some additional traffic would also occur along Bent Avenue as a result of the proposed project. The City of San Marcos does not have a specific noise criterion for evaluating off-site noise impacts to residences or noise-sensitive areas from project-related traffic. For the purposes of this noise study, such impacts are considered significant when they result in an exceedance of the applicable noise standard (i.e., 60 dBA community noise equivalent level (CNEL)<sup>4</sup>) or cause an increase of 5 dB compared to existing noise levels. An increase or decrease in noise level of at least 5 dB is required before a noticeable change in community response would be expected (Caltrans 2013). Therefore, project-related traffic resulting in the exceedance of the 60 dBA CNEL noise standard at a noise-sensitive land use not already in excess of the standard, and/or resulting in a clearly perceptible increase (+5 dB) in noise levels is considered significant.

The Federal Highway Administration's Traffic Noise Model (TNM version 2.5) was used to model noise generated by existing and future traffic along the roads (FHWA 2004). The TNM accepts as input the number and types of vehicles on the roadway, vehicle speeds, receiver locations, and other input data including noise attenuation from structures such as existing or future buildings or walls. The ADT volumes provided by the Traffic Impact Study (TIS) prepared for the proposed project (**Appendix K**) were used for the existing, existing plus project, cumulative (year 2020), and cumulative (year 2020) plus project scenarios for this analysis. The results of the traffic modeling for the existing and existing plus project scenarios are outlined in Table 5 of **Appendix J**. The project-related traffic would result in a noise level increase of 3 dB CNEL or less at ST1 through ST5 and R1 through R3 along the studied roadways in the vicinity of the project site. None of the modeled receivers would exceed the 60 dBA CNEL General Plan noise standard as a result of the increase in project-related traffic. Additionally, as a result of the extension of Discovery Street, traffic along Craven Road south of Discovery Street is anticipated to decrease in the existing with project scenario, resulting in decrease noise

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<sup>3</sup> Based on Figure 4-2, Project Trip Distribution, of the Discovery Village South Traffic Impact Study (Appendix K).

<sup>4</sup> The nearest adjacent noise-sensitive receivers are single-family homes; therefore, the City of San Marcos Noise Element standard for single-family residences (60 dBA CNEL) applies.

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levels at ST2, ST4, R2, and R3. Traffic related to the proposed project would not substantially increase the existing noise levels in the project vicinity, and operational traffic-related noise impacts are considered to be less than significant.

The noise level increases associated with additional traffic volumes under future with project traffic conditions and future without project traffic conditions are summarized in Table 6 of **Appendix J**. None of the modeled receivers would exceed the 60 dBA CNEL General Plan noise standard as a result of an increase in project-related traffic. The noise level increases associated with the proposed project under future traffic conditions would be (0 dB (i.e., less than 1 dB when rounded to whole numbers). At receivers ST1, ST2, R2, and R3, the noise levels are predicted to decrease slightly because the project site would provide structural shielding from traffic at these locations. Therefore, traffic related to the proposed project would not substantially increase the existing noise levels in the project vicinity, and operational traffic-related noise impacts are considered to be less than significant.

### ***On-Site Exterior Traffic Noise Levels***

The result of the noise analysis for traffic noise levels at proposed on-site noise-sensitive receivers is provided in Table 7 of **Appendix J**. On-site future noise-sensitive receiver locations (shown in Figure 4 of **Appendix J**) consisted of the first and second-floor levels of representative residential units. Based upon information provided by the applicant, each of the residential units would have usable outdoor private spaces in the form of rear and/or side yards. This was taken into account in the TNM. Additionally, Discovery Village South would be conditioned and required to construct an enhanced stucco perimeter/boundary wall 6 feet high with stone/brick veneer pilasters at 50 feet on center; this was also accounted for in the noise model. The results of the noise modeling indicate that on-site noise levels would range from approximately 55 dBA CNEL to 60 dBA CNEL at first-floor elevations and from approximately 61 dBA CNEL to 67 dBA CNEL at second-floor elevations with direct exposures to Discovery Street and Craven Road. The first-floor elevation noise levels would comply with the City of San Marcos General Plan Noise Element standard for outdoor living areas (60 dBA CNEL). Thus, impacts are considered to be less than significant.

### ***On-Site Interior Traffic Noise Levels***

The City and the State of California require that interior noise levels not exceed a CNEL or day-night average sound level ( $L_{dn}$ ) of 45 dBA within the habitable rooms of residences. Typically, with the windows open, building shells provide approximately 15 dB of noise reduction. Therefore, rooms exposed to an exterior  $L_{dn}$  greater than 60 dBA

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could result in an interior CNEL/ $L_{dn}$  greater than 45 dB. The State Building Code recognizes this relationship, and therefore, requires interior noise studies when the exterior noise level is projected to exceed 60 dBA  $L_{dn}$ . The data shown in Table 7 of **Appendix J** indicates that the future noise levels at the first floor elevations would all be 60 dBA CNEL or less, and therefore, would not require further interior noise analysis. However, the future noise levels at the second floor facades of the residences adjacent to Discovery Street and Craven Road would range up to 68 dBA CNEL. Thus, the unmitigated interior noise level within the second-floor habitable rooms of these dwelling units could exceed the 45 dBA CNEL noise criterion. A subsequent interior noise analysis would be required for these second floor rooms. With the implementation of mitigation measure **MM-NOI-4**, the resultant noise level would meet the State of California and City interior noise standard of 45 dBA CNEL/ $L_{dn}$ .

With implementation of mitigation measures **MM-NOI-1**, **MM-NOI-2**, **MM-NOI-3** and **MM-NOI-4**, impacts related to the generation of noise levels in excess of standards established in the City's General Plan and Noise Ordinance would be **less than significant with mitigation incorporated**.

**MM-NOI-1** Building construction activities shall only take place between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays, and shall not take place on Sundays or City holidays. This condition shall be listed on the project's final design to the satisfaction of the City of San Marcos Development Services Department.

**MM-NOI-2** Prior to issuance of a grading permit, the City of San Marcos shall require the applicant to adhere to the following measures:

- The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Development Services Department.
- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent

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residences, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- In conformance with the City's Grading Ordinance, grading, excavation, or other related earth-moving operations, including warm up and maintenance activities, shall be limited to the hours of 7:00 a.m. to 4:30 p.m., Monday through Friday. No work shall be allowed on Saturdays, Sundays, and holidays.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.

**MM-NOI-3** If blasting is deemed necessary for project construction, the applicant or qualified representative (i.e., licensed blasting contractor) shall conduct a pre-blast survey and prepare a blasting plan. A written report of the pre-blast survey and final blasting plan shall be provided to the appropriate regulatory agency and approved prior to any rock removal using explosives. In addition to any other requirements established by the appropriate regulatory agencies, the pre-blast survey and blasting plan shall meet the following conditions, as well as those outlined in mitigation measures MM-NOI-1 and MM-NOI-2:

- The pre-blast survey shall be conducted for structures within a minimum radius of 600 feet from the identified blast site to be specified by the applicant. Sensitive receptors that could reasonably be affected by blasting shall be surveyed as part of the pre-blast survey. Notification that blasting would occur shall be provided to all owners of the identified structures to be surveyed prior to commencement of blasting. The pre-blast survey shall be included in the final blasting plan.
- The final blasting plan shall address air-blast limits, ground vibrations, and maximum peak particle velocity for ground movement, including provisions to monitor and assess compliance with the air-blast, ground vibration, and peak particle velocity requirements. The blasting plan

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shall meet criteria established in Chapter 3 (Control of Adverse Effects) in the Blasting Guidance Manual of the U.S. Department of Interior Office of Surface Mining Reclamation and Enforcement.

- The blasting plan shall outline the anticipated blasting procedures for the removal of rock material at the proposed locations. The blasting procedures shall incorporate line control to full depth and controlled blasting techniques to create minimum breakage outside the line control and maximum rock fragmentation within the target area. Prior to blasting, all applicable regulatory measures shall be met. The applicant, or its subcontractor (as appropriate), shall keep a record of each blast for at least 1 year from the date of the last blast.

**MM-NOI-4** The proposed residences adjacent to Discovery Street and Craven Road shall require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors at the second-floor elevations can remain closed while maintaining a comfortable environment. Additionally, sound-rated (i.e., minimum Sound Transmission Class (STC) rated) windows may be installed (if deemed necessary). An interior noise analysis shall be required and approved by the City of San Marcos for the proposed habitable rooms on the second floor of lots adjacent to Discovery Street and Craven Road prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the state and City's 45 dBA CNEL/L<sub>dn</sub> interior noise standard. The interior noise analysis shall substantiate that with the implementation of required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will result in a less-than-significant impact.

**b) *Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?***

Construction activities that might expose persons to excessive groundborne vibration or groundborne noise could cause a potentially significant impact. Groundborne vibration information related to construction activities has been collected by Caltrans (Caltrans 2013). Information from Caltrans indicates that transient vibrations (such as construction activity) with a peak particle velocity of approximately 0.035 inch per second may be characterized as barely perceptible, and vibration levels of 0.24 inch per second may be characterized as distinctly perceptible. The heavier pieces of construction equipment,

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such as bulldozers, would have peak particle velocities of approximately 0.089 inch/second or less at a distance of 25 feet (FTA 2006).

Groundborne vibration is typically attenuated over short distances. The nearest existing residences are located within approximately 50 feet from the nearest construction (i.e., grading) activities, but the typical distance between residences and construction activities would be approximately 250 feet. At the nearest existing residences and with the anticipated construction equipment, the peak particle velocity would be approximately 0.031 inch/second during nearby construction work and approximately 0.003 inch/second typically. These vibration levels would be less than the threshold of “barely perceptible” of 0.035 inch/second vibration, and well below the threshold for distinctly perceptible of 0.24 inch per second. At these distances, the groundborne vibration levels would be well below the threshold of perceptibility.

The major concern with regards to construction vibration is related to building damage. Construction vibration as a result of the proposed project would not result in structural building damage, which typically occurs at vibration levels of 0.5 inches/second or greater for buildings of reinforced-concrete, steel, or timber construction. The heavier pieces of construction equipment used would include typical construction equipment for this type project such as excavators, graders, dump trucks, and vendor trucks. Pile driving, blasting, or other special construction techniques would not be used for construction of the proposed project; therefore, excessive groundborne vibration and groundborne noise would not be generated. Potential groundborne vibration from blasting activities (if required), are addressed under threshold a) above. Groundborne vibration would not be associated with the proposed project following construction activities. Impacts related to groundborne vibration would **be less than significant**.

c) ***Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?***

As discussed under threshold a), the project-related traffic would result in a noise level increase of 3 dB CNEL or less at ST1 through ST5 and R1 through R3 along the studied roadways in the vicinity of the project site. None of the modeled receivers would exceed the 60 dBA CNEL General Plan noise standard as a result of the increase in project-related traffic. Traffic related to the proposed project would not substantially increase the existing noise levels in the project vicinity, and operational traffic-related noise impacts are considered to be **less than significant**.



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- d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

As discussed under threshold a), the proposed project would result in temporary noise increases during the planned approximately 26-month construction period. The temporary increases in ambient noise levels would vary depending on the location of the construction activities and the type of equipment being used. The estimated construction noise levels at nearby noise-sensitive land uses are summarized in Table 4 of **Appendix J**. Temporary noise increases at adjacent existing noise-sensitive land uses from construction activities are considered potentially significant; however, with implementation of previously identified mitigation measures **MM-NOI-1** through **MM-NOI-3**, temporary noise impacts from construction activities would be reduced to a less-than-significant level. Therefore, impacts would be **less than significant with mitigation incorporated**.

- e) *Would the project be 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?*

The proposed project is located within the ALUCP for McClellan-Palomar Airport (San Diego County ALUC 2010), which is located approximately 5.4 miles to the west of the project site. Based on the ALUCP, the project site is well outside the airport's 60 and 65 dB CNEL noise contours. Although the proposed project site does not fall within the McClellan-Palomar Airport Overflight Notification Area as shown on the San Diego Airport Land Use Commission Compatibility Policy Map (San Diego ALUC 2010), the project applicant would still be required to comply with the City's General Plan Policy S-7.1. This policy requires recording of an overflight notification document in association with the approval of any new residential land use within the airport influence area overflight notification area, consistent with the ALUCP. Therefore, project compliance with the City's General Plan Policy S-7.1 would ensure impacts would be **less-than-significant**.

- f) *Would the project be within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

The proposed project is not located within the vicinity of a private airstrip. Therefore, there is **no impact**.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING</b> – 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 4.3.13 Population and Housing

- a) *Would the project 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)?*

The proposed project would establish up to 230 single-family residential dwelling units with associated open space and recreational amenities, internal streets, a system of internal and interconnected pedestrian and bicycle paths, and landscaping throughout the project site. In addition, the extension of Discovery Street, running adjacent to the northern project boundary from Bent Avenue to Rush Drive, would be built concurrent with the proposed project. Since the proposed project would develop up to 230 residential units, it would directly induce population growth in the City.

Consistent with the Discovery Village South Specific Plan, the proposed project would provide a variety of housing configurations and types to meet the special needs of the community, including compact, small-lot single-family and motor-court residential. Infrastructure that would be constructed as part of the proposed project, including water, sewer, transportation improvements, would be sized and intended to serve increased demands of the proposed project and would not indirectly induce substantial population growth not associated with the proposed project, consistent with the City's Growth Management Ordinance (Chapter 20.315 of the City's Municipal Code, City of San Marcos 2012b). Based on the average household size coefficient for the City of San Marcos of 3.14 persons per household as established by the California Department of Finance (as of January 2017), the proposed development of up to 230 dwelling units

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would directly add approximately 723 people to the City's population (California Department of Finance 2017).

The City of San Marcos has been one of the fastest growing cities in the San Diego region since 1980, experiencing substantial population growth and construction of new homes and businesses (City of San Marcos 2013). According to SANDAG's demographic estimates for the City, from 2000 to 2010 the City population increased 52% from approximately 54,977 to 83,781 (SANDAG 2011). From 2010 to 2017 the City population increased by another 12% to the current population of 94,042 (California Department of Finance 2017). This population growth trend is expected to continue within the City, with projections of another 7,196 people (approximately 8% growth) by 2030, for a total forecasted City population of 101,238 by 2030 (SANDAG 2011).

Based on the City's current population of 94,042 people, the proposed project would result in approximately 0.8% increase in total Citywide population. The estimated direct population growth resulting from the proposed project would account for approximately 10% of the projected population growth in the City by 2030. As such, the proposed project would not result in substantial population growth compared to the existing City population. The increase in population resulting from the proposed project would be within the anticipated population growth of the City, and the proposed project would provide housing that would accommodate a portion of this projected future growth. Proposed utility infrastructure and project roadways would connect to existing facilities and be sized to serve the project. Furthermore, the proposed project would be consistent with goals and policies outlined in the City's General Plan Housing Element (City of San Marcos 2013). Therefore, the project would not induce substantial population growth, and impacts would be **less than significant**.

***b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?***

There is no existing housing on the proposed project site; therefore, the proposed project would not displace any housing. The project would add to the housing stock in the City of San Marcos by constructing up to 230 single-family residential dwelling units. Therefore, **no impact** would occur.

***c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?***

There is no existing housing on the proposed project site; therefore, the project would not displace any people. The project would add to the housing stock in the City of San

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Marcos by constructing up to 230 single-family residential dwelling units. Therefore, **no impact** would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 4.3.14 Public Services

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

#### *Fire Protection?*

The project site would increase demand on fire protection services due to the construction of up to 230 single-family residential units on the proposed project site. The San Marcos Fire Department (SMFD) would service the proposed project. SMFD provides service to the City of San Marcos and the San Marcos Fire Protection District, which covers an area of 33 square miles and a population of approximately 95,000 residents (City of San Marcos 2017a). The department protects an extremely diverse community consisting of large areas of residential development, commercial and retail centers, office buildings, industrial parks, and educational centers such as CSUSM and Palomar Community College. In addition, SMFD protects and manages several thousand acres of wildland and wildland urban interface lands. Current SMFD facilities include four fire stations and a regional emergency services training facility. SMFD operates 4 fire stations, 4 paramedic assessment engine companies, 1 paramedic assessment truck company, 5 paramedic transport ambulances (24-hour units), 1 shift battalion chief, and 1 on-call duty chief on a daily basis. With an ISO Rating 2, SMFD provides a variety of first-responder services to

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the community including fire suppression, rescue, emergency medical services, fire prevention services, vegetation management, public education, emergency preparedness, and trauma support (City of San Marcos 2017a).

The station closest to the proposed project site is Fire Station No. 1, located approximately 1 mile north of the proposed project site at 180 West Mission Road. The proposed project site is within the existing service area of SMFD, and on-site construction would comply with applicable Fire Code requirements. New fire protection facilities are not anticipated at this time. However, the project's generation of approximately 723 residents has the potential to result in substantial impacts to fire protection services. Implementation of mitigation measure **MM-PS-1**, payment of fees to the City's Community Facilities District (CFD), would reduce potential impacts to a less-than-significant level. Additionally, the proposed project would be required to comply with the City's General Plan Safety Element policies related to fire protection, specifically Policy 3, which addresses minimizing damage from fire hazards. Furthermore, final site design approval by SMFD would be required prior to the start of project construction, and the project would implement the following design features per SMFD requirements:

- Adequate turn radius would be provided on all new and existing streets that tie into Discovery Street.
- All dead end fire apparatus access roadways in excess of 150 feet in length would be provided with an approved area for turning around (i.e., a hammerhead turn around of cul-de-sac) of all San Marcos fire apparatus. All turn around areas would comply with City of San Marcos Engineering and Fire Department standards.
- Fire apparatus access roads would have an unobstructed improved width of not less than 24 feet; curb line to curb line, and an unobstructed vertical clearance of not less than 13 feet, 6 inches. An exception to this would be single-family residential driveways, serving no more than one single-family dwelling, which would have a minimum width of 16 feet curb line to curb line.
- Access roads would be all weather surface and designed to support imposed loads of not less than 75,000 pounds in accordance with California Fire Code Section 503.2.1, San Marcos Municipal Code 17.64.120.
- All proposed roadways divided by a median would incorporate a 12-foot clear road width on each side.

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- Any proposed road features intended to slow or divert traffic would be approved by the Fire Marshal. Per SMFD, the project would not incorporate traffic calming devices such as speed bumps.

With the continued implementation of existing practices of the City, including compliance with the California Fire Code, the proposed project is not anticipated to affect the community fire protection services. Implementation of **MM-PS-1**, implementation of proposed design features, and compliance with all state and local regulations would ensure that impacts related to fire protection would be **less than significant with mitigation incorporated**.

**MM-PS-1** The proposed project shall be subject to the City of San Marcos CFD No. 2001-01 (San Marcos Fire Protection District). The project applicant shall be required to pay applicable fees to CFD 2001-01 associated with the residential property classification at the time of project construction. Fees to CFD 2001-01 are used to finance authorized facilities and services including fire stations, fire training facilities, fire dispatch center, fire communication systems, fire equipment, fire protection, ambulances, and paramedic services.

### ***Police protection?***

The proposed project would establish residential development that would directly increase the service population of the San Diego County Sheriff's Department, and therefore increase the demand for police protection services. However, the proposed project would add approximately 723 people to the City's population (California Department of Finance 2017), resulting in a minimal increase in demand. The San Diego County Sheriff's Department San Marcos Station employees over 100 sheriff's deputies, volunteers, and professional staff members (San Diego County 2017). The San Diego County Sheriff's Department San Marcos Station is located at 182 Santar Place San Marcos, CA 92069, approximately 2.8 miles northeast of the proposed project site.

The station has a total service area of over 100 square miles, which encompasses the City of San Marcos and the surrounding unincorporated areas of San Marcos and Escondido. The station is currently providing safety services to a population of more than 111,000 residents (San Diego County 2017). The proposed project site is within the San Diego County Sheriff's Department's service area, and surrounded by land uses that are currently served by the Department.

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Although the proposed project is not anticipated to cause substantially delayed response times or degraded service ratios due to its location within an already developed and well-serviced area, the project's generation of approximately 723 residents has the potential to result in substantial impacts to police protection services. Implementation of mitigation measure **MM-PS-2** (outlined below), payment of fees to the City's CFD, would reduce potential impacts to a less-than-significant level. Additionally, the proposed project would be required to comply with the City's General Plan Safety Element policies related to police protection, specifically Policy 4, which addresses minimizing damage from criminal activities. Implementation of **MM-PS-2**, and compliance with all applicable regulations would ensure that impacts related to police protection would be **less than significant with mitigation incorporated**, and the proposed project would not create the need for new or expanded police protection facilities.

**MM-PS-2** The proposed project shall be subject to the City of San Marcos CFD No. 98-01 Improvement Area No. 1 (CFD 98-01 IA #1) (Police Only). The project applicant shall be required to pay applicable fees to CFD 98-01 IA #1 associated with the residential property classification at the time of project construction. Fees to CFD 98-01 IA #1 are used to finance authorized facilities and services including police facilities, police communication systems, police equipment, and police services.

### ***Schools?***

The proposed project is located within the service boundary of the San Marcos Unified School District (SMUSD). SMUSD includes 11 elementary schools, 3 middle schools, 1 K-8 school, 2 comprehensive high schools, 1 alternative high school, 1 charter school, 1 independent study high school, and 1 adult education school (City of San Marcos 2012b). The proposed project is within the school boundaries of San Marcos High School, San Elijo Middle School, and Discovery Elementary School (SMUSD 2017a).

Mark A. Schiel, Assistant Superintendent of SMUSD, confirmed in a letter to the City dated August 31, 2017, that the existing school capacity within SMUSD is not adequate to meet the estimated student population growth from the proposed project in addition to the approved and planned future developments within the City. The current schools within SMUSD that would serve the project are currently at capacity before the approval of the proposed project. Therefore, there is potential for students generated by the proposed project to attend other schools throughout SMUSD where excess capacity may exist.

The proposed project would develop up to 230 single-family homes. SMUSD estimates that the district-wide student generation rate is 0.4524 student per residential unit (City of

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San Marcos 2012c). Based on this K-12 student generation rate provided by SMUSD, the project is anticipated to generate approximately 105 students. The student generation rate per residential unit for grades K-5 is 0.2297, for middle schools is 0.0993, and for high schools is 0.1234. Using these rates, the proposed project would require capacity for 53 elementary school students, 23 middle school students, and 29 high school students. Student generation associated with the proposed project would exceed available capacity at SMUSD schools. As the proposed project would contribute to a district-wide capacity shortage, impacts to schools would be potentially significant.

The increased demand for school facilities associated with the proposed project would be offset by payment of required fees that would help fund ongoing service and new facilities. Pursuant to Senate Bill 50 (Government Code Sections 65995(h), 65996(b) and 65996(h)), fees imposed by school districts shall constitute the exclusive method of considering and mitigating impacts on school facilities caused by a development project. The payment of statutorily capped fee amounts provides “full and complete mitigation of the impacts of any legislative or adjudicative act...on the provision of adequate school facilities” (Senate Bill 50). SMUSD collects residential and commercial developer fees for projects within its service area to support costs of construction and expansion of school facilities. Current developer fees (Level 2) are \$4.61 per square foot for residential projects (SMUSD 2017b). Level 2 Residential Fees became effective on May 17, 2017, and are effective for 1 year from that date or when a new School Facilities Needs Analysis is adopted by the Governing Board, whichever comes first (SMUSD 2017b). Therefore, with implementation of **MM-PS-3** outlined below, impacts to schools would be reduced to a less-than-significant level. Thus, impacts would be **less than significant with mitigation incorporated**.

**MM-PS-3** The project applicant shall pay school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h), 65996(b), and 65996(h) in effect at the time of building permit issuance.

### ***Parks?***

The closest parks to the project site are Discovery Lake/Lakeview Park, located approximately 0.35 miles southwest of the project site. Discovery Lake Park is currently a 23-acre community park that includes a fishing dock, an 8-acre lake, a fountain, a kiosk for posting of relevant community announcements, picnic tables, picnic shelter, tot-lot, on-site caretaker, and trail connections. The City’s General Plan includes plans to increase the size of Discovery Lake Park to 53 acres. Other parks in the vicinity of the project site are Connors Park (0.75 miles northeast of the project site), Mission Sports

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Park (0.93 miles north of the project site), Buelow Park (1.0 mile northeast of the project site), and Civic Center Park (1.1 miles northeast of the project site).

The proposed project would implement up to 230 single-family residential units, directly adding approximately 723 people to the City's population and necessitating approximately 3.6 acres of recreational facilities. The proposed project would provide a variety of private passive and active open space amenities on site with trails, paths, greenways, and paseos connecting the project site with surrounding community facilities. The project includes a central commons area, which would serve as the ceremonial community amenity space, with a shaded plaza and recreational amenities. At either end of the proposed community, pocket playgrounds and green spaces would be incorporated. The proposed mixture of recreational/natural open space, active open space, passive open space, streetscape open space and ceremonial entry space would provide residents of the proposed project with a variety of on-site amenities. As shown in **Figure 7, Park and Open Space Locations**, passive open space would account for approximately 0.22 acres; recreational/natural open space would account for approximately 1.945 acres; ceremonial entry open space area would account for approximately 0.7 acres; active open space would account for approximately 0.15 acres ~~6,000 square feet~~; and approximately 0.15 acres of streetscape open space ~~pocket gardens~~ would be dispersed throughout the project site. Although the proposed project would only account for approximately 2 – 2.8 acres of open space and park area on site, the Discovery Village North project directly adjacent to the project site is dedicating a 1.63-acre public park and creating over 2 miles of urban parkways and trails, which would be immediately accessible to proposed project residents.

Although the minimal population increase and implementation of on-site open space and recreation areas is not expected to result in substantial deterioration or adverse effects to existing parks, future residents of the project would contribute to the increased demand for and use of off-site park and recreational facilities, resulting in a potentially significant impact. However, with implementation of **MM-PS-4** impacts to parks would be reduced to a less-than-significant level. Therefore, with incorporation of proposed on-site open space and recreational amenities, as well as payment of required public facilities fees associated with **MM-PS-4**, impacts to existing parks within the City would be **less than significant with mitigation incorporated**.

**MM-PS-4** The project applicant shall pay the City's Public Facility Fee (PFF), a portion of which is designated for parks. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City. Payment of the PFF shall be made prior to issuance of building permits.

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### *Other public facilities?*

The proposed project is within 1 mile to the San Marcos Branch Library and the Kellogg Library. The San Marcos Branch Library is a 15,394-square-foot facility located at 2 Civic Center Drive. The San Marcos Branch Library is open from 9:30 a.m. to 8:00 p.m. Monday through Thursday; 9:30 a.m. to 5:00 p.m. on Friday and Saturday; and 12:00 p.m. to 5:00 p.m. on Sunday. The San Marcos Branch Library is part of the San Diego County Library system, which includes 33 branches and 2 bookmobiles within the County, all of which can be accessed with the same library card. The library provides over 11.5 million books, CDs, DVDs, other materials, and an online collection (San Diego County Library 2017a). The San Marcos Branch Library also includes a community meeting room, events, and MakerBot 3 Printer (San Diego County Library 2017b). The Kellogg Library is owned by the California State University Trustees and is located on the CSUSM campus, approximately 0.5 miles from the project site. The library is comprised of a 4-story, 200,000-square-foot building that includes archives, classrooms, a copy room, conference rooms, computer lab, media library, listening rooms and study areas, and an adaptive technology lab. Members of the community who are not CSUSM students or employees are able to borrow books from the Kellogg Library with a Community Borrower Card (CSUSM 2017). These libraries would be able to serve both the existing residents of the City and the approximately 723 residents generated by the proposed project. Due to the proposed project's minimal increase in population, impacts to libraries and other public facilities in the surrounding area is not anticipated.

Although the project is not anticipated to result in substantial impacts to any other public facilities within the City, implementation of mitigation measure **MM-PS-5** would be required in order to comply with the City's CFD No. 98-02, which addresses lighting, landscape, open space, and preserve maintenance within the City. Therefore, with implementation of **MM-PS-5**, impacts to public facilities would be **less than significant with mitigation incorporated**.

**MM-PS-5** The proposed project shall be subject to the City of San Marcos CFD No. 98-02 (Lighting, Landscape, Open Space, and Preserve Maintenance). The project applicant shall be required to pay applicable fees to CFD 98-02 associated with the residential property classification at the time of project construction. Fees to CFD 98-02 are used to finance authorized facilities and services including public lighting, including but not limited to, street lighting and traffic signals; parkway landscaping; median landscaping; and public or private property required by the City to be maintained as passive open space areas, including but not limited to, passive open space areas, habitat preservation areas, slope areas, and earthen/natural drainage channels.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. RECREATION</b>				
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 4.3.15 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?*

The City has 18 neighborhood and community parks and 19 mini parks as well as an approximately 72-mile trail network for hiking, biking, running and equestrian use (City of San Marcos 2017b). As previously discussed in Section 3.14, the closest parks to the project site are Discovery Lake/Lakeview Park located approximately 0.35 miles southwest of the project site, Connors Park located approximately 0.75 miles northeast of the project site, and Mission Sports Park located approximately 0.93 miles north of the project site. Discovery Lake Park is a 23-acre community park that includes a fishing dock, an 8-acre lake, a fountain, a kiosk for posting of relevant community announcements, picnic tables, picnic shelter, tot-lot, on-site caretaker, and trail connections. The City's General Plan includes plans to increase the size of Discovery Lake Park to 53 acres. Connors Park is approximately 4.7 acres with a lighted multi-use sports field, lighted tennis and basketball courts, shaded picnic areas, two tot-lots, restrooms, and a concession stand. Mission Sports Park is approximately 14 acres and includes amenities such as picnic tables and shelters, two restroom buildings, a tot-lot, concession stand, 8 youth baseball fields including 7 lighted fields, batting cages, and bullpen pitching areas. Mission Sports Park is home to the San Marcos Youth Baseball League.

Consistent with the Discovery Village South Specific Plan, the proposed project would provide a variety of passive and active open space amenities on site with trails, paths, greenways, and paseos connecting the project site with surrounding community facilities. The project includes a central commons area, which would serve as the ceremonial

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community amenity space, with a shaded plaza and recreational amenities. At either end of the proposed community, pocket playgrounds and green spaces would be incorporated. The proposed mixture of natural open space, active open space, streetscape open space, passive open space, and ceremonial entry space would provide residents of the proposed project with a variety of on-site amenities. As shown in **Figure 7, Park and Open Space Locations**, passive open space would account for approximately 0.22 acres; recreational open space with natural character open space would account for approximately 1.915 acres; ceremonial entry open space area would account for approximately 0.7 acres; active open space would account for approximately 0.15 acres ~~6,000 square feet~~; and approximately 0.15 acres of streetscape open space ~~pocket gardens~~ would be dispersed throughout the project site.

Although the proposed project would only account for approximately 2 – 2.8 acres of open space and park area on site, ~~that~~ the Discovery Village North project directly adjacent to the project site is dedicating a 1.63-acre public park and creating over 2 miles of urban parkways and trails, which would be immediately accessible to proposed project residents. However, as discussed under Section 3.14 above, future residents of the project would contribute to the increased demand for and use of off-site park and recreational facilities, resulting in a potentially significant impact. With implementation of **MM-PS-4** outlined in Section 3.14, Public Services, potential impacts to parks and recreational facilities would be reduced to a less-than-significant level. Therefore, impacts to existing parks within the City would be **less than significant with mitigation incorporated**.

**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?***

As previously discussed in response to threshold a), the proposed project involves a variety of open spaces and community recreational amenities on site within walking distance from every home within the proposed community. The project would incorporate ~~five~~<sup>four</sup> different open space concepts including recreational/natural open space, ceremonial entry open space, active open space, streetscape open space, and passive open space. The recreational open space with natural character open spaces ~~areas~~ would be the primary open space of the community, providing a view corridor toward the creek and hills, passive open space with nature trails, and would integrate stormwater facilities and retention basins. The ceremonial entry open space area would be the formal open space area of the community, which would incorporate a plaza character with a shaded structure and mature tree canopy, active open space suitable for community gathering, benches, and public art opportunities. Active open space areas would act as neighborhood gathering spaces designed as a central courtyard or plaza,

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which would include beaches and picnic tables, shade structures and trees, children's area, and public art opportunities. Streetscape open space areas would consist of sidewalk connections that enhance the streetscape and provide pedestrians halts, including streetscape furniture such as benches, shaded seat walls, shade trellis, and picnic tables. Passive open space areas would act as intimate and quiet space for passive activities. Passive open space areas would also include community flower/vegetable garden, shaded bench areas, art opportunities, and a dog park area. All proposed recreational amenities are included as part of the project description and within the footprint of the proposed project.

As shown in **Figure 7**, and as previously described, passive open space would account for approximately 0.22 acres; recreational/natural open space would account for approximately 1.915 acres; ceremonial entry open space area would account for approximately 0.7 acres; active open space would account for approximately 0.15 acres ~~6,000 square feet~~; and approximately 0.15 acres of streetscape open space pocket gardens would be dispersed throughout the project site. Although the proposed project would only account for approximately 2 – 2.8 acres of open space and park area on site, the Discovery Village North project directly adjacent to the project site is dedicating a 1.63-acre public park and creating over 2 miles of urban parkways and trails, which would be immediately accessible to proposed project residents.

However, as discussed under Section 3.14 above, future residents of the project would contribute to the increased demand for and use of off-site park and recreational facilities, resulting in a potentially significant impact. With implementation of **MM-PS-4** outlined in Section 3.14, Public Services, potential impacts to parks and recreational facilities would be reduced to a less-than-significant level. Therefore, impacts to existing parks within the City would be **less than significant with mitigation incorporated**.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC</b> – Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 4.3.16 Transportation and Traffic

- a) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

As described in the project description above under Section 3.0, the project site would be accessed by two street connections to Discovery Street, an unbuilt section of the City's Mobility Element of the General Plan, which would be constructed concurrent with the grading of the proposed project (refer to **Figure 8, Street Designations and Parking Plan**). The extension of Discovery Street was previously approved for development (with a certified EIR) under the University District Specific Plan Area, as a part of the Discovery Village North Project (immediately north of the proposed project). Discovery Street is a four-lane major arterial that begins at Twin Oaks Valley Road. The proposed extension would run from the existing intersection of Discovery Street at Rush Drive (just east of the project site), west, to join the existing segment of Discovery Street at the intersection of Bent Avenue, and Craven Road, northwest of the project site. From this

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point west, Discovery Street would be constructed to a four-lane road, as one of the City's Capital Improvement Projects within the adjacent San Marcos Creek District.

On-site circulation would be provided by a system of private streets, defined by a primary loop road that provides a backbone of access and connectivity to the community from the proposed extension of Discovery Street, and secondary residential streets that stem from the loop road and, in turn, connect back with it (refer to **Figure 8**). These private streets would have on-street parking. The loop road would be considered a private residential street, and would serve as the primary east-west connector within the project site. The loop road would be designed to accommodate on-street parking, bicycle and pedestrian uses, and tree-lined parkways. Proposed private streets on site would have on-street parking, provided at 0.33 spaces per residential unit.

A center median is proposed at the project entrance to provide a sense of arrival and a gateway. Bicycle facilities would be provided in the community and connect to bicycle infrastructure on Craven Road and Discovery Street. Bicycle facilities would be integrated into the design of the loop road, connecting the residential clusters to bicycle facilities planned for the proposed extension of Discovery Street. Pedestrian access would be provided through non-contiguous sidewalks along the loop road and contiguous sidewalks on residential streets (refer to **Figure 9, Pedestrian and Bicycle Paths and Trails**). Additionally, pedestrian paseos located between key points in the neighborhood would link residents to an expanded network of trails that lead to the creek and to transit. A greenway connecting the community from Craven Road to the secondary entrance on Discovery Street and the creek is also proposed. The proposed project would be required to comply with the circulation and street design standards and policies outlined in Section D of the Specific Plan.

For public transit, residents of the proposed project would have close access to North County Transit District bus service, provided on Craven Road, Connecting to the light-rail transit station at CSUSM. In addition, the proposed extension of Discovery Street is envisioned in the General Plan and the University District Specific Plan to be included in an Intra-City Shuttle service that would connect the proposed project site with CSUSM, the University District, and the San Marcos Creek District. The proposed project would be required to comply with the circulation and street standards and policies outlined within Chapter 4, Section D, of the Discovery Village South Specific Plan (**Appendix A**).

A TIS prepared for the proposed project by Chen Ryan Associates on November 6, 2017, was performed in accordance with the requirements of the SANTEC/ITE Traffic Study Guidelines for TIS in the San Diego region (March 2000), and in conformance with the

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CEQA project review process, as required by the City. The TIS is included as **Appendix K** to this MND, and information from this study is used herein.

### Methodology

Roadway segment level of service (LOS) standards and thresholds provide the basis for analyzing roadway segment performance. The analysis of roadway segment LOS is based on the functional classification of the roadway, the maximum capacity, roadway geometrics, and existing or forecast Average Daily Traffic (ADT) volumes. For the purposes of this traffic analysis, LOS D was considered acceptable for the TIS roadway segments (**Appendix K**). It should be noted that the Mobility Element of the City's General Plan allows a flexible LOS where warranted (Page 3-35 of the City's General Plan, City of San Marcos 2013).

The analysis of signalized intersections utilized the operational analysis procedure as outlined in the 2010 Highway Capacity Manual, Transportation Research Board Special Report 209. Unsignalized intersections, including two-way and all-way stop-controlled intersections, were analyzed using the 2010 Highway Capacity Manual unsignalized intersection analysis methodology. The SANTEC/ITE traffic impact study guidelines consider LOS D or better during the AM and PM peak hours to be the threshold of significance for intersection LOS.

Ramp metering analysis were performed to calculate delays and queues at metered freeway ramps within the proposed project study area. The calculation for ramp metering analysis is provided in Section 2.3 of **Appendix K**.

As analyzed in the TIS, a significant impact is identified when the addition of project traffic results in a LOS dropping from LOS D or better to substandard LOS E or F. **Table 4.3-143.16-1** summarizes the impact significance thresholds for facilities operating at substandard LOS with the project. These thresholds, as applied to freeway segments, and roadway segments, are based upon an acceptable increase in volume to capacity (V/C) ratio.

**Table 4.3-143.16-1**  
**SANTEC/ITE Measures of Significant Project Traffic Impacts**

LOS with Project <sup>1</sup>	Allowable Change Due to Impact <sup>2</sup>					
	Freeways		Roadway Segments	Intersections	Ramp Metering <sup>3</sup>	
	V/C	Speed (mph)	V/C	Speed (mph)	Delay (sec)	Delay (min)
E and F	0.01	1.0	0.02	1.0	2.0	2.0

Source: SANTEC/ITE Traffic Impact Study Guidelines (see **Appendix K**).

**Notes:**

<sup>1</sup> All LOS measurements are based upon Highway Capacity Manual procedures for peak-hour conditions. However, V/C ratios for roadway segments may be estimated on an ADT/24-hour traffic volume basis (using Table 2.1 of the Highway Capacity Manual or a similar LOS chart for each jurisdiction). The acceptable LOS for freeways, roadways, and intersections is generally "D" ("C" for undeveloped or not



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densely developed locations per jurisdiction definitions). For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

- <sup>2</sup> If a proposed project's traffic causes the values shown in the table to be exceeded, the impacts are determined to be significant. These impact changes may be measured from appropriate computer programs or expanded manual spreadsheets. The project applicant shall then identify feasible mitigation (within the TIS) that will maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable, or if the project adds a significant number of peak-hour trips to cause any traffic queues to exceed on- or off-ramp storage capacities, the project applicant shall be responsible for mitigating significant impact changes.
- <sup>3</sup> The allowable increase in delay at a ramp meter with more than 15 minutes of delay and freeway LOS E is 2 minutes.

For the purpose of this analysis, the following traffic scenarios are summarized herein:

- Existing Conditions – Establishes existing baseline traffic conditions within the study area.
- Existing Plus Project Conditions – Represents existing traffic conditions with the addition of traffic projected to be generated by the proposed project.
- Near-Term Year 2020 Plus Project Conditions – Represents year 2020 conditions with the addition of traffic projected to be generated by the proposed project.
- Horizon Year 2050 Conditions – Provides a comparison between the currently adopted City of San Marcos General Plan land use and the proposed project land use.

**Appendix K** outlines all traffic scenarios in full detail.

### **Existing Conditions**

#### ***Roadway Segments Analysis***

As shown in Table 3.1 of **Appendix K**, all study area roadway segments currently operate at an acceptable LOS under Existing Conditions, with the exception of:

- Bent Avenue from San Marcos Boulevard to Discovery Street, which operates at LOS F.

#### ***Intersection Analysis***

As shown in Table 3.2 of **Appendix K**, all study area intersections currently operate at an acceptable LOS with the exception of the following:

- Bent Avenue and Discovery Street (LOS F: AM and PM)
- Twin Oaks Valley Road and Craven Road (LOS E: AM and PM)

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### ***Ramp Metering Analysis***

As shown in Table 3.3 of **Appendix K**, peak hour demand under existing conditions does not exceed the meter rate at either of the study area ramp meters during the AM or PM peak hour.

### **Existing Plus Project Conditions**

Existing plus project conditions are summarized below. The analysis and tables herein compare baseline existing conditions to existing plus proposed project conditions. The existing plus project conditions scenario is detailed in Section 5.0 of **Appendix K**.

The proposed project is located southeast of the Bent Avenue/Craven Road and Discovery Street intersection within the City. As part of the proposed project, the applicant would enter into an agreement with the City to ensure that the following roadway and intersection improvements are built prior to project opening:

- Extension of Discovery Street as a four-lane roadway with a raised median, from the Bent Avenue/Discovery Street intersection to the Twin Oaks Valley Road/Discovery Street intersection. The Discovery Street extension is consistent with the City's General Plan, which identified Discovery Street between Bent Avenue and Twin Oaks Valley Road as a four-lane Roadway.
- *Bent Avenue/Discovery Street:*
  - Signalize the intersection
  - Construct the eastern leg of the intersection (extends eastward towards the Twin Oaks Valley Road/Discovery Street intersection)
  - Relocate the southern leg of the intersection (Craven Road) eastward to create a new three-legged signalized intersection along the proposed Discovery Street extension
- *Project Driveway #1/Discovery Street* – Construct this new signalized intersection, providing access to the proposed project from the new Discovery Street extension.
- *Project Driveway #2/Discovery Street* – Construct this new signalized intersection, providing access to the proposed project from the new Discovery Street extension.
- *Rush Drive/Discovery Street* – Construct this new signalized intersection.

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- *Twin Oaks Valley Road/Discovery Street/Barham Way* – Restripe the westbound movement (eastern leg) to create an additional westbound through lane on Barham Way, for a total of two through lanes.

These proposed modifications would result in the rerouting of some existing trips under “with project” scenarios as outlined in the TIS (**Appendix K**). Vehicular site access would be provided via two signalized driveways from the Discovery Street extension. Trip redistribution as a result of the Discovery Street extension was based on a SANDAG Series 13 Regional Model Year 2035 Select Link analysis which determined the origin and destination of trips expected to utilize the Discovery Street extension. The SANDAG Select Link analysis results are provided as part of **Appendix K**. Based on the select link analysis, the following observations were made regarding the existing trips that would utilize the Discovery Street extension:

- West of the Discovery Street extension: 50% of trips traveling through the Discovery Street extension were shown to continue west along Discovery Street towards land uses in western San Marcos and adjacent jurisdictions. The remaining 50% travel north along Bent Avenue towards the Creekside Market Place and other commercial development along San Marcos Boulevard.
- East of the Discovery Street extension: 15% of trips travel northward along Twin Oaks Valley Road towards SR-78 and the City of San Marcos Civic Center. 11% of trips travel southward along Twin Oaks Valley Road towards residential developments within the City. 21% of trips traveled along internal streets towards the Kaiser Permanente San Marcos Medical Office and the Campus Marketplace. The remaining 53% travel eastward towards CSUSM and other industrial businesses located along E. Barham Drive.

100% of trips utilizing the Discovery Street extension were assumed to be rerouted from nearby local streets such as Craven Road, Twin Oaks Valley Road, and W. San Marcos Boulevard. Trip generation rates for the proposed project were developed utilizing SANDAG’s *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region* (2002). **Table 4.3-153.16-2** provides daily and AM/PM peak hour project trip generation resulting from the proposed project.

**Table 4.3-153.16-2**  
**Proposed Project Trip Generation**

Land Use	Units	Trip Rate	ADT	Peak	%	Trips	Split	In	Out
Single-Family Dwelling Units	230 DU	10/DU	2,300	AM	8%	184	(3:7)	55	129
				PM	10%	230	(7:3)	161	69

ADT = average daily traffic; DU = dwelling units

Source: Appendix K.

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As shown, the proposed project would generate up to a total of 2,300 daily trips, consisting of 184 AM trips (55 in/129 out) and 230 PM trips (161 in/69 out).

### *Roadway Segment Analysis*

Table **4.3-163.16-3** provides LOS analysis results for study roadway segments under existing plus project conditions.

**Table 4.3-163.16-3**  
**Roadway Segment LOS Results – Existing + Project Conditions**

Roadway	Segment	Cross-Section	Capacity (LOS E)	Existing Conditions			Existing + Project			Change	SI?
				ADT	V/C	LOS	ADT	V/C	LOS		
Bent Ave.	San Marcos Blvd. to Discovery St.	two-lane	8,000	9,345	1.168	F	12,890	1.611	F	0.443	Y
Craven Rd.	Discovery St. to Twin Oaks Valley Rd.	four-lane w/ RM	40,000	18,330	0.458	B	12,630	0.316	A	-0.143	N
Twin Oaks Valley Rd.	San Marcos Blvd. to SR-78 WB Ramps	six-lane w/ RM	60,000	39,141	0.652	C	37,571	0.626	C	-0.026	N
	SR-78 WB Ramps to SR-78 EB Ramps	six-lane w/ RM	60,000	45,452	0.758	C	44,342	0.739	C	-0.019	N
	SR-78 EB Ramps to E Barham Dr.	eight-lane w/ RM	80,000	45,992	0.575	B	45,342	0.567	B	-0.008	N
	E Barham Dr. to Craven Rd.	six-lane w/ RM	60,000	33,508	0.558	B	31,353	0.523	B	-0.036	N
Discovery St.	Bent Ave. to Craven Rd.	four-lane w/ RM	40,000	N/A	N/A	N/A	25,305	0.632	C	0.632	N
	Craven Rd. to Project Driveway #1	four-lane w/ RM	40,000	N/A	N/A	N/A	12,675	0.317	A	0.317	N
	Project Driveway #1 to Project Driveway #2	four-lane w/ RM	40,000	N/A	N/A	N/A	13,250	0.331	A	0.331	N

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**Table ~~4.3-16~~ 3.16-3**  
**Roadway Segment LOS Results – Existing + Project Conditions**

Roadway	Segment	Cross-Section	Capacity (LOS E)	Existing Conditions			Existing + Project			Change	SI?
				ADT	V/C	LOS	ADT	V/C	LOS		
	Project Driveway #2 to Twin Oaks Valley Rd.	four-lane w/ RM	40,000	N/A	N/A	N/A	13,825	0.346	A	0.346	N

LOS = level of service; ADT = average daily traffic; V/C = volume to capacity ratio; SI = significant impact; RM = raised median; Y = yes; N = no; WB = westbound; EB = eastbound

Source: Appendix K

As shown in **Table ~~4.3-16~~ 3.16-3**, all study area roadway segments would continue to operate at an acceptable LOS under existing plus project conditions, with the exception of Bent Avenue between San Marcos Boulevard and Discovery Street, which is projected to operate at LOS F. Therefore, the proposed project would result in a direct impact to Bent Avenue between San Marcos Boulevard and Discovery Street, under existing plus project conditions.

The proposed project contributes 10% of the traffic added to this roadway segment (Bent Avenue between San Marcos Boulevard and Discovery Street) under existing plus project conditions, with the remaining additional 90% of traffic redistributed from other roadways as a result of the Discovery Street extension, resulting in a direct impact. Based on the significant impact criteria identified in Section 2.0 of the TIS (**Appendix K**), the allowable increase before a significant impact would occur is 0.02 V/Co). Since Bent Avenue is currently a two-lane roadway with a capacity of 8,000 ADT, the allowable increase in ADT is 160 daily trips or 106 households (refer to Figure 4-2A of **Appendix K**). Bent Avenue is currently scheduled to be reconstructed as a two-lane roadway with a new bridge crossing San Marcos Creek and intermittent left-turn lanes (City of San Marcos CIP Project No. 88263). Mitigation measure **MM-TRA-1**, outlined below would mitigate the project direct impact to Bent Avenue to a less-than-significant level.

- MM-TRA-1** 1. Prior to occupancy of the 107th home, Bent Avenue shall be reconstructed and in operation per City of San Marcos CIP Project No. 88623, or;

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2. Prior to occupancy of the 107th home, the project applicant/developer shall construct the following:
  - Bent Avenue/Discovery Street – Complete the at-grade improvement of the intersection including a traffic signal;
  - Discovery/Craven – Relocate the existing intersection eastward, to create a new three-legged, signalized intersection matching the proposed Discovery Street extension;
  - Restripe Bent Avenue to provide two 12-foot travel lanes (one each direction) with striping to provide a northbound left-turn lane, thru lane, and right-turn lane at the intersection of Bent Avenue and West San Marcos Boulevard, consistent with the current plans for the City's CIP Project 88623, to the satisfaction of the City engineer.

Table ~~4.3-173-16-4~~ 4.3-173-16-4, provides the roadway LOS for Bent Avenue with **MM-TRA-1**.

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**Table ~~4.3-173.16-4~~**  
**Roadway Segment LOS Results – Existing + Project Conditions with Mitigation**

Roadway	Segment	Cross-Section	Capacity (LOS E)	Existing + Project			Existing + Project w/ Mitigation					Change	M?
				ADT	V/C	LOS	Cross-Section	Capacity (LOS E)	ADT	V/C	LOS		
Bent Ave.	San Marcos Blvd. to Discovery St.	2-Lane	8,000	12,890	1.611	F	2-Lane with intermittent left-turn lane	12,500	12,890	1.031	F	-0.579	Y

**Notes:** LOS = level of service; ADT = average daily traffic; V/C = volume to capacity ratio; RM = raised median

M = Mitigated?

Grand Avenue existing traffic counts are provided in **Appendix K**.

**Source:** Appendix K

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As shown, the construction of Bent Avenue to a two-lane roadway with intermittent left-turn lanes would mitigate the proposed project's direct impacts to pre-project conditions or better. Therefore, with implementation of **MM-TRA-1**, impacts would be **less than significant with mitigation incorporated**.

### *Intersection Analysis*

**Table 4.3-183.16-5** below provides LOS analysis and average vehicle delay results for study area intersections under existing plus project conditions. As shown, all study area intersections would continue to operate at an acceptable LOS under existing plus project conditions, with the exception of the following:

#### 6. Twin Oaks Valley Road & Craven Road (LOS E: PM)

It should be noted, intersection no. 6 experienced an improvement in delay through implementation of the proposed roadway and intersections improvements. During the AM peak period, the LOS improved from E to C, and delay decreased by 2.8 seconds during the PM peak period. Based on the criteria outlined in Section 2 of the TIS (**Appendix K**), the proposed project would not result in a direct impact to any of the study area intersections, and impacts to study area intersections would be **less than significant**.

**Table 4.3-183.16-5**  
**Intersection LOS Results – Existing + Project Conditions**

Intersection	Control	Peak	Existing Conditions		Existing + Project		Change	SI?
			Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS		
1. Bent Ave. and San Marcos Blvd.	Signalized	AM	33.9	C	37.8	D	3.9	No
		PM	52.3	D	53.2	D	0.9	No
2. Bent Ave. and Discovery St.	Signalized	AM	173.9	F	20.7	C	-153.2	No
		PM	208.2	F	52.6	D	-155.6	No
3. Twin Oaks Valley Rd. and SR-78 WB Ramps	Signalized	AM	13.3	B	13.5	B	0.2	No
		PM	20.8	C	13.1	B	-7.7	No
4. Twin Oaks Valley Rd. and SR-78 EB Ramps	Signalized	AM	21.2	C	17.5	B	-3.7	No
		PM	45.7	D	40.3	D	-5.4	No
5. Twin Oaks Valley Rd. and Discovery St.	Signalized	AM	39.2	D	52.6	D	13.4	No
		PM	45.6	D	53.6	D	8.0	No
6. Twin Oaks Valley Rd. and Craven Rd.	Signalized	AM	68.8	E	34.8	C	-34.0	No
		PM	62.0	E	59.2	E	-2.8	No
7. Craven Rd. and Discovery St.	Signalized	AM	N/A	N/A	21.9	C	N/A	No
		PM	N/A	N/A	29.9	C	N/A	No

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**Table ~~4.3-183.16-5~~**  
**Intersection LOS Results – Existing + Project Conditions**

Intersection	Control	Peak	Existing Conditions		Existing + Project		Change	SI?
			Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS		
8. Discovery Rd. and Project Driveway #1	Signalized	AM	N/A	N/A	7.7	A	N/A	No
		PM	N/A	N/A	11.6	B	N/A	No
9. Discovery Rd. and Project Driveway #2	Signalized	AM	N/A	N/A	8.3	A	N/A	No
		PM	N/A	N/A	9.8	A	N/A	No
10. Twin Oaks Valley Rd. and North City Dr.	Signalized	AM	Does not exist under Existing Plus Project Conditions					
		PM						
11. Discovery Rd. and Rush Dr.	Signalized	AM	N/A	N/A	22.7	C	22.7	No
		PM	N/A	N/A	24.6	C	24.6	No

**Notes:** LOS = level of service; SI = significant impact; WB = westbound; EB = eastbound. Bold letter indicates unacceptable LOS

**Source:** Appendix K

### *Ramp Metering Analysis*

**Table ~~4.3-193.16-6~~** below provides the ramp metering analysis results for on-ramp meter locations within the study area. As shown, peak hour demand under existing plus project conditions does not exceed the meter rate at either of the study area ramp meters during the AM or PM peak period. Therefore, impacts to study area ramp meters under existing plus project conditions would be **less than significant**.

### *Near-Term Year 2020 Plus Project Conditions*

Near-term year 2020 plus project conditions are outlined below. The analysis and tables herein compare near-term year 2020 conditions to near-term year 2020 plus proposed project conditions. This scenario is outlined in detail in Section 7.0 of **Appendix K**.

Near-term year 2020 plus project conditions traffic volumes were developed by combining the traffic generated by cumulative projects with existing traffic volumes, while also accounting for the redistribution of existing traffic resulting from network modifications.

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### *Roadway Segment Analysis*

**Table ~~4.3-203.16-7~~** provides LOS analysis results for study roadway segments under near-term year 2020 plus project conditions. As shown in **Table ~~4.3-203.16-7~~**, all study area roadway segments are forecast to operate at an acceptable LOS under near-term year 2020 plus project Conditions, with the exception of the following:

- Bent Avenue, between San Marcos Boulevard to Discovery Street – LOS F; and
- Twin Oaks Valley Road, between SR-78 WB ramps and SR-78 EB ramps – LOS E.

The proposed project combined with the traffic redistributed from network modifications would result in a cumulative impact to Bent Avenue from San Marcos Boulevard to Discovery Street, under near-term year 2020 plus project conditions.

As described under the existing plus project conditions analysis above, the proposed project contributes 10% of the traffic added to this roadway segment (Bent Avenue from San Marcos Boulevard to Discovery Street) under near-term year 2020 plus project conditions, with the remaining additional 90% of traffic redistributed from other roadways as a result of the Discovery Street extension, resulting in a cumulative impact. Bent Avenue is currently scheduled to be reconstructed as a two-lane roadway with a new bridge crossing San Marcos Creek (City of San Marcos Capital Improvement Project No. 88263). However, this reconstruction does not include roadway widening, and it is unlikely that Bent Avenue would be widened in the foreseeable future. Therefore, an alternative mitigation measure, such as extending Grand Avenue, was considered. The construction of Grand Avenue extension, including the Grand Avenue Bridge, would eliminate impacts, and both Bent Avenue and Grand Avenue would operate at an acceptable LOS. Therefore, implementation of mitigation measure **MM-TRA-2** would be required to reduce impacts at this roadway segment to a less-than-significant level.

**MM-TRA-2** The project applicant/developer shall make a fair share contribution towards the construction of Grand Avenue, between the existing southern terminus and Discovery Street. This fair share contribution would be in addition to payments required as part of the City of San Marcos' Public Facilities Fee (PFF) program.

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**Table 4.3-193.16-6**  
**Ramp Metering Analysis Results – Existing + Project Conditions**

Location	No. of Lanes	Peak Hour	Meter Rate <sup>1</sup> (veh/hr/ln)	Demand <sup>2</sup> (veh/hr)	HOV Demand (veh/hr/ln)	SOV Demand (veh/hr/ln)	Excess Demand <sup>3</sup> (veh/hr/ln)	Delay <sup>4</sup> (min)	Queue <sup>5</sup> (ft)	Storage Length (ft)	Excess Queue (ft)	Delay w/o Project (min)	Delay (min)	SI?
SR-78 WB On-Ramp NB @ N. Twin Oaks Valley Road	1 SOV	AM	753	483	82	401	0	0.0	0	530	0	0.0	0.0	No
		PM	753	592	101	491	0	0.0	0	530	0	0.0	0.0	No
	1 HOV													
SR-78 EB On-Ramp @ N. Twin Oaks Valley Road	2 SOV	AM	421	849	144	353	0	0.0	0	500	0	0.0	0.0	No
		PM	427	932	158	387	0	0.0	0	500	0	0.0	0.0	No
	1 HOV													

**Notes:** veh/hr/ln = vehicles per hour per lane; veh/hr = vehicles per hour; min = minute; ft = feet; SI = significant impact; WB = westbound; EB = eastbound; SOV = Single Occupancy Vehicle; HOV = High Occupancy Vehicle.

<sup>1</sup> Meter Rate is the peak hour capacity expected to be processed through the ramp meter, as obtained from Caltrans.

<sup>2</sup> Demand is the peak hour demand expected to use the on-ramp, derived from peak hour turning movement volumes.

<sup>3</sup> Excess Demand = (Demand) – (meter Rate) or zero, whichever is greater.

<sup>4</sup> Delay = (Excess Demand/Meter Rate) x 60 minutes/hour.

<sup>5</sup> Queue = Excess Demand x 29 ft/veh

**Source: Appendix K**

**Table 4.3-203.16-7**  
**Roadway Segment LOS Results – Near-Term Year 2020 + Project Conditions**

Roadway	Segment	Cross- Section	Capacity (LOS E)	Near-Term			Near-Term + Project			Change	SI?
				ADT	V/C	LOS	ADT	V/C	LOS		
Bent Ave.	San Marcos Blvd. to Discovery St.	two-lane	8,000	15,300	1.913	F	15,645	1.956	F	0.043	Yes
Craven Rd.	Discovery St. to Twin Oaks Valley Rd.	four-lane w/ RM	40,000	16,700	0.418	B	16,700	0.418	B	0.000	No

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**Table 4.3-203.16-7**  
**Roadway Segment LOS Results – Near-Term Year 2020 + Project Conditions**

Roadway	Segment	Cross- Section	Capacity (LOS E)	Near-Term			Near-Term + Project			Change	SI?
				ADT	V/C	LOS	ADT	V/C	LOS		
Twin Oaks Valley Rd.	San Marcos Blvd. to SR-78 WB Ramps	six-lane w/ RM	60,000	43,500	0.725	C	43,730	0.729	C	0.004	No
	SR-78 WB Ramps to SR-78 EB Ramps	six-lane w/ RM	60,000	56,200	0.937	E	56,890	0.948	E	0.012	No
	SR-78 EB Ramps to E Barham Dr.	eight-lane w/ RM	80,000	53,500	0.669	C	54,650	0.683	C	0.014	No
	E Barham Dr. to Craven Rd.	six-lane w/ RM	60,000	38,200	0.637	C	38,545	0.642	C	0.006	No
Discovery St.	Bent Ave. to Craven Rd.	four-lane w/ RM	40,000	28,700	0.718	C	29,275	0.732	C	0.014	No
	Craven Rd. to Project Driveway #1	four-lane w/ RM	40,000	13,100	0.328	A	13,675	0.342	A	0.014	No
	Project Driveway #1 to Project Driveway #2	four-lane w/ RM	40,000	13,100	0.328	A	14,250	0.356	A	0.029	No
	Project Driveway #2 to Twin Oaks Valley Rd.	four-lane w/ RM	40,000	13,100	0.328	A	14,825	0.371	A	0.043	No

**Source:** Appendix K

**Notes:** LOS = level of service; ADT = average daily traffic; V/C = volume to capacity ratio; SI = significant impact; RM = raised median; WB = westbound; EB = eastbound

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As shown in **Table ~~4.3-213.16-8~~**, the construction of Grand Avenue extension would mitigate the proposed project cumulative impacts to pre-project conditions or better.

Therefore, with implementation of **MM-TRA-2**, cumulative impacts to roadway segments under near-term year 2020 plus project conditions would be **less than significant with mitigation incorporated**.

### ***Intersection Analysis***

**Table ~~4.3-223.16-9~~** provides study area intersection LOS and average vehicle delay analysis results under near-term year 2020 plus project conditions. As shown below, all study area intersections would continue to operate at an acceptable LOS under near-term year 2020 plus project conditions, with the exception of the following:

1. Bent Avenue and San Marcos Boulevard (LOS E: PM)
2. Bent Avenue and Discovery Street (LOS E: PM)
6. Twin Oaks Valley Road & Craven Road (LOS E: PM)

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**Table ~~4.3-213.16-8~~**

### Roadway Segment LOS Results – Near-Term Year 2020 + Project Conditions with Mitigation

Roadway	Segment	Cross-Section	Capacity (LOS E)	Existing + Project			Existing + Project w/ Mitigation			Change	M?
				ADT	V/C	LOS	ADT	V/C	LOS		
Bent Ave.	San Marcos Blvd. to Discovery St.	2-Lane	8,000	15,645	1.956	F	7,800	0.975	E	-0.981	Y
Craven Rd.	Discovery St. to Twin Oaks Valley Rd.	4-Lane w/ RM	40,000	12,000	0.300	A	19,800	0.495	B	0.195	—

**Notes:** LOS = level of service; ADT = average daily traffic; V/C = volume to capacity ratio; RM = raised median

M = Mitigated?

Grand Avenue existing traffic counts are provided in **Appendix K**.

**Source:** Appendix K

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**Table 4.3-223.16-9**  
**Intersection LOS Results – Near-Term Year 2020 + Project Conditions**

Intersection	Control	Peak	Near-Term		Near-Term + Project		Change	SI?
			Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS		
1. Bent Ave. and San Marcos Blvd.	Signalized	AM	32.5	C	33.9	D	7.3	No
		PM	60.3	E	61.9	E	41.0	No
2. Bent Ave. and Discovery St.	Signalized	AM	25.4	C	25.9	C	0.5	No
		PM	64.7	E	69.7	E	5.0	<b>Yes (Cumulative)</b>
3. Twin Oaks Valley Rd. and SR-78 WB Ramps	Signalized	AM	14.8	B	14.8	B	0.0	No
		PM	15.4	B	15.8	B	0.4	No
4. Twin Oaks Valley Rd. and SR- 78 EB Ramps	Signalized	AM	24.2	C	24.5	C	0.3	No
		PM	47.8	D	48.3	D	0.5	No
5. Twin Oaks Valley Rd. and Discovery St.	Signalized	AM	46.7	D	49.8	D	4.4	No
		PM	46.3	D	49.5	D	3.4	No
6. Twin Oaks Valley Rd. and Craven Rd.	Signalized	AM	46.9	D	47.1	D	0.2	No
		PM	70.3	E	71.7	E	1.4	No
7. Craven Rd. and Discovery St.	Signalized	AM	31.9	C	32	C	0.1	No
		PM	18.3	B	19.2	B	0.9	No
8. Discovery Rd. and Project Driveway #1	Signalized	AM	N/A	N/A	7.7	A	N/A	No
		PM	N/A	N/A	11.6	B	N/A	No
9. Discovery Rd. and Project Driveway #2	Signalized	AM	N/A	N/A	8.3	A	N/A	No
		PM	N/A	N/A	9.8	A	N/A	No
10. Twin Oaks Valley Rd. and North City Dr.	Signalized	AM	7.3	A	5.7	A	-1.6	No
		PM	29.3	C	29.2	C	-0.1	No
11. Discovery Rd. and Rush Dr.	Signalized	AM	19.4	B	17.7	B	-1.7	No
		PM	23.7	C	21.9	C	-1.8	No

**Notes:** LOS = level of service; SI = significant impact; Bold letter indicates unacceptable LOS.

**Source:** Appendix K

Based on the criteria outlined in Section 2 of the TIS (**Appendix K**), the addition of proposed project traffic, combined with the existing rerouted traffic, results in a cumulative impact to the Bent Avenue and Discovery Street intersection during the PM peak period. As previously described under the near-term year 2020 plus project conditions roadway segment analysis above, the proposed project contributes 10% of the traffic added to this intersection under near-term year 2020 plus project conditions, with the remaining additional 90% of traffic redistributed from other roadways and intersections as a result of the Discovery Street extension, resulting in a cumulative impact. Bent Avenue is currently scheduled to be reconstructed as a two-lane roadway with a new bridge crossing San Marcos Creek (City of San Marcos CIP Project No. 88263). However, this reconstruction

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does not include roadway widening, and it is unlikely that Bent Avenue is projected to be widened in the foreseeable future. Therefore, an alternative mitigation measure, such as extending Grand Avenue Bridge, is projected to reduce this impact to less than significant. With the proposed extension, the intersection is projected to operate at acceptable LOS C during the AM peak hour (21.6 seconds of delay) and LOS C (28.9 seconds of delay) during the PM peak hour, which is better than pre-project conditions. Therefore, with implementation of **MM-TRA-2** outlined above under near-term year 2020 plus project conditions roadway segment analysis, impacts would be **less than significant with mitigation incorporated**.

### *Ramp Metering Analysis*

**Table 4.3-233.16-10** displays the ramp metering analysis results for on-ramp meter locations within the study area under near-term year 2020 plus project conditions.

As shown in **Table 4.3-233.16-10**, peak hour demand under near-term year 2020 plus project conditions is forecasted to exceed the meter rate at the SR-78 EB On-Ramp at Twin Oaks Valley Road during the PM peak period. The excess demand was determined to be 60 vehicles per hour per lane, resulting in an excess queue of 1,240 feet and a delay of 8.4 minutes. However, based on the criteria stated in Section 2.0 of **Appendix K**, the proposed project would not cause an increase of 2 minutes or greater to a ramp metering already operating with a delay of 15 minutes or greater. Therefore, it would not cause a significant impact to ramp meters under near-term year 2020 plus project conditions, and impacts would be **less than significant**.

### *Horizon Year 2050 Conditions*

This section provides a description of horizon year 2050 cumulative traffic conditions. The City of San Marcos General Plan and the Scripps Hospital Specific Plan assumed that up to 776,000 square feet of medical office space (including 585,000 square feet of acute care space, 66,000 square feet of community care space, and a 125,000-square-foot outpatient facility) would be constructed on the proposed project site. This land use assumption would generate approximately 38,800 ADT (2,328 during the AM peak hour and 4,268 during the PM peak hour). In comparison, the proposed project would generate 2,300 ADT (184 during the AM peak hour and 230 during the PM peak hour). **Table 4.3-243.16-11** provides a comparison of trip generation between the currently adopted land use and the proposed project land use.



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**Table 4.3-233.16-10**  
**Ramp Metering Analysis Results – Near-Term Year 2020 + Project Conditions**

Location	No. of Lanes	Peak Hour	Meter Rate <sup>1</sup> (veh/hr/ln)	Demand <sup>2</sup> (veh/hr)	HOV Demand (veh/hr/ln)	SOV Demand (veh/hr/ln)	Excess Demand <sup>3</sup> (veh/hr/ln)	Delay <sup>4</sup> (min)	Queue <sup>5</sup> (ft)	Storage Length (ft)	Excess Queue (ft)	Delay w/o Project (min)	Delay (min)	SI?
SR-78 WB On- Ramp NB @ N Twin Oaks Valley Road	1 SOV	AM	753	615	105	510	0	0.0	0	530	0	0.0	0.0	No
	1 HOV	PM	753	753	128	625	0	0.0	0	530	0	0.0	0.0	No
SR-78 EB On- Ramp @ N Twin Oaks Valley Road	2 SOV	AM	421	1,035	176	430	9	1.2	261	500	0	0.0	1.2	No
	1 HOV	PM	427	1,173	199	487	60	8.4	1,740	500	1,240	7.7	0.8	No

**Notes:** veh/hr/ln = vehicles per hour per lane; veh/hr = vehicles per hour; min = minute; ft = feet; SI = significant impact; WB = westbound; EB = eastbound; SOV = Single Occupancy Vehicle; HOV = High Occupancy Vehicle.

<sup>1</sup> Meter Rate is the peak hour capacity expected to be processed through the ramp meter, as obtained from Caltrans.

<sup>2</sup> Demand is the peak hour demand expected to use the on-ramp, derived from peak hour turning movement volumes.

<sup>3</sup> Excess Demand = (Demand) – (meter Rate) or zero, whichever is greater.

<sup>4</sup> Delay = (Excess Demand/Meter Rate) x 60 minutes/hour.

<sup>5</sup> Queue = Excess Demand x 29 ft/veh

**Source:** Appendix K

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**Table ~~4.3-243.16-11~~**  
**Land Use Trip Generation Comparison**

	Land Use	Units	Trip Rate	ADT	Peak	%	Trips	Split	In	Out
Proposed Project	Single-Family Dwelling Units	230 DU	10/DU	2,300	AM	8%	184	(3:7)	55	129
					PM	10%	230	(7:3)	161	69
Currently Adopted	Medical Center	776,000 sf	50,000 sf	-38,800	AM	6%	-2,328	(8:2)	-1,862	-466
					PM	11%	-4,268	(3:7)	-1,280	-2,988
Net Change				-36,500	AM		-2,144		-1,807	-466
					PM		-4,038		-1,119	-2,919

**Notes:** ADT = average daily traffic; DU = dwelling units

**Source:** Appendix K

As shown in **Table ~~4.3-243.16-11~~**, the proposed project would generate significantly less daily (36,500 ADT less) and peak hour (2,144 less during AM; 4,038 less during PM) vehicle trips when compared to those assumed in the currently adopted land uses. Thus, any potential traffic impacts due to the proposed project would have already been studied under both the City of San Marcos General Plan and the Scripps Specific Plan. Therefore, no additional analysis would be required under the horizon year 2050 scenario.

Section 9.0 of **Appendix K** provides a summary of the key findings and study recommendations, including the LOS results for each scenario analyzed and proposed mitigation for the project's traffic impacts. The proposed project would be accessible via two signalized intersections from the Discovery Street extension. Both intersections are projected to operate at acceptable LOS B or better under both the existing plus project and near-term year 2020 plus project conditions (**Appendix K**). Implementation of **MM-TRA-1** and **MM-TRA-2** would ensure the proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Therefore, impacts would be **less than significant with mitigation incorporated**.

- b) *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?***

The 2008 Congestion Management Program for San Diego County was developed to meet requirements of Section 65089 of the California Government Code. In October 2009, the San Diego region elected to be exempt from the state Congestion Management Program and, since this decision, SANDAG has been abiding by 23 CFR 450.320 to ensure the region's continued compliance with the federal congestion management

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process. *San Diego Forward: The Regional Plan*, the region's long-range transportation plan and Sustainable Communities Strategy, meets the requirements of 23 CFR 450.320 by incorporating the following federal congestion management process: performance monitoring and measurement of the regional transportation system, multimodal alternatives and non-single-occupancy vehicle (SOV) analysis, land use impact analysis, the provision of congestion management tools, and integration with the Regional Transportation Improvement Program process. According to the Regional Plan, there are a number of multimodal transportation projects within the City aimed at reducing regional congestion (SANDAG 2015). These projects include:

- *Barham Drive Street improvements and widening*
- Borden Road widening and improvements
- Creekside Drive construction
- **Discovery Street improvements**
- Encinitas-San Marcos Corridor – Double Peak Drive to San Marcos Boulevard
- *Grand Avenue Bridge and street improvements*
- Inland Rail Trail
- Palomar College, San Marcos Civic Center, CSUSM, and Nordahl Road SPRINTER Station retrofits
- Rancheros Drive/State Department of Rehabilitation retrofit
- San Marcos shuttle
- South Santa Fe-Bosstick to Smilax realignment, signalization, and interchange improvements
- Via Vera Cruz Bridge and street improvements
- Woodland Parkway interchange improvements

The projects that are italicized would be indirectly associated with traffic congestion reduction in the project area. The project in bold (Discovery Street Improvements) would be required as a condition of approval for project implementation.

The trip redistribution prepared for the project was based on a SANDAG Series 13 Regional Model Year 2035 Select Link analysis, which determined the origin and destination of trips expected to utilize the Discovery Street extension. As described in the threshold a) analysis above, implementation of **MM-TRA-1** and **MM-TRA-2** would

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mitigate impacts to roadway segments and intersections (as a result of the proposed project) to pre-project conditions or better (**Appendix K**).

Additionally, the City's Traffic Management Center at San Marcos City Hall is a critical part of an advanced traffic management system that manages traffic flow in the City. The Traffic Management Center remotely controls most of the traffic signals in the City and provides real-time video feeds from traffic cameras strategically located at the City's busiest intersections. The Traffic Management Center would further aid roadways and intersections in the project area.

With implementation of **MM-TRA-1** and **MM-TRA-2** previously outlined in threshold a) above, the project would not conflict with an applicable congestion management program. Therefore, impacts would be **less than significant with mitigation incorporated**.

- c) ***Would the project 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?***

As previously described in Sections 3.8 and 3.12, the proposed project is located within the McClellan-Palomar Airport Sphere of Influence Review Area 2. The ALUCP requires limitation of structure height within Review Area 2; however, structures allowed under the City's General Plan would not be permitted to reach such heights that could interfere or be inconsistent with the ALUCP. The proposed project involves two-story single-family residential units at a 35-foot maximum height. With consideration of the proposed project uses and design, impacts associated with air traffic patterns are determined to be **less than significant**.

- d) ***Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

All roads constructed in association with the proposed project would be subject to existing City design standards and safety specifications for roadways. The proposed project would be required to comply with the circulation and street design standards and policies outlined in Section D of the proposed Specific Plan. The Specific Plan would be subject to review by the Fire Department and Fire Marshal, and all design criteria would comply with the City's Engineering and Fire Department standards.

As seen in **Figure 8, Street Designations and Parking Plan**, the project would incorporate on-site circulation, provided by a system of private streets, defined by a primary loop road. The loop road would provide a backbone of access and connectivity to the community from the proposed extension of Discovery Street, and secondary

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residential streets that stem from the loop road and, in turn, connect back with it. The loop road would be considered a private residential street, and would serve as the primary east-west connector within the project site. The loop road would be designed to accommodate on-street parking, bicycle and pedestrian uses, and tree-lined parkways. All private streets on site would be appropriately marked with signage for safety purposes.

With adherence to the policies and improvements of the City's General Plan, and existing City design standards, impacts associated with hazardous design features would be **less than significant**.

***e) Would the project result in inadequate emergency access?***

The proposed project would provide for new roadways and access that complies with City standards for emergency and fire protection vehicles and distances. As seen in **Figure 8**, the project would incorporate designated emergency access at the far eastern corner of the project site. As previously described in Section 3.14 (fire services), the Specific Plan would be subject to review by the Fire Department and Fire Marshal, and all design criteria would comply with the City's Engineering and Fire Department standards. The project would implement the design features outlined in Section 3.14 per SMFD requirements. Additionally, the project would comply with all applicable City General Plan policies, specifically the Safety Element of the City's General Plan, which contains policies specifically written to address impacts related to emergency preparedness.

With adherence to current federal and state regulations, final site design approval by the Fire Marshall, and compliance with City General Plan policies and the City's existing Emergency Management System and Hazard Mitigation Plan, potential impacts as a result of the proposed project would be **less than significant**.

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

Consistent with the proposed SP, the project would provide for a compact, walkable environment with new roadways, pedestrian and bicycle linkages, paseos, and greenways all connected to the City's transportation network.

The proposed loop road would act as a backbone of access and connectivity to the community from Discovery Street. The loop road would be considered a private residential street, and would serve as the primary east-west connector within the project site. The loop road would be designed to accommodate on-street parking, a Class 1 bicycle path, non-contiguous sidewalks, and tree-lined parkways. As shown on **Figure 9**,

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**Pedestrian and Bicycle Paths and Trails**, bicycle facilities would be provided in the community and connect to existing and future bicycle infrastructure on Craven Road and Discovery Street. Pedestrian access would be provided through non-contiguous sidewalks along the loop road and contiguous sidewalks on residential streets. Additionally, pedestrian paseos located between motorcourts and at key points in the neighborhood would link residents to an expanded network of trails that lead to the creek and to transit. A greenway connecting the community from Craven Road to the secondary entrance on Discovery Street and the creek is also proposed. The proposed project would be required to comply with the circulation and street design standards and policies outlined in Section D of the Specific Plan. For public transit, residents of the proposed project would have close access to North County Transit District bus service, provided on Craven Road.

The proposed project would be in compliance with the City's General Plan Mobility Element, which identifies goals and policies to ensure the integrity and service levels of these facilities are maintained. The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease performance or safety of such facilities. Rather, the proposed project would enhance pedestrian and bicycle facilities in comparison to existing conditions. Therefore, it is determined that **no impact** would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRIBAL CULTURAL RESOURCES – a)</b> 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:				
i) 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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### **4.3.17 Tribal Cultural Resources**

- a) *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:*
- i. *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)?*

As described under Section 3.5, Cultural Resources, a Cultural Resources Survey and Evaluation Report for the proposed project was completed in May 2017 by Dudek and is included as **Appendix D** to this MND. Dudek gathered information about the project site and surrounding 1-mile search buffer from the SCIC. This search included mapped prehistoric, historical, and built-environment resources; California Department of Parks and Recreation site records; technical reports; archival resources; and ethnographic references. Additional consulted sources included historical maps of the project site, the National Register of Historic Places, the CRHR, the California Historic Property Data File, and the lists of California State Historical Landmarks, California Points of Historical Interest, and the Archaeological Determinations of Eligibility. With permission from the SCIC) Dudek conducted an in-house records search of SCIC data on April 26, 2017. The records search indicated that a total of 91 previous cultural resources studies that have been performed within 1 mile of the project area. Eighteen of these previous cultural studies address either all or part of the current project area (**Appendix D**).

The records search completed by Dudek (**Appendix D**) identified one bedrock milling site (CA-SDI-11809) within the project area, as well as two bedrock milling sites (CA-SDI-17896 and CA-SDI-17897), and one historic-period foundation (CA-SDI-17988) which were initially identified within the project area but were later determined to be immediately adjacent, but outside the project area. An additional 40 cultural resources were identified in the 1-mile record search area. These resources include 3 multi-component archaeological sites, 28 prehistoric archaeological sites and isolates, 5 historic-period structures, and 4 historic-period archaeological sites (**Appendix D**).

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The pedestrian survey of the project area identified one previously unknown cultural resource (CA-SDI-22095, a historic-period foundation) in the project area and relocated the four previously recorded resources mentioned above. All five resources were formally evaluated for significance under CEQA (**Appendix D**).

As described in Section 3.5, based on the results of the evaluation program conducted by Dudek, none of the five cultural resources (three prehistoric sites and two historic foundations/pads) evaluated during the current investigation are considered significant under CEQA, and none are eligible for listing in the CRHR. The evaluated archaeological resources do not possess substantial archaeological deposits or extensive artifact variability, are not associated with important persons or events in history, and do not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values. As none of the archaeological sites is considered significant under CEQA, they do not meet the eligibility requirements to be considered Tribal cultural resources.

As discussed in Section 3.5, Dudek requested from the NAHC a search of the Sacred Lands File on April 26, 2017. The NAHC responded April 27, 2017, indicating that no known Native American traditional cultural places are on file in the project area, and provided a NAHC Native American representatives list to contact for more specific information than the NAHC has on file. On May 4, 2017, Dudek sent letters to each of the listed Native American representatives asking if they have any knowledge of resources in the project area. At the time this Draft MND was finalized for public review, three responses to the May 4, 2017, Information Request have been received, including the Pala Band of Mission Indians, the Pauma Band of Luiseño Indians, and the Rincon Band of Luiseño Indians. However, none of these Tribes were able to identify or provide specific cultural sites or resources within the project area. Tribal outreach letters to NAHC Native American representatives sent by Dudek and Tribal response letters are included as part of **Appendix D** to this MND, and summarized in Section 3.5 above.

The City sent out project specific SB 18 consultation invitation letters on July 31, 2017, to California Native American Tribes who are traditionally and culturally affiliated with the geographic area, as determined on the approved NAHC list. The City's letter specified that under Government Code Section 65352.3, Native American Tribes have 90 days to request consultation. To date, five responses have been received, with three tribes—the San Luis Rey Band of Mission Indians (San Luis Rey), the Rincon Band of Luiseño Indians (Rincon) and the Temecula

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Band of Luiseño Mission Indians (Pechanga)—requesting consultation. Two other Native American Tribes who responded, the Viejas Band of Kumeyaay Indians and the Pala Band of Mission Indians, requested a monitor and stated no project objections. The City's July 31, 2017, SB 18 consultation letter and Tribal responses to this letter are included as part of **Appendix D** to this MND, and are summarized in Section 3.5 above.

Rincon requested consultation in their August 23, 2017, email, and the City initiated consultation via a conference call on September 19, 2017. San Luis Rey requested project SB 18 project consultation in a September 1, 2017, letter, and the City initiated the consultation on September 12, 2017, with San Luis Rey representatives to discuss the concerns outline in their letter. Pechanga requested SB 18 project consultation in a September 1, 2017, letter, and the City conducted a conference call with Pechanga on October 12, 2017, to discuss the concerns outlined in their letter. The City will continue to consult with both Tribal government representatives, as well as other interested Tribes who request formal consultation. To assist City staff in the formal consultation discussions, the City coordinated a field reconnaissance meeting on October 25, 2017, between City staff, San Luis Rey Band, Pechanga Band, the CEQA consultant (Dudek), and project applicant. The goal was to discuss Tribal concerns regarding resource significance, impacts, and mitigation.

The milling features located within sites CA-SDI-11809, CA-SDI-17896, and CA-SDI-17897 were identified as being important to the Tribes, and efforts to avoid and/or limit impacts to the features were discussed. The Tribes also requested controlled grading and grubbing to identify and reduce potential impacts to unknown resources. It was concluded that additional mitigation language would be included to address Tribal concerns. The City will continue to consult with San Luis Rey representatives upon request, as well as other interested Tribes who have requested formal consultation.

AB 52 required an update to Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to Tribal cultural resources. Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. AB 52 adds new requirements regarding consultation with California Native American Tribes and consideration of tribal cultural resources, requiring consultation prior to the release of an environmental document if requested by a California Native American Tribe. On August 1, 2017, the City sent letters to the California Native American Tribes on the City's AB 52 consultation list. Only tribes

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having previously requested AB 52 listing with the City through the formal request process can request AB 52 consultation. The Native American Tribes on the City's AB 52 consultation list include the San Luis Rey Band of Mission Indians, Mesa Grande Band of Mission Indians, and Rincon Band of Luiseño Indians. The San Luis Rey Band of Mission Indians and Rincon Band of Mission Indians have requested AB 52 consultation. The City's letter initiating AB 52 consultation is included as part of **Appendix D** to this MND.

Although there are no known Tribal cultural resources on site, there is the potential for the inadvertent discovery of Tribal cultural resources during project construction. Implementation of **MM-CUL-1** through **MM-CUL-8** previously identified in Section 3.5 would ensure potential impacts to potential Tribal cultural resources would not be substantial. Implementation of **MM-CUL-1** through **MM-CUL-8** would reduce potential impacts to a less-than-significant level. Therefore, impacts would be **less than significant with mitigation incorporated**.

- ii. *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.*

As described in Section 3.5, and in response to threshold a-i) above, none of the cultural resources evaluated during the on-site investigation are considered significant under CEQA, and none are eligible for listing in the CRHR. Additionally, the City is not aware of any known Tribal cultural resources within the project site.

Based on information gathered from the Cultural Resources Survey and Evaluation Report for the proposed project (**Appendix D**), the NAHC, and consultation with Native American Tribes who are traditionally and culturally affiliated with the geographic area (as discussed in Section 3.5 and in response to threshold a-i) above), there are no known Tribal cultural resources within the project area. However, there is still the potential for unknown or buried resources to be present at the project site. Implementation of mitigation measure **MM-CUL-1** previously identified in Section 3.5, would provide for the presence of qualified archaeological and Luiseño Native American monitors during ground-disturbing activities that would be able to identify any previously unidentified Tribal cultural

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resources, to prevent inadvertent disturbance of any intact cultural deposits that may be present. Should any resources be identified, implementation of **MM-CUL-2** through **MM-CUL-8** would ensure proper handling and treatment of such resources by providing for a formal evaluation and opportunity to mitigate impacts to such discoveries.

Bedrock milling features at three archaeological sites were identified through consultation as potential Tribal cultural resources. The City has determined that there is not a substantial amount of evidence determining any of the resources in the project site are eligible to be Tribal cultural resources. However, consultation with Native American tribes, as discussed under threshold a-i) above and in Section 3.5, indicated that the bedrock milling stations are important to the Tribes and that they shall be protected from damage, to the extent feasible. The Tribes have also identified concerns regarding the potential for the identification of unknown resources during project construction. At their request, additional mitigation has been incorporated to avoid or reduce impacts to these resources:

**MM-TCR-1: Milling Features.** Milling features shall be preserved in place, if possible, or shall be relocated to on-site open space or landscaped areas prior to disturbance, if feasible, and as reflected in the Cultural Resource Treatment and Monitoring Agreement.

**MM-TCR-2: Controlled Grading and Grubbing.** All grubbing shall be controlled in areas of concern as determined by the Project Archaeologist and the Luiseño Native American monitor, and as reflected in the Cultural Resource Treatment and Monitoring Agreement developed in consultation with the Luiseño Tribe, and shall be inspected by the Project Archaeologist and Luiseño Native American monitor prior to initiating grading for those areas. Grading shall be controlled within the area of CA-SDI-11809 and San Marcos Creek using a slope board or similar equipment to allow soil to be removed in increments of only a few inches at a time. Other areas which may require controlled grading shall be determined by the Project Archaeologist and the Luiseño Native American monitor, as reflected in the Treatment and Monitoring Agreement developed in consultation with the Luiseño Tribe.

With implementation of previously identified **MM-CUL-1** through **MM-CUL-8**, and **MM-TCR-1**, and **MM-TCR-2** presented above, potentially significant impacts to tribal cultural resources would be reduced to a level of less than significant. Therefore, impacts would be **less than significant with mitigation incorporated**.

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

### 4.3.18 Utilities and Service Systems

**a) *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

VWD is responsible for disposal of treated wastewater. 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 flows from different land uses within their service area.

As previously described in Section 3.9 above, a Water and Sewer Study was prepared for the proposed project, and is included as **Appendix I** to this MND. The proposed project includes construction of a new 8-inch-diameter sewer main within the new Discovery Street alignment, which would connect to an existing 12-inch-diameter sewer stub, which connects to an existing 16-inch-diameter main in Craven Road (FN-1 and FN-2). FN-3 is currently a 24-inch-diameter main and FN-4 is a 15-inch-diameter main. Both FN-3 and

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FN-4 are proposed to be replaced with 16-inch-diameter mains as part of the City of San Marcos' project to construct a new bridge in Bent Avenue (**Appendix I**). The proposed lines would be built within existing and proposed rights-of-way, or within easements, in the case of on-site private streets.

According to the City of San Marcos' General Plan, the project site is designated as a Health Care Campus under the SHCCSP. The VWD 2008 Master Plan does not have a similar land use designation. Therefore, VWD based its ultimate sewer generation planning for the project site on the Office Professional land use designation. As shown in Table 3 of **Appendix I**, the proposed project would result in a sewer generation reduction of 5,643 gallons per day (gpd) in comparison to currently designated SHCCSP land uses.

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 million gallons per day (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). EWPCF is located in the City of Carlsbad, and is a regional facility with treatment capacity of up to 40.51 mgd.

The wastewater modeling results provided in **Appendix I** conclude that the wastewater flow from the proposed project does not result in any system deficiencies under peak wet weather flows during ultimate build-out conditions. VWD has determined that adequate wastewater treatment/disposal and land outfall capacities exist at this time available to serve the project as proposed. However, as a condition of approval and as conditions of providing service to the proposed project, the applicant would be required to pay all applicable Water and Wastewater Capital Facility Fees in effect at the time service is committed in accordance with VWD rules and regulations. Additionally, construction and acceptance of all on-site and off-site water and sewer facilities prior to service being provided in accordance with all rules and regulations in effect at the time service is provided including, but not limited to, the construction of a 12-inch-diameter water main and an 8-inch-diameter sewer main, both in the future Discovery Street.

Project compliance with condition of service items outlined above and in **Appendix I** would ensure impacts associated with wastewater treatment would be **less than significant**.

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- b) *Would the project 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?*

The project site is located in an area of San Marcos that is highly developed and adjacent to residential land and commercial land uses. Water service to the project site would be provided by VWD. There are existing VWD “backbone” facilities on both the east and west of the project site, which would serve as POCs. Implementation of the proposed project would result in new residential development and generate approximately 723 people. This additional population would generate additional water and wastewater demand, and therefore would require the construction of extended water and wastewater facilities.

As outlined in threshold a) above, under the City of San Marcos’ General Plan, the project site is designated as a Health Care Campus under the SHCCSP. The VWD 2008 Master Plan does not have a similar land use designation; therefore, VWD based its ultimate sewer generation planning for the project site on the Office Professional land use designation. Table 1 in **Appendix I** provides the average water demand generated both under the density planned for in the 2008 Master Plan and under the proposed project development. It has been determined that the proposed project would increase the water demand by approximately 28,849 gpd above what was projected in the 2008 Master Plan. The proposed project includes construction of a new 12-inch-diameter water main in the future Discovery Street from the existing 12-inch-diameter water main in Craven Road to the existing 12-inch-diameter water main that crosses Barham Drive east of the project. Based on the Water and Sewer Study, the project would not create any distribution system deficiencies under average day demand, maximum day demand, peak hour demand, and maximum day plus fire flow demand conditions. However, Water Capital Facility Fees paid by the project would be used for any increase in facility size necessitated by the project’s demand (**Appendix I**).

As described in response to threshold a) above, VWD utilizes two wastewater treatment facilities to treat wastewater collected within its sewer service area. MRF has liquids treatment capacity of up to 5 mgd with a peak wet weather capacity of 8 mgd. MRF does not have solids treatment capacity, and therefore all solids are treated at the EWPCF. EWPCF is located in the City of Carlsbad, and is a regional facility with treatment capacity of up to 40.51 mgd. Based on **Appendix I**, VWD has determined that adequate wastewater treatment and disposal capacity exists for the proposed project at this time subject to the conditions of providing service qualifications outlined in threshold a) above and in the Conclusion and Conditions section of **Appendix I**.

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The proposed project would provide for adequate new water and wastewater facilities that would meet the demand of new residences on site. These proposed improvements are intended to implement the concepts shown in the City's Master Plans, the City's General Plan, and planned facilities of adjacent developments. Consistent with the Specific Plan and in accordance with the standards and specifications of VWD, the proposed water and sewer line extensions would be built within existing and proposed rights-of-way, or within easements, in the case of on-site private streets. Additionally, water and sewer service would be in place and operational, within the portion of Discovery Street that fronts the project site, prior to occupancy of any buildings. New on-site water and sewer facilities may be phased, depending on the buildout of the project site, but no building would be occupied without water and sewer capacity to the building. The City's review of the adequacy of the proposed project's utility capacity and provision of necessary facilities would be required prior to approval. With payment of all applicable Water and Wastewater Capital Facility Fees to VWD, and construction and acceptance of all on- and off-site water and sewer facilities prior to service, impacts to water and wastewater treatment facilities would be **less than significant**.

- c) *Would the project 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?*

As described in Section 3.9 above, runoff from the existing site flows overland to one (1) point of discharge (POD-1), to an existing 60-inch-diameter reinforced concrete pipe storm drain located at the northwest boundary of the project site. The project site ultimately drains to San Marcos Creek located to the northwest of the project site. The proposed project would result in the construction of new stormwater drainage facilities on site; however, all runoff from the project site would continue to flow to the existing POD-1 (**Appendix H**).

During construction and grading activities of the proposed project, runoff would be conveyed both over land and through a storm drain network to a proposed biofiltration BMP located in the western edge of the project site. Runoff would reach POD-1 as in existing conditions. In developed conditions, runoff from the project site would be directed via a combination of curb and gutter, and storm drains to one proposed biofiltration BMP for treatment and detention. After reaching POD-1, the flows would enter an existing storm drain conveyance network and ultimately discharge into San Marcos Creek, similar to existing conditions.

The proposed project would continue to discharge to POD-1, and would not result in the construction of new stormwater drainage facilities or expansion of facilities off site. The

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project would result in a net decrease of peak flows discharged to POD-1 by approximately 22.31 cfs. In final engineering phases of the proposed project, the flood hydrograph of each DMA would be routed through its respective basin. The routing would serve to further mitigate the developed condition's peak flow to a rate equal to or less than the runoff from existing conditions (**Appendix H**).

Drainage design for the proposed project would be in conformance with the City's drainage master plan, and in concert with master drainage plans for the downstream proposed Creek District as well as the planned drainage of the upstream planned University District. Additionally, the proposed project would be required to comply with the City's Stormwater Standards Manual, which lists the permanent stormwater BMPs and the maintenance requirements that apply to new development within the planning area. At operation of the proposed project, there would be no increase in flows discharged into the San Marcos Creek (**Appendix A**). The project would not result in new or expanded storm water drainage facilities off-site, and impacts are determined to be **less than significant**.

**d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?***

As described in response to threshold b) above, Table 1 in **Appendix I** provides the average water demand generated both under the density planned for in the 2008 Master Plan and under the proposed project development. It has been determined that the proposed project would increase the water demand by approximately 28,849 gpd above what was projected in VWD's 2008 Master Plan.

The proposed project includes construction of a new 12-inch-diameter water main in the future Discovery Street from the existing 12-inch-diameter water main in Craven Road to the existing 12-inch-diameter water main that crosses Barham Drive east of the project. Water model results from the Water and Sewer Study found that the project would not create any distribution system deficiencies under average day demand, maximum day demand, peak hour demand, and maximum day plus fire flow demand conditions.

Because the project would increase the projected average water demand by approximately 28,849 gpd, the project would be subject to the reservoir storage capacity requirements outlined in Table 2 of **Appendix I**. Based on this table, the amount of additional reservoir storage required for project approval would be 144,245 gallons. The applicant would be subject to Water Capital Facility Fees per VWD, which would be used for any increase in facility size necessitated by the project's demand.



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VWD currently has water capacity available to serve the project as proposed (**Appendix I**), and the project applicant's required payment of Water Capital Facility Fees would further ensure adequate service. Therefore, impacts related to available water supply would be **less than significant**.

- e) *Would the project 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?*

VWD utilizes two wastewater treatment facilities to treat wastewater collected within its sewer service area. MRF has liquids treatment capacity of up to 5 mgd with a peak wet weather capacity of 8 mgd. MRF does not have solids treatment capacity, and therefore all solids are treated at the EWPCF. EWPCF is located in the City of Carlsbad, and is a regional facility with treatment capacity of up to 40.51 mgd.

As previously described in response to threshold a), the proposed project would result in a sewer generation reduction of 5,643 gpd in comparison to currently designated SHCCSP land uses. Therefore, VWD has determined that adequate wastewater treatment/disposal and land outfall capacities exist at this time available to serve the project as proposed. However, the project applicant would still be subject to Water and Wastewater Capital Facility Fees per VWD Ordinance No. 176. These fees would be used by VWD to help fund the expansion and/or construction of wastewater treatment facilities to handle increased wastewater quantities and the expansion of land outfall facilities.

As the project would not generate additional wastewater then what is planned for in VWD's 2008 Master Plan, and the project applicant would be subject to the payment of Capital Facility Fees, which would further ensure adequate capacity to serve the project's projected wastewater demands, impacts are determined to be **less than significant**.

- f) *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

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. The Escondido Transfer Station accepts mixed municipal waste, green materials, and construction/demolition materials. It has a permitted capacity of 2,500 tons, with a permitted capacity of 8,743 tons/day (CalRecycle 2017a). The Sycamore Sanitary Landfill

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has a daily permitted capacity of 5,000 tons/day of solid waste, with a remaining capacity of 39,608,998 cubic yards and an estimated closure date of 2042 (CalRecycle 2017b).

The California Department of Resources Recycling and Recovery (CalRecycle) waste generation estimates determine that in 2015 the average California resident produced approximately 4.7 pounds/day of waste (CalRecycle 2015). Based on the average household size coefficient for the City of San Marcos of 3.14 persons per household as established by the California Department of Finance (as of January 2017), the proposed development of up to 230 dwelling units would directly add approximately 723 people to the City's population (California Department of Finance 2017). With the generation of approximately 723 people, the proposed project is anticipated to generate approximately 3,398.1 pounds/day (approximately 620.2 tons/year) of waste.

However, this calculation does not consider any waste diversion through recycling. The California Integrated Waste Management Act of 1989 (AB 939) requires that local governments divert 50% of their community's solid waste. The proposed project would reduce the amount of waste material entering regional landfills with an efficient and innovative waste management program and by requiring all proposed buildings to be constructed of high quality and durable building materials to minimize the replacement costs and construction waste that result from periodic renovations. It is expected that at least 50% of the project's total volume would be diverted from the landfill through recycling. Thus, the volume going to the landfill is expected to be approximately 310.1 tons/year. The project's contribution with regards to the Escondido Transfer Station and the Sycamore Sanitary Landfill permit limits is considered minimal. Additionally, the City's General Plan policies are designed to reduce impacts to solid waste facilities. Policy COS-10.1 directs the City to promote the curbside recycling program to divert residential refuse from the landfills. Policy COS-10.2 requires the City to enforce programs requiring recycling and reuse of construction and demolition materials that divert solid waste from area landfills. Policy COS-10.3 directs the City to encourage the use of reusable and recyclable goods through incentives, educational programs, and City's purchasing policies and practices (City of San Marcos 2012c).

The Escondido Transfer Station and Sycamore Sanitary Landfill are determined to have sufficient permitted capacity to accommodate the project's solid waste disposal and recycling needs through 2042. In addition, the project would incorporate waste recycling areas into the design, and all City recycling requirements would be met and/or exceeded. Therefore, as the serving landfills are determined to have sufficient capacity to accommodate the proposed project, and the project would comply with all applicable City waste and recycling regulations and diversion efforts, impacts would be **less than significant**.

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**g) *Would the project comply with federal, state, and local statutes and regulations related to solid waste?***

Waste associated with construction and operation of the proposed project would be disposed of properly via the Escondido Transfer Station and the Sycamore Sanitary Landfill. As described above under threshold f), The California Integrated Waste Management Act of 1989 (AB 939) requires that local governments divert 50% of their community's solid waste. The proposed project would reduce the amount of waste material entering regional landfills with an efficient and innovative waste management program and by requiring all proposed buildings to be constructed of high quality and durable building materials to minimize the replacement costs and construction waste that result from periodic renovations. Additionally, the proposed project would comply with City's General Plan policies designed to reduce impacts to solid waste facilities, including Policy COS-10.1, Policy COS-10.2, and Policy COS-10.3. As the proposed project would comply with all federal, state, and City statutes and regulations related to solid waste, including proper handling of construction debris, impacts would be **less than significant**.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIV. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Final Mitigated Negative Declaration for Discovery Village South

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### 4.3.19 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?*

As discussed in Section IV, Biological Resources, construction of the proposed project would potentially result in significant impacts to biological resources. However, with incorporation of **MM-BIO-1** through **MM-BIO-7**, all potentially significant impacts would be reduced to a level below significance. The proposed project would not substantially degrade the quality of the environment, impact fish or wildlife species, or plant communities. As discussed in Section 3.5, Cultural Resources, and Section 3.17, Tribal Cultural Resources, potential impacts to historical resources and archeological resources could occur during excavation. However, implementation of **MM-CUL-1** through **MM-CUL-8** and **MM-TCR-1** and **MM-TCR-2** would mitigate potential impacts to historical and archeological resources, incorporate Native American monitoring, and ensure all impacts would be reduced to a less-than-significant level. Therefore, impacts would be **less than significant with the incorporation of mitigation**.

- 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)?*

The proposed project would incrementally contribute to cumulative impacts for project occurring within the City. As provided in the analysis presented above, the proposed project would not result in significant impacts to aesthetics, agriculture and forestry resources, air quality, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, and utilities and service systems. It has been determined that these environmental topics would not contribute to potential cumulative impacts.

Potentially significant impacts as a result of the project were identified for biological resources (**MM-BIO-1** through **MM-BIO-7**), cultural resources (**MM-CUL-1** through **MM-CUL-8**), land use and planning (**MM-LU-1**), noise (**MM-NOI-1** through **MM-NOI-4**), public services (**MM-PS-1** through **MM-PS-5**), transportation and traffic (**MM-TRA-1** and **MM-TRA-2**), and Tribal cultural resources (**MM-TCR-**

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**1** and **MM-TCR-2**). With adoption of recommended mitigation for these environmental topics, implementation of the proposed project would not result in any residually significant impacts that could contribute to a cumulative impact. In the absence of residually significant impacts, the incremental accumulation of effects would not be cumulatively considerable, and impacts would not be substantial. Therefore, impacts related to cumulatively considerable effects would be **less than significant with mitigation incorporated**.

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

Based on the analysis above, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain threshold questions in Sections 3.3, Air Quality; 3.5, Cultural Resources; 3.6, Geology and Soils; 3.7, Greenhouse Gas Emissions; 3.8, Hazards and Hazardous Materials; 3.9, Hydrology and Water Quality; 3.10, Land Use and Planning; 3.12, Noise; 3.13, Population and Housing; 3.14, Public Services; 3.15, Recreation; 3.16, Transportation and Traffic; 3.17, Tribal Cultural Resources; and 3.18, Utilities and Service Systems. All potential impacts in these environmental issue areas are less than significant or mitigated to below a level of significance (**MM-CUL-1** through **MM-CUL-8**, **MM-LU-1**, **MM-NOI-1** through **MM-NOI-4**, **MM-PS-1** through **MM-PS-5**, **MM-TRA-1** and **MM-TRA-2**, and **MM-TCR-1** and **MM-TCR-2**). Therefore, it has been determined that there would be no significant direct or indirect effect on human beings with the incorporation of the proposed mitigation, and impacts would be **less than significant with mitigation incorporated**.

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### **54.2 Preparers/Persons and Organizations Consulted**

This section identifies those persons who prepared or contributed to the preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

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Garth Koller, Principal Planner

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Robert Furey

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Lesley Terry, CADD Specialist  
Mark McGinnis, GIS Specialist  
Amy Seals, Technical Editor

#### ***Air Quality and Greenhouse Gas Technical Report (Dudek)***

Rose Kelly, Air Quality Specialist

#### ***Biological Impact Analysis Report (Merkel & Associates, Inc.)***

Amanda K. Gonzales

#### ***Cultural Resources Survey and Evaluation Report (Dudek)***

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Angela Pham, Archaeologist, MA, RPA

#### ***Paleontological Resources Survey Report (Dudek)***

Sarah Siren, Senior Paleontologist, M.S., GISP

#### ***Geotechnical Investigation (GEOCON)***

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### ***Storm Water Quality Management Plan (REC Consultants)***

Bruce A. Robertson, RCE

### ***Drainage Study (REC Consultants)***

Bruce A. Robertson, RCE

### ***Water and Sewer Study (VWD)***

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Robert Scholl, PE

### ***Technical Noise Report (Dudek)***

Mike Greene, INCE Bd. Cert.

### ***Traffic Impact Study (Chen Ryan Associates)***

Phuong Nguyen, PE

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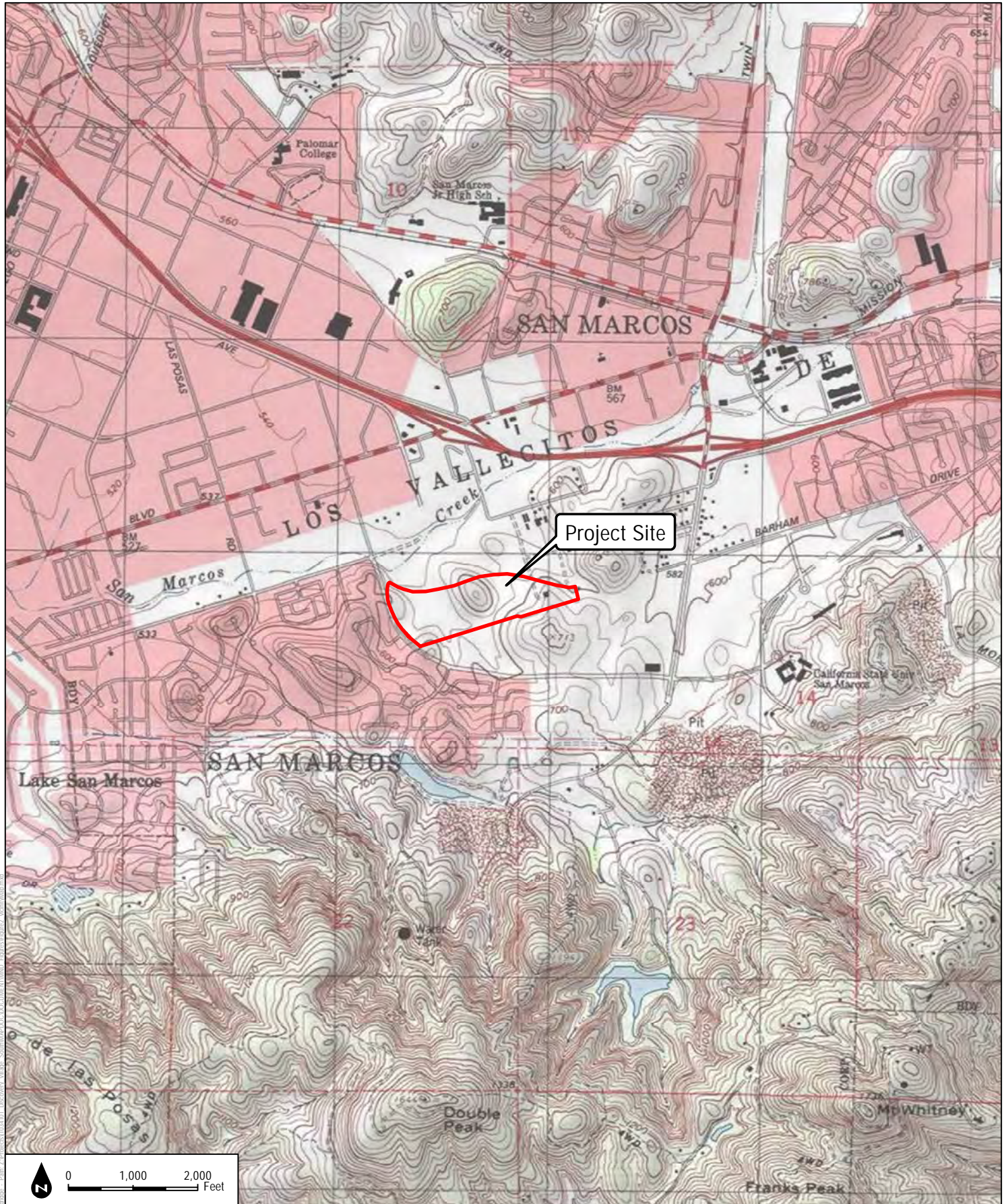
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SOURCE: USGS 7.5 Minute Series San Marcos Quadrangle

Discovery Village South

PC Agenda Item #3 **FIGURE 2**  
Vicinity Map

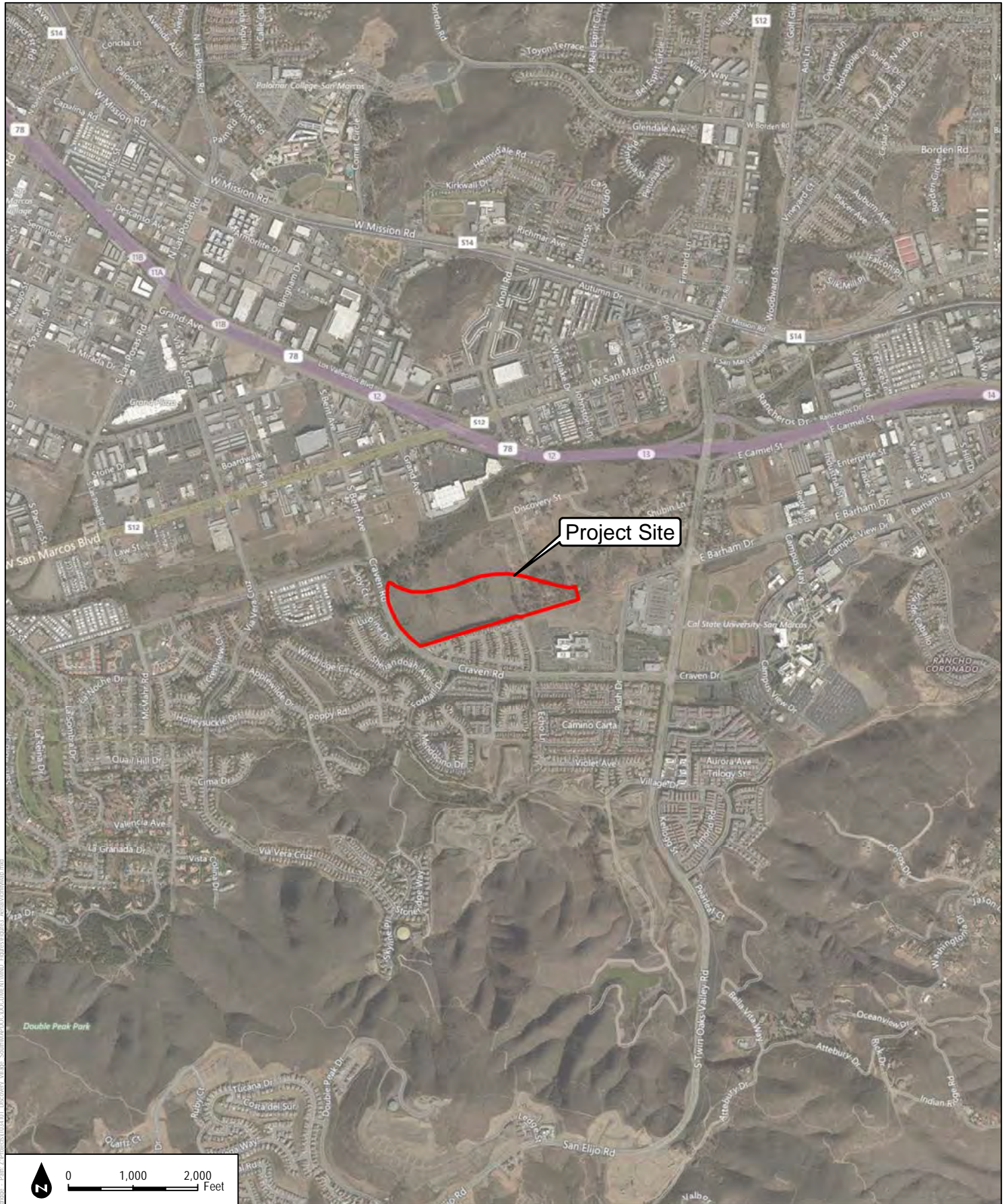
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SOURCE: Bing Maps (Accessed 2017)

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Discovery Village South

PC Agenda Item #9 **FIGURE 3**

**Aerial Map**

Mitigated Negative Declaration

## **Final Mitigated Negative Declaration for Discovery Village South**

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SOURCE: H.G. Fenton Company (2017)

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Discovery Village South

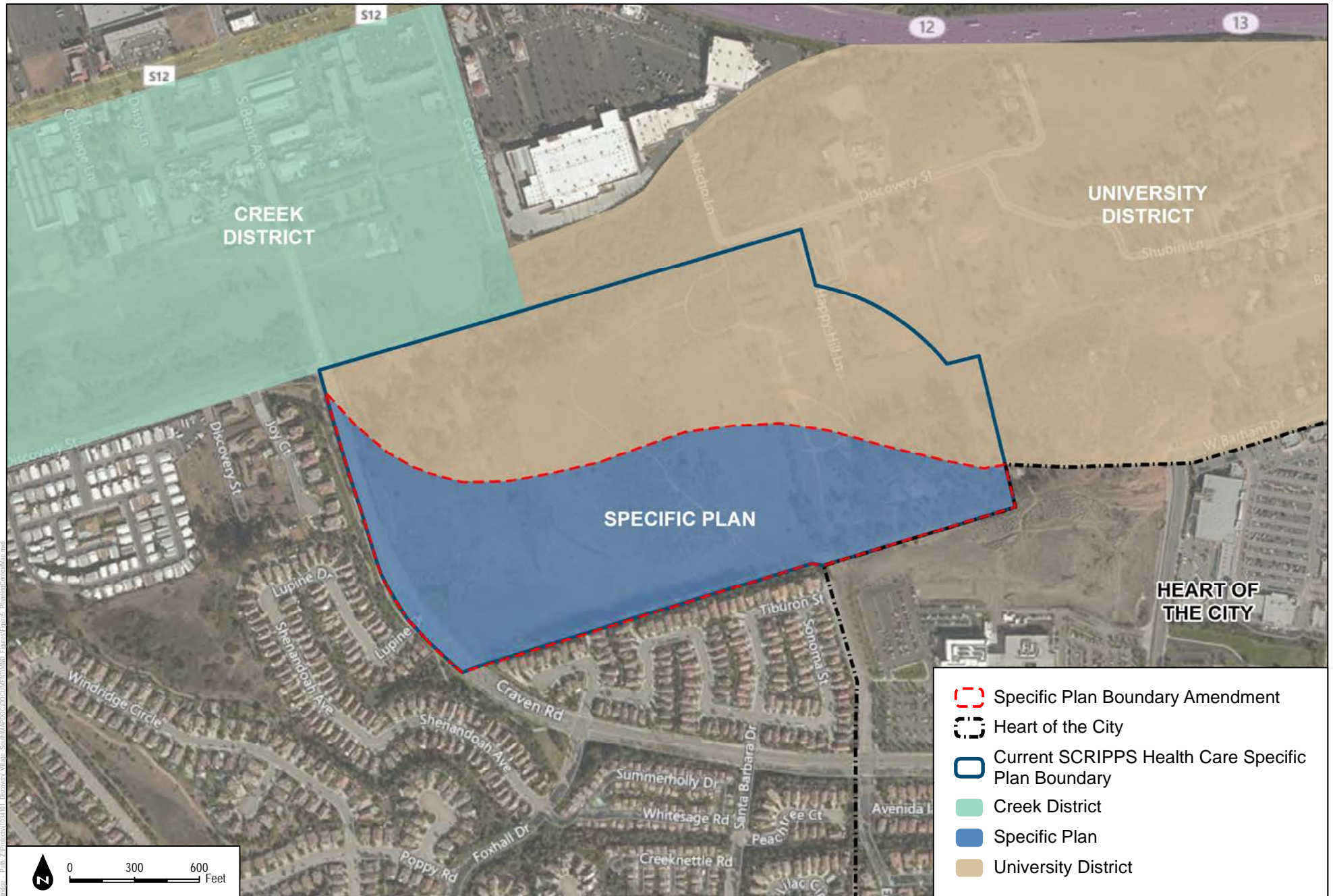
**FIGURE 4**  
Conceptual Site Plan

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SOURCE: Bing Maps (Accessed 2017)

Discovery Village South

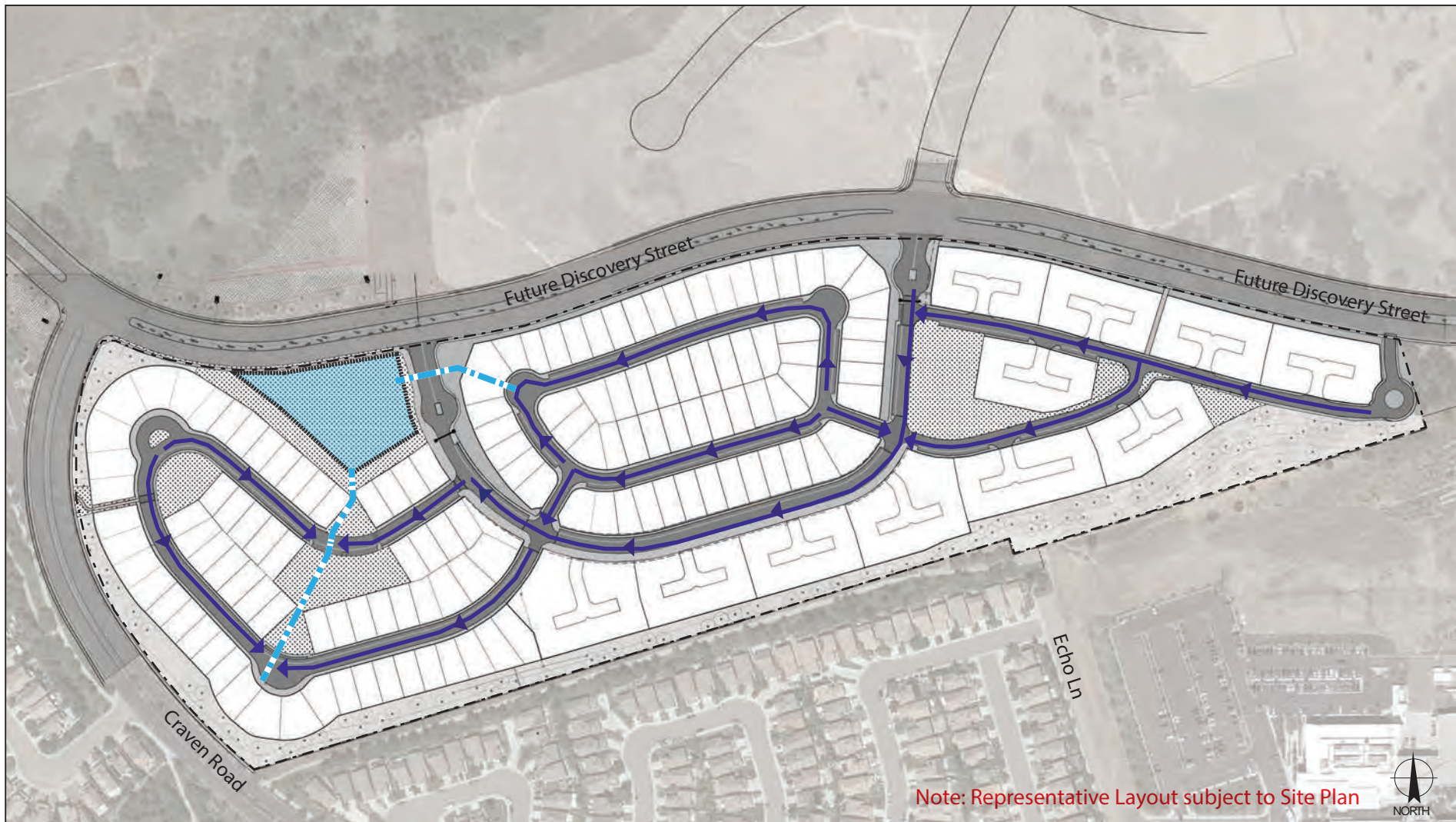
PC Agenda Item #3 **FIGURE 5**  
Planning Context Map

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Note: Representative Layout subject to Site Plan



Proposed Treatment  
Basin (Private)



Proposed Storm  
Drain (Private)



Curb and Gutter Drainage  
on Private Streets

**DUDEK**

SOURCE: H.G. Fenton Company (2017)

Discovery Village South

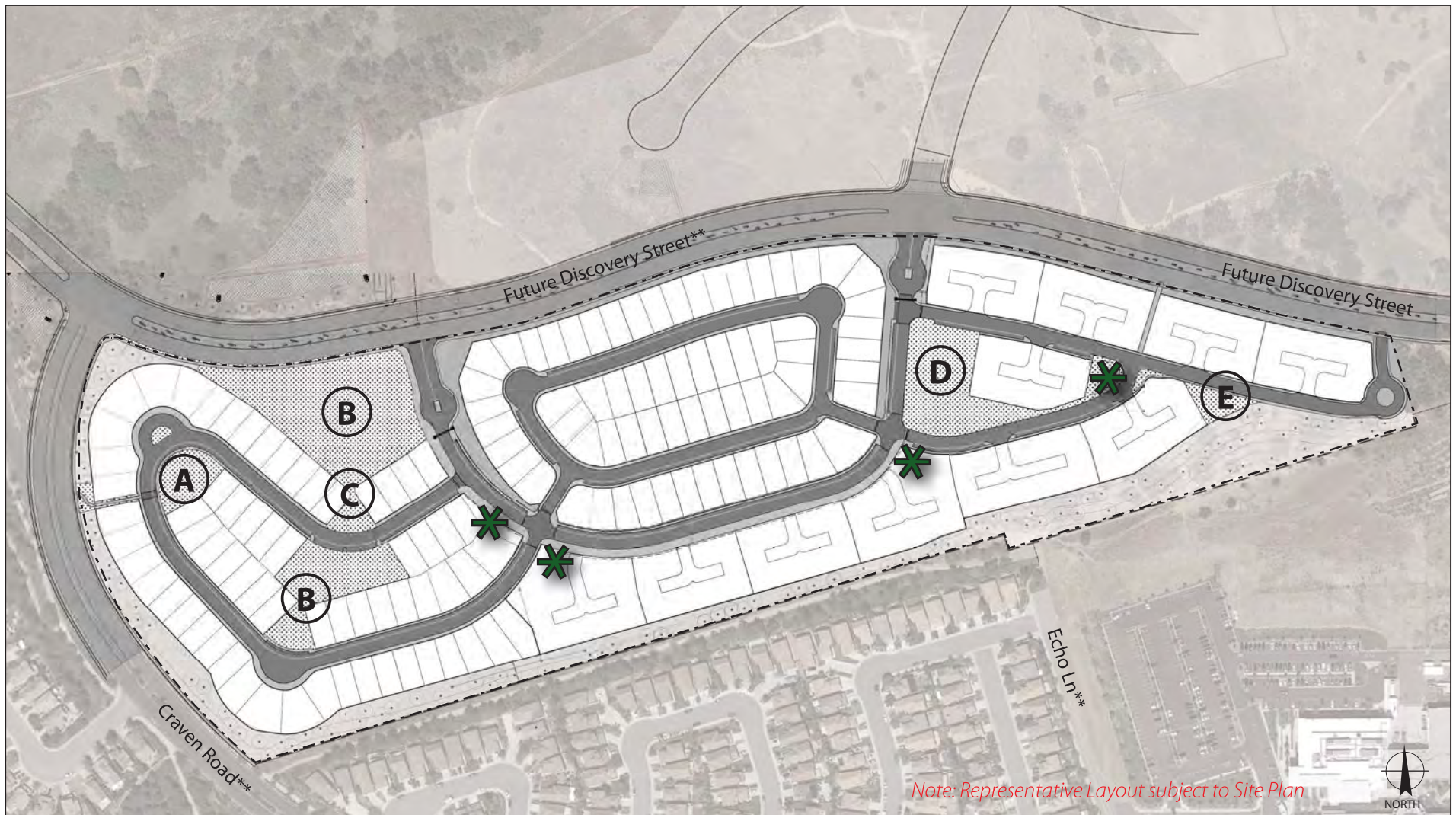
**FIGURE 6**  
Drainage Network  
PC Agenda Item #3

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A- Passive Open Space  
0.2 AC Min.

B & C- Recreation Open Space  
1.9 AC approximately (incl. Retention Basin)

D- "Ceremonial" Entry Open Space  
0.7 AC Min.

E- Active Open Space  
0.15 AC Min.

 Streetscape Open Space  
Less than 0.15 AC

*\*This map is conceptual and is shown for illustrative purposes only; see Site Development Plans - SDP-17-006 for additional detail.  
\*\* Discovery St., Echo Ln. and Craven Rd. are not a part of the Discovery Village South Specific Plan Development.*

**DUDEK**

SOURCE: H.G. Fenton Company (2017)

Discovery Village South

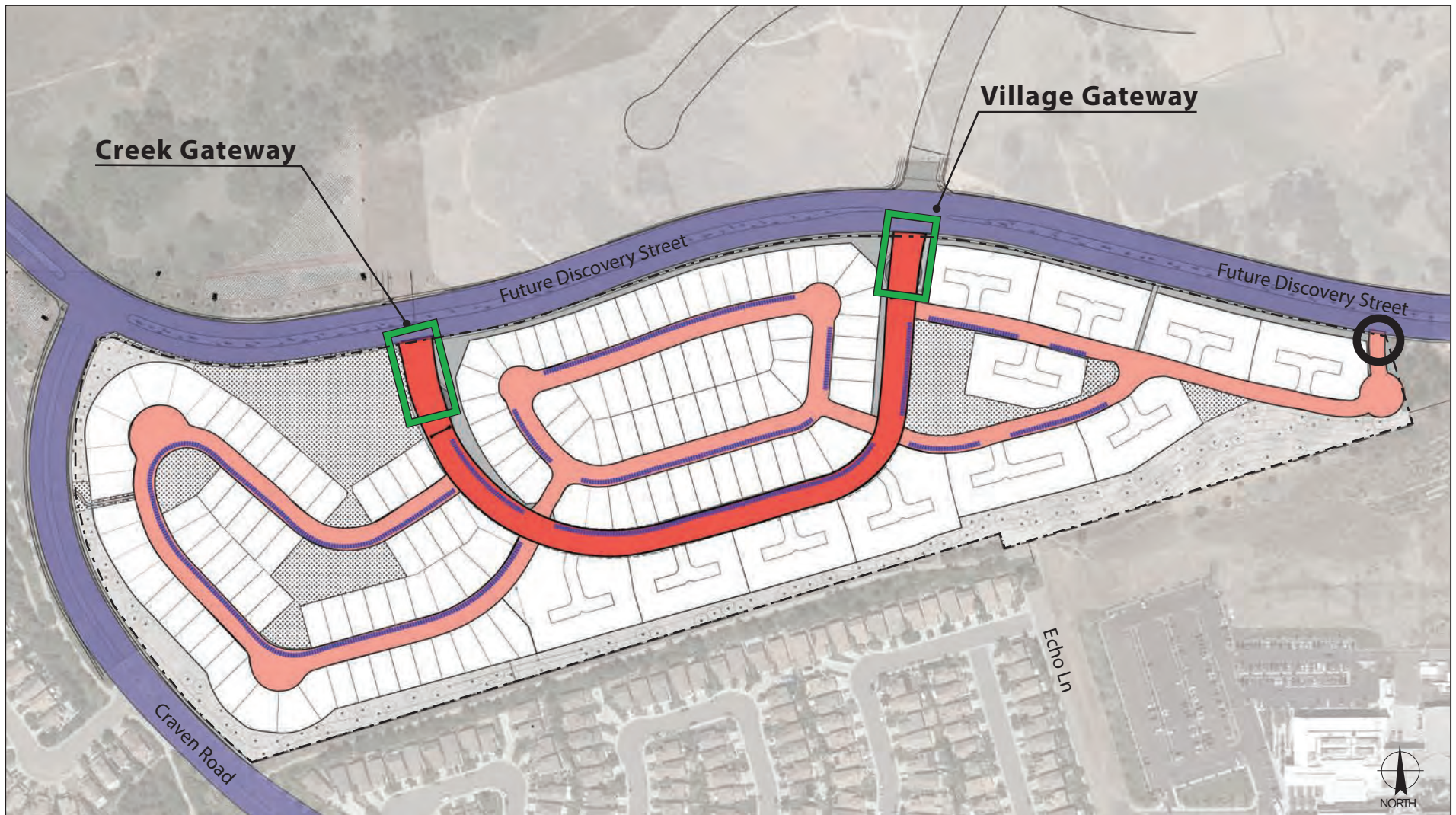
**FIGURE 7**  
**Parks and Open Space Locations**  
PC Agenda Item #3








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- |  |  |   |
|--|--|---|
|  Public Road                  |  Loop Road - Private            |  Main Gated Entry and Emergency Access |
|  Residential Street - Private |  Emergency Access and Exit Gate |  Proposed Main Open Space              |
|  Potential Street Parking     |  |   |

**DUDEK**

SOURCE: H.G. Fenton Company (2017)

Discovery Village South

**FIGURE 8**  
**Street Designations and Parking Plan**

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SOURCE: H.G. Fenton Company (2017)

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Discovery Village South

**FIGURE 9**  
Pedestrian and Bicycle Paths and Trails  
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