

**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 #: \_\_\_\_\_

Project Title: \_\_\_\_\_

Lead Agency: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Email: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Project Location: \_\_\_\_\_  
*City* *County*

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

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

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

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

Implementation of the proposed Project would result in several potentially significant impacts that would be reduced to less than significant levels with the implementation of required mitigation measures. These potential impacts and mitigation measures are summarized below with cross references to where the issues are discussed in details within the Draft IS/MND. With the implementation of all required mitigation measure there would be no significant and unavoidable impacts associated with the proposed Project.

### **Biological Resources**

Implementation of the proposed Project could result in potentially significant impacts with respect to the following thresholds:

- 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 CDFW or the USFWS? (see Page 33 in the Draft IS/MND).
- 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 CDFW or USFWS? (see Page 34 in the Draft IS/MND).
- 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? (see Page 34 in the Draft IS/MND).

These impacts would be reduced to less than significant levels through the implementation of the following mitigation measures:

**Mitigation Measure BR-1:** Prior to the initiation of any construction-related activities, contractor education training shall be provided by a qualified biologist to ensure that work crews know how to identify and avoid sensitive plant and wildlife species that could occur at the Project site. Additionally, a qualified biologist shall be present during all vegetation clearing and grading activities to monitor these construction activities and identify any sensitive plant and wildlife species that may occur within the Project site.

**Mitigation Measure BR-2:** A pre-construction survey for any sensitive plant and wildlife species potentially occurring in the Project area – including white rabbit-tobacco, arroyo toad, and least Bell's vireo – shall be conducted by a qualified biologist within 5 days prior to the initiation of any construction-related activities. Any sensitive species found in the work area during the pre-construction survey shall be left to leave on their own or shall be relocated by the biologist off-site to an area that provides suitable habitat conditions, which would be identified by the biologist and confirmed by the City, prior to construction. If sensitive plant or wildlife species are found during construction monitoring, the biologist shall clearly mark the location (with staking and flags) and/or install exclusionary fencing. All construction activities within up to 500 feet of the sensitive plant or wildlife species – as determined by the biologist – would be ceased until they leave on their own or are relocated by the biologist.

**Mitigation Measure BR-3:** To the maximum extent feasible, construction activities within 500 feet of San Juan Creek or its tributary within the Riding Park shall be conducted outside of the local nesting season for birds, which can be expected in the Project area from approximately February 1 through August 31. If construction activities are scheduled to occur during the nesting season, a qualified biologist shall conduct

a nesting survey no more than 3 days prior to the start of construction. Consistent with CDFW recommendations, if any nesting birds or raptors are observed, the biologist shall clearly mark the location of the nest (with staking and flags), which should be avoided until the nestlings have fledged (i.e., left the nest), as determined by the biologist. Further, the biologist shall identify any additional measures necessary to avoid potential adverse impacts on nesting birds; these measures would be implemented by the construction contractor. Appropriate measures may include attenuating construction noise (through sound-dampening boards or other equipment) to a level of 60 dBA (as measured within 500 feet of the nest) or otherwise limiting disturbances within 500 feet of the nest until nesting is complete. If the level of 60 dBA cannot be achieved, the biologist shall be present during construction activities to ensure that nesting birds are not disturbed. The biologist shall halt any construction activity determined to be potentially disturbing for any nesting bird. Construction may continue when the monitor determines the activity can be carried out without disruption of nesting, or when the nestlings have fledged.

**Mitigation Measure BR-4:** All appropriate permits, including Section 404 NWP, Section 401 Water Quality Certification, Section 1602 LSAA, NPDES Construction General Permit, federal Incidental Take Permit(s), and CESA Consistency Determination(s) or a state Incidental Take Permit(s) shall be obtained prior to the initiation of any construction-related activities. These permits may include avoidance and minimization measures and/or compensation for impacted jurisdiction wetland and upland habitats as well as critical habitat, as necessary.

- Prior to the commencement of any construction-related activities in jurisdictional waters, all appropriate federal and state permits shall be obtained, including Section 404 NWP, Section 401 Water Quality Certification, Section 1602 LSAA, and NPDES Construction General Permit, as applicable. Permit conditions may require avoidance and minimization measures as well as mitigation for impacts to jurisdictional wetlands, other regulated waters of the U.S. or state, and/or riparian habitat under the jurisdiction of CDFW at an appropriate mitigation ratio negotiated with the appropriate jurisdictional agencies (i.e., USACE, RWQCB, and CDFW, as necessary).
- To the extent required by the USFWS and CDFW under federal ESA and the CESA, designated critical habitat and other native riparian habitats (e.g., black willow thicket) shall be mitigated or otherwise compensated for (e.g., conservation banks) at an appropriate mitigation ratio. In the event that a federal or state ITP(s) are required for the proposed Project, the City shall conduct biological monitoring and reporting to the satisfaction of USFWS and CDFW consistent with the permit requirements.

### **Cultural Resources**

Implementation of the proposed Project could result in potentially significant impacts with respect to the following thresholds:

- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of CEQA Guidelines? (see Page 40 in the Draft IS/MND).
- Disturb any human remains, including those interred outside of dedicated cemeteries? (see Page 41 in the Draft IS/MND).

These impacts would be reduced to less than significant levels through the implementation of the following mitigation measures:

**Mitigation Measure CUL-1:** Prior to the initiation of any construction-related activities, qualified archaeological and paleontological monitors shall be retained and shall provide a pre-construction contractor education training to construction workers. The presentation shall describe potential archaeological deposits and paleontological resources that could be encountered during ground-disturbing activities. The monitors shall be present during the first day of grading activities and shall make recommendations on subsequent monitoring based on observations during that initial phase.

**Mitigation Measure CUL-2:** If an archaeological deposit or resource is encountered during grading activities, all activity within up to 100 feet of the find – as determined by the archaeological monitor – shall cease until it can be evaluated by a qualified archaeologist, defined as one meeting the Secretary of the Interior’s Professional Qualification Standards for Archaeology. If the find is determined to be potentially significant, the archaeologist, in consultation with the City and appropriate Native American group(s) (if the find is a prehistoric or Native American resource), shall develop a treatment plan. All work within up to 100 feet of the unanticipated discovery shall cease until the qualified archaeologist has evaluated the discovery, or the treatment plan has been implemented. If the archaeologist determines that data recovery is necessary, the City shall prepare a Phase III recordation report and shall be responsible for curating the find in a facility meeting the standards described in 36 CFR Part 79.

**Mitigation Measure CUL-3:** If paleontological resources are encountered during the course of construction and monitoring, the City shall halt or divert work and notify a qualified paleontologist who shall document the discovery as needed, evaluate the potential resource, assess the significance of the find, and develop an appropriate treatment plan in consultation with the City.

**Mitigation Measure CUL-4:** Consistent with CEQA Guidelines Section 15064.5(e), if human remains are accidentally discovered or recognized during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC would then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who would then help determine what course of action should be taken in dealing with the remains. Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (Public Resources Code Section 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

### **Geology and Soils**

Implementation of the proposed Project could result in a potentially significant impact with respect to the following threshold:

- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

This impact would be reduced to less than significant levels through the implementation of the following mitigation measures MM CUL-1 and MM CUL-3.

### **Hazards and Hazardous Materials**

Implementation of the proposed Project could result in a potentially significant impact with respect to the following threshold:

- 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? (see Page 50 in the Draft IS/MND).

This impact would be reduced to less than significant levels through the implementation of the following mitigation measures MM BR-6.

### **Tribal Cultural Resources**

Implementation of the proposed Project could result in potentially significant impacts with respect to the following thresholds:

- 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:
  - 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); or
  - 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

These impacts would be reduced to less than significant levels through the implementation of MM CUL-1 and MM CUL-2 as well as the following:

**Mitigation Measure TC-1:** At the request of the Juaneño Band of Mission Indians Acjachemen Nation–Belardes, the City shall invite the Juaneño Band of Mission Indians Acjachemen Nation–Belardes to provide tribal monitoring services including observation of initial soil disturbance activities (e.g., up to the first 3 feet of grading). A qualified archaeologist and Native American monitor would attend a pre-construction meeting and would be present during initial ground-disturbing activities. The frequency of inspections would be determined by the archaeologist in consultation with the Native American representative(s) and would vary based on the rate of excavation, the materials excavated, and the potential presence and abundance of artifacts and features. If previously undiscovered tribal cultural resources are discovered during construction, the City staff shall ensure that all work in the vicinity of the find is redirected until proper recovery and recordation has occurred. Further, the City shall obtain future monitoring by a qualified archaeologist and/or Native American monitor(s), as necessary.