

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: 2019011034

Project Title: Aviara Apartments

Lead Agency: City of Carlsbad

Contact Name: Chris Garcia

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Project Location: Carlsbad San Diego
City *County*

Project Description (Proposed actions, location, and/or consequences).

The proposed 329-unit apartment project is located on a 9.5-acre project site bisected by Aviara Pkwy. resulting in a 7.19-acre "West Parcel" and a 2.31-acre "East Parcel". The West Parcel currently contains a 38,000 square foot warehouse, a shed, loading dock, and paved and gravel parking areas which will be removed with project implementation. The East Parcel was previously graded but is undeveloped. Development on the West Parcel would include an approximately 477,000 square foot residential structure with 259 dwelling units, including an incorporated parking structure. The East Parcel would contain 70 affordable rental units in an approximately 83,123 square foot structure with parking provided at ground level in individual garages and at surface level.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

See Attachment 1.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

Section 15123(b)(2) of the CEQA Guidelines requires that an EIR identify areas of controversy known to the lead agency, including issues raised by other agencies and the public. While significant issues of controversy have not been raised during the EIR preparation process, the main comments submitted on the Notice of Preparation (NOP) during the public review and comment period of the NOP were on the following topics:

- Traffic impact study methodology
- Biological impact mitigation and HMP consistency
- Relationship of the project to the Airport Land Use Compatibility Plan
- Noise
- Traffic and Parking
- Density and height
- Population impacts
- Aesthetics
- Zoning

Provide a list of the responsible or trustee agencies for the project.

N/A

Attachment 1: Summary Form for SCH Electronic Submittal, Potentially Significant Impacts of the Proposed Aviara Apartments Project and Identified Mitigation Measures

Potentially Significant Impacts

Air Quality

Potentially Significant Impact

Impact 4.2-3: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Construction of the proposed project would emit diesel particulate matter emit carcinogenic materials or toxic air contaminants (TACs) that exceed the maximum incremental increase in cancer risk of ten in one million or an acute or chronic hazard index of 1.0 from the use of off-road and on-road equipment and stationary sources. The proposed project could result in an increased health risk for offsite residential receptors within 1,000 feet of the project and could expose sensitive receptors to substantial pollutant concentrations.

Applicable Mitigation

Mitigation Measure AQ-1 would reduce dust particulate matter emissions during construction.

Level of Significance after Mitigation

Less than Significant

Biological Resources

Potentially Significant Impact

Impact 4.3-1: Would the proposed 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?

Construction and operation of the proposed project could result in adverse edge effects such as dust which could disrupt plant vitality in the short-term or construction-related soil erosion and water runoff, and could result in indirect impacts to two special-status plant species, southwestern spiny rush and San Diego marsh-elder.

Although no coastal California gnatcatcher and least Bell's vireo were observed at the project site, they are known to occur adjacent to the project site; if either of the special-status wildlife species moves onto or adjacent to the site in the future during construction or operation, impacts could occur.

Implementation of the proposed project could result in significant impacts to the yellow-breasted chat, observed on site during 2017 surveys, and the yellow warbler, determined to have a low potential to occur within the Encinas Creek open space areas. Both species are not federally- or

State-listed, but are California Species of Special Concern. Potential direct impacts on the species would be avoided because no construction is proposed within the Encinas Creek open space areas. However, construction activities during breeding season could result in impacts. The project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including sensitive birds and raptors, protected under the Migratory Bird Treaty Act (MBTA) and CDFG Code. Construction of the proposed project could result in the removal or trimming of trees and other vegetation during the general bird nesting season (January 15 through September 15) and, therefore, could result in impacts to nesting birds in violation of the MBTA and CDFG Code. Direct impacts could occur as a result of removal of vegetation supporting an active nest.

Applicable Mitigation

Mitigation Measure BIO-1 would implement temporary construction and grading fencing.
Mitigation Measure BIO-2 would preserve and manage open space.
Mitigation Measure BIO-3 would provide protection for the coastal California gnatcatcher.
Mitigation Measure BIO-4 would require avoidance of nesting birds and raptors.

Level of Significance after Mitigation

Less than Significant

Potentially Significant Impact

Impact 4.3-2: Would the proposed 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?

Implementation of the proposed project would result in permanent direct impacts to Carlsbad HMP Habitat Groups A-F.

Direct impacts to special-status vegetation communities include 0.1 acre of Diegan coastal sage scrub (unoccupied; Habitat Group D).

Indirect impacts to special-status upland vegetation communities could result primarily from adverse edge effects. During construction activities, edge effects may include dust, which could disrupt plant vitality in the short-term, or construction related soil erosion and water runoff.

Applicable Mitigation

Mitigation Measure BIO-5 would require mitigation for Diegan coastal sage scrub.

Level of Significance after Mitigation

Less than Significant

Potentially Significant Impact

Impact 4.3-3: Would the proposed project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The project site is an upland area that does not support potential jurisdictional waters or wetlands, including federally-protected wetlands. However, indirect impacts could occur if storm water runoff is not controlled at the site and sediment, toxics, and/or other material is inadvertently discharged into potentially jurisdictional waters or wetlands within the adjacent open space.

Applicable Mitigation

Mitigation Measure BIO-1 would implement temporary construction and grading fencing.

Level of Significance after Mitigation

Less than Significant

Potentially Significant Impact

Impact 4.3-4: Would the proposed 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?

Lighting from operation of the proposed project could result in adverse indirect impacts on wildlife movement if not appropriately shielded and directed downward and away from the Existing HMP Hardline preserve and open space areas. Additionally, the function of the Encinas Creek corridor could degrade over time and during operation of the proposed project if encroachment and other disturbances are not prohibited.

Applicable Mitigation

Mitigation Measure BIO-6 would require that project lighting is designed in a way to avoid interference with wildlife movement.

Level of Significance after Mitigation

Less than Significant

Cultural Resources

Potentially Significant Impacts

Impact 4.4-1: Would the proposed project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Since there are 41 previously recorded cultural resources within one-mile radius of the project site, there is a potential for subsurface cultural material to be discovered at the project site during ground-disturbing activities.

Applicable Mitigation

Mitigation Measure CUL-1 would implement a cultural resources monitoring and recovery program.

Level of Significance after Mitigation

Less than Significant

Impact 4.4-2: Would the proposed project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

One archaeological resource (CA-SDI-11022), has been previously recorded within the project site; but is since believed to be destroyed and no additional materials were identified within the project site during survey. However, since there are 41 previously recorded cultural resources within one-mile radius of the project site, there is a potential for historic-period features or cultural material to be discovered at the project site during ground-disturbing activities.

Applicable Mitigation

Mitigation Measure CUL-1 would implement a cultural resources monitoring and recovery program.

Level of Significance after Mitigation

Less than Significant

Impact 4.4-3: Would the proposed project disturb any human remains, including those interred outside of formal cemeteries?

Although, the project would not disturb any known human remains, grading and excavation associated with the proposed project would extend into previously undisturbed subsurface areas or other locations where there is some possibility to encounter buried human remains.

Applicable Mitigation

Mitigation Measure CUL-1 would implement a cultural resources monitoring and recovery program.

Level of Significance after Mitigation

Less than Significant

Impact 4.4-4: Would the proposed 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)?**
- 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 section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?**

Since there are 41 previously recorded cultural resources within one-mile radius of the project site, there is a potential for previously unknown archaeological resources to be identified during ground disturbing activities which could be determined by the Tribes to be a potential Tribal cultural resource. If not treated properly, ground disturbing activities therefore could cause a substantial adverse change in the significance of a known Tribal cultural resource.

Applicable Mitigation

Mitigation Measure CUL-1 would implement a cultural resources monitoring and recovery program.

Level of Significance after Mitigation

Less than Significant

Geology and Soils

Potentially Significant Impact

Impact 4.6-9: Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Implementation of the proposed project would result in a potentially significant paleontological resource impact in association with grading/excavation in previously undisturbed areas of the Santiago Formation (high paleontological potential).

Applicable Mitigation

Mitigation Measure GEO-1 would implement a paleontological resources monitoring, recovery and treatment program.

Level of Significance after Mitigation

Less than Significant

Hazards and Hazardous Materials

Potentially Significant Impact

Impact 4.8-4: Would the proposed project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project site was previously listed as having detections of petroleum hydrocarbons in five areas, likely associated with three former aboveground storage tanks (ASTs) used for fuel storage. The ASTs were removed, and although confirmation soil sampling at the time indicated that no petroleum hydrocarbons remained in the soil above the laboratory detection limit. The Phase II Environmental Site Assessment indicated that recent soil sampling at the site found low levels of TPH in the heavy oil range at the site. Therefore, the possibility remains for previously unidentified contamination to be encountered.

Applicable Mitigation

Mitigation Measure HAZ-1 would implement a soil management plan.

Level of Significance after Mitigation

Less than Significant

Noise and Vibration

Potentially Significant Impact

Impact 4.11-1: Would the proposed project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

During construction of the proposed project, construction noise would impact the closest noise-sensitive land uses, which are residences located to the south and west of the project site, approximately 60 feet and 250 feet away, respectively.

Applicable Mitigation

Mitigation Measure NOI-1 would implement measures during construction to reduce noise impacts.

Level of Significance after Mitigation

Less than Significant