CITY OF VISTA
CALIFORNIA

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION P19-0255

Project Name:	Cedar Road Townhomes Project
Project Location:	206 Cedar Road, on the west side of the street between Vista Way/State Route 78 to the south and West Drive to the north, within the city of Vista.
APN:	166-051-05-00
Project Applicant:	Rancho Estates Inc. Bill Goodin P.O. Box 675101 Rancho Santa Fe, CA. 92067 858-229-5578
Lead Agency:	City of Vista Community Development Department, Planning Division 200 Civic Center Drive Vista, California 92084 Christopher Winters, Associate Planner (760) 643-5394
Public Review Period:	October 5, 2020 to November 4, 2020

This Draft Initial Study/Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). It is available for a 30-day public review period as shown above.

Comments regarding this document should focus on the sufficiency of the document in identifying and analyzing the potential impacts on the environment that may result from the proposed project, and the ways in which any significant effects are avoided or mitigated. **All comments must be made in writing** and addressed to Mr. Christopher Winters, Associate Planner, City of Vista Planning Division, 200 Civic Center Drive, Vista, California 92084. Comments may be sent by e-mail to: cwinters@cityofvista.com. Comments must be received in the Planning Division office no later than 5:00 P.M. on the last day of the public review period noted above.

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Chapter 1

INTRODUCTION

CEQA Overview

The City of Vista (COV) Planning Division has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to evaluate the potential environmental consequences associated with the proposed Cedar Road Townhomes Project ("project"). As part of the permitting process, the proposed project is required to undergo an environmental review pursuant to CEQA. One of the main objectives of CEQA is to disclose to the public and decision makers the potential environmental effects of proposed activities. CEQA requires that the lead agency prepare an Initial Study (IS) to determine whether an Environmental Impact Report (EIR), Negative Declaration (ND), or a Mitigated Negative Declaration (MND) is needed. The COV's Planning Division is the lead agency for the proposed project under CEQA, and per State CEQA Guidelines Section 15070 has determined that an MND would be prepared. A description of the proposed project is found in Chapter 2 of this document.

Authority

The preparation of this IS/MND is governed by two principal sets of documents: CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). Specifically, the preparation of an IS and an MND is guided by the State CEQA Guidelines; Section 15063 describes the requirements for an IS, and Sections 15070–15073 describes the process and requirements for the preparation of an MND. Where appropriate and supportive to an understanding of the issues, reference will be made either to the CEQA statutes or State CEQA Guidelines. This IS/MND contains all of the contents required by CEQA, which includes a project description, a description of the environmental setting, potential environmental impacts, mitigation measures for any significant effects, consistency with plans and policies, and names of preparers.

Scope

This IS/MND evaluates the proposed project's effects on the following resource topics:

- aesthetics
- agriculture and forest resources
- air quality
- biological resources
- cultural and tribal cultural resources
- energy
- geology and soils
- greenhouse gas emissions
- hazards and hazardous materials
- hydrology and water quality
- land use planning
- mineral resources
- noise
- population and housing
- public services
- recreation
- transportation
- utilities and service systems
- wildfire
- mandatory findings of significance

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ENVIRONMENTAL SETTING AND PROJECT DESCRIPTION

Project Overview

The proposed Cedar Road Townhomes project involves the approval of a Site Development Plan, Condominium Permit, and Tentative Subdivision Map to construct a 35-unit condominium development on a vacant, previously developed site. The subject property is located within the western portion of Vista adjacent to the city of Oceanside municipal boundary (see Figure 1- City Location Map in Attachment A). Specifically, the property is located at 206 Cedar Road, on the west side of the street between West Drive to the north and State Route (SR) 78 to the south in the city of Vista (see Figure 2 – Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A).

The project site is 1.95 gross acres in size,[1] and is comprised of one parcel (APN: 166-051-05). The project site was formerly developed with a single-family residence that has been demolished; however, the original concrete slab-on-grade foundation is still in place and would be removed as part of project construction.

The property has a *General Plan 2030 Update (GP 2030)* (City of Vista, 2012a) land use designation of HD (High Density Residential) and a zoning designation of R-M (21) (Multi-Family Residential with 21 Dwelling Units per Acre).

Cedar Road, which is adjacent to the subject property, is unclassified according to the COV Circulation Element. It is currently built as a 2-lane undivided roadway. Curbside parking is generally permitted along the street.

Existing Environmental Setting

CITY OF VISTA

The city of Vista is a largely built-out, predominantly low-density residential community located approximately seven miles inland from the Pacific Ocean in northern San Diego County. Clusters of urbanizing higher density areas are scattered throughout the central portion of the city and along arterial roads. Vista is located in the rolling topography of the western foothills of the San Marcos Mountains, with elevations ranging from approximately 200 feet to about 750 feet above mean sea level (AMSL). Pleasant views are found from various points throughout the city with some higher elevations offering captivating vistas of the Pacific Ocean to the west. In addition to the pleasing topography of the mountains and hills, the city is lushly vegetated from the low-level creek beds to the steep slopes of the foothills, which also contributes to the overall beauty of the community. The city also has two major creeks that flow through its boundaries, Buena Vista Creek and Agua Hedionda Creek.

PROJECT SITE

The project site consists of a single parcel which is 1.95 acres in size. The project site is located in the western part of the city and is adjacent to the eastern municipal boundary of the city of Oceanside (see Figure 1).

The project site is disturbed and vacant and was previously developed with a single-family home. Remnants of the former residence remain on-site; mainly a slab on grade foundation. The project site is considered an infill site as it is surrounded by existing development on all sides as shown in Figure 2 – Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A.

1 Per the Site Plan prepared by J. Villa & Company Inc. 3/3/20.

The topography of the project site generally slopes from northeast to southwest, and is characterized as relatively level with moderate slopes (approximately three to 16 percent) that generally descend toward the existing natural drainage channel along the western property boundary. According to the *Geotechnical Investigation (Geotech Report)* prepared in 2014 for the project site by Southern California Soil & Testing, Inc. (SCS&T, 2014), total elevation difference across the site is approximately 15 feet with on-site elevations ranging from 270 AMSL in the northeast area of the site to a low of 255 AMSL in the southwest area of the site.

The existing impervious coverage of the structures on-site (e.g., remnant slab on grade foundation for the previous home, a portion of Cedar Road) represents approximately four percent of the total parcel acreage, according to the 2020 *Storm Water Quality Management Plan* (*SWQMP*) prepared by Tory W. Walker Engineering (TRWE, 2020). Access to the project site is provided from Cedar Road as shown in the aerial photos in Figures 2 and 3, in Attachment A.

According to the *Biological Resources Letter Report* (*Bio Report*) prepared for the project by REC Consultants (REC, 2020), the project site supports a 0.12-acre coastal and valley freshwater marsh (described as a drainage course and a wetland) that is located along the western boundary (see Figure 3 - Aerial Photo of Existing Property). Most of the project site consists of non-native grassland (1.12 acres). Eucalyptus woodland (0.24 acre), non-native vegetation (0.38 acre), and urban developed (0.09 acre) make up the rest of the habitat identified on-site. No special-status species were observed on-site. Rare plants do not have a high potential to occur on-site due to the disturbed nature of the project site and limited extent of natural habitat on-site. Two special-status birds have the potential to occur on-site; Cooper's hawk (Accipiter cooperi) and Sharp-shinned hawk (Accipiter striatus) (REC, 2020). Further information on this topic can be found in Section IV - Biological Resources in Chapter 3 of this document.

Hydrologically, the project site is situated within the El Salto Hydrologic Subarea (HSA 904.21) of the Buena Vista Creek Hydrologic Area (HA) (904.20) within the Carlsbad Hydrologic Unit (HU) (904.0). According to the *SWQMP* (TRWE, 2020), in the existing condition most of the project site generally drains southwesterly via sheet flow and shallow drainage courses to the existing natural drainage channel along the western property boundary. The remaining eastern area of the site drains southeast via sheet flow and small drainage courses, and discharges to the Cedar Road curb and gutter. There are no existing storm drains or other stormwater facilities on-site. Additional information on this topic can be found in Section X - Hydrology and Water Quality in Chapter 3 of this document.

According to the *Geotech Report* (SCS&T, 2014), the subsurface material encountered within the six test trenches (developed to six feet below ground level) consists of weathered formational material soils commonly identified as the Eocene-age Santiago Formation. The upper two to three-feet of this formation consisted of porous, dry, potentially compressible clayey sand. Below this layer, the Santiago Formation consists of dense, clayey, sandstone. The *Geotech Report* (SCS&T, 2014) also notes that the main geotechnical considerations affecting the planned development are the presence of potentially compressible fill and formational material, and expansive soil. Additional information on this topic can be found in Section VII. Geology and Soils.

Surrounding Land Uses

Immediately surrounding land uses consist primarily of apartments to the north and south; a single-family residence, and apartments to the east across Cedar Road; and single-family residences to the west within the city of Oceanside (see Figure 2 – Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A). The closest existing public school to the site is the Casita Center for Technology, Science & Math, an elementary school, located several hundred feet to the north of the site at 260 Cedar Road. The closest fire station to the project site is the Vista Fire Station No. 1 located at 175 N Melrose Drive, approximately two miles away to the northeast. The closest police station is the San Diego County Sheriff's Office located at 325 South Melrose Drive. Loma Alta Creek and Buena Vista Creek are located approximately 1.2 miles north and 0.38 mile south of the site, respectively. North County Transit District's Sprinter station at the Vista Transit Center is located approximately 2.5 miles to the east, and the Oceanside Municipal Airport is located approximately 4.5 miles to the northwest. The project site is located within the service areas of the COV sewer system, and the Vista Irrigation District (VID).

Proposed Project Description

The applicant (Rancho Estates, Inc.) seeks approval of a Site Development Plan (SDP), Condominium Permit (CP), and Tentative Subdivision Map (TSM) to construct a 35-unit condominium development on the project site as shown in the site plan (See Figure 4 - Proposed Site Plan in Attachment A). The 35 townhome units would consist of two- and three-bedroom units and would be located in five 2-story buildings (three buildings would consist of 2-stories over basement garages). Development of the project would include utility connections and drainage improvements, vehicular parking and driveway access off Cedar Road, and landscaping. There would be 97 parking spaces, including 66 spaces in two-car garages, 31 open spaces, and two loading spaces. Additional site improvements would include a common recreation area that includes a pool, spa, tot lot, etc.; walkways; and semi-private patios.

The required discretionary approvals are described below:

- Site Development Plan: Per Chapter 18.64 in the Vista Development Code, this plan is required for determining project consistency with the City's *GP 2030*, Zoning Code, development standards, design guidelines, etc.
- Tentative Subdivision Map: Per Chapter 17.12 in the Vista Development Code, this map is required for the division and development of the 35 proposed condominium units on the subject property.
- Condominium Permit: Per Chapter 18.60 in the Vista Development Code, this permit is required to be filed and processed with the Tentative Subdivision Map.

OVERALL SITE PLAN

The proposed project would be developed to be compatible with the existing land use designation of HD (High Density) (up to 21 dwelling Units (DU)/Acre (AC) in the *GP 2030* (adopted 2012), and the existing zoning designation of R-M (21) (Multi-Family Residential with 21 Dwelling Units per Acre) that the applicant seeks approval for (see Section XI. Land Use and Planning for additional information). Development of this 35-unit condominium project would have a maximum of three stories (including basement garages and covered auto courts for some of the buildings) not exceeding a height of 35 feet (see Figure 5, Example of Proposed Building Elevations in Attachment A). The project would utilize wood frame construction (or similar methods) on a conventional slab-on-grade foundation. Access to the site would be through a main entry point along Cedar Road, as shown in Figure 4, Proposed Site Plan, in Attachment A.

The project would be developed in a single phase. In general, site development would consist of demolition, excavation and grading, installing wet and dry utilities, private driveways and the road improvements, constructing the 35 condominium units, and installing landscaping. Construction is estimated to be completed in approximately 18 months (SRA, *AQ Assessment*, 2020).

SITE DEVELOPMENT

Demolition & Grubbing

The initial stage of site work is anticipated to involve fencing of the on-site marsh/wetland to create a 50-foot buffer to protect the area from all construction activities. The next phase would involve the demolition and removal of the slab on grade foundation and any other associated improvements, as well as existing driveway pavement, vegetation, etc. from all areas of the project site that would be developed.

Grading

The second stage of development is expected to consist of surface (or mass) grading of the project site. Preliminary calculations of the overall mass grading of the project site are estimated at 6,500 cubic yards (CY) of cut, 1,000 CY of fill, export of 5,500 CY, and 10,000 CY of remedial grading. Grading is estimated to take 40 days to complete according to the *Air Quality Assessment* prepared for the project (SRA, 2020).

The high point on the project site would be 273 AMSL. Currently the high point on the site is 270 AMSL. Temporary and permanent erosion control measures, such as vegetative protection, are required for all cut and fill slopes as detailed in Sections 17.56.280 (F), 17.56.290 (J), and 17.56.330 of the COV's Development Code. See Sections VII. Geology and Soils and X. Hydrology and Water Quality for additional discussion of these issues.

Wet & Dry Utilities

The third stage of site development is anticipated to include the installation of wet and dry utilities, construction of the driveway, and street improvements along Cedar Road. New PVC (poly vinyl chloride) sewer mains would be connected to the existing COV sewer main located in Cedar Road. New sewer laterals would be extended from the new on-site mains and stubbed in each building. New water service lines and meters would be extended onto the project site from the existing water main in Cedar Road. One new fire hydrant would be installed within the project site east of Building D and near the pool house. The Vista Fire Department (VFD) would verify the final locations of all hydrants during review of the precise grading plans.

According to the *SWQMP* (TRWE, 2020), the proposed drainage plan would not significantly alter the existing on-site flow patterns. The proposed storm drain system would be composed of concrete ditches, storm drainpipes, biofiltration basins, and an underground detention vault to maintain the pre-developed runoff characteristics.

Biofiltration Basins with Hydromodification Capacity (sizing per the County's *Hydromodification Management Plan*, (2011) were selected as the treatment control Best Management Practices (BMPs) because of their effectiveness at treating sediment, trash and fine particles. Hydromodification sizing would effectively mitigate the anticipated increase in the storm water discharge rate due to the increase in impervious surfaces. Two biofiltration basins would be installed during the initial construction phase of the development; one along the southern property line and a second one near the southwest corner of the site. See Section X. Hydrology and Water Quality for additional discussion and information on drainage improvements and water quality treatment.

The applicant is required to dedicate a 10-foot wide strip of land along the eastern property line to allow for the construction of Cedar Road improvements consistent with City standards. Existing overhead electric lines located along the property line adjacent to Cedar Road would be placed underground, the northern pole would be moved back onto the project site, and the southern pole would remain. All electrical service to the new buildings would be brought underground into the project site from the southern pole, and other dry utilities such as telephone, gas, etc. would also be connected from existing service lines along the street. Street improvements are required along the Cedar Road frontage. They would generally consist of the installation of streetlights, curb and gutter, a 5-foot wide sidewalk, and a minimum pavement section of half the street plus 12 feet of 4-inch Asphalt Concrete over 8-inch Class II Aggregate Base structural pavement section with a Traffic Index of 6.0.

Building Development and Site Amenities

There would be five buildings constructed on the project site containing the 35 condominiums. Architectural design of the buildings features extensive articulation and various building facades, neutral stucco colors, arched windows and garage doors elements, barrel tile roofs, black wrought iron accents including railings and bracings, terracotta wall tiles, stained black wood shutters, and walnut stained garage doors (see Figure 5 in Attachment A). Sixteen of the units would have two-bedrooms and 19 of the units would have three- bedrooms. Three buildings would be two-stories, and two buildings would be two-stories over basement garages. The buildings would be approximately 35 feet in height. It is anticipated that the structures would be founded on conventional continuous, isolated spread foundations or appropriate combinations thereof with slab-on-grade. The buildings would be constructed per the requirements of the California Building Code (CBC) that is in effect at the time building plans are submitted for permit approvals (including CALGreen and accessibility requirements).

The proposed project would include 97 parking spaces; 66 parking spaces in garages, 31 open common spaces, four accessible spaces and two loading zones.

There would also be 15,624 SF of open space (which exceeds the requirement of 125 SF per bedroom). Proposed amenities include a community pool and spa, a pool house/common area, tot lot, and patio/barbeque area.

Landscaping

The final stage of site development would be the installation of landscaping. A total of 11,288 SF of landscaping is proposed. The overall landscape concept plan for the proposed project would consist of a variety of native and non-native evergreen and deciduous trees, shrubs, and groundcover that would be planted on site to provide shade, color, and visual integration with the surrounding landscape and on-site architecture (see Figure 6 - Proposed Landscape Plan in Attachment A). Planting within the biofiltration basins is required to assist in the treatment of stormwater runoff.

Plant selection is based on the Water Efficient Landscaping Ordinance in the COV's Development Code, Chapter 18.56. All of the proposed plant species would be drought tolerant and require low to moderate water use. The Maximum Applied Water Allowance for the proposed project (MAWA) and the Estimated Total Water Use (ETWU) is detailed in Table 2-2 Landscape Water Requirements, below.

TABLE 2-2 LANDSCAPE WATER REQUIREMENTS

The project's Estimated Total Water Use is calculated using the following formula:

$$ETWU = (ETo)(0.62)\left(\frac{PF \times HA}{IE} + SLA\right)$$

ETWU = Estimated total water use per year (gallons per year)
ETo = Evapotranspiration rate (inches per year)
PF = Plant Factor from WUCOLS (see Definitions)
HA = Hydrozone Area (square feet): Define hydrozones by water use: very low, low, moderate and high
SLA = Special Landscape Area (square feet): Edible plants, irrigated with recycled water, & turf used for active play
0.62 = Conversion Factor (to gallons per square foot)
IE = Irrigation Efficiency (minimum 0.71)

	Line	Hydrozone Number (1 - 4 with SLA Zone Below – use as many tables as necessary to complete all hydrozones)				
		1	2	3	4	SLA
Evapotranspiration Rate (ETo)* 51.1 for Vista area	1	51.1				
Conversion Factor - .62	2	0.62				
(Line 1 x Line 2)	3	31.682				
Plant Factor (PF)** (0.1 - 0.8)	4	1.0	0.3	0.3	0.3	
Hydrozone Area (HA) - in square feet	5	394	210	80	470	8545
(Line 4 x Line 5)	6	394	63.0	24.0	141.0	
Irrigation Efficiency (IE)***	7	1.0	.55	.55	.75	
(Line 6 ÷ Line 7)	8	394	114.5	43.6	188	
TOTAL all Line 8s + SLA)	9	3696.7				
Line 3 x Line 9 Estimated Total Water Use - **ETWU** (gallons per year) Total shall not exceed MAWA below	10	**117.118.84**				

***ETo=** Evapotranspiration rate = **51.1 for Vista, CA Average calculated from values in State Model Water Efficiency Landscape Ordinance (MWELO) - Appendix A**	** **PF - Plant Factor (Water Use) – from WUCOLS Select based on type of plants in hydrozone:** *0.1 = VLW - Very Low Water Use Plants* *0.3 = LW - Low Water Use Plants* *0.6 = MW - Moderate Water Use Plants* *1.0 = HW - High Water Use Plants*	***IE – Irrigation Efficiency Spray = 0.55 MP Rotators = 0.75 Rotor = 0.70 Bubbler = 0.75 Drip & Micro-spray = 0.81 A different IE may be used if supported by documentation subject to approval by the City Planner**

MAXIMUM APPLIED WATER USE (MAWA) calculation (ETAF Evapotranspiration adjustment factor: **.55**)

(51.1) (0.62) (ETAF x _8545_) + (1-ETAF) x 0) =
Total Landscape Area Total SLA

MAWA 148,897.47

Source: J. Villa & Company, Inc. Plan Set, Sheet HZ-1, March 3, 2020

As shown in Table 2-2 Landscape Water Requirements, the total ETWU for the proposed landscape plan would be 117,118.84 gallons per year, some 31,778.63 gallons per year less than the MAWA.

ADDITIONAL APPROVALS

Besides review under CEQA, the applicant and/or contractor of the proposed project would be required to obtain the following additional approvals and/or permits from the COV: Right-of-Way Permit, Grading Permit, Landscape Construction Plan, and Building and Occupancy Permits. These approvals require meeting certain Conditions of Approval prior to obtaining the required permits. In addition, before the Final (Subdivision) Map is recorded, all Conditions of Approval (which include the mitigation measures in this document) must be satisfactorily completed. This includes the requirement for the applicant and/or owner to purchase 0.56-acre of non-native grassland habitat in a City approved off-site mitigation bank, through the preservation of an off-site property that contains these resources, or other lands acceptable to the City (See Mitigation Measure BR-2). Other public agency approvals are cited on page 3-1.

TRIBAL CONSULTATION

California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to CEQA Statute § 21080.3.1. COV staff conducted notification and consultation with these Tribes per the requirements of CEQA Statute § 21080.3.2. The mitigation measures in Section V. Cultural Resources were a result of the consultation process.

Chapter 2

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Project Information

PROJECT TITLE:	Cedar Road Townhomes Project
LEAD AGENCY NAME AND ADDRESS:	City of Vista Community Development Department Planning Division 200 Civic Center Drive Vista, California 92084
CONTACT PERSON:	Christopher Winters, Associate Planner (760) 643-5394 Cwinters@cityofvista.com
PROJECT LOCATION:	206 Cedar Road, on the west side of the street, between West Drive to the north and West (W.) Vista Way to the south in the city of Vista.
PROJECT APPLICANT:	Rancho Estates Inc. Bill Goodin P.O. Box 675101 Rancho Santa Fe, CA. 92067 858-229-5578
GENERAL PLAN DESIGNATION:	Existing & Proposed - HD (High Density Residential)
ZONING DESIGNATION:	Existing & Proposed - R-M (21) (Multi-Family Residential with 21 Dwelling Units per Acre)
DESCRIPTION OF PROJECT:	See Chapter 2, Proposed Project Description.
SURROUNDING LAND USES AND SETTING:	See Chapter 2, Proposed Project Description.
OTHER PUBLIC AGENCY APPROVALS:	Submittal of a Notice of Intent (NOI) to the Regional Water Quality Control Board (RWQCB) and preparation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit.

Environmental Factors Potentially Affected

Based upon the initial evaluation presented in the following IS, it is concluded that the proposed project would not result in significant adverse environmental impacts.

ENVIRONMENTAL DETERMINATION

On the basis of the initial evaluation of the attached Initial Study:

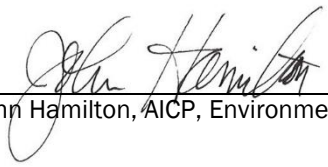
☐ I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the 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 EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



John Hamilton, AICP, Environmental Planner — 08/24/2020 Date

The signature below signifies that the applicant has read and accepts the mitigation measures detailed in the final Mitigated Negative Declaration.

Applicant or Owner — Date

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 would 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 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.
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 Analyses 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 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

IMPACT TERMINOLOGY

The following terminology is used to describe the level of significance of impacts:

- A finding of *no impact* is appropriate if the analysis concludes that the project would not affect the particular topic area in any way.
- An impact is considered *less than significant* if the analysis concludes that it would not cause substantial adverse change to the environment and requires no mitigation.
- An impact is considered *less than significant with mitigation incorporated* if the analysis concludes that it would not cause substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered *potentially significant* if the analysis concludes that it could have a substantial adverse effect on the environment.

I. Aesthetics *Except as provided in Public Resources Code Section 21099, would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

DISCUSSION

a - b. NO IMPACT. Visual resources can be valued both objectively and subjectively based on their uniqueness, prominence, quality, relationship to community identity, and economic contributions, such as to land values and tourism. Visual resources are important from an aesthetic perspective when, based on the characteristics listed above, they are identified as containing significant scenic value. Within this understanding, a scenic vista can be defined as the public view of an area that is visually or aesthetically unique, such as a valley or a mountain range. A review of the San Luis Rey and San Marcos USGS maps of the project area, as well as the review of general plans of Vista, County of San Diego, and Oceanside did not identify a scenic vista that could be viewed within the project area (i.e., adjacent to the project site). As a result, the construction of the proposed project would not result in significant impacts on a scenic vista.

The proposed project would not substantially damage scenic resources or historic buildings within a state scenic highway. The existing 1.95-acre project site (see Figure 1 – City Location Map in Attachment A) is located in an urbanized area of the city immediately adjacent to Cedar Road, which is not identified as a state scenic highway. Consequently, project implementation would not substantially damage scenic resources, and significant impacts would not occur.

c. LESS THAN SIGNIFICANT IMPACT. The proposed project would not substantially degrade the existing visual character or quality of the project site or surroundings. The visual character of the existing site is defined by the vegetation on-site, past patterns of development, remnant concrete pad and site fencing. The visual character of the immediately surrounding area is largely defined by apartment communities to the north and south and east, as well as scattered single-family residences to the east and commercial land uses to the south.

As noted in the Proposed Project Description section in Chapter 2 of this document, the project involves redevelopment of the disturbed vacant site into five buildings containing a total of 35 condominiums. The project includes landscaping and fencing adjacent to Cedar Road. As depicted in Figure 6 - Proposed Landscape Plan in Attachment A, the overall landscape plan for the project site would consist of a variety of native and non-native evergreen and deciduous trees, shrubs, and groundcover that would be planted along the project's frontage on Cedar Road which would help provide visual integration with the surrounding landscape and community. Although the proposed project would change the existing visual character of the site through the creation of the condominiums and other site amenities, the change would be in keeping with the surrounding community character of neighboring residential development, and in many ways could actually improve and upgrade the visual quality of the existing property. Accordingly, project implementation would result in less than significant impacts.

d. LESS THAN SIGNIFICANT IMPACT. The proposed project would not create a substantial source of light or glare. Construction of the project would include the installation of new entry lights placed at the project frontage along Cedar Road. Conditions of Approval will require that the new lights would be specified to match COV standards for streetlights in the Development Code (e.g., approximate minimum height of 12 feet, shielded and directed away from residential property boundaries, etc.). As a result, the installation of the new entry lights would not create a significant, substantial source of light or glare within the project area. In addition, architectural plans for the buildings would be reviewed by the COV's Building Department and Planning Division prior to the issuance of building permits, including whether the exterior building materials or exterior lights would produce substantial glare. Conformance with the Development Code, permit plan checks, and reviews by COV Staff would ensure that substantial lighting and glare impacts from future building and site development would not be created. Therefore, significant impacts would not occur with project implementation.

II. Agriculture and Forest Resources ***Would the project:***	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

DISCUSSION

a - e. NO IMPACT. The 1.95-acre site has a *GP 2030* land use designation of HD (High Density Residential) and a zoning designation of R-M (21) (Multi-Family Residential with 21 Dwelling Units per Acre) The subject property is not identified as Prime Farmland, Unique Farmland or Farmland of Statewide Importance on the most recent maps of the California Department of Conservation's Farmland Mapping and Monitoring Program. The project site is located within an urbanized area of the city which supports residential uses in the western portion of the city. Further, the project site is not located in an area designated as forest land or timberland, and it is not currently in active agricultural use, or under a Williamson Act contract. As a result, project development would not convert any farmland to non-agricultural use, or forest land to non-forest use, or conflict with existing agricultural, or timberland zoning or Williamson Act contracts. Therefore, implementation of the proposed project would not result in significant impacts to agricultural or forestry resources.

III. Air Quality *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. 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?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The discussion below is based on the findings contained within the *Air Quality Assessment for the Cedar Road Townhomes Project* (*AQ Report*) (Scientific Resources Associated [SRA], 2020a) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a. LESS THAN SIGNIFICANT IMPACT. Projects that are consistent with existing general plan documents, which are used to develop air emissions budgets for the purpose of air quality planning and attainment demonstrations, would be consistent with the San Diego Air Basin's (SDAB) air quality plans, including the Regional Air Quality Strategy (RAQS) and the State Implementation Plan (SIP). Both of these air quality plans contain strategies for the region to attain and maintain the ambient air quality standards. Provided the project complies with the applicable Rules and Regulations adopted by the San Diego Air Pollution Control District (SDAPCD) through their air quality planning process, the proposed project would not conflict with or obstruct implementation of the RAQS or SIP.

The proposed project would construct 35 condominiums on a 1.95-acre site. The proposed project is consistent with the *GP 2030* land use designation and zoning designation. Thus, the proposed project would be consistent with the land use planning assumptions within the RAQS and SIP.

The project would be in compliance with applicable rules and regulations adopted by the SDAPCD and would therefore not conflict with or obstruct implementation of the RAQS or SIP. Therefore, this impact would be less than significant.

b. LESS THAN SIGNIFICANT IMPACT. Air quality impacts can result from the construction and operation of the proposed project. Construction emissions are finite and include fugitive dust, equipment exhaust, and indirect mobile source emissions associated with construction workers commuting, material hauling, and deliveries. Operational impacts are primarily due to emissions from mobile sources associated with the vehicular travel along roadways and area sources, such as natural gas use for space and water heating.

Air emissions were calculated using the California Emissions Estimator Model (CalEEMod) (South Coast Air Quality Management District [SCAQMD] 2016). CalEEMod is a tool used to estimate air emissions resulting from land development projects. The model generates emissions from two basic sources: construction and operational sources. SDAPCD significance thresholds for air quality impacts are shown in Table AQ-1 below.

TABLE AQ-1 SCREENING-LEVEL CRITERIA FOR AIR QUALITY IMPACTS

Pollutant	Total Emissions		
Construction Emissions			
	Lb. Per Day		
Coarse Particulate Matter (PM_{10})	100		
Fine Particulate Matter ($PM_{2.5}$)[1]	55		
Oxides of Nitrogen (NOx)	250		
Oxides of Sulfur (SOx)	250		
Carbon Monoxide (CO)	550		
Volatile Organic Compounds (VOC)[2]	137		
Operational Emissions			
	Lb. Per Hour	**Lb. Per Day**	**Tons Per Year**
Coarse Particulate Matter (PM_{10})	---	100	15
Fine Particulate Matter ($PM_{2.5}$)[1]	---	55	10
Oxides of Nitrogen (NOx)	25	250	40
Oxides of Sulfur (SOx)	25		
Carbon Monoxide (CO)	100	550	100
Lead and Lead Compounds	---	3.2	0.6
Volatile Organic Compounds (VOC)[2]	---	137	15

*Source: SRA, 2020a * SDAPCD*

1 $PM_{2.5}$ is not currently regulated under SDAPCD Rule 20.2. $PM_{2.5}$ thresholds are based on SCAQMD significance thresholds of 55 lbs./day for construction and operation and 10 tons/year for operation.
2 VOC's are not regulated under SDAPCD Rule 20.2. VOC thresholds are based on City of San Diego's Significance Determination Thresholds.

CONSTRUCTION-RELATED EMISSIONS

Construction-related activities are temporary, finite sources of air emissions. Typical sources of construction-related air emissions include:

- Fugitive dust from earthmoving activities;
- Construction equipment exhaust; and
- Construction-related trips by workers, delivery trucks, and material-hauling trucks.

Fugitive dust emissions vary greatly during construction and are dependent on the amount and type of activity, silt content of the soil, and the weather. Vehicles moving over unpaved surfaces, excavation, earth movement, grading, and wind erosion from exposed surfaces are all sources of fugitive dust.

Heavy-duty construction equipment is usually diesel powered. In general, emissions from diesel-powered equipment contain more nitrogen oxides, sulfur oxides, and particulate matter than gasoline-powered engines. However, diesel-powered engines generally produce less CO and less ROG than do gasoline-powered engines. Standard construction equipment includes dozers, rollers, scrapers, backhoes, loaders, paving equipment, delivery/haul trucks, jacking equipment, welding machines, and so on.

Construction activities would consist of grading, building construction, paving, and architectural coatings application. Construction of the proposed project was estimated to require a total of 18 months to complete. For the purpose of this analysis, it was assumed that project construction would commence in July 2020. Should construction occur later, emissions would likely decrease due to increasingly stringent requirements for on-road vehicles and off-road equipment; therefore, this analysis is conservative. Grading would require approximately 40 days. During grading, there would be an estimated 6,500 cubic yards of cut and 1,000 cubic yards of fill, with 5,500 cubic yards of import to balance the site, which would result in 344 haul truck round trips (based on a 16 cubic yard haul truck capacity) (SRA, 2020a). Emissions from construction of the proposed project were estimated through the use of the CalEEMod (SCAQMD 2016). It was assumed that standard fugitive dust control measures would be implemented, including watering of active sites three times daily.

For the purpose of estimating emissions from the application of architectural coatings, it was assumed that water-based coatings that would be compliant with SDAPCD Rule 67.0.1 VOC limitations would be used for both exterior and interior surfaces. Rule 67.0.1 requires flat architectural coatings to meet a VOC limit of 50 grams/liter, and non-flat coatings to meet a VOC limit of 100 grams/liter. For the purpose of this analysis, this assumption was included in the CalEEMod by assuming that the architectural coating emissions would meet a VOC limit of 50 grams/liter for interior coatings and 100 grams/liter for exterior coatings.

Table AQ-2 provides a summary of the emission estimates for construction of the proposed project, assuming standard measures are implemented to reduce emissions, as calculated with the CalEEMod. Refer to the *AQ Report* for detailed model output files. As shown in Table AQ-2, emissions associated with construction are below the significance thresholds for all construction phases and pollutants. Construction of the proposed project would be short-term and temporary. Thus, the emissions associated with construction of the proposed project would be less than significant.

TABLE AQ-2 ESTIMATED CONSTRUCTION EMISSIONS

Emission Source	ROG[1]	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
			lbs./day			
Grading						
Fugitive Dust	-	-	-	-	1.79	0.97
Off-road Diesel	1.35	15.09	6.45	0.01	0.68	0.63
Haul Trucks	0.14	4.80	1.09	0.01	0.32	0.10
Worker Travel	0.03	0.02	0.23	0.001	0.07	0.02
TOTAL	**1.52**	**19.91**	**7.77**	**0.02**	**2.86**	**1.72**
Significance Criteria	137	250	550	250	100	100
Significant?	No	No	No	No	No	No
Paving						
Asphalt Offgassing	0.01	-	-	-	-	-
Off-road Diesel	0.77	7.74	8.86	0.01	0.42	0.38
Worker Travel	0.05	0.03	0.34	0.001	0.11	0.03
TOTAL	**0.83**	**7.77**	**9.20**	**0.01**	**0.53**	**0.41**
Significance Criteria	137	250	550	250	100	100
Significant?	No	No	No	No	No	No
Building Construction						
Off-road Diesel	2.03	14.79	13.19	0.02	0.80	0.77
Vendor Trips	0.02	0.68	0.17	0.002	0.04	0.01
Worker Trips	0.11	0.08	0.88	0.003	0.26	0.07
TOTAL	**2.16**	**15.55**	**14.24**	**0.02**	**1.10**	**0.85**
Significance Criteria	137	250	550	250	100	100
Significant?	No	No	No	No	No	No
Architectural Coatings Application						
Architectural Coatings Offgassing	4.29	-	-	-	-	-
Off-road Diesel	0.22	1.53	1.82	0.003	0.09	0.09
Worker Trips	0.02	0.01	0.16	0.0005	0.05	0.001
TOTAL	**4.53**	**1.54**	**1.98**	**0.003**	**0.14**	**0.09**
Significance Criteria	137	250	550	250	100	100
Significant?	No	No	No	No	No	No
Maximum Daily Emissions	**7.30**	**23.63**	**25.06**	**0.04**	**2.86**	**1.72**
Significance Criteria	137	250	550	250	100	100
Significant?	No	No	No	No	No	No

*Source: SRA, 2020a * SDAPCD*

1 *CARB uses the term "reactive organic gases" (ROG) to measure organic gases, which is also contained in the CalEEMod results. The City of San Diego uses the term VOC ('volatile organic compounds") to describe organic gases in its Significance Determination Thresholds.*

OPERATION-RELATED EMISSIONS

Long-term emissions of air pollutants occur from operational sources. The main operational impacts associated with the proposed project would be related to traffic. Minor impacts would be associated with energy use and landscaping.

To estimate emissions associated with project-generated traffic, the CalEEMod was used. Default daily trip generation rates for condominiums/townhomes (8 trips per dwelling unit) were used in the CalEEMod. The CalEEMod contains emission factors from the EMFAC2014 model, which is the latest version of the California Air Resources Board (CARB) emission factor model for on-road traffic. Project-related traffic was assumed to be comprised of a mixture of vehicles in accordance with the CalEEMod defaults for vehicle mix. This assumption includes light duty autos and light duty trucks (i.e., small trucks, SUVs, and vans) as well as medium- and heavy-duty vehicles that may be traveling to make deliveries.

For conservative purposes, emission factors representing the vehicle mix for 2022 were used to estimate emissions as 2022 was assumed to be the first year of full operation; based on the results of the EMFAC2014 model for subsequent years, emissions would decrease on an annual basis from 2022 onward due to phase-out of higher polluting vehicles and implementation of more stringent emission standards that are taken into account in the model. Emissions associated with area sources (energy use and landscaping activities) were also estimated using the default assumptions in the CalEEMod.

As shown in Table AQ-3, operational emissions from the proposed project would be below the significance criteria for all pollutants. Thus, the emissions associated with operations would be less than significant.

TABLE AQ-3 ESTIMATED OPERATIONAL EMISSIONS

Emission Source	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer, lbs./day						
Area Sources	0.99	0.61	3.14	0.004	0.06	0.06
Energy Use	0.01	0.13	0.05	0.0008	0.01	0.01
Vehicular Emissions	0.46	1.90	5.47	0.02	1.71	0.47
TOTAL	**1.46**	**2.65**	**8.66**	**0.02**	**1.78**	**0.54**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No
Winter, lbs./day						
Area Sources	0.99	0.61	3.14	0.004	0.06	0.06
Energy Use	0.01	0.13	0.05	0.0008	0.01	0.01
Vehicular Emissions	0.45	1.96	5.35	0.02	1.71	0.47
TOTAL	**1.45**	**2.70**	**8.55**	**0.02**	**1.78**	**0.54**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No
Annual, tons/year						
Area Sources	0.16	0.01	0.26	0.00001	0.001	0.001
Energy Use	0.003	0.02	0.01	0.0002	0.002	0.002
Vehicular Emissions	0.08	0.36	0.96	0.003	0.30	0.08
TOTAL	**0.24**	**0.39**	**1.23**	**0.004**	**0.31**	**0.09**
Significance Criteria	15	40	100	40	15	10
Significant?	No	No	No	No	No	No

Source: SRA, 2020a

As indicated in Table AQ-2 and AQ-3, construction and operational emissions from the proposed project would be below significance thresholds. Because the proposed project's emissions are less than significance thresholds, the emissions during construction and operations would not be expected to result in a cumulatively considerable impact to air quality. Therefore, the proposed project would have a less-than-significant impact.

c. LESS THAN SIGNIFICANT IMPACT. Projects involving traffic impacts may result in the formation of locally high concentrations of CO, known as CO "hot spots." CO "hot spots" have the possibility of forming at intersections with a level of service (LOS) of E or F (SRA, 2020a). Due to the small size of the proposed project, the proposed project would not generate substantial traffic that would result in a degradation of LOS at nearby intersections. It is therefore anticipated that no CO "hot spots" would result from project-related traffic.

Construction and operations would result in minor emissions of toxic air contaminants (TACs) from construction equipment and motor vehicles. As stated in the *AQ Report* (SRA, 2020a), TACs (or hazardous air pollutants) are pollutants that are known or suspected to result in adverse health effects upon exposure through inhalation or other exposure routes. The proposed project is a residential development and is not a major source of TACs. The amounts of TACs that would be generated from construction equipment and motor vehicles is negligible. Therefore, impacts to sensitive receptors would be less than significant.

d. LESS THAN SIGNIFICANT IMPACT. During construction, diesel equipment operating at the site may generate some odors; however, due to the distance of sensitive receptors to the project site and the temporary and intermittent nature of construction, odors associated with proposed project construction be less than significant.

According to the SCAQMD CEQA Air Quality Handbook (SCAQMD 1999), land uses associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting activities, refineries, landfills, dairies, and fiberglass molding operations. The proposed project is a residential development and does not include any of the operations cited in the SCAQMD's handbook. Therefore, odor impacts would be less than significant.

IV. Biological Resources *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c. 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?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The discussion below is based on the findings contained within the *Biological Resources Letter Report for the Cedar Road Townhomes Project* (*Bio Report*) (REC Consultants, [REC], 2020) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a. - b. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. As stated in the Existing Environmental Setting section in Chapter 2 of this document, the 1.95-acre project site is an urban infill site, is disturbed, and was previously in residential use. The remains of the concrete foundation from the former home are still partially intact on-site.

The project site is characterized as containing five habitats / land cover categories including the following:

- Freshwater marsh = 0.12 acres on-site
- Non-native grassland = 1.12 acres on-site
- Eucalyptus woodland = 0.24 acres on-site
- Non-native vegetation = 0.38 acres on-site
- Urban/developed = 0.09 acres on-site

Coastal and valley freshwater marsh and non-native grassland are both sensitive natural communities. A formal wetland jurisdictional delineation was not conducted on-site, but the channel on the far west side of the site is assumed to be jurisdictional under the Regional Water Quality Control Board, California Department of Fish and Wildlife, and U.S. Army Corps of Engineers. Instead of a formal wetland delineation, the outer extent of wetland vegetation was used to determine the extent of jurisdictional wetlands and waters on-site (REC, 2020).

In this case, the interface between wetland and non-Freshwater marsh is the only wetland on-site and was mapped to satisfy both state and federal definitions of wetland. The project footprint has been intentionally designed to avoid this wetland habitat through the establishment of a 50-foot buffer from the outer edge of the on-site marsh. There would not be a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Additionally, the 50-foot buffer from the freshwater marsh would be maintained to ensure there are no project-related indirect impacts to this sensitive wetland habitat. Therefore, there would be no project impacts to state or federally protected wetlands.

No special-status species were observed on-site and no rare plants have high potential to occur on-site due to the disturbed nature of the project site and limited extent of natural habitat on-site. (REC, 2020). Based on California Natural Diversity Data Base records searches in the project quadrangle, review of localized species distribution data from the San Diego Natural History Museum, and evaluation of current site conditions, two special-status species have high potential to occur on-site, which are discussed below (REC, 2020).

INDIRECT IMPACTS

The project site has low vulnerability to indirect impacts due to its proximity to residential development and Cedar Road. The only sensitive habitat nearby is the channel that is partially on-site, which is already subject to indirect impacts such as lighting, noise, and intrusion by domestic animals and humans. Development of the project site could potentially increase anthropogenic activity in this habitat, which includes illegal dumping, the increased presence of domestic animals that may prey on wildlife, night lighting, increased noise levels, and the introduction of invasive plant species that may outcompete native plant species. There would be a 50-foot buffer between the outer edge of the wetland vegetation and the proposed project. Non-native invasive plant species would not be used in the landscape palette, and lighting would be directed away from the channel in order to ensure impacts are minimized.

DIRECT IMPACTS – TEMPORARY AND PERMANENT

Cooper's hawk (*Accipiter cooperi*) and sharp-shinned hawk (Accipiter striatus) both have high potential to occur on-site, and are both CDFW Watch List species. These raptors are both relatively common and are mobile enough to avoid being directly impacted by implementation of the project. However, due to the presence of mature trees on-site, as well as off-site along the perimeter of the site, implementation of the proposed project could result in direct temporary impacts to active bird nests if site development activities occur during the bird breeding season (generally from February 15 through August 31, but as early as January 1 for some raptors). Any construction activities (including, but not limited to, staging and disturbances to native and non-native vegetation, structures, and substrates) that occur during the nesting/breeding season of birds such as raptors (e.g., Cooper's hawk and sharp-skinned hawk) and/or birds protected by the federal Migratory Bird Treaty Act of 1918 (50 C.F.R. Section 10.13) and the California Fish and Game Code (Sections 3503, 3503.5, and 3513), could result in a take of birds or their eggs, which would result in a potentially significant impact. A "take" means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs and/or young resulting from disturbances which cause abandonment of active nests. Therefore, the preferred option in undertaking the removal of the trees would be performed outside of the avian breeding season, as noted above and verified by a Qualified Biologist. However, if avoidance of the avian breeding season is not feasible, then Mitigation Measure BR-1 would be undertaken, which would reduce potentially significant temporary impacts to less than significant levels.

Implementation of the project would directly and permanently impact 1.60 acres of land. No impacts to the marsh habitat would occur due to project design which includes avoidance of the wetland area as well as an additional 50-foot buffer to ensure protection of the marsh as noted above.

Impacts to 1.11 acres of non-native grassland would be potentially significant and mitigation is required. Per the MHCP, non-native grassland requires mitigation at a ratio of 0.5:1, thus 0.56 acres of non-native grassland would need to be protected and managed in perpetuity. This mitigation would be achieved through compliance with Mitigation Measure BR-2. With implementation of this mitigation measure, impacts would be reduced to a less than significant level.

Mitigation Measures

BR-1 The Applicant or Owner shall ensure that no active nests are adversely affected by vegetation clearing, grubbing, grading, or construction, in compliance with the Migratory Bird Treaty Act and California Fish and Game Code. These activities shall be scheduled to avoid the raptor and general avian breeding season (January 1 through September 15). Alternatively, these activities may occur during the avian breeding season if a Qualified Biologist (i.e., with experience in conducting breeding bird surveys) conducts a survey for nests within three days prior to the work in the area, and monitors vegetation removal to ensure no nesting birds/raptors are impacted by the project. If an active nest is identified, the following active nest protection mitigation measures shall be applied:

a. A buffer shall be established between the clearing, grubbing, grading, and construction activities and the active nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 300 feet (500 feet for raptors and special-status species) shall be delineated by temporary fencing, and shall remain in effect as long as construction is occurring or until the nest is no longer active. The Qualified Biologist shall monitor the nest during project activities until nesting is complete. This buffer may be reduced if it can be demonstrated to the satisfaction of the City of Vista and Wildlife Agencies that the reduction does not represent a threat to nesting activities.

b. Normal clearing, grubbing, grading, and construction without nest buffer(s) may resume once the Qualified Biologist demonstrates to the satisfaction of the City of Vista and Wildlife Agencies that all nesting is complete. Nesting would be considered complete if no active nests are observed during a focused nesting bird survey conducted within three days prior to resumption of such activities.

c. Best Management Practices and the Storm Water Pollution Prevention Plan will specifically include mandatory measures to prevent any movement of water, soils, or any material from the site into off-site areas.

BR-2 The Applicant or Owner shall purchase 0.56 acres of non-native grassland habitat in a City approved off-site mitigation bank, through the preservation of an off-site property that contains these resources, or other lands acceptable to the COV.

c. – f. NO IMPACT.

Freshwater marsh is the only wetland on-site and was mapped to satisfy both state and federal definitions of wetland. The project footprint does not extend over this wetland habitat. As a result, there would not be a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Additionally, a 50-foot buffer from the freshwater marsh would be maintained to ensure there are no project-related direct or indirect impacts to this sensitive wetland habitat. Therefore, there would be no project impacts to state or federally protected wetlands.

The project site is not located within any known or reported local or regional wildlife corridors. The project site is an infill parcel that does not serve as a wildlife corridor, and it is unlikely to serve as a wildlife nursery site due to the quality of habitat present (REC, 2020). Common urban-adapted native species may use the site for movement and may be impacted by the loss of non-native grassland and non-native trees on-site, but these impacts are generally not considered significant. Therefore, there would be a less than significant impact to native wildlife species movement, wildlife corridors, and wildlife nursery sites.

This project would not conflict with COV ordinances pertaining to the protection of biological resources. Therefore, there would be no impact with proposed project implementation.

To ensure all indirect effects are avoided or remain below a level of significance, the Multiple Habitat Conservation Program (MHCP) contains a list of Standard BMPs that should be incorporated into all projects. The list of applicable BMPs, which will be incorporated into the proposed project as conditions of approval, are listed shown below. To ensure all indirect effects are avoided or remain below a level of significance, the MHCP contains a list of Standard BMPs that should be incorporated into proposed projects. The list of applicable BMPs, which will be incorporated into the proposed project as Conditions of Project Approval, are listed shown below.

1. A water pollution and erosion control plan shall be developed that describes sediment and hazardous materials control, dewatering or diversion structures, fueling and equipment management practices, and other factors deemed necessary by reviewing agencies. Erosion control measures shall be monitored on a regularly scheduled basis, particularly during times of heavy rainfall. Corrective measures will be implemented in the event erosion control strategies are inadequate. Sediment/erosion control measures will be continued at the project site until such time as the revegetation efforts are successful at soil stabilization.
2. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. All employees shall be instructed that their activities are restricted to the construction areas.
3. If dead or injured listed species are located, initial notification must be made within three working days, in writing, to the USFWS's Division of Law Enforcement in Torrance, California and by telephone and in writing to the COV and the Carlsbad Field Office of the USFWS, and CDFW.
4. The COV shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs. The USFWS and CDFW may accompany COV representatives on this inspection.
5. Projects adding new utility lines or towers or modifying existing utility lines or towers will implement designs that preclude or minimize harm to wildlife due to collisions or electrocution. Information on such designs can be found at www.migratorybirds.fws.gov/issues/towers.
6. Any project landscaping shall not include species identified as an invasive non-native plant species as identified by the California Invasive Plant Council at http://www.cal-ipc.org/paf/.

Application of the applicable MHCP Standard BMPs plus the additional measure for invasive species identified above, would help ensure the proposed project would be in compliance with CEQA, MHCP, MBTA, and CFG Code.

The City participates in the MHCP, a regional conservation plan under the state's NCCP Program that will also act as an HCP under the ESA (SANDAG 2003). An MHCP Subarea Plan has not been adopted by the City. However, the City's GP 2030 Update (2011) includes goals and policies intended to implement the provisions of the MHCP. The Resource Conservation and Sustainability (RCS) Element of the GP 2030 also includes a Biological Preserve Overlay (BPO), which identifies lands worthy of protection based on the presence of sensitive vegetation and wildlife communities, or those lands that support viable wildlife corridors. The site of the proposed project is not included on the BPO. Further, it is not adjacent to any parcel with the BPO designation; the closest land with this designation is over 0.30 mile to the southeast from the site. Therefore, with the incorporation of mitigation for impacts to habitats and species covered under the MBTA and CFG Code, and the incorporation of applicable BMP standards into the Conditions of Project Approval, the proposed project would not conflict with the MHCP.

V. Cultural and Tribal Cultural Resources *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	☐	☒	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

The discussion below is based on the findings contained within the *Cultural Resources Survey Report* (*Cultural Report*) (Laguna Mountain Environmental, Inc. [LME], 2020) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a. NO IMPACT. As stated in the *Cultural Report* (LME, 2020), a records search was conducted at the South Coastal Information Center (SCIC) at San Diego State University within a one-mile radius of the project site. The records search results indicated that the project location was previously surveyed in 1989, but no cultural resources were recorded in the current project area. However, at least 55 prior cultural investigations and reports have been conducted within the one-mile search radius. These investigations have resulted in the recording of 20 cultural resources; nine of which are historic resources. The nine historic cultural resources consist of residences and a trash deposit. The closest resources to the project area are historic residences, and the closest one of these is located more than 700 feet away.

Historic research included an examination of a variety of resources. The current listings of the National Register of Historic Places were checked through the National Register of Historic Places website. The California Inventory of Historic Resources (State of California 1976) and the California Historical Landmarks (State of California 1992) were also checked for historic resources.

A cultural resources field survey was conducted on-site on May 7, 2019 by LME. A historic-age concrete foundation (P-37-038835), dating to before 1953, was identified within the northeastern corner of the parcel during the survey. Other than three glass fragments and a glass marble, that may have been associated with the residence, no other cultural resources were observed within the project area. The foundation includes a concrete entranceway, wall bolts, and the remains of tile flooring. Historical research shows that this structure first appears on aerial photographs by 1953, replacing an earlier structure on the property. The structure appears to have been a 948 square foot house built in 1950. The structure continues to be present through 1989 when it appears to have been removed leaving only the slab foundation. A review of past occupants of 206 Cedar Road in Vista was undertaken, and none of the past residents appear to have been important in local history. This foundation is not recommended as eligible for the California Register due to its lack of important associations and limited information potential.

A different residential structure appears to have been present from at least 1946 to 1947, but no remains of this structure were present on the current surface of the parcel. The 1938 aerial photograph shows the area as vacant other than an orchard. As a result, implementation of the proposed project would have no impacts on historic resources.

b - c. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. As noted above, a field cultural resources survey was conducted in May 7, 2019 by an LME archeologist. The Native American monitor was not present that day, so a second survey with the monitor was conducted on May 20, 2019. The pedestrian surveys included a 5 to 10-m interval transect survey throughout the project area. The project area is very open and relatively level. Surface visibility was good, averaging approximately 80 percent. The project area appears to have been previously cleared and partially landscaped. Rodent disturbance provided some indications of subsurface conditions.

The records and literature search for the project was conducted at the SCIC at San Diego State University. The records search results indicated that the project area was previously surveyed in 1989 for a commercial center project, but that no recorded resources occur in the current project area. At least 55 cultural investigations have been conducted within a one-mile radius of the project area. As stated above, these investigations have resulted in the recording of 20 cultural resources; 11 of which are prehistoric resources consisting of habitation and camp sites, and one isolate flake.

IMPACTS ON ARCHEOLOGICAL RESOURCES

As noted above, a field investigation that consisted of pedestrian surveys of the project site were conducted in May 2019 (LME, 2020). There were no newly identified archaeological resources found on or adjacent to the project site.

Based on a review of the SCIC records search, reviews of maps and aerials photos, as well as the pedestrian surveys of the site, no effects on known significant archeological resources under CEQA are anticipated. Nevertheless, given the cultural sensitivity of the general area as described above and in the *Cultural Report* (LME, 2020), there is a potential for unknown subsurface cultural resources (pre-contact and historic) to be discovered during ground disturbing activities (such as grading) during the development of the project. The inadvertent discovery of unknown subsurface archeological resources would be a potentially significant impact under CEQA. However, with the implementation of Mitigation Measures CR-1 to CR-5 listed below, potentially significant impacts to these archaeological resources would be reduced to less than significant levels.

IMPACTS ON TRIBAL CULTURAL RESOURCES

As discussed in the *Cultural Report* (LME, 2020), prehistorically, nearby Buena Vista Creek would have provided an excellent seasonal water source for local Native American populations. The accompanying riparian environment of the creeks held a variety of resources, as well as habitat for wildlife, which would have been utilized in multiple ways by these inhabitants.

A Native American Monitor from Saving Sacred Sites, Inc. participated in the project fieldwork. There were no newly identified tribal cultural resources found on or adjacent to the project site.

Based on a review of the SCIC records search, reviews of maps and aerials photos, as well as the pedestrian surveys of the site, no effects on known significant tribal cultural resources under CEQA are anticipated. However, as noted in the *Cultural Report* (LME, 2020) the Native American Monitor identified the site as having the potential for unknown tribal cultural resources, and recommended Native American monitoring during construction.

City staff also consulted with California Native American tribal representatives per the requirements of AB 52 on the potential impacts of the project. It was agreed that there could be impacts to unknown tribal cultural resources during project construction resulting in an inadvertent discovery, which would be a potentially significant impact under CEQA. Therefore, based on the fact that the surrounding area is generally rich in cultural and tribal cultural resources, Native American monitoring would be required for all ground disturbing activities during construction of the project.[2] As a result, with the implementation of Mitigation Measures CR-1 through CR-5 noted below, potentially significant impacts to unknown tribal cultural resources would be reduced to less than significant impacts.

Mitigation Measures

CR-1 Cultural resource mitigation monitoring shall be conducted on the site to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a Qualified Archaeologist and a traditionally and culturally affiliated (TCA) Native American Monitor associated with a TCA tribe for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of any imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and any related road improvements, including, but not limited to, the installation of infrastructure, realignments, and/or expansions to parking lots. Other tasks of the monitoring program shall include the following:

- The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.
- The Qualified Archaeologist and TCA Native American Monitor shall attend at least one pre-construction meeting with the Contractor and/or associated Subcontractors (e.g., Grading Contractor) and a representative from the City of Vista's Engineering or Community Development departments to present the archaeological monitoring program as presented in these measures.

2 The *Cultural Report* (LME, 2020) noted that a Sacred Lands Search was initially requested on May 16, 2019. A positive response was received on June 6, 2019 indicating that a significant Native American resource is in the project vicinity.

- The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above. The Contractor or Grading Contractor shall notify the Director of Community Development & Engineering, preferably through e-mail, of the start and end of all ground-disturbing activities.
- The Qualified Archaeologist and/or TCA Native American Monitor may halt ground-disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground-disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TCA Native American Monitor, in consultation with the San Luis Rey Band of Mission Indians (San Luis Rey Band), or other TCA tribe. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the TCA Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources.
- The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a data recovery plan may be authorized by the City as the Lead Agency under CEQA. If data recovery is required, then the San Luis Rey Band or other TCA tribe shall be notified and consulted in drafting and finalizing any such recovery plan.

CR-2 Prior to the submission of a grading plan to City staff for review, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with the San Luis Rey Band, or other TCA tribe. A copy of the agreement shall be included in the grading plan submission. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant or Owner, and/or Contractor, and the San Luis Rey Band (or other TCA tribe) for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, off-site infrastructure installation, grading, and all other ground disturbing activities.

CR-3 Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which shall comply with Government Code Section 6254(r), shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City Planner for the project administrative record.

CR-4 All cultural materials that are associated with burial and/or funerary goods shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission (NAHC) per California Public Resources Code Section 5097.98.

CR-5 Recovered cultural material of historic significance, but not of tribal significance, shall be curated with accompanying catalog, photographs, and reports to a San Diego curation facility that meets federal standards per 36 CFR Part 79. Recovered cultural material of tribal cultural significance shall be repatriated as stipulated in the pre-excavation agreement as described in CR-2.

IMPACTS ON HUMAN REMAINS

The project site does not lie near any dedicated cemeteries. Further, as explained above, archaeological resources and tribal cultural resources have not been identified within or in the immediate vicinity of the project site. However, although disturbance of human remains is unlikely, it is possible that construction activity could inadvertently discover previously unknown vestiges. This would be considered a potentially significant impact under CEQA. However, implementation of Mitigation Measure CR-6 would ensure that human remains were treated with dignity and as specified by law, which would reduce this impact to a less than significant level.

Mitigation Measure

CR-6 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission would then make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept *in situ* ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a TCA Native American monitor.

VI. Energy *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

DISCUSSION

a. LESS THAN SIGNIFICANT IMPACT.

BACKGROUND

Building Energy Conservation Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission) in June 1977 and are updated every three years (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. On June 10, 2015, the California Energy Commission (CEC) adopted the 2016 Building Energy Efficiency Standards, which went into effect on January 1, 2017. On May 9, 2018, the CEC adopted the 2019 Building Energy Efficiency Standards, which went into effect on January 1, 2020. The 2022 Building Energy Efficiency Standards will be adopted during 2021 and will go into effect January 1, 2023.

The 2016 Standards improved upon the previous 2013 Standards for new construction of and additions and alterations to residential and nonresidential buildings. Under the 2016 Standards, residential buildings are 28 percent more energy efficient and nonresidential buildings are five percent more energy efficient than under the 2013 Standards. Buildings that are constructed in accordance with the 2013 Building Energy Efficiency Standards are 25 percent (residential) to 30 percent (nonresidential) more energy efficient than the prior 2008 standards as a result of better windows, insulation, lighting, ventilation systems, and other features.

The 2019 Standards (which went into effect on January 1, 2020) improve upon the 2016 Standards. Under the 2019 Standards, residential buildings are expected to be about seven percent more energy efficient compared to the 2016 Standards, and when the required rooftop solar is factored in for low-rise residential construction, residential buildings built to meet the 2019 Title 24 standards would use about 53 percent less energy than those built to meet the 2016 Standards.

Senate Bill 350

SB 350 was signed into law in September 2015 and establishes tiered increases to the Renewable Portfolio Standard—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 100 (discussed below) was signed into law September 2018 and increased the required Renewable Portfolio Standards.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100. Under SB 100, the total kilowatt-hours of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

CONSTRUCTION-RELATED ENERGY IMPACTS

The project would be constructed in one phase lasting approximately 18 months. Site development would generally consist of demolition of the remnant slab on grade foundation, excavation and mass grading the site and developing the building pads, installing wet and dry utilities, private driveways and the road improvements, construction of the 35 units in five buildings, and installing landscaping. Preliminary calculations of the overall mass grading of the site are estimated at 6,500 CY of cut, 1,000 CY of fill, export of 5,500 CY, and 10,000 CY of remedial grading. Grading is estimated to take 40 days to complete.

FUEL

Construction of the project would require consumption of petroleum fuels (gasoline and diesel fuel) by construction workers travelling to and from the site, transportation of site and building materials, demolition of the existing foundation, grading, utility installation, paving, and building construction and architectural coating applications. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities except where electricity is available and feasible, thus electricity use during construction is considered to be minor.

The computer modeling of the project's air pollutant emissions described in detail in Section III, Air Quality, utilized standard fuel consumption estimates to calculate that project construction activities would require approximately 33,380 gallons of diesel fuel[3]. Statewide retail diesel sales in 2017 totaled 1.74 billion gallons[4]. If you conservatively assume that all of construction occurs within a one-year period, project construction would consume approximately 0.002 percent of diesel that is consumed annually in the State. This increase in diesel fuel consumption would be temporary, of relatively short duration, and would cease once project construction is completed. This minor increase in fuel consumption would not require the development of new petroleum supplies or construction of new production or distribution facilities. Energy usage at the project site during construction would be temporary in nature. Energy usage during construction of the project would only utilize the energy required, and would not be wasteful, inefficient, or unnecessary. Therefore, construction energy impacts would be less than significant, and mitigation is not required.

OPERATIONS-RELATED ENERGY IMPACTS

The project would construct 35 condominiums, associated parking, and recreational amenities such as a community pool, spa, tot lot, etc. Implementation of the project would increase the demand for electricity and natural gas at the project site relative to the existing vacant condition, as discussed below.

3 Fuel usage is estimated using the CalEEMod output for CO_2, and a $kgCO_2$/gallon conversion factor, as cited in the *U.S. Energy Information Administration Voluntary Reporting of Greenhouse Gases Program*, https://www.eia.gov/environment/pdfpages/0608s(2009)index.php.
4 California Energy Commission, California Retail Fuel Outlet Annual Reporting (CEC-A15) Results, 2019. http://www.energy.ca.gov/almanac/transportation_data/gasoline/piira_retail_survey.html.

Electricity

Electricity would be used for multiple purposes including home heating and cooling, lighting, appliances, electronics, drip irrigation, etc. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. A comparison of existing and proposed electricity use is shown in Table E-1 below.

TABLE E-1 EXISTING AND PROPOSED ELECTRICITY USE

Residential Units	Rate[1] (kWh) Per Year	Total (kWh)
Vacant - 0	0	0
Proposed – 35	5,023.34	175,817

1 Proposed project calculations based on SRA (2020a). Assumes compliance with 2019 Title 24 standards. kWh = kilowatt hour

As seen in Table E-1, at buildout once all 35 new townhomes have been constructed, the proposed project would result in total electricity consumption of 175,817 kWh assuming compliance with the 2019 Title 24 standards. The future townhomes may also exceed energy efficiency code requirements through project design. Therefore, the project's electricity demand may be lower than the calculations presented above. In addition to the measures that are part of 2019 Title 24 standards, the project may include the following sustainability measures, which include energy efficiency measures, in its design:

- Photovoltaic solar rooftop installation
- Low-water-use appliances, in-home fixtures, and irrigation
- Low VOC (volatile organic compound) paints
- A community recycling program
- Energy Star appliances
- Energy-efficient LED lighting; appliance; and heating, ventilation, and air conditioning (HVAC) design
- Building insulation elements installed under the Home Energy Rating System rating agency
- Drought-tolerant landscaping

Although electricity consumption would increase due to the construction of the 35 new townhomes compared to existing vacant condition, the project is anticipated to be highly energy efficient due to Title 24 requirements, including additional energy efficiencies that may be realized through implementation of the design measures outlined above. Therefore, the project's electricity consumption would not be considered wasteful, unnecessary or inefficient. As a result, project impacts would be less than significant.

Natural Gas

Natural gas is anticipated to be used for home heating and appliances. A comparison of existing and proposed natural gas use is shown in Table E-2 below.

TABLE E-2 EXISTING AND PROPOSED NATURAL GAS USE

Residential Units	Rate [2] (kBTU) Per Year	Total (kBTU/yr.)
Vacant Site - 0	0	0
Proposed – 35 Townhomes	14,382.86	503,400

2 Per SRA (2020a) Assumes compliance with 2019 Standards map apply. kBTU = Thousand British Thermal Units. A cubic foot of natural gas has 1,015 BTUs.

As seen in Table E-2 above, although the project would result in a net increase in total natural gas consumption compared to the existing vacant condition, the project is anticipated to be highly energy efficient due to Title 24 requirements, including additional energy efficiencies that may be realized through implementation of the design measures outlined above. Therefore, the project's natural gas consumption would not be considered wasteful, unnecessary or inefficient. As a result, project impacts would be less than significant.

FUEL

Once the project is completed and occupied, gasoline and diesel fuel would continue to be consumed by residents, visitors, delivery vehicles, etc. traveling to and from the site. The project would generate 280 daily trips and the estimated annual vehicle miles traveled for the proposed project would be approximately 799,485 miles, requiring approximately 35,258 gallons of gasoline per year. Statewide retail sales of gasoline in 2017 totaled 13.9 billion gallons[5]. Project operations would consume approximately 0.0003 percent of gasoline that is consumed annually in the State. This minor increase in fuel consumption would not require the development of new petroleum supplies or construction of new production or distribution facilities. Project operations would not consume energy resources in a wasteful or inefficient manner and would therefore have a less than significant impact on the consumption of energy resources.

b. LESS THAN SIGNIFICANT IMPACT.

Electricity and natural gas are supplied to the project site by SDG&E. The sources of power for SDG&E include 33 percent renewable energy sources (solar, wind, and hydroelectric). Although the project would result in a net increase in total square footage and in total electricity and natural gas consumption compared to the existing vacant condition, implementation of the project would provide energy efficient residential development that meets the 2019 Title 24 Standards, which includes energy efficiency measures, sustainable design measures, and incorporates best practices for water conservation, and implementation of green construction methods. Furthermore, the project would not require new or expanded energy generation or infrastructure facilities. As a result, the project would not have an adverse effect on State or local plans for renewable energy or energy efficiency, and impacts would be less than significant.

5 California Energy Commission, California Retail Fuel Outlet Annual Reporting (CEC-A15) Results, 2019. http://www.energy.ca.gov/almanac/transportation_data/gasoline/piira_retail_survey.html.

VII. Geology and Soils *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

The majority of the discussion below is summarized and based on the findings contained within the *Geotechnical Investigation for the Proposed Residential Development Project* (*Geotech Report*) (Southern California Soils & Testing, Inc. [SCS&T], 2014) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a1. NO IMPACT. The purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to mitigate the hazard of surface faulting by preventing the construction of buildings used for human occupancy over an area with known faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the grounds surface. As discussed in the *Geotech Report* (SCS&T, 2014), the project site does not contain, nor is it adjacent to, an Alquist-Priolo Special Study Zone Area. Therefore, impacts from fault rupture would not be expected to occur within the project area, and no impacts would arise from implementing the project.

a2 – a3. LESS THAN SIGNIFICANT IMPACT. The project area, like most of southern California, is subject to strong ground shaking from seismic events. Consequently, when the project is occupied it could expose people and/or structures to potential impacts associated with seismic ground shaking. The ground motion characteristics of any future earthquakes in the region would depend on the characteristics of the generating fault, the distance to the epicenter, the magnitude of the earthquake, and the site-specific geologic conditions. Major faults in the region could be a source of a strong seismic-related movement at the project site. The closest known active fault is the Rose Canyon fault zone located about 5.5 miles (9 kilometers) southwest of the site. The site is not located in an Alquist-Priolo Earthquake Fault Zone. No active faults are known to underlie or project toward the site. Therefore, the probability of fault rupture is less than significant (SCS&T, 2014).

The 35 condominiums proposed to be built on the site would be constructed in compliance with the seismic safety standards set forth in the California Building Code (CBC), as amended.[6] Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structure so that it would withstand the effects of strong ground shaking. In addition, the COV's Building Department would review the building plans through building plan checks, issuance of a building permit, and inspection of the residences during construction, which would ensure that all required CBC seismic safety measures are incorporated into all of the townhomes. Compliance with the CBC and the Building Department's review process, permit application, and inspection would result in less than significant impacts, and no mitigation measures are required.

The proposed project would not expose people and structures to potential seismic-related ground failure, including liquefaction. Liquefaction is a phenomenon in which a saturated cohesionless soil causes a temporary transformation of the soil to a fluid mass, resulting in a loss of support. Groundwater was not encountered during subsurface investigations done for the *Geotech Report* (SCS&T, 2014). Because of the relatively dense/stiff nature of the soil materials underlying the site and the lack of shallow groundwater, the potential for liquefaction or seismically induced dynamic settlement at the site is considered low. Compliance with the CBC would include the incorporation of seismic safety features to minimize any potential for significant effects as a result of seismic-related ground failure, resulting in less than significant impacts.

6 The CBC incorporates relevant sections of the Uniform Building Code of the International Conference of Building Officials.

a4. LESS THAN SIGNIFICANT IMPACT. According to the *Geotech Report* (SCS&T, 2014), evidence of landslides or slope instabilities was not observed on-site. The potential for landslides or slope instabilities to occur at the site is considered less than significant given the relatively flat nature of the site and built up nature of the surrounding community and general lack of slopes or hillsides or other steep terrain. Based on the *Geotech Report*, the subsurface conditions were explored by excavating six exploratory trenches to a depth of about six feet below the existing ground surface using a rubber tire backhoe. An SCS&T geologist logged the trenches and collected samples of the materials encountered for laboratory testing. SCS&T tested selected samples from the trenches to evaluate pertinent soil classification and engineering properties to assist in developing geotechnical conclusions and recommendations. The material encountered in the trenches consists of weathered formational soils commonly identified as the Eocene-age Santiago Formation. This material extends beyond the maximum depth explored of about six feet below the existing ground surface. The upper two to three-feet of the Santiago formation at the site consisted of porous, dry, potentially compressible clayey sand. Below this layer, a dense clayey sandstone was encountered. Groundwater was not observed in the trenches. Therefore, implementation of the proposed project would not be adversely affected by landslides originating on-site, resulting in less than significant impacts.

b - d. LESS THAN SIGNIFICANT IMPACT. As discussed above, the material encountered within the test trenches consists of weathered formational material soils commonly identified as the Eocene-age Santiago Formation. This material extends beyond the maximum depth explored of about six feet below the existing ground surface. The upper two to three feet of the Santiago formation at the site consisted of porous, dry, potentially compressible clayey sand. Below this layer, the Santiago Formation consists of a dense clayey sandstone. Isolated well cemented concretions were observed with the formational soil.

Based on the soil tests, the main geotechnical considerations affecting the planned development are the presence of potentially compressible fill, the formational material, and expansive soil. These materials are considered unsuitable, in their present condition, for the support of settlement sensitive improvements. It is recommended in the *Geotech Re*port (SCS&T, 2014) that these materials be removed and replaced as compacted fill. Groundwater was not encountered in the trenches.

To reduce the potential for settlement remedial grading will need to be performed. The excavated material can be replaced as compacted fill. Shallow spread footings designed to resist heaving can support the planned structures provided that the recommendations of the *Geotech Report* (SCS&T, 2014) are followed. The recommendations include excavating the existing potentially compressible and expansive soil underlying proposed structures two feet below the deepest planned footing level and recompacted (SCS&T, 2014). Horizontally, the excavation should extend at least five feet outside the planned footing perimeter or up to existing improvements, whichever is less. An SCS&T representative should observe conditions exposed in the bottom of the excavation to determine if additional excavation is required.

As required under the City's Grading Ordinance (Municipal Code Chapter 17.56), the recommendations in the *Geotech Report* (SCS&T, 2014), or any additional geotechnical studies, must be followed during grading and site preparation activities. With implementation of these recommendations, as well as the required application of standard erosion control measures and storm water construction BMPs, less than significant impacts are anticipated regarding soil erosion or loss of topsoil during project construction.

As stated in the *Geotech Report* (SCS&T, 2014), the potential for on-site or off-site landslides, lateral spreading, liquefaction, or seismically induced dynamic settlement to occur is considered low, and therefore impacts are considered less than significant.

As noted above, all of the underlying soils possess potentials for both expansion and compression. Given the remedial grading requirements and other recommendations in the *Geotech Report* (SCS&T, 2014) that the COV requires in submittals for the Grading Permit, less than significant impacts would arise from the expansive soils.

e. NO IMPACT. The proposed project would tie into existing sewers, avoiding the need to use septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur.

f. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. The probability of discovering paleontological resources depends on the geologic formation being excavated, and the depth and volume of the excavation. Sedimentary rocks, such as those found in coastal areas, usually contain fossils. Granite rocks, such as those found in inland areas, generally will not contain fossils. The project site is located in the West Vista neighborhood. According to the *GP 2030 PEIR* (City of Vista, 2012b), a high sensitivity for paleontological resources can be found in the geologic deposits of the Santiago Formation that occur over a large portion of the West Vista area, generally including the region west of Emerald Drive and north of SR-78. As a result, the project site is considered to have a high paleontological sensitivity because of the underlying Santiago Formation. Therefore, as a result of the extensive amount of grading that is anticipated (estimated at 6,500 CY of cut, 1,000 CY of fill, and 10,000 CY of remedial grading), impacts to paleontological resources would be considered potentially significant. However, with the implementation of the Mitigation Measure GS-1 and GS-2, below, potential impacts would be reduced to less than significant levels.

MITIGATION MEASURES

GS-1 Due to the high potential for uncovering fossils, paleontological resources mitigation monitoring shall be undertaken for on-site mass grading activities. Paleontological monitoring shall be conducted to provide for the identification, evaluation, and recovery of any exposed fossil remains that may be discovered during the construction of the proposed project. The monitoring shall consist of the on-site presence of a Qualified Paleontologist (or a Paleontological Resources Monitor under the supervision of a Qualified Paleontologist) during initial cutting, grading or excavation into the underlying Santiago Formation. Other tasks of the monitoring program shall include the following:

- Prior to the issuance of a Grading Permit, the Applicant or Owner, and/or Contractor shall provide a written and signed letter to the COV's Director of Community Development, stating that a Qualified Paleontologist (or a Paleontological Resources Monitor under the supervision of the Qualified Paleontologist) has been retained at the Applicant or Owner and/or Contractor's expense to implement the monitoring program. A copy of the letter shall be included in the Grading Plan Submittals for the Grading Permit.
- The requirement for paleontological resource mitigation monitoring shall be noted on all grading plans.
- The Qualified Paleontologist shall attend all pre-grading/pre-construction meetings to consult with grading contractors regarding the requirement of monitoring for paleontological resources.

GS-2 If paleontological resources are unearthed, the Qualified Paleontologist (or a Paleontological Monitor under supervision of a Qualified Paleontologist) shall:

- Direct, divert, or halt any grading or excavation activity until such time that the sensitivity of the resource can be determined, and the appropriate recovery implemented.
- Grading activities shall not resume until the Qualified Paleontologist, or Paleontological Monitor, deems the fossil has been appropriately documented and/or protected. At the Paleontologist Archaeologist's discretion, the location of grading activities may be relocated elsewhere on the project site to avoid further disturbance of the paleontological resources.
- Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, other required methods (e.g., plaster-jacketing of large and/or fragile specimens).
- Record stratigraphic and geologic data to provide a context for the recovered fossil remains, if feasible, and photographic documentation of the geologic setting.
- Curate, catalog and identify all fossil remains, and transfer the cataloged fossil remains to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display.

VIII. Greenhouse Gas Emissions *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

The discussion below is based on the findings contained within the *Greenhouse Gas Analysis for the Cedar Road Townhomes Project (GHG Report)* (SRA, 2020b) prepared for the proposed project. This report is on file and available for review in the COV's Planning Division office.

DISCUSSION

a - b. LESS THAN SIGNIFICANT IMPACT.

BACKGROUND

Global Climate Change (or GCC) refers to changes in the average climatic conditions on Earth as a whole, including changes in temperature, wind patterns, precipitation, and storms. Global warming, a related concept, is the observed increase in average temperature of the Earth's surface and atmosphere caused by increased greenhouse gas (GHG) emissions, which can contribute to changes in global climate patterns resulting in global climate change.[7] In response to Executive Order (EO) S-3-05 (June 2005), which declared California's vulnerability to climate change, the California Global Warming Solutions Act of 2006, Assembly Bill 32 (AB 32) was signed into effect on September 27, 2006. In passing the bill, the California Legislature found that "*Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California…*" (California Health & Safety Code, Division 25.5, Part 1).

GENERAL PRINCIPLES

According to the *GHG Report* (SRA, 2020b), global temperatures are moderated by naturally occurring atmospheric gases, including water vapor, carbon dioxide (CO_2), methane (CH_4) and nitrous oxide (N_2O), which are known as greenhouse gases (GHGs). These gases allow solar radiation (sunlight) into the Earth's atmosphere, but prevent radiative heat from escaping, thus warming the Earth's atmosphere, much like a greenhouse. GHGs are emitted by both natural processes and human activities. Without these natural GHGs, the Earth's temperature would be about 61 degrees Fahrenheit cooler. Emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere. For example, data from ice cores indicate that CO_2 concentrations remained steady prior to the current period for approximately 10,000 years; however, concentrations of CO_2 have increased in the atmosphere since the industrial revolution.

7 City of Vista Climate Action Plan (CAP), 2012-2013 edition.

GCC and GHGs have been at the center of a widely contested political, economic, and scientific debate. Although the conceptual existence of GCC is generally accepted, the extent to which GHGs generally, and specifically how anthropogenic-induced GHGs (mainly CO_2, CH_4 and N_2O) contribute to it, remains a source of debate. The State of California has been at the forefront of developing solutions to address GCC.

The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. The IPCC concluded that a stabilization of GHGs at 400 to 450 ppm CO_2 equivalent concentration is required to keep global mean warming below 35.6° Fahrenheit (2° Celsius), which is assumed to be necessary to avoid dangerous climate change (Association of Environmental Professionals 2007).

State law defines greenhouse gases as any of the following compounds: CO_2, CH_4, N_2O, and fluorinated gases (i.e., hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride). CO_2, followed by CH_4 and N_2O, are the most common GHGs that result from human activity. The three primary GHGs discussed in the *GHG Report* (SRA, 2018) are described below. A quantitative analysis of fluorinated gases was not included in the report because the other gases discussed below are more common and generally occur in greater quantities for longer periods of time. The three principal GHGs are described below.

- CO_2 is released into the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and also as a result of other chemical reactions (e.g., cement production) and deforestation. Carbon dioxide is also removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
- CH_4 is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from agricultural practices, such as the raising of livestock, and by the decomposition of organic waste in landfills.
- N_2O is emitted during agricultural and industrial activities, as well as during the burning of fossil fuels and solid waste.

SOURCES AND GLOBAL WARMING POTENTIALS OF GHGS

Anthropogenic sources of CO_2 include combustion of fossil fuels (coal, oil, natural gas, gasoline and wood). CH_4 is the main component of natural gas and also arises naturally from anaerobic decay of organic matter. Accordingly, anthropogenic sources of CH_4 include landfills, fermentation of manure and cattle farming. Anthropogenic sources of N_2O include combustion of fossil fuels and industrial processes such as nylon production and production of nitric acid. Other GHGs are present in trace amounts in the atmosphere and are generated from various industrial or other uses.

According to the *GHG Report* (SRA, 2020b), each GHG has a different potential for trapping heat in the atmosphere, called global warming potential (GWP). GWP for a gas is a measure of the total energy that a gas absorbs over a particular period of time (usually 100 years), compared to CO_2. CO_2 is the primary GHG emitted through human activities and is typically used as a baseline in the analysis and reporting of GHGs. GHG emissions are typically reported in metric tons of carbon dioxide equivalents (CO_2e). When dealing with an array of emissions, the gases are converted to their carbon dioxide equivalents for comparison purposes. The global warming potential for CH_4 and N_2O is 25 and 298 respectively.[8]

8 U.S. Environmental Protection Agency, September 9, 2013, http://www.epa.gov/climatechange/ghgemissions/.

REGULATORY FRAMEWORK

The *GHG Report* (SRA, 2020b) identifies a number of international, national, State, and local requirements, regulations, and standards regarding GHG emissions. However, the section below focuses on State and COV regulations and standards. See the *GHG Report* (SRA, 2020b) for detailed information on international and national GHG emissions standards.

STATE OF CALIFORNIA

The following subsections highlight certain legislation, regulations and standards that have been adopted by the State of California to address GCC issues.

Solid Waste Sources - The California Integrated Waste Management Act of 1989, as modified by AB 341, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows: (1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities; (2) diversion of 50 percent of all solid waste on and after January 1, 2000; and (3) diversion of 75 percent of all solid waste on or after 2020, and annually thereafter. The California Department of Resources Recycling and Recovery (CalRecycle) is required to develop strategies, including source reduction, recycling, and composting activities, to achieve the 2020 goal.

CalRecycle published a discussion document, entitled *California's New Goal: 75 Percent Recycling,* which identified concepts that would assist the State in reaching the 75 percent goal by 2020. Subsequently, in August 2015, CalRecycle released the *AB 341 Report to the Legislature*, which identifies five priority strategies for achievement of the 75 percent goal: (1) moving organics out of landfills; (2) expanding recycling/manufacturing infrastructure; (3) exploring new approaches for State and local funding of sustainable waste management programs; (4) promoting State procurement of post-consumer recycled content products; and, (5) promoting extended producer responsibility.

California Code of Regulations Title 24 - Although not originally intended to reduce greenhouse gas emissions, Title 24 of the California Code of Regulations, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow for the consideration and possible incorporation of new energy efficiency technologies and methods. Energy efficient buildings require less electricity, natural gas, and other fuels. Electricity production from fossil fuels and on-site fuel combustion (typically for water heating) results in greenhouse gas emissions. Therefore, increased energy efficiency results in decreased greenhouse gas emissions. Accordingly, Title 24 in the CALGreen Building Code is now a part of the statewide strategy for reducing GHG emissions and is the only statewide plan for reduction of GHG emissions that every local agency must adopt in a public hearing by adopting the state building code. Consistent with CALGreen, the state recognized that GHG reductions would be achieved through buildings that exceed minimum energy-efficiency standards, decrease consumption of potable water, reduce sold waste during construction and operation, and incorporate sustainable materials. CARB projects that an additional 26.3 million metric tons of CO_2e could be reduced through expanded green building (CARB 2008). Compliance with Title 24 of the CALGreen Building Code is thus a vehicle to achieve statewide electricity and natural gas efficiency targets, and lower GHG emissions from waste and water transport sectors.

Pavley Standards - California AB 1493 (Pavley) enacted on July 22, 2002, required the CARB to develop and adopt regulations that reduce greenhouse gases emitted by passenger vehicles and light duty trucks for model years 2009–2016, which are often times referred to as the "Pavley I" standards. The CARB obtained a waiver from the USEPA that allows for implementation of these regulations notwithstanding possible federal preemption concerns.

Executive Order (EO) S-3-05 - EO S-3-05, signed by Governor Schwarzenegger on June 1, 2005, calls for a reduction in GHG emissions to 1990 levels by 2020 and for an 80 percent reduction in GHG emissions below 1990 levels by 2050. EO S-3-05 also calls for the California EPA (CalEPA) to prepare biennial science reports on the potential impact of continued GCC on certain sectors of the California economy. The first of these reports, "Our Changing Climate: Assessing Risks to California", and its supporting document "Scenarios of Climate Change in California: An Overview" were published by the California Climate Change Center in 2006.

Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 - In September 2006, Governor Schwarzenegger signed AB 32 into law. AB 32 required that, by January 1, 2008, the California Air Resources Board (CARB) shall determine what the statewide GHG emissions level was in 1990 and approve a statewide GHG emissions limit that is equivalent to that level, to be achieved by 2020. The CARB adopted its *AB 32 Scoping Plan* in December 2008 (CARB, 2008a), which provided estimates of the 1990 GHG emissions level and identified sectors for the reduction of GHG emissions. The CARB estimated that the 1990 GHG emissions level was 427 Million Metric Tons (MMT) net CO_2e (CARB, 2007). The CARB estimates that a reduction of 173 MMT net CO_2e emissions below business-as-usual would be required by 2020 to meet the 1990 levels. This amounts to roughly a 28.35 percent reduction from projected business-as-usual levels in 2020. In 2011, the CARB developed a *Supplement to the AB 32 Scoping Plan* (*Scoping Plan Supplement*) (CARB, 2011). The *Supplement* updated the emissions inventory based on current projections for "business as usual" (BAU) emissions to 506.8 MT of CO_2e. The updated projection included adopted measures (Pavley Fuel Efficiency Standards, 20 percent Renewable Portfolio Standard (RPS) requirement, etc.), and estimated that an additional 16 percent reduction below the estimated BAU levels would be necessary to return to 1990 levels by 2020.

In 2014, the CARB published its *First Update to the Climate Change Scoping Plan* (CARB, 2014). This update indicates that the State is on target to meet the goal of reducing GHG emissions to 1990 level by 2020. The *First Update* tracks progress in achieving the goals of AB 32 and lays out a new set of actions that will move the State further along the path to achieving the 2050 goal of reducing emissions to 80 percent below 1990 levels. While the *First Update* discusses setting a mid-term target, the plan does not yet set a quantifiable target toward meeting the 2050 goal.

In January 2017, the CARB released the draft of *The 2017 Climate Change Scoping Plan Update: The Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target* (*Second Update*). This update addresses the statewide emissions reduction target established pursuant to Senate Bill (SB) 32 and Executive Order B-30-15, as discussed below. The major elements of the *Second Update*, as proposed in the CARB's January 2017 draft, include (but are not limited to) achieving the following milestones by 2030: a 50 percent Renewable Portfolio Standard (discussed below); a more stringent Low Carbon Fuel Standard (discussed below) that requires an 18 percent reduction in carbon intensity; deploying additional near-zero and zero emissions technologies in the transportation sectors; increasing the stringency of the SB 375 (discussed below) reduction targets for 2035; a 20 percent reduction in GHG emissions from the refinery sector; and, continued deployment of a declining emissions cap under the Cap-and-Trade Program.

Senate Bill (SB) 97 - SB 97, enacted in 2007, amends the CEQA statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. SB 97 directed the Governor's Office of Planning and Research (OPR) to develop draft CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of OPR published a technical advisory on CEQA and climate change on June 19, 2008. The guidance did not include a suggested threshold but stated that the OPR had asked the CARB to "recommend a method for setting thresholds which will encourage consistency and uniformity in the CEQA analysis of greenhouse gas emissions throughout the state."

The OPR technical advisory does recommend that CEQA analyses include the following components:

- Identification of greenhouse gas emissions;
- Determination of significance; and
- Mitigation of impacts, as needed and as feasible.

On December 31, 2009, the California Natural Resources Agency adopted the proposed amendments to the State CEQA Guidelines. These amendments became effective on March 18, 2010.

SB 375 – The Sustainable Communities and Climate Protection Act of 2008 (SB 375) finds that GHG from autos and light trucks can be substantially reduced by new vehicle technology, but even so "it will be necessary to achieve significant additional greenhouse gas reductions from changed land use patterns and improved transportation. Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." Therefore, SB 375 requires that regions with metropolitan planning organizations adopt sustainable communities' strategies, as part of their regional transportation plans, which are designed to achieve certain goals for the reduction of GHG emissions from mobile sources.

SB 375 also includes CEQA streamlining provisions for "transit priority projects" that are consistent with an adopted sustainable communities' strategy. As defined in SB 375, a "transit priority project" shall: (1) contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 and 50 percent nonresidential uses, a floor area ratio of not less than 0.75; (2) provide a maximum net density of at least 20 dwelling units per acre; and (3) be within 0.5 mile of a major transit stop or high quality transit corridor.

Low Carbon Fuel Standard - Executive Order S-1-07 requires a 10 percent or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by the CARB by 2020. In 2009, the CARB approved the Low Carbon Fuel Standard regulations, which became fully effective in April 2010. The regulations were subsequently re-adopted in September 2015 in response to related litigation.

Advanced Clean Cars Program - In 2012, the ARB approved the Advanced Clean Cars (ACC) program, a new emissions-control program for model years 2017–2025. (This program is sometimes referred to as "Pavley II.") The program combines the control of smog, soot, and GHGs with requirements for greater numbers of zero-emission vehicles. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer greenhouse gases.

Zero Emission Vehicles - Zero emission vehicles (ZEVs) include plug-in electric vehicles, such as battery electric vehicles and plug-in hybrid electric vehicles, and hydrogen fuel cell electric vehicles.

In 2012, Governor Brown issued Executive Order B-16-2012, which calls for the increased penetration of ZEVs into California's vehicle fleet in order to help California achieve a reduction of GHG emissions from the transportation sector equaling 80 percent less than 1990 levels by 2050. In furtherance of that statewide target for the transportation sector, the Executive Order also calls upon the ARB, CEC and the California Public Utilities Commission to establish benchmarks that will: (1) allow over 1.5 million ZEVs to be on California roadways by 2025, and (2) provide the State's residents with easy access to ZEV infrastructure.

The proliferation of zero emission vehicles is being supported in multiple ways. For example, California is incentivizing the purchase of ZEVs through implementation of the Clean Vehicle Rebate Project (CVRP), which is administered by a non-profit organization (The Center for Sustainable Energy) for the ARB and currently subsidizes the purchase of passenger near-zero and zero emission vehicles. Additionally, CALGreen requires new residential and non-residential construction to be pre-wired to facilitate the future installation and use of electric vehicle chargers (see Section 4.106.4 and Section 5.106.5.3 of CALGreen Standards for the residential and non-residential pre-wiring requirements, respectively). As a final example, in January 2017, San Diego Gas & Electric Company (SDG&E) applied to the California Public Utilities Commission for authority to implement numerous programs intended to accelerate the electrification of the transportation sector. SDG&E's application includes, but is not limited to, proposals to: (i) install up to 90,000 charging stations at single-family homes throughout the company's service area; (ii) install charging infrastructure at various park-and-ride locations; (iii) provide incentives for electric taxis and shuttles; and, (iv) provide educational programs and financial incentives for the sale of electric vehicles.

EO B-30-15 - EO B-30-15 was enacted by the Governor on April 29, 2015. EO B-30-15 establishes an interim GHG emission reduction goal for the state of California to reduce GHG emissions to 40 percent below 1990 levels by the year 2030. This EO directs all state agencies with jurisdiction over GHG-emitting sources to implement measures designed to achieve the new interim 2030 goal, as well as the pre-existing, long-term 2050 goal identified in EO S-3-05 to reduce GHG emissions to 80 percent below 1990 levels by the year 2050. The EO directs CARB to update its Scoping Plan to address the 2030 goal. It is anticipated that the CARB will develop statewide inventory projection data for 2030 and commence efforts to identify reduction strategies capable of securing emission reductions that allow for achievement of the new interim goal for 2030. With regards to the local agencies, the EO does not require local agencies to take any action to meet the new interim GHG reduction threshold as it was not adopted by a public agency through a public review process that requires analysis pursuant to CEQA guidelines section 15064.4. In addition, it has not been subsequently validated by a statute as an official GHG reduction target of the State of California. The EO itself states it is "not intended to create, and does not, create any rights or benefits, whether substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person."

Senate Bill 32 and Assembly Bill 197 - Enacted in 2016, SB 32 codifies the 2030 emissions reduction goal of Executive Order B-30-15 by requiring the ARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030.

SB 32 was coupled with a companion bill: AB 197. Designed to improve the transparency of the CARB's regulatory and policy-oriented processes, AB 197 created the Joint Legislative Committee on Climate Change Policies, a committee with the responsibility to ascertain facts and make recommendations to the Legislature concerning statewide programs, policies and investments related to climate change. AB 197 also requires the ARB to make certain GHG emissions inventory data publicly available on its web site; consider the social costs of GHG emissions when adopting rules and regulations designed to achieve GHG emission reductions; and, include specified information in all Scoping Plan updates for the emission reduction measures contained therein.

CITY OF VISTA

General Plan 2030 Update - In February 2012, the COV adopted *GP 2030* (City of Vista, 2012a) and certified the accompanying Program EIR (*PEIR*) (City of Vista, 2012b). The *GP 2030 PEIR* included Mitigation Measure MCC1, which required the COV to implement a quantified Climate Action Plan (CAP) within 24 months of adoption of GP 2030. GP 2030 includes a Resource Conservation and Sustainability Element, which includes the following: "RCS Goal 2: Reduce GHG emissions from community activities and municipal facilities and operations within the COV boundaries to support the State's efforts under Assembly Bill 32, Senate Bill 375, and other State and federal mandates, and to mitigate the community's contributions to global climate change." The GP 2030 policy that applies to the project includes the following:

> *RCS Policy 2.7: Through California Environmental Quality Act (CEQA) documents, evaluate and disclose the contribution new projects could have on climate change and require mitigation measures as appropriate.*

Climate Action Plan - The COV adopted its CAP in 2013 to reduce GHG emissions in Vista in order to comply with AB 32. The CAP provided an estimate of BAU emissions by the year 2020, and a projection of the amount of reductions needed to meet the COV's requirement to reduce GHG emissions to 1990 levels. The CAP estimated that a reduction of 27,187 metric tons of CO_2e would be required. The CAP adopts climate action measures designed to provide the necessary reductions to meet the 2020 target. The measures that would apply to development projects include energy efficiency measures, transportation and land use measures designed to reduce vehicle miles traveled, and solid waste reduction measures.

THRESHOLDS OF SIGNIFICANCE

According to the California Natural Resources Agency (July 2009), "due to the global nature of GHG emissions and their potential effects, GHG emissions will typically be addressed in a cumulative impacts analysis." Significance criteria were developed in Appendix G of the CEQA Guidelines.

In the *GP 2030 PEIR* (City of Vista 2012b), the following criteria were used to establish the significance of GCC emissions:

The project would have a significant impact if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
- Expose property and persons to the physical effects of climate change, including but not limited to flooding, public health, wildfire risk or other impacts resulting from climate change.

The California Resources Agency adopted an Amendment to the State CEQA Guidelines to assist lead agencies in determining the significance of impact from GHG emissions. State CEQA Guidelines Section 15064.4, CEQA Guidelines for Determining the Significance of Impacts from Greenhouse Gas Emissions, states the following:

a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or

2) Rely on a qualitative analysis or performance-based standards.

b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:

1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;

2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;

3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

The COV has not established a GHG significance threshold to date. Several lead agencies in California have adopted a screening threshold as recommended by the CAPCOA Report, CEQA and Climate Change – Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, which proposes a screening-level threshold of 900 metric tons of CO_2e to evaluate whether a project must conduct further analysis.

Based on a review of projects within the city of Vista, a level of 1,185 metric tons of CO_2e would capture 90 percent of the city's emissions that are attributable to development projects. Therefore, a "bright line" threshold of 1,185 metric tons of CO_2e is an appropriate significance threshold for the COV. The project's emissions were evaluated based on this threshold.

GHG IMPACTS

As discussed in the *GHG Report* (SRA, 2020b), GHG emissions associated with the proposed project were estimated for six categories of emissions: (1) construction emissions; (2) area sources; (3) energy use, including electricity and natural gas usage; (4) water use, including consumption, use, and treatment; (5) solid waste management, and (6) vehicles. The analysis also includes a calculation of carbon sequestration loss due to removal of shrub/woodland on site. The complete emissions inventory is included in the Appendix of the *GHG Report* (SRA, 2020b).

EXISTING GHG EMISSIONS

The project site is vacant, but was previously occupied by a single residence that has since been demolished.

CONSTRUCTION GHG EMISSIONS

Construction GHG emissions include emissions from heavy construction equipment, truck traffic, and worker trips. Construction GHG emissions were calculated using the CalEEMod (SCAQMD 2016). CalEEMod contains emission factors from the OFFROAD2007 model for heavy construction equipment and from the EMFAC2014 model for on-road vehicles. Table GHG-1 below presents the construction-related emissions associated with construction of the proposed project.

Per guidance from the SCAQMD, construction emissions are amortized over a 30-year period to account for the contribution of construction emissions over the lifetime of the proposed project. Amortizing the emissions from construction of the proposed project over a 30-year period would result in an annual contribution of approximately 16 metric tons of CO_2e. These emissions are added to operational emissions to account for the contribution of construction to GHG emissions for the lifetime of the proposed project.

TABLE GHG-1 ESTIMATED CONSTRUCTION GHG EMISSIONS

Construction Phase	CO_2e Emissions metric tons
Total Construction Emissions	493

Source: SRA, 2019b

Removal of the shrub/woodland at the site would result in a carbon sequestration loss of 8 metric tons of CO_2e. Amortized over 30 years, the carbon sequestration loss would amount to 0.275 metric tons of CO_2e

OPERATIONAL GHG EMISSIONS

The proposed project includes the operation of 35 condominiums. Under the operation of the proposed project, the relevant emissions would include direct emissions from mobile source emissions and indirect emissions from electricity use and other sources. Emissions were estimated using the methodologies described below. 2022 was assumed to be the first year of full operation

Area Sources - The CalEEMod assumes that area source emissions associated with residential projects would include use of fireplaces (assumed to be natural gas), as well as minor use of landscaping equipment. GHG emissions were calculated based on use of the fireplaces 30 days per year, three hours per day.

Energy Use - CalEEMod assumes a baseline of 2016 Title 24 standards. The baseline energy use provides a conservative estimate of current energy requirements relative to future energy requirements. The Title 24 Standards have been updated in 2019 and are scheduled to be updated periodically and will likely improve energy efficiency further.

Water Usage - Water usage was estimated based on the CalEEMod. The GHG emissions associated with water usage, conveyance, treatment, and wastewater disposal are included within the CalEEMod calculations. For the purpose of this analysis, it was assumed that residences would be equipped with low-flow fixtures and with irrigation systems that are water-efficient.

Vehicle Emissions - Based on the CalEEMod, the proposed project would generate eight trips per residential dwelling per day (280 total trips per day). Emissions were calculated based on the CalEEMod, which is based on the EMFAC2014 emission factors.

Solid Waste - The disposal of solid waste produces GHG emissions from anaerobic decomposition in landfills, incineration, transportation of waste, and disposal. Solid waste generation rates were estimated from CalEEMod, and GHG emissions from solid waste management were estimated using the model, assuming landfilling of solid waste with flaring. It was assumed that 50 percent of solid waste would be recycled based on state solid waste reduction goals.

OPERATIONAL GHG EMISSIONS SUMMARY

The results of the inventory for operational emissions for business as usual are presented in Table GHG-2. These include GHG emissions associated with buildings (natural gas, purchased electricity), water consumption (energy embodied in potable water), solid waste management (including transport and landfill gas generation), and vehicles. Table GHG-2 summarizes projected emissions using the methodologies noted above.

TABLE GHG-2 ESTIMATED OPERATIONAL GHG EMISSIONS

Emission Source	Annual Emissions (Metric tons/year)			
	CO_2	CH_4	N_2O	CO_2e
Operational Emissions				
Area Sources	11	0.0006	0.0002	11
Electricity Use	41	0.0017	0.0003	41
Natural Gas Use	27	0.0005	0.0005	27
Water Use	10	0.0598	0.0015	12
Solid Waste Management	2	0.0966	0.0000	4
Vehicle Emissions	314	0.0163	0.0000	314
Amortized Construction Emissions	16	0.0028	0.0000	16
Carbon Sequestration Loss	0.275	0.0000	0.0000	0.275
Total	**421**	**0.1783**	**0.0025**	**426**
Global Warming Potential Factor	1	25	298	--

Total CO_2 Equivalent Emissions	**426**

Source: SRA, 2020b

As shown in Table GHG-2, the total CO_2e emissions from the proposed project would be approximately 426 metric tons per year. The net emissions associated with the proposed project would therefore be below the COV's "bright line" threshold of 1,185 metric tons of CO_2e. Because the emissions are below the screening threshold, impacts would be less than significant, and no further analysis is required.

HORIZON YEARS 2030 AND 2050

As described above, Executive Order B-30-15 established a statewide emissions reduction target of 40% below 1990 levels by 2030, which has been implemented by SB 32. This measure was identified to keep the State on a trajectory needed to meet the 2050 goal of reducing GHG emissions to 80% below 1990 levels by 2050 pursuant to Executive Order S-3-05.

Further analyses were conducted to provide information on future GHG emissions in the years 2030 and 2050. Tables GHG-3 and GHG-4 present estimated emissions for 2030 and 2050 for the proposed project. Because there is no information on increases in energy efficiency regulations through Title 24, nor any information on additional plans and programs that may be implemented pursuant to SB 32, Tables GHG-3 and GHG-4 take into account the following additional GHG measures beyond the 2020 analysis:

- Additional penetration of Advanced Clean Cars regulations and increased percentage of electric and low-emission vehicles in the fleet.
- Implementation of the 60% RPS by 2030 and meeting the 80% RPS by 2050.

TABLE GHG-3 SUMMARY OF ESTIMATED 2030 OPERATIONAL GHG EMISSIONS

Emission Source	Annual Emissions (Metric tons/year)			
	CO_2	CH_4	N_2O	CO_2e
Operational Emissions				
Area Sources	11	0.0006	0.0002	11
Electricity Use	35	0.0014	0.0003	35
Natural Gas Use	27	0.0005	0.0005	27
Water Use	8	0.0597	0.0015	10
Solid Waste Management	2	0.0966	0.0000	4
Vehicle Emissions	251	0.0121	0.0000	251
Amortized Construction Emissions	16	0.0028	0.0000	16
Carbon Sequestration Loss	0.275	0.0000	0.0000	0.275
Total	**350**	**0.1737**	**0.0025**	**355**

Global Warming Potential Factor	1	25	298	--
CO_2 Equivalent Emissions				**355**

Source: SRA, 2020b

TABLE GHG-4 SUMMARY OF ESTIMATED 2050 OPERATIONAL GHG EMISSIONS

Emission Source	Annual Emissions (Metric tons/year)			
	CO_2	CH_4	N_2O	CO_2e
Operational Emissions				
Area Sources	11	0.0006	0.0002	11
Electricity Use	17	0.0007	0.0002	17
Natural Gas Use	27	0.0005	0.0005	27
Water Use	4	0.0596	0.0014	6
Solid Waste Management	2	0.0966	0.0000	4
Vehicle Emissions	251	0.0121	0.0000	251
Amortized Construction Emissions	16	0.0028	0.0000	16
Carbon Sequestration Loss	0.275	0.0000	0.0000	0.275
Total	**328**	**0.1729**	**0.0023**	**333**
Global Warming Potential Factor	1	25	298	--
CO_2 Equivalent Emissions				**333**

Source: SRA, 2020b

Tables GHG-3 and GHG-4 present the estimated GHG emissions for 2030 and 2050 with these measures in place. Because there is no efficiency metric recommended by the COV beyond 2020, no calculation of the efficiency of the project has been made. However, the emissions from the proposed project would be further reduced in 2030 and 2050 from the 2022 proposed project emissions with implementation of the RPS and further reductions in GHGs from vehicles. Therefore, the proposed project would not conflict with the state's goals to reduce GHG emissions.

CONCLUSIONS

Emissions of GHGs were quantified for both construction and operation of the proposed project. The proposed project's net GHG emissions would be below the COV's "bright line" threshold of 1,185 metric tons of CO_2e. Through the mobile source emission regulatory framework, Title 24 energy efficiency requirements, and RPS, emissions would be reduced further for the proposed project to a level that is consistent with the goals of AB 32. Therefore, the proposed project would not result in a cumulatively considerable global climate change impact, and impacts related to GHG emissions would be less than significant.

IX. Hazards and Hazardous Materials ***Would the project:***	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

The discussion below is summarized and based on the findings contained within the *Phase 1 Environmental Site Assessment and Limited Soil Sampling Report,* (*Phase I Report*) (SCS Engineers, Inc. (SCS) October 28, 2014). The report is on file and available for review in the COV's Planning Division office.

DISCUSSION

a - c. LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED. As previously stated in this document, the project site is 1.95 gross acres in size, and is comprised of a single parcel that contains the remnants (i.e., concrete foundation) of single-family home. There is an existing public school (Casita Center for Technology, Science and Math, Vista within the Vista Unified School District), located several hundred feet to the north of the site along the west side of Cedar Road and addressed as 260 Cedar Road.

Two separate chain-link fences are located within the interior of the site, oriented in a north-south direction. The project site is an urban infill site and is surrounded on three sides by various types of fences and walls, including a chain link fence along the eastern edge of the site perimeter. Masonry block and wood fencing was observed along the northern edge of the site perimeter, as well as a wood fence along the southern edge of the site. A naturally vegetated corridor for seasonal drainage exists along the western edge of the site and approximates the boundary between the cities of Vista and Oceanside. Miscellaneous debris was observed on portions of the site and consisted of discarded household materials (SCS, 2014). Small graded areas along with limited landscaping were also present in portions of the site. All existing structures on-site are proposed to be demolished and removed as part of project development.

According to the *Phase I Report* (SCS, 2014), the project site was in used for dry farming as early as 1938 through 1953 and was first developed with the construction of a single-family residence in approximately 1946. A former detached shed or garage is also present in aerial photos of the site for a portion of this duration. A septic system at the residence appears to have been upgraded to a plumbing system that ties into the City's sewer system in approximately 1975 (SCS, 2014).

According to the Phase I Report (SCS, 2014), the structures were present during a period where lead-based paint was in common use, with a potential lead-based paint exposure of up to approximately 32 years, beginning with the interpreted construction of the previous on-site residence circa 1946 and the cessation of lead-based paint usage circa 1978. Based on SCS' experience with older structures in the County of San Diego that have historically used lead-based paint, there is the potential that shallow soils at the perimeter of the structures are impacted with lead from the accumulated weathering, scraping, flaking, and dissolution of lead-based paints.

Additionally, based on the fact that the project site has been developed with residential structures as early as 1946 to approximately 2008, the potential exists for the presence of concentrations of lead and organochlorine pesticides (OCPs) to be present in the shallow soil around the former on-site structures due to the historical potential use of lead-based paint, pesticides, and/or termiticides.

As a result, limited soil sampling activities (Phase II) was conducted at the project site to assess for the presence of pesticides and/or termiticides in the shallow soil around the former on-site structures.

On October 17, 2014, SCS advanced seven soil borings to assess the possible presence of OCPs and lead in the shallow soil around the former single-family residence and detached shed at the site. The soil samples were collected from each boring at approximate depths of 0.5 and 1.5 feet below grade. According to the results of the site testing (SCS, 2014) A total of seven soil samples were analyzed for lead by EPA Method 6010B. The 0.5-foot samples were analyzed from each boring location. Lead levels and pesticide levels were reported above laboratory reporting limits in some of the samples analyzed. This is a significant impact and mitigation is required. Implementation of Mitigation Measure HAZ-1 would ensure that impacts are reduced to less than significant levels.

MITIGATION MEASURES

HAZ-1 Prior to any site disturbing activities, the Applicant and/or Owner shall conduct additional soil sampling and analysis and the results of this sampling and analysis effort shall be included in the submittal to the COV to obtain a Grading Permit. The goal of this analysis is to delineate the horizontal and lateral limits of soil containing detectable concentrations of organochlorine pesticides at concentrations exceeding the San Diego Regional Water Quality Control Board (RWQCB) Tier1 SSL, since any reported concentrations of constituents of concern besides metals would be considered a regulated waste. Any soil exported from the site must be properly managed and transported to an appropriately permitted facility if it is characterized as a regulated or hazardous waste.

Typically, residential uses do not generate, store, dispose of, or transport quantities of hazardous substances. Likewise, construction equipment that would be used to build the proposed project also has the potential to release relatively small amounts of oils, greases, solvents, and other finishing materials through accidental spills. While the release of any of these materials could have the potential to impact surrounding land uses, a release of a significant amount of these hazardous substances is not likely due to the relatively small amount of material that would be stored or used on-site.

Nevertheless, federal, State, and local regulations would be in effect to reduce the effects of such potential hazardous materials spills. In addition, the VFD enforces city, State, and federal hazardous materials regulations for the COV through plan check reviews of Tentative Subdivision Maps, Site Development Plans, Building Plans, etc. The COV's Uniform Fire Code (Chapter 16.40 of the Municipal Code) adopts the State of California's Fire Code, which includes regulations concerning hazardous materials spill mitigation, and containment and securing of hazardous materials containers to prevent spills. In addition, the State Fire Marshal enforces oil and gas pipeline safety regulations, and the federal government enforces hazardous materials transport pursuant to its interstate commerce regulation authority. Compliance with all of these requirements is mandatory as standard permitting conditions during plan reviews and inspections of completed projects and would minimize the potential for the accidental release or upset of the noted hazardous materials, thus ensuring public safety.

The closest existing public school to the project site is Casita school located several hundred feet north of the project site along the west side of Cedar Road. As stated above, while operation of the proposed project would result in a release of any significant amounts of hazardous substances that could cause a public health hazard to this school, which is located over one-quarter mile away, there is the potential for construction activities to expose construction workers and other land uses and residents to hazardous materials given the findings/results and recommendations contained in the Phase II soil sampling effort (SCS, 2014). This would be a potentially significant impact and mitigation is required. Implementation of Mitigation Measure HAZ-1 (above) would reduce these impacts to less than significant levels.

d – g. NO IMPACT.

The *Phase I Report* notes that records indicate the presence of several close-proximity (one-mile radius) businesses or operations that are identified as using, storing, generating, or discharging of hazardous materials. Based on the expected materials used at the site and close-proximity sites, current governmental regulations regarding the use of hazardous materials, the stratigraphic conditions, drainage gradients and elevations, the probability of significant on-site contamination from these off-site sources should be considered to be low (SCS, 2014).

According to the *Phase I Report* (SCS, 2014) federal, State and local environmental databases were reviewed by Environmental Data Resources Inc. for information pertaining to documented and/or suspected releases of regulated hazardous substances and/or petroleum products within specified search distances, including the Cortese List database.

As stated in the Surrounding Land Use section in Chapter 2 of this document, the Oceanside Municipal Airport is located approximately five and a half miles to the west-northwest; however, the project site is not located within the vicinity of a private airstrip. According to the *Oceanside Municipal Airport Land Use Compatibility Plan* (San Diego County Regional Airport Authority, adopted 2010), the proposed project site is not located within a safety hazard area. Therefore, implementation of the proposed project would not result in a safety hazard for people residing at the project site.

The proposed project would not impair or physically impact any adopted emergency response plan or evacuation plan. The proposed project would not require the closure of any public or private streets or roadways and would not impede access of emergency vehicles to the project site or any surrounding areas.

The project has been reviewed by the VFD, and it would provide all required emergency access in accordance with the requirements of the Department. Therefore, significant impacts to emergency response are not anticipated to occur.

The project site is not located within a Very High Fire Severity Zone; therefore, the proposed project would not be subject to defensible space requirements of the California Fire Code. In addition, the future townhomes built on the site would be subject to the building construction requirements of the Fire Code. Accordingly, no significant risk of loss, injury or death would arise to people or structures from wildland fires where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

X. Hydrology and Water Quality *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
(iii) 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; or	☐	☐	☒	☐
(iv) impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

The discussion below is summarized and based on the findings contained within the *Preliminary Drainage Study* (*Drainage Report*) and the *Storm Water Quality Management Plan* (*SWQMP*) both by Tory R. Walker Engineering, (TRWE) June 21, 2019a and June 21, 2019, revised September 10, 2019b, respectively, which were prepared for the proposed project. The reports are on file and available for review in the COV's Planning Division office.

DISCUSSION

a - e. LESS THAN SIGNIFICANT IMPACT. The majority of the existing site has been previously graded, and is now covered primarily by vegetation. The westerly portion of the site is an undeveloped/natural area along a drainage course. There are no buildings or structures on-site, but the foundation of an older building remains on-site. The easterly portion of the site includes a portion of Cedar Road.

Hydrologically, the site is located within the Carlsbad Hydrologic Unit (HU) (904.0), Hydrologic Area (HA) – (904.2 – Buena Vista) and the Hydrologic Sub Area (HAS) – (904.21 – El Salto). The receiving water bodies for the proposed project is Buena Vista Creek located 0.9 mile to the south of the property. Buena Vista Creek is also on the 303(d) list due to Selenium and Sediment Toxicity.

POLLUTANTS OF CONCERN AND HYDROLOGIC CONDITIONS OF CONCERN

According to the *SWQMP* (TRWE, 2019b) the primary pollutants of concern that could be generated by the development of the proposed project consist of pesticides and sediment. Secondary pollutants of concern include nutrients, heavy metals, organic compounds, trash and debris, oxygen demanding substances, oil and grease, and bacteria and viruses. As stated in the *SWQMP* (TRWE, 2019b) potential hydrologic conditions of concern have to do with impacts to the hydrologic regime resulting from development. This typically includes increased runoff volume and velocity; reduced infiltration; increased flow frequency, duration, and peaks; faster time to reach peak flow; and water quality degradation. Specifically, a change to the hydrologic regime of a priority project site is considered a condition of concern if the change impacts downstream channels and habitat integrity.

POTENTIAL WATER QUALITY IMPACTS

As previously noted, the applicant seeks approval of Site Development Permit, Tentative Subdivision Map and Condominium Permit to redevelop the 1.95-acre parcel with five, two story and two story-over basement garage, residential multi-family buildings containing a total of 35 condominiums. The project also proposes drainage improvements consisting of concrete ditches, storm drainpipes, catch basins, and two (2) biofiltration basins to maintain the pre-developed runoff characteristics.

According to the *SWQMP* (TRWE, 2019b), BMPs would be implemented during construction and post-construction activities to address potential water quality impacts due to project development. Selected BMPs from the COV's *BMP Design Manual (2016)* would be applied to reduce pollutants to maximum levels (see Table HWQ-1 for Post-Construction BMPs incorporated into the project's design).

CONSTRUCTION ACTIVITIES

Short-term erosion impacts during the construction phase of the project would be prevented through implementation of an erosion control plan. A grading and erosion control plan, and a SWPPP, is required in accordance with the COV's *Grading Ordinance* (Development Code Chapter 17.56) and the current NPDES General Construction Activities Permit, and must be submitted for plan check and approval by the City Engineer, as well as the Planning Division, prior to final approval of the project.

The erosion control plan would include construction BMPs such as:

- Silt Fence, Fiber Rolls, or Gravel Bag
- Street Sweeping and Vacuuming
- Storm Drain Inlet Protection
- Stabilized Construction Entrance/Exit
- Vehicle and Equipment Maintenance, Cleaning, and Fueling
- Hydroseeding
- Material Delivery and Storage
- Stockpile Management
- Spill Prevention and Control
- Solid Waste Management
- Concrete Waste Management

In addition, in accordance with the requirements of the most recent NPDES General Construction Activities Permit, a Notice of Intent filed with the SWRCB and preparation of a SWPPP would also be required before project construction commences.

POST-CONSTRUCTION ACTIVITIES

In accordance with the COV's *BMP Design Manual (2016)* , as detailed in the COV's *Stormwater Standards Manual* (Municipal Code Chapter 13.18, Stormwater Management and Discharge Control Program) and the requirements of the Municipal Separate Storm Sewer System (MS4) (San Diego RWQCB Order R9-2013-0001 as amended by R9-2015-001 and R9 2015-0100), all new and significant redevelopment projects that are categorized as "priority" development projects (PDP) are required to incorporate post-construction (or permanent) Low Impact Development (LID) Site Design, Source Control, and Treatment Control (Structural) BMPs, and Hydromodification measures into the project's design. The proposed project meets one of the "priority project" categories – create, add, or replace at least 5,000 SF or greater of impervious surface on an existing development; therefore, the proposed project is classified as a priority project.

Under post-development conditions, the impervious surface from the proposed project would consist of 1.25 acres of the site (or 54,608 SF), which would be due to the addition of the private driveway, building foundations, parking spaces and sidewalks, and roadway improvements along Cedar Road. As a result, the project site would consist of approximately 64 percent of impervious surfaces.

TYPES OF POST-CONSTRUCTION BMPS

LID Site Design BMPs are intended to minimize impervious surfaces and promote infiltration and evaporation of runoff before it can leave the location of origination by mimicking the natural hydrologic function of the site. Integrated Management Practices (IMPs) facilities are used in conjunction with LID BMPs as they provide small-scale treatment, retention, and/or detention that are integrated into site layout, landscaping and drainage design. Source Control BMPs are intended to minimize, to the maximum extent practicable, the introduction of pollutants and conditions of concern that may result in significant impacts generated from site runoff to off-site drain systems. Treatment Control BMPs are intended to treat storm water runoff before it discharges off-site. According to the COV's *Stormwater Standards Manual* (2015), specific localized treatment control BMPs are more effective at reducing or minimizing pollutants of concern than other types of BMPs. Each type of BMP that would be implemented is shown in Table HWQ-1, below.

TABLE HWQ-1 PROPOSED PROJECT BMPS

Type of BMP	Description of BMP
LID Site Design	**Maintain Natural Drainage Pathways and Hydrologic Features:** The project will provide a 50-foot wetland buffer area for the natural drainage channel that runs along the western property boundary.
	Conserve Natural Areas, Soils and Vegetation: The project will provide a 50-foot wetland buffer area for the natural drainage channel that runs along the western property boundary.
	Minimize Impervious Areas: Patio areas will be constructed with permeable pavers. Landscape areas and planters are distributed throughout the project site. In addition, the project will provide a 50-foot wetland buffer, which reduces the proposed impervious area of the project.
	Minimize Soil Compaction: Soil will not be compacted within the 50-foot wetland buffer area.
	Runoff Collection: Patio areas will be constructed with permeable pavers.
	Landscaping with Native or Drought Tolerant Species: The project will be landscaped with native and drought tolerant plant species.
Source Control	**Landscape/Outdoor Pesticide Use:** Landscape/outdoor pesticides will be applied per local requirements.
	Prevent Illicit Discharges into the MS4: Storm drain stenciling or signage will be provided that prohibits illicit discharge to on-site storm drain inlets and structural BMPs. All sewer lines will be connected to the separate sanitary sewer system.
	Storm Drain Stenciling or Signage: Storm drain stenciling or signage will be provided at each storm drain inlet, and at each inlet to the structural BMPs.
	Protect Trash Storage Areas from Rainfall, Run-On, Runoff, and Wind Dispersal: Trash storage areas will be covered to provide protection from rainfall. Trash storage areas will be graded and surrounded by curb or wall to prevent run-on, run-off, and wind dispersal.
	Pools, spas, ponds, decorative fountains, or other water features: The proposed pool and spa would be self-retaining, and would not produce runoff during storm events.
	Need for future indoor & structural pest control: Indoor and structural pest control will be provided per local requirements.
	Plazas, Sidewalks and Parking lots: Patios, sidewalks, and parking areas will be swept and kept free of trash and debris.
	Additional BMPs Based on Potential Sources of Runoff Pollutants: Storm drain stenciling or signage will be provided at each storm drain inlet, and at each inlet to the structural BMPs.
Treatment Control	**Biofiltration Basin with Hydromodification Capacity:** Two Biofiltration Basins with Hydromodification Capacity would be constructed on-site. They would serve as Treatment Control BMPs and IMPs.

Source: SWQMP (TRWE, 2019b)

Prior to designing LID and/or Treatment Control BMPs into the proposed project, the Drainage Management Areas (DMAs) for the project site were defined.[9] The proposed drainage pattern will be similar to the existing drainage pattern with some modifications to incorporate the BMPs into the project design to mimic Pre-Development storm water runoff and quality.

The majority of the existing site drains to the southwest via sheet flow and small drainage courses, eventually discharging to the natural drainage channel along the property's western boundary. The remaining eastern area of the site drains southeast via sheet flow and small drainage courses, and discharges to the Cedar Road curb and gutter. There are no existing storm drains or other stormwater facilities on-site (TRWE, 2019b).

9 DMAs are areas delineated on a map of the development site showing how drainage is detained, dispersed, or directed to Integrated Management Practices.

Per the *SWQMP* (TRWE, 2019b), the proposed runoff from the project site is divided into three (3) DMAs: two (2) areas draining to Biofiltration systems and one (1) area classified as a "green street" facility (i.e., DMA-3). The proposed project would not substantially change the overall drainage patterns or discharge points. The majority of the site will drain to the southwest, eventually discharging to the natural drainage channel along the property's western boundary. The remaining eastern area of the site will drain southeast via sheet flow to the proposed Cedar Road curb and gutter. Runoff from DMA-1 is conveyed via ribbon gutter, swales, and storm drain to the biofiltration basin identified as BMP-1 Runoff from DMA-2 is conveyed via ribbon gutter, swales, and storm drain to the biofiltration basin identified as BMP-2. The outflow from BMP-1 and BMP-2 is then conveyed by storm drain to the underground detention vault. The vault's outlet structure will discharge via storm drain to POC-1 at the southwest corner of the project along the existing natural drainage channel. DMA-3 will drain via sheet flow to the proposed Cedar Road curb and gutter.

HYDROLOGY/DRAINAGE IMPACTS

Groundwater was not encountered during subsurface investigations undertaken for the *Geotechnical Report* (TRWE, 2019b) and is expected to more than 10 feet below the ground surface. Consequently, significant impacts to groundwater resources are not anticipated with development of the project.

Under existing (or pre-developed) conditions approximately four percent of the site is impervious (0.08 acre), with the remaining 96 percent of the site made up of pervious, naturally vegetated areas including the on-site marsh/wetland area at the western edge of the site (TRWE, 2019b).

In the existing condition, the majority of the existing site drains to the southwest via sheet flow and small drainage courses, eventually discharging to the natural drainage channel along the property's western boundary. The remaining eastern area of the site drains southeast via sheet flow and small drainage courses, and discharges to the Cedar Road curb and gutter. There are no existing storm drains or other stormwater facilities on-site.

In the developed condition, the proposed project would not substantially change the overall drainage patterns or discharge points. The majority of the site will drain to the southwest, eventually discharging to the natural drainage channel along the property's western boundary. The remaining eastern area of the site will drain southeast via sheet flow to the proposed Cedar Road curb and gutter.

Under the proposed (or post-developed) conditions, the project would increase the impervious surfaces of the site to 64 percent (1.25 acres or 54,608 SF) due to the anticipated construction of the private driveway, residential building foundations, parking spaces and sidewalks, and roadway improvements along Cedar Road.

Flow from POC-1 (DMAs 1 and 2) would be discharged to the natural drainage channel along the western boundary of the project. Runoff within the natural drainage channel flows south until it enters a storm drain underneath W. Vista Way, which continues south underneath SR-78 and discharges to Buena Vista Creek. Flow continues west in Buena Vista Creek to Buena Vista Lagoon, which eventually empties into the Pacific Ocean.

Runoff from DMA-3 would discharge to the Cedar Road curb and gutter, and then flow south on Cedar Road to the intersection with West Vista Way. The flow would head west on West Vista Way, and would be picked by a curb inlet and conveyed to the aforementioned storm drain underneath West Vista Way. From this point on the flow path is the same as described above for POC-1.

Runoff from most of the project site is to be collected in the proposed ribbon gutters, inlets, and storm drain, and routed to two biofiltration basins (BMP-1 and BMP-2), which would drain to an underground detention vault (Vault-1). The detention vault would be sized for hydromodification flow control and 100-year detention. The project design proposes to line all on-site structural BMPs with impermeable liners so that stormwater does not infiltrate into the soil, which could cause slope/retaining wall instability (as required by the project geotechnical engineer) (TRWE, 2019a).

The 100-year storm water discharge rate under (undetained) post-development conditions is estimated at 2.54 CFS. The 100-year storm water discharge rate under (detained) post-development conditions is estimated at 2.48 CFS, which is less than the existing (pre-developed) condition. According to the *SWQMP* (TRWE, 2019b), the drainage plan for the proposed development would not significantly alter the existing on-site flow patterns. The proposed storm drain system would be composed of concrete ditches, storm drainpipes, ribbon gutters, inlets, and catch basins, and two (2) biofiltration basins, which would maintain the pre-developed runoff characteristics. The project also includes a "green street" element for DMA-3.

As noted in Mitigation Measure BR-1, Best Management Practices and the Storm Water Pollution Prevention Plan will specifically include mandatory measures to prevent any movement of water, soils, or any material from the site into off-site areas.

The implementation of Mitigation Measure BR-1 and all proposed construction and post-construction BMPs would reduce, to the maximum extent feasible, all expected pollutants of concern and other anticipated pollutants. Therefore, development of the proposed project would have a less than significant impact on water quality standards or waste discharge requirements.

FLOOD HAZARD, TSUNAMI AND SEICHE IMPACTS

The project site is not identified on the COV's GIS map as an area within a 100- year flood plain. According to the *Drainage Report* (TRWE, 2019a), the nearest FEMA designated 100-year flood plain is 1,500 feet from the project site. Therefore, no habitable structures are proposed within the 100-year flood hazard area, which would impede or redirect flood flows. The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam, as there are no levees or dams impacted by the project site.

In addition, the project site does not have the potential to produce mudflows due to the relatively flat to moderately sloped topography of the site, and it is not in proximity to the ocean or other water bodies to be affected by a tsunami or seiche. Consequently, significant impacts would not occur.

WATER QUALITY CONTROL PLAN AND GROUNDWATER MANAGEMENT PLAN IMPACTS

As discussed above, Biofiltration Basins were selected as the treatment control BMP because of their effectiveness at treating sediment, trash and fine particles. Two Biofiltration Basins would be installed during the initial construction phase of the development. The size of each basin is determined by various hydrologic model calculations that include detention volume for a 100-year storm event, drainage area contribution, and LID BMP requirements. Therefore, with the biofiltration systems in place, the 100-year storm water discharge rate for the site would be reduced from 2.54 to 2.48 CFS. As a result, the proposed project would result in less than significant impacts to the capacity of existing or planned storm water drainage systems, or in providing substantial additional sources of polluted runoff or degrading water quality.

Groundwater was not encountered during subsurface investigations undertaken for the *Geotechnical Report* (TRWE, 2019b), and is expected to more than 10 feet below the ground surface. Consequently, significant impacts to groundwater resources are not anticipated with development of the project.

XI. Land Use and Planning *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

DISCUSSION

a. NO IMPACT. The project site is 1.95 acres in size and is comprised of a single parcel (APN: 166-051-05-00) that has been previously disturbed and is currently vacant. The remnants of a single-family home remain on-site in the form of a concrete foundation, which is located in the northwest corner of the project site. The proposed Cedar Road Townhomes Project involves a request for approval of a Site Development Permit, Tentative Subdivision Map and Condominium Permit to construct five buildings containing 35 condominiums, a private driveway, community pool, spa, tot lot and pool house, and the installation of wet and dry utilities, and landscaping for a new multi-family residential community. With approval of the above-noted discretionary permits, the proposed project would not disrupt or divide the physical arrangement of the community.

The proposed project is essentially an urban infill project, and is surrounded by existing development on all sides. Immediately surrounding land uses in the city of Vista consist primarily of apartments to the north and south, a single-family dwelling, and apartments to the east across Cedar Road, and single-family residences to the west in the city of Oceanside.

Land uses immediately surrounding the subject property, including their respective General Plan land use and Zoning designations, are found below in Table LU-1.

TABLE LU-1 IMMEDIATELY SURROUNDING LAND USES

Direction	Land Use	General Plan Land Use Designation	Zoning Designation
North	Apartments	High Density Residential (HD) - 21 du/ac *	(R-M-21) Multi-Family Residential *
South	Apartments	High Density Residential (HD) - 21 du/ac *	(R-M-21) Multi-Family Residential *
East	A single-family residence, and Apartments	High Density Residential (HD) - 21 du/ac	(R-M-21) Multi-Family Residential *
West	Single-Family Residences	Single Family Detached (SFD-R) **	(RH) Residential High **

*Notes: * City of Vista; ** = City of Oceanside; City of Vista GIS, 2020; City of Oceanside GIS Based Zoning and Land Use Maps, 2020*

As indicated in Table LU-1, existing land use and zoning designations immediately adjacent to the north, east and south within the COV are similar to the proposed designations of the project.

TABLE LU-2 CONSISTENCY WITH POLICIES IN THE LUCI ELEMENT OF THE GP 2030 UPDATE

LUCI Goals & Policies	Project Description	Consistent (Y/N)?
GOAL 1: Increase the level of design quality and preserve and enhance Vista's identity and image.		
Policy 1.1: Require the application of the *City of Vista Design Guidelines*, including site design, architecture, lighting, and signage, when reviewing and approving new development and redevelopment.	As described in the Proposed Project Description and shown in Figures 4, 5, and 6, the site design, architecture, and landscape architecture meets or exceeds all design guidelines and standards.	Y
Policy 1.6: Encourage undergrounding of utilities and discourage new electric and communications lines to be added to existing aboveground utility systems.	All new electric and communication lines that serve the project would be placed underground.	Y
GOAL 2: Preserve and enhance the characteristics and features of neighborhoods that share common development patterns, topography, major streets, and zoning patterns.		
Policy 2.4: Discourage subdivision design that disrupts the existing development pattern within established neighborhoods.	The proposed project would be constructed on an urban infill parcel that is surrounded on three sides by similar multi-family residential developments. Re-development of the site with 35 townhomes would be consistent with the pattern of surrounding, established developments.	Y
Policy 2.5: Ensure that Multi-Family Residential development is sited and designed to enhance the residential character of Vista; include amenities such as open space, landscaping and architecture that contributes to this character and minimizes impacts on adjacent residential development that is of a lower density.	The proposed 35 townhomes would be constructed within five buildings with substantial articulation and a high quality architectural design. The project exceeds open space requirements and includes landscaping along the project frontage along Cedar Road to help integrate the project within the existing residential neighborhood.	Y
GOAL 3: Preserve and protect existing residential neighborhoods from actions, activities, or land uses that may have an adverse impact upon the enjoyment of the residential living environment.		
Policy 3.1: Require all new development to be designed to minimize impacts on adjoining residential neighborhoods.	The proposed development would provide landscaped setbacks ranging from approximately 15 from the adjacent developments to the north and south; 20 feet from Cedar Road to the east and a setback from the western property line that ranges from approximately 60 to 100 feet in an effort to incorporate a 50-foot setback from the marsh/wetland. The perimeter's north, south and eastern boundaries would be landscaped to help integrate the project into the visual pattern of the surrounding neighborhood.	Y
Policy 3.2: Mitigate unacceptable levels of noise, odors, pollution, dust, light, and glare upon residential areas and other sensitive receptors, such as schools and day care centers.	The project's Mitigated Negative Declaration (MND) provides avoidance or mitigation measures to ensure that all impacts are reduced to less than significant levels.	Y

LUCI Goals & Policies	Project Description	Consistent (Y/N)?
Policy 3.4: Require adequate off-street parking for all residential development.	Each townhome that would be built in the development would have meet the off-street parking standards for multi-family residential dwelling units of 2.5 spaces for the two-bedroom townhomes and 2.5 parking spaces for the three-bedroom townhomes.	Y
GOAL 4: Promote sustainable and smart growth land use patterns and development regulations and guidelines.		
Policy 4.9: Ensure that new development complies with the California Green Building Standards Code (the CALGreen Code) to promote sustainable design and construction practices and positive environmental impacts in planning and design, energy efficiency, water efficiency and conservation, and material conservation and resource efficiency.	The project is conditioned to comply with all applicable building codes and standards (which includes application sections of the CALGreen Code) in affect at the time of construction. Also, each home that would eventually be built in the development would be required to comply with all applicable building codes and standards in affect at the time of construction, including the CALGreen Code.	Y

b. LESS THAN SIGNIFICANT IMPACT. The proposed project's consistency with *GP 2030* (adopted 2012), the Zoning Ordinance, and other land use plans and policies, and the surrounding land uses is discussed below.

GENERAL PLAN 2030 UPDATE

Land Use and Community Identity Element

As stated in Chapter 2, the project site is currently designated as High Density Residential (HD) land use designation under the *GP 2030* (City of Vista, 2012). The project has been designed to be consistent with the underlying *GP 2030* land use (and zoning) designations for the site. The goals and policies that apply to the proposed project are as follows:

The design of the proposed project would provide a total of 35 condominiums that are accessed from Cedar Road, and are connected to existing wastewater, water, and storm drain systems. The development would be two stories (not exceeding a height of 35 feet) and two stories over basement garages, which would utilize wood frame construction (or similar methods) on a conventional slab-on-grade foundation. Therefore, the proposed development would be compatible with the existing residential character of the surrounding area within the city and would also be consistent with the land use designation in the Land Use and Community Identity Element of *GP 2030* (City of Vista, 2012a). As a result, significant impacts would not occur.

Circulation Element

The property is located at 206 Cedar Road, on the west side of the street between West Drive to the north and W. Vista Way to the south. Cedar Road, which is adjacent to the subject property, is unclassified according to the COV Circulation Element. It is currently built as a 2-lane undivided roadway. Curbside parking is generally permitted along the street. The existing ADT along Cedar Road between West Drive and W. Vista Way is 2,981 (LLG, 2019).

Implementation of the proposed project would result in a total Vehicle Miles Traveled (VMT) of 799,485 once the proposed project is fully occupied (SRA 2019a). As noted in Table TT-2 in Section XVII (Transportation and Traffic), the proposed project trip generation at full build-out would be 280 ADT, which would represent an 8.6 percent increase in the ADT on Cedar Road. The project site is surrounded by existing residential uses within Vista and is very close to a school, cultural center/temple, transit stop, freeway access, and commercial uses within Vista and the City of Oceanside. Even though a VMT analysis consistent with CEQA Guidelines section 15064.3, subdivision (b) is not required until July 1, 2020, CEQA Guidelines section 15064.3, subdivision (b) states, "Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact." As stated previously, the NCTD's BREEZE Bus Line Route # 302 – Oceanside to Vista via Vista Way bus stop is approximately a 1,000-foot walk from the proposed project access driveway. Therefore, the proposed project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) and VMT impacts would be less than significant.

As noted in Table TT-1 in the Traffic section of this MND (See Section XVII, Transportation and Traffic) the Cedar Road/ West Drive intersection operates LOS C during the AM peak hour and LOS B during the PM peak hour and the Cedar Road/ W. Vista Way intersection operates at LOS F during the AM peak hour and LOS D during the PM peak hour. Table TT-3 of Section XVII (Transportation and Traffic) shows the addition of project traffic on existing intersection operation and the corresponding LOS and change in average delay. The addition of project traffic on existing traffic conditions would not result in significant impacts at any of the key intersections and impacts would be less than significant.

Housing Element

As mentioned above, the proposed project includes approval of a Site Development Permit and Tentative Subdivision Map to develop 35 condominiums on a previously developed, though currently vacant, urban infill project site.

The proposed project meets or is compatible with two goals of the Housing Element: Goal 1.0 - Maintain and Enhance the Quality of Residential Neighborhoods in Vista, and Conserve the Existing Supply of Affordable Housing; and Goal 2.0 - Encourage Adequate Provision of a Wide Range of Housing by Location, Type of Unit, and Price to Meet the Existing and Future Needs of Vista Residents. By developing new housing on a vacant, urban infill site, with the new 35-unit residential townhome community, the proposed project is compatible with Goal 1.0. With the subdivision of the property into to allow for the development of the condominiums, 35 new homes would be provided on a vacant urban infill site. Therefore, the proposed project would be compatible with the Housing Element of *GP 2030* (adopted 2012), and significant impacts would not occur.

Resource Conservation and Sustainability Element

The applicable goals and policies that apply to the proposed project are as follows:

RCS Goal 2 Reduce GHG emissions from community activities and municipal facilities and operations within the city boundaries to support the State's efforts under Assembly Bill 32, Senate Bill 375, and other state and federal mandates, and to mitigate the community's contributions to global climate change.

RCS Policy 2.7 Through California Environmental Quality Act (CEQA) documents, evaluate and disclose the contribution new projects could have on climate change and require mitigation measures as appropriate.

RCS Goal 4 Preserve, protect, and enhance water quality in watersheds to which the City contributes storm water and urban runoff.

RCS Policy 4.6 Require the incorporation of Low Impact Development (LID) techniques in accordance with current storm water regulations to manage storm water and urban runoff, reduce runoff and pollution, reduce the footprint of development on each parcel, and assist in maintaining or restoring the natural hydrology of the site.

RCS Goal 12 Acknowledge, preserve, and protect the City's Native American heritage.

RCS Policy 12.2 In collaboration with NAHC and the San Luis Rey Band of Mission Indians, adopt procedures for protecting significant archeological features, and apply to projects requiring discretionary City approval.

RCS Policy 12.3 Ensure that the San Luis Rey Band of Mission Indians is notified of any proposed discretionary planning or grading applications affecting lands with potential archaeological resources.

The proposed project meets RCS Policy 2.7 and Goal 2 through the GHG Emissions analysis prepared in Section VIII, Greenhouse Gas Emission in this CEQA document. As described in Section X, Hydrology and Water Quality of this document, the design of the proposed project incorporates a number of LID techniques and facilities that meets RCS Policy 4.6 and Goal 4. As described in Section V, Cultural Resources, representatives of the San Luis Rey Band of Mission Indians took part in on-site field surveys conducted as part of the preparation of the cultural resources report and contributed to the procedures for protecting unknown potentially significant archeological features (RCS Policies 12.3 and 12.2). Therefore, implementation of the proposed project would be consistent with the goals and policies of the RCS Element of the *GP 2030*, and impacts would be less than significant.

Other General Plan Elements

The proposed project would be conditioned to comply with all applicable noise standards and required mitigation measures, would be adequately served by existing public services, and would require compliance with the COV's building, and fire codes and with the seismic regulations within the CBC. The 1.95-acre project site does not contain any designated open space. The on-site marsh/wetland would be protected by the project as the proposed development will be set back 50 feet from the edge of the marsh. Consequently, no inconsistencies with the COV's Noise Element, Public Safety Element, and Healthy Vista Elements are anticipated as a result of project implementation, and significant impacts would not occur.

Habitat Conservation Plan or Natural Community Preservation Plan

The city is part of the North County Multiple Habitat Conservation Program (MHCP), which is a comprehensive conservation planning process developed to identify and protect critical habitats for a wide range of plant and animal species within a 20,000-acre preserve system in North San Diego County. However, the COV has not yet adopted an MHCP sub-area plan. Instead, to implement the provisions of the MHCP within Vista, a Biological Preserve Overlay (BPO) has been created and identified as the City's regional habitat preservation system in the *GP 2030 Update*. The project site is not within or adjacent to any land that has a BPO designation. Therefore, the development of the proposed project would not conflict with the provisions of the MHCP, and impacts related to the MHCP would not occur.

ZONING ORDINANCE

As stated above, the applicant is proposing a development project that is consistent with the underlying zoning designation of R-M (21) (Multi-Family Residential with 21 Dwelling Units per Acre). Section 18.34 of the Development Code identifies the requirements for permitted uses; building heights; front, side and rear yard setbacks; lot coverage; and utilities under the R-M designation. The proposed 35 condominiums would meet the requirements for the permitted use of a multi-family residential community on this site. The yard setbacks, building heights, lot coverage, and utilities meet, or exceed, the following minimum requirements:

Yard Setbacks

Front - 20 feet from the centerline of the street upon which the building site fronts (Cedar Road).

Sides - not less than 15 feet in width.

Rear - not less than 20 feet in depth.

Building Height

No building or structure shall exceed two stories or 35 feet in height, whichever is the lesser.

Utilities

All electrical and communication conduit and outdoor conductor service facilities shall be installed underground within the boundaries of the building site for which a building permit for a multi-family dwelling is requested.

As discussed in various sections of this document, the architectural plans would be reviewed again by the Building Department and the City Planner prior to the applicant obtaining building permits for consistency with the Zoning Ordinance. As a result, significant impacts would not occur.

XII. Mineral Resources *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

DISCUSSION

a - b. NO IMPACT. The California Department of Conservation's Division of Mines and Geology does not identify the project site as an area with high potential for aggregate or mineral resources. In addition, the GP 2030 (adopted 2012) does not identify the project site as a locally important mineral resource recovery site. As a result, implementation of the proposed project would not result in the loss of availability of a regionally or locally known mineral resource; therefore, significant impacts would not occur.

XIII. Noise *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. 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?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or 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 discussion below is based on the findings contained within the *Noise Assessment Study for the Cedar Road Townhomes Project (Noise Report*) (HELIX Environmental Planning, January 2020) (HELIX, 2020) prepared for the proposed project. The document is on file and available for review in the COV's Planning Division office.

DISCUSSION

a. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

NOISE DESCRIPTORS

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A-weighting (dBA) to approximate the hearing sensitivity of humans. All references to dB in this analysis will be A-weighted unless noted otherwise. Time-averaged noise levels are expressed by the symbol Leq, with a specified duration. The Community Noise Equivalent Level (CNEL) is a 24-hour average, where noise levels during the evening hours of 7:00 p.m. to 10:00 p.m. have an added 5 dB weighting, and noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. have an added 10 dB weighting. This is similar to the Day Night sound level (Ldn), which is a 24-hour average with an added 10 dB weighting on the same nighttime hours but no added weighting on the evening hours. These metrics are used to express noise levels for both measurement and municipal regulations, as well as for land use guidelines and enforcement of noise ordinances.

REGULATORY FRAMEWORK

City of Vista General Plan, Noise Element

The Noise Element of the COV's *GP 2030* includes a noise/land use compatibility matrix for assessing the suitability of different categories of planned land uses based on exterior noise level exposure (Table NE-3 from the COV's *GP 2030*). For the proposed project's land use (Multi-Family Residential), the Noise Element specifies exterior noise levels up to 65 dB CNEL as normally acceptable and up to 70 dB CNEL is conditionally acceptable. Noise levels exceeding 70 dB CNEL are generally unacceptable for multi-family residential uses.

In addition, the COV defines specific maximum noise levels that shall not be exceeded for both interior and exterior use areas. A proposed project shall not generate noise levels that exceed these standards. The COV extends the provisions of the State of California Noise Insulation Standards (Title 24), limiting interior noise levels to 45 dB CNEL for multi-family residential development. Table NOI-1, Interior and Exterior Noise Guidelines, provides limits for various types of land uses.

TABLE NOI-1 INTERIOR AND EXTERIOR NOISE GUIDELINES

Land Use	Maximum Noise Level (L_{DN} or CNEL, dBA)	
	Interior[1,2]	Exterior
Residential – Single Family, Multi-family, Duplex	45	65[3]
Residential – Nursing Homes, Hospital	45	65[3]
Private Offices, Church Sanctuaries, Libraries, Board Rooms, Conference Rooms, Theaters, Auditoriums, Concert Halls, Meeting Halls, etc.	45	-
Schools	45	65[4]
General Offices, Reception, Clerical, etc.	50	-
Bank Lobby, Retail Store, Restaurant, Typing Pool, etc.	60	-
Manufacturing, Kitchen, Warehousing, etc.	65	-
Parks, Playgrounds, etc.	-	65[4]
Golf Courses, Outdoor Spectator Sports, Amusement Parks, etc.	-	70[4]

Notes:
1 Noise standard with windows closed. Mechanical ventilation shall be provided per UBC requirements to provide a habitable environment.
2 Indoor environment excluding bathrooms, toilets, closets, and corridors.
3 Outdoor environment limited to rear yard of single-family homes, multi-family patios and balconies (with a depth of 6 feet or more) and common recreation areas.
4 Outdoor environment limited to playground areas, picnic areas, and other areas of frequent human use.
LDN=Day-Night Level; CNEL=Community Noise Equivalent Level; dBA=A-weighted decibel

City of Vista Noise Ordinance (Municipal Code, Chapter 8.32, Noise Control)

Sections 8.32.010 through 8.32.060 of the COV's Municipal Code pertain to noise requirements and enforcement of violations. The COV has adopted the County's Noise Ordinance for the purpose of controlling excessive noise levels, including noise from construction activities.

Table NOI-2, Applicable Exterior Property Line Noise Limits, lists the applicable exterior property line noise limits. This table is specific to the COV and replaces the table in Section 36.404 of the County noise ordinance. It is unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level at any point on or beyond the boundaries of the property exceeds these limits. The sound level limit at a location on a boundary between two zones is the arithmetic mean of the respective limits for the two zones.

TABLE NOI-2 APPLICABLE EXTERIOR PROPERTY LINE NOISE LIMITS

Zone	Time	Applicable Limit One-hour Average Sound Level (dBA)
A-1, E-1, O, OSR R-1B, MHP	7:00 a.m. – 10:00 p. m. 10:00 p.m. – 7:00 a. m.	50 45
R-M	7:00 a.m. – 10:00 p.m. 10:00 p.m. – 7:00 a.m.	55 50
C-1, C-2, O-3, C-T, OP, M-U and Downtown Specific Plan	7:00 a.m. – 10:00 p.m. 10:00 p.m. – 7:00 a.m.	60 55
M-1, I-P, all areas of the Vista Business Park Specific Plan and Specific Plan 14	Any time	70

Source: City of Vista Municipal Code Section 8.32.40

A-1 = Agricultural; C-1 = Commercial; C-2 = Commercial; C-T = Commercial Transient; E-1 = Estate; I-P = Industrial; MHP = Mobile Home Park; M-U = Mixed Use; O = Open Space; O-3 = Office Park; OP = Office Professional; OSR = Open Space Residential; R-1B = Residence; R-M = Multi-Residential

The project site and neighboring parcels are zoned R-M (Multi-Family Residential).

The adopted County Noise Ordinance also stipulates controlling construction noise. San Diego County Code Sections 36.408 and 36.409, Construction Equipment, state that, except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment:

a) Between 7:00 p.m. and 7:00 a.m.

b) On Sunday or a holiday. For the purposes of this section, a holiday means January 1, the last Monday in May, July 4, the first Monday in September, December 25, and any day appointed by the President as a special national holiday or the Governor of the State as a special State holiday. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10:00 a.m. and 5:00 p.m. at the person's residence or for the purpose of construction of a residence for himself or herself, provided that the operation of construction equipment is not carried out for financial consideration or other consideration of any kind and does not violate the limits in Sections 36.409 and 36.410.

c) Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 dBA for an 8-hour period, between 7:00 a.m. and 7:00 p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

Section 36.410 of the County's ordinance provides additional limitation on construction equipment beyond Section 36.404 pertaining to impulsive noise. Except for emergency work or work on a public road project, no person shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in Table NOI-3*,* Maximum Sound Levels (Impulsive), when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period.

TABLE NOI-3 MAXIMUM SOUND LEVELS (IMPULSIVE)

Occupied Property Use	Decibels (dBA) L_{MAX}
Residential, village zoning or civic use	82
Agricultural, commercial or industrial use	85

Source: County of San Diego Municipal Code Section 36.410

The minimum measurement period for any measurements is one hour. During the measurement period, a measurement must be conducted every minute from a fixed location on an occupied property. The measurements must measure the maximum sound level during each minute of the measurement period. If the sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute, it will be deemed that the maximum sound level was exceeded during that minute.

ENVIRONMENTAL SETTING

Baseline Noise Levels

As stated in the *Noise Report* (HELIX, 2020), a site visit for noise measurements was conducted on Thursday, January 16, 2020. The 15-minute ambient noise measurement at the center of the eastern boundary of the project site was 59.1 dB Leq. Traffic noise on Cedar Road is the dominant noise source at the project site. Other minor noise sources include ambient nature sounds and neighborhood noises.

Sensitive Land Uses

Noise-sensitive land uses are land uses that may be subject to stress and/or interference from excessive noise, including residences, hospitals, churches, schools, hotels, resorts, libraries, sensitive wildlife habitat, or similar facilities where quiet is an important attribute of the environment. The nearest noise-sensitive land uses are multi-family residences adjacent to the project site to the north and south. Single-family residences within the City of Oceanside are located west of the project site. A single-family dwelling and multi-family residences are also located to the east of the project site opposite of Cedar Road. A school (to the north) and a cultural center and temple (to the south) are located approximately 200 feet from the project site.

METHODOLOGY

The following equipment was used to measure existing noise levels at the project site:

- Larson Davis 831 Noise Meter
- Larson Davis Model CA250 Calibrator
- Windscreen and tripod for the sound level meter

The sound level meter was field-calibrated immediately prior to the noise measurements to ensure accuracy. All sound level measurements conducted and presented in this report were made with a sound level meter that conforms to the American National Standards Institute (ANSI) specifications for sound level meters (ANSI SI.4-1983 R2006). All instruments were maintained with National Institute of Standards and Technology traceable calibration per the manufacturers' standards.

Modeling of the exterior noise environment for this report was accomplished using the Traffic Noise Model (TNM) version 2.5. The TNM was released in February 2004 by the U.S. Department of Transportation (USDOT) and calculates the daytime average hourly LEQ from three-dimensional model inputs and traffic data (HELIX, 2020).

NOISE THRESHOLDS AND STANDARDS

Based on Appendix G of the CEQA Guidelines, implementation of the project would result in a significant adverse impact if it would:

1. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the Vista General Plan or noise ordinance.

> Impacts would be significant if the project would expose proposed residential uses to exterior noise levels exceeding 65 CNEL or interior noise levels exceeding 45 CNEL, as described in the City General Plan Noise Element.
>
> Per the Vista Noise Ordinance, impacts would be significant if the project would generate noise levels at a common property line with a multi-family residential zone that would exceed the following one-hour average exterior noise levels: 55 dB from 7:00 a.m. to 10:00 p.m. and 50 dB from 10:00 p.m. to 7:00 a.m.
>
> For traffic-related noise, impacts are considered significant in areas where existing traffic noise exceeds 65 CNEL and implementation of a project would result in an increase of the noise level by 3 CNEL or more.
>
> Construction activity would be considered significant for nearby residences if it exceeds an 8-hour average exterior noise level of 75 dB, or a maximum impulsive noise level of 82 dB on an occupied residential use. The ordinance prohibits construction and building work between the hours of 7:00 p.m. and 7:00 a.m. of the next day, on Sundays, or on a holiday.

2. Generate excessive ground-borne vibration or ground-borne noise levels.

> Excessive ground-borne vibration would occur if construction-related ground-borne vibration exceeds the "strongly perceptible" vibration annoyance potential criteria for human receptors, as specified by Caltrans, of 0.1 inches per second peak particle velocity (PPV), and 0.5 inches per second PPV for damage to older structures for continuous/frequent intermittent construction sources (such as impact pile drivers, vibratory pile drivers, and vibratory compaction equipment).

3. For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport or private airstrip, expose people residing or working in the project area to excessive noise.

> Excessive noise exposure is defined as noise levels that exceed the standards in the Vista General Plan Noise Element for the associated land use.

NOISE IMPACTS

Potential noise impacts associated with the proposed project are primarily related to the short-term operation of conventional heavy-duty construction equipment, and long-term operational noise typical of residential land uses.

Construction Noise

Project construction activities would include clearing, grading, excavating, compacting, utility installation, erecting buildings, and paving. Standard equipment used on the site is assumed to include an excavator, front-end loader, dump truck, grader, and roller. Grading of the site would require 5,500 CY of import, thus the noise analysis assumed 370 haul truck round trips (based on a 15 cubic yard haul truck capacity) (HELIX, 2020).[10]

The magnitude of the impact would depend on the type of construction activity, equipment, duration of each construction phase, distance between the noise source and receiver, and any intervening structures. Construction would generate elevated noise levels that may disrupt nearby residences. Residences are located adjacent to the northern, southern, and western boundaries of the project site. Assuming construction equipment would be traversing the entirety of the project site, construction noise may be closer or further from nearby residences throughout a given construction day. For this analysis, it is assumed that construction equipment would be located at an approximate average distance of 75 feet from nearby residences. An existing concrete foundation is located at the northern edge of the project site. Demolition of this foundation may require the use of a jackhammer or concrete saw. This work would be conducted at a distance of approximately 50 feet from nearby residences. Table NOI-4, Construction Equipment Noise Levels, provides the noise levels for expected construction equipment at modeled distances.

TABLE NOI-4 CONSTRUCTION EQUIPMENT NOISE LEVELS

Unit	Percent Operating Time	Modeled Distance	dB L_{MAX}	dB L_{EQ}
Backhoe	40	75 Feet	74.0	70.1
Compactor	20	75 Feet	79.7	72.7
Compressor	40	75 Feet	74.1	70.2
Concrete Mixer Truck	40	75 Feet	75.3	71.3
Concrete Pump Truck	20	75 Feet	77.9	70.9
Dozer	40	75 Feet	78.1	74.2
Dump Truck	40	75 Feet	72.9	68.9
Excavator	40	75 Feet	77.2	73.2
Front End Loader	40	75 Feet	75.6	71.6
Paver	50	75 Feet	73.7	70.7
Roller	20	75 Feet	76.5	69.5
Excavator/Loader/Dump Truck	40	75 Feet	77.2	76.4

10 The air quality analysis assumed a 16 cubic yard haul truck capacity (based on CalEEMod), thus the number of haul truck trips assumed in the noise analysis are slightly different (344 round trips vs 370 round trips). The conclusions of the air quality and noise analyses would not change assuming either haul truck capacity and resultant number of trips.

Concrete Saw	20	50 Feet	89.6	82.6
Jackhammer	40	50 Feet	88.9	81.9

Source: HELIX, 2020

Construction equipment would not all operate at the same time or location. Furthermore, construction equipment would not be in constant use during the 8-hour operating day. A dozer and an excavator may be working on the site simultaneously but would not be working in close proximity to one another at a given time due to the nature of their respective operations. An excavator, loader, and dump truck were analyzed together for construction noise impacts due to their likelihood of being used in conjunction with one another.

Construction activity would be considered significant (exceed standards in Noise Ordinance) for nearby residences if it exceeds an exterior noise level 75 dB 8-Hour Leq. Based on these assumptions, grading operations using an excavator, loader, and dump truck at the nearest sensitive land use would be 76.4 dB Leq at 75 feet (see *Noise Report* for construction noise modeling). At 50 feet, noise from the use of a concrete saw and/or a jackhammer would be 82.6 dB Leq and 81.9 dB Leq, respectively. If used for more than one hour of an 8-hour workday, these noise levels would exceed the standards in the COV's Noise Ordinance. As a result, Mitigation Measure NOI-1 would be required to reduce noise levels from construction to a less than significant level.

Construction traffic noise was modeled with the Caltrans Traffic Noise Model (TNM) to calculate the noise contour distances for construction-related truck trips. Construction traffic noise modeling assumed 370 haul truck round trips or 740 haul truck one-way trips would be required for the entirety of the grading phase, which is estimated at approximately 40 working days. Using a conservative estimate of 20 truck trips per day over an 8-hour construction day, this analysis assumed two haul truck trips per hour would be required for export of material.[11]

A general rule of thumb is that a doubling in noise energy, a 3 dB increase, would be considered a significant increase. The existing and the increased traffic volumes from construction were input into the TNM for Cedar Road. The largest increase in noise levels on any analyzed segment (Cedar Road south of the project site) would be 0.2 dB CNEL. Because traffic noise during construction would not increase by 3 dB, impacts from construction traffic would be less than significant.

MITIGATION MEASURE

NOI-1 Construction Noise Management Plan. Noise levels from project-related demolition, grading, and construction activities shall not exceed the noise limit specified in San Diego County Code (adopted by COV) Sections 36.408 and 36.409 of 75 dBA (8-hour average), when measured at the boundary line of the property where the noise is located or any occupied property where noise is being received. A Construction Management Plan that describes the measures included on the construction plans to ensure compliance with the noise limit shall be prepared by the project Applicant and submitted to the COV Planning Division for approval prior to issuance of the Grading Permit. The following measures may be included to reduce construction/demolition noise:

- Construction equipment to be properly outfitted and maintained with manufacturer-recommended noise-reduction devices.

11 The air quality analysis assumed a 16 cubic yard haul truck capacity (based on CalEEMod), thus the number of haul truck trips assumed in the noise analysis are slightly different (344 round trips vs 370 round trips). The conclusions of the air quality and noise analyses would not change assuming either haul truck capacity and resultant number of trips.

- Diesel equipment to be operated with closed engine doors and equipped with factory- recommended mufflers.
- Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) to be equipped with shrouds and noise control features that are readily available for that type of equipment.
- Electrically powered equipment to be used instead of pneumatic or internal-combustion powered equipment, where feasible.
- Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) to be prohibited.
- Material stockpiles and mobile equipment staging, parking, and maintenance areas to be located as far as practicable from noise sensitive receptors.
- The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- No project-related public address or music system shall be audible at any adjacent sensitive receptor.
- Temporary sound barriers or sound blankets may be installed between construction operations and adjacent noise-sensitive receptors. Due to equipment exhaust pipes being approximately 7-8 feet above ground, a sound wall at least 10 feet in height above grade, located along the northern and southern property line between the project and neighboring residences would mitigate noise levels to within acceptable levels. To effectively reduce noise levels, the sound barrier should be constructed of a material with a minimum weight of two pounds per square foot with no gaps or perforations and remain in place until the conclusion of demolition, grading, and construction activities.
- The Applicant or Owner and/or Contractor shall notify residences within 100 feet of the project's property line in writing within one week of any construction activity such as demolition, hard rock handling, concrete sawing, asphalt removal, and/or heavy grading operations. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of a complaint and response procedure.
- The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process for the affected resident shall be established prior to construction commencement to allow for resolution of noise problems that cannot be immediately solved by the site supervisor.

Operational Noise Impacts on Future Residences

Future on-site residential land uses would be exposed to noise from vehicular traffic along Cedar Road, which is adjacent to the eastern boundary of the project site. Impacts related to exterior noise would be potentially significant if future residential exterior use areas are exposed to noise levels in excess of 65 dB CNEL.

The residential exterior use areas would include patios for individual residences and a recreation area with a pool at the center of the project. Patios for the easternmost units would be approximately 60 feet from the Cedar Road roadway centerline. The TNM was used to calculate the noise contour distances for Existing + Project traffic conditions. At 60 feet, the noise level from future traffic along Cedar Road would be approximately 54.8 dB CNEL, which is below the 65 dB CNEL threshold. Therefore, impacts related to the exposure of proposed exterior use areas to exterior excessive noise levels would be less than significant.

Traditional architectural materials are expected to attenuate noise levels by 15 dB CNEL; therefore, if noise levels exceed 60 dB CNEL at the project's future residential exterior facades, interior noise levels may exceed the COV Noise Element interior noise standard for residential uses (HELIX, 2020).

Residential building façades for the eastern units would be located as close as approximately 60 feet from the Cedar Road roadway centerline. As stated above, the exterior noise level at 60 feet would be approximately 54.8 dB CNEL. With the 15 CNEL noise level attenuation, interior noise levels would be approximately 39.8 dB CNEL, which is below the 45 dB CNEL threshold. Therefore, impacts related to the exposure of proposed residential limits to interior acceptable levels would be less than significant.

Operational Noise Impacts on Existing Residences

A typical HVAC unit generates a noise level of 56 dB at a distance of seven feet (see page 8 of the *Noise Report* for assumptions and modeling). The nearest proposed patios would be approximately 15 feet from the project boundary. At this distance, the HVAC would generate a noise level of approximately 49.4 dB. Therefore, future HVAC units associated with the proposed residences would not exceed the COV's nighttime allowable hourly limit of 50 dB.

TNM software was used to calculate the noise contour distances for Existing and Existing + Project conditions. The off-site roadway modeling represents a conservative analysis that does not consider topography or attenuation provided by existing structures. Future traffic conditions (Existing + Project) were estimated to increase traffic noise on Cedar Road by 0.2 dB north of the project site and by 0.7 dB south of the project site. As stated previously, a significant direct impact would occur if existing conditions approach or exceed City standards and the project more than doubles (increases by more than 3 CNEL) the existing noise level. The proposed project would not cause roadway noise levels to exceed 65 CNEL and would not increase roadway noise levels by more than 3 CNEL. Furthermore, this analysis conservatively assumes the unlikely scenario where all project traffic is directed down a given roadway segment. Therefore, exterior off-site direct transportation noise impacts would be less than significant.

b. LESS THAN SIGNIFICANT IMPACT. A possible source of vibration during general project construction activities would be a vibratory roller, which may be used within 50 feet of off-site residences. A vibratory roller would create approximately 0.210 inch per second PPV at a distance of 25 feet (Caltrans 2013). A 0.210 inch per second PPV vibration level would equal 0.098 inch per second PPV at a distance of 50 feet.[12] This would be lower than the structural damage impact to older residential structures of 0.5 inches per second PPV and the "strongly perceptible" impact for humans of 0.1 inches per second PPV. Additionally, off-site exposure to such groundborne vibration would be temporary. Therefore, even though vibration may be perceptible at nearby residences, temporary impacts associated with the roller (and other potential equipment) would be less than significant.

12 Equipment PPV = Reference PPV * $(25/D)^n$ (in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receiver in feet, and n = 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2013b.

c. Less Than Significant Impact. The project site is subject to some distant aircraft noise, though the site is not located near an active airport. There are no private airstrips within the vicinity of the project site. The nearest public airports are the McClellan-Palomar Airport, located approximately four miles to the south, and Oceanside Municipal Airport, located approximately four miles to the northwest. At these distances, no effects related to airport noise would occur at the project site, and impacts would be less than significant.

XIV. Population and Housing *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

DISCUSSION

a - b. NO IMPACT. The project proposes to redevelop a vacant, 1.95-acre urban infill site and construct 35 condominiums that would each have two or three bedrooms. As stated in Chapter 2 of this document, all necessary utilities such as sewer, water, electricity, etc. are available either on-site or within the adjacent street of Cedar Road. The proposed project is consistent with both the underlying *GP 2030* land use designation and zoning classifications. Therefore, project construction would not result in potentially growth-inducing effects by extending utilities into an undeveloped area or displace substantial numbers of existing housing or people. As a result, significant direct or indirect population growth, or the need for replacement housing, would not occur with project implementation.

XV. 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:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1. Fire protection?	☐	☐	☒	☐
2. Police protection?	☐	☐	☒	☐
3. Schools?	☐	☐	☒	☐
4. Parks?	☐	☐	☐	☒
5. Other public facilities?	☐	☐	☐	☒

DISCUSSION

a1 – a3. LESS THAN SIGNIFICANT IMPACT.

FIRE PROTECTION SERVICES

The proposed project would result in less than significant impacts to fire protective services. The project site is 1.95 acres in size and is comprised of a single parcel (APN: 166-051-05-00) that was previously developed with a single-family home, but is currently vacant. The project consists of grading the site to support the construction of five multi-family residential buildings containing a total of 35 new condominiums. The new townhomes are required to meet all of the applicable fire codes set forth by the State Fire Marshall, the VFD, and the COV's building code. Implementation of the proposed project may result in a slight incremental increase in the demand for emergency services; however, the size and location of the project would not place an undue hardship on the fire department since they are presently servicing the site as well as areas adjacent to, and across the street from, the site. The closest fire station to the site would be Vista Fire Station No. 1 located at 175 N Melrose Drive, approximately two miles away to the northeast. In addition, the VFD reviewed the Tentative Subdivision Map of the proposed project and provided recommendations to reduce potential impacts to fire protective services. These recommendations are included in the Conditions of Approval for the project. The Fire Department would also review the building and precise grading plans when they are submitted to the COV and would also identify and provide additional recommendations to reduce any potential impacts. In addition, prior to final project approval, the COV Fire Marshal would verify that the project has been designed to conform to code. Therefore, implementation of the proposed project would not exceed the capacity of VFD to serve the site with existing fire protection services and resources.

POLICE PROTECTIVE SERVICES

The proposed project would not result in significant impacts on police protective services. Increased demand for police protection is not expected since they are presently servicing the general project areas as well as the areas adjacent to, and across the street from, the site. For that reason, the proposed project would not exceed the capacity of the Vista Sheriff's Department to provide police protective services to the proposed project, and impacts would be less than significant.

SCHOOLS

The new townhomes that would be built as a result of the implementation of the proposed project would not result in a significant direct increase in the city's population as development of the site would be consistent with both the *GP 2030* land use and zoning designation for the site. However, the project would result in a small incremental increase in the city's population that could place cumulative demands on VUSD schools or school operations, which would require additional school facilities. However, with payment of the Residential Development School Fee as a condition of building permit approval, which is authorized by Section 17620 of the Education Code and based on $3.79 per SF of assessable space (as of June 2020), no significant cumulative impacts to VUSD facilities are anticipated to arise.

a4 – a5. NO IMPACT. The project site is located along Cedar Road, which is currently maintained by the City's Department of Public Works. As a result, no significant impacts on the condition of the road are anticipated from project implementation.

Due to the relatively small size of the proposed project, and its consistency with the underlying *GP 2030* land use and zoning designations, no impacts on libraries, senior centers, or other public facilities are anticipated. Consequently, significant impacts would not occur.

XVI. Recreation *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

DISCUSSION

a - b. LESS THAN SIGNIFICANT IMPACT. The project would not significantly affect any property currently zoned for recreational or open space use. The project consists of redeveloping a vacant, 1.95-acre urban infill site with 35 condominiums. A small demand on existing recreational resources may be expected with any residential development within the city. However, this impact would not lead to a substantial physical deterioration of recreational facilities because the new townhomes that would eventually be built on the site are required to be consistent with the underlying *GP 2030* land use and zoning designations. As a result, impacts to recreational resources would be less than significant.

The project proposes 12,571 SF of common open space and 3,053 SF of private open space. Recreational amenities available for use by the future project residents include a pool, spa, pool house, tot lot, and barbeque area.

The project does not propose the development of any public recreational facilities. As stated above, a small demand on existing recreational resources may be expected with any residential development within the city; however, this impact is anticipated to be minimal, and would not require the expansion of existing recreational facilities or the construction of new recreational facilities that might adversely affect the environment. As a result, less than significant impacts would occur with project implementation.

XVII. Transportation/Traffic *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒

The discussion below is based on the findings contained within the *Traffic Letter Report for the 206 Cedar Road Condominiums Project (Traffic Report*) (Linscott, Law & Greenspan, 2019) (LLG, 2019) prepared for the proposed project. The document is on file and available for review in the COV's Planning Division office.

DISCUSSION

a - b. LESS THAN SIGNIFICANT. The project site is located on the west side of Cedar Road, north of W. Vista Way. The study area for the Traffic Report analyzed the Cedar Road/ West Drive intersection (all-way stop controlled), the Cedar Road/ W. Vista Way intersection (one-way stop controlled), and the segment of Cedar Road between West Drive and W. Vista Way. The following is a description of the study area roadways:

W. Vista Way – This road is classified as a 4-lane Collector according to the *COV Circulation Element*. It is currently built as a 2-lane undivided roadway. Curbside parking is not permitted along the roadway. The posted speed limit is 40 mph. Class II bike lanes are provided along the roadway.

Cedar Road -- This road is unclassified according to the *COV Circulation Element.* It is currently built as a 2-lane undivided roadway. Curbside parking is generally permitted along the roadway. The posted speed limit is 25 mph.

CITY OF VISTA THRESHOLD OF SIGNIFICANCE AND EXISTING CONDITIONS

Threshold of Significance

The COV's threshold of significance relies upon peak hour traffic operations at intersections rather than roadway segment analyses. Roadway segment Level of Service (LOS) standards are generally used as long-range planning guidelines to determine the functional classification of roadways and are not always accurate indicators of roadway performance. Typically, the performance and LOS of a roadway segment is heavily influenced by the ability of intersections to accommodate peak hour volumes.

LOS is the term used to denote the different operating conditions that occur under various traffic volume loads. LOS designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. The COV considers LOS D or better during the AM and PM peak hours to be the threshold of significance for intersection LOS. This is consistent with the approach of other jurisdictions within San Diego County and past studies conducted within the city.

A significant traffic impact in COV would include the following: (1) the addition of project traffic results in a LOS dropping from LOS D or better to LOS E or F; or (2) if an intersection is operating at LOS E or F under existing conditions and the project adds more than an additional two seconds of average vehicle delay. In the longer-range cumulative (or build-out) condition, if the addition of project traffic results in a LOS dropping from LOS D or better to LOS E or F, or if an intersection is predicted to operate at LOS E or F without the project and the project contributes to the average vehicle delay (regardless of time), the project is determined to have a cumulatively significant impact and mitigation is required.

Existing Average Daily Traffic (ADT) Volumes on Key Roadways

Existing AM and PM peak hour traffic volumes at the study intersections and the 24- hour street segment count were collected in September 2019 while Casita Elementary School was in session. The existing ADT along Cedar Road between West Drive and W. Vista Way is 2,981 (LLG, 2019).

Existing LOS at Nearby Key Intersections

The key intersections for the proposed project are the Cedar Road/ West Drive intersection (all-way stop controlled) and the Cedar Road/ W. Vista Way intersection (one-way stop controlled). Table TT-1 summarizes the existing AM and PM peak hour average delay and LOS.

TABLE TT-1 EXISTING PEAK HOUR LOS AT KEY INTERSECTIONS

Key Intersections	AM Peak Hour		PM Peak Hour	
	Avg. Delay (sec.)	LOS	Avg. Delay (sec.)	LOS
Cedar Road/ West Drive	17.4	C	10.2	B
Cedar Road/ W. Vista Way	50.6	F	29.2	D

Source: LLG, 2019.

Existing Transit Service

The nearest bus stop to the project site is located to the southeast along W. Vista Way, an approximately 1,000-foot walk from the proposed project entrance. The bus stop is for North County Transit District's (NCTD) BREEZE Bus Line Route # 302 – Oceanside to Vista via Vista Way.

Existing Pedestrian and Bicycle Access

There is no existing sidewalk along the frontage of the subject property on Cedar Road; however, other portions of Cedar Road in the surrounding area have sidewalks. The proposed project would construct a sidewalk along the project site frontage, which would connect the existing sidewalks north and south of the project site. There are no existing bicycle lanes on Cedar Road.

Proposed Project Trip Generation

To determine the forecast of trips that would be generated by the proposed project, the trip generation rates from SANDAG's "*(Not so) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*" were utilized. As shown in Table TT-2, the proposed project is expected to generate 280 average daily trips with 23 AM peak hour trips (5 inbound / 18 outbound) and 29 PM peak hour trips (20 inbound /9 outbound). The proposed project trip generation is shown in Table TT-2.

TABLE TT-2 PROPOSED PROJECT TRIP GENERATION

Land Use	Residences (DU)[13]	Trip Rate	Daily Trips	AM Peak Hour		PM Peak Hour	
				%	Trips	%	Trips
Condominium	35	8 per DU	280	8	23 (5-in/18-out)	10	29 (20-in/9-out)

Source: LLG, 2019.

POTENTIAL CONSTRUCTION AND OPERATIONAL IMPACTS

Construction Impacts (temporary)

As stated in the Air Quality section of this document, there would be an estimated 6,500 cubic yards of cut and 1,000 cubic yards of fill, with 5,500 cubic yards of export. This phase of the proposed project is anticipated to take 40 working days to complete, which would result in 344 haul truck round trips (based on a 16 cubic yard haul truck capacity) (SRA, 2020a). As part of the Conditions of Approval, the applicant and/or contractor would be required to prepare and implement a Traffic Control Plan to the satisfaction of the City Traffic Engineer. In addition, a Haul Route Permit is required for the transport of fill material to or from the site for grading operations. Therefore, with the Traffic Control Plan in place, and given the width of the street, short-term temporary impacts to traffic during the construction period of the proposed project is anticipated to be less than significant.

Operational Impacts (permanent)

Implementation of the proposed project would result in a total Vehicle Miles Traveled (VMT) of 799,485 once the proposed project is fully occupied (SRA 2019a). As noted in Table TT-2 above, the proposed project trip generation at full build-out would be 280 ADT, which would represent an 8.6 percent increase in the ADT on Cedar Road. The project site is surrounded by existing residential uses within the city and is very close to a school, cultural center/temple, transit stop, freeway access, and commercial uses within Vista and the city of Oceanside. CEQA Guidelines Section 15064.3, subdivision (b) states, "Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact." As stated previously, the NCTD's BREEZE Bus Line Route # 302 – Oceanside to Vista via Vista Way bus stop is approximately a 1,000-foot walk from the project access driveway. Therefore, the proposed project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) and VMT impacts would be less than significant.

As noted in Table TT-1 above, the Cedar Road/ West Drive intersection operates at LOS C during the AM peak hour and LOS B during the PM peak hour, and the Cedar Road/ W. Vista Way intersection operates at LOS F during the AM peak hour and LOS D during the PM peak hour. Table TT-3, below, shows the addition of project traffic on existing intersections and the corresponding LOS and change in average delay. See the *Traffic Report* for detailed turning movements and supporting information.

13 Please note that the *Traffic Report* (LLG, 2019) used 36 condominium units in its trip generation table, which was based on an earlier version of the development plan. The unit total was revised in Table TT-2 above.

TABLE TT-3 SUMMARY OF PEAK HOUR LOS UNDER EXISTING AND EXISTING PLUS PROJECT CONDITIONS AT KEY INTERSECTIONS

Key Intersection	Peak Hour	Existing Conditions		Existing Plus Project Conditions		Project Increase in Avg. Delay (sec.)	Significant?
		Avg. Delay (sec.)[1]	LOS	Avg. Delay (sec.)	LOS		
Cedar Road/ West Drive	AM	17.4	C	17.9	C	0.5	No
	PM	10.2	B	10.3	B	0.1	No
Cedar Road/ W. Vista Way	AM	50.6	F	51.8	F	1.2	No
	PM	29.2	D	30.2	D	1.0	No
Cedar Road/ Project Driveway	AM	Nonexistent	-	10.7	B	-	-
	PM	Nonexistent	-	9.8	A	-	-

Source: LLG, 2019.

As shown in Table TT-3, the addition of project traffic on existing conditions would not result in significant impacts at any of the key intersections, and impacts would be less than significant. Table TT-4, below, shows the addition of project traffic on existing plus cumulative projects intersections and the corresponding LOS and change in average delay. See Attachment A in the *Traffic Report* (LLG, 2019) for detailed turning movements and supporting information.

TABLE TT-4 SUMMARY OF PEAK HOUR LOS UNDER EXISTING PLUS CUMULATIVE PROJECTS AND EXISTING PLUS CUMULATIVE PROJECTS PLUS PROJECT CONDITIONS AT KEY INTERSECTIONS

Key Intersection	Peak Hour	Existing Plus Cumulative Projects Conditions		Existing Plus Cumulative Projects Plus Project Conditions		Project Increase in Avg. Delay (sec.)	Significant?
		Avg. Delay (sec.)[1]	LOS	Avg. Delay (sec.)	LOS		
Cedar Road/ West Drive	AM	17.6	C	18.0	C	0.4	No
	PM	10.1	B	10.3	B	0.2	No
Cedar Road/ W. Vista Way	AM	52.9	F	54.2	F	1.3	No
	PM	30.2	D	31.3	D	1.1	No
Cedar Road/ Project Driveway	AM	Nonexistent	-	10.8	B	-	-
	PM	Nonexistent	-	9.8	A	-	-

Source: LLG, 2019.

As shown in Table TT-4, the addition of project traffic on existing plus cumulative projects conditions would not result in significant impacts at any of the key intersections, and impacts would be less than significant.

c – d. NO IMPACT. As previously discussed above, implementation of the proposed project does not involve any potentially dangerous traffic or transportation hazards, nor does it propose any incompatible uses that could affect existing traffic or circulation in the project areas. As a result, significant impacts would not occur with proposed project development.

The proposed project would not result in impacts to emergency access. The project has been designed to incorporate all required VFD standards to ensure that its implementation would not result in hazardous design features, or inadequate emergency access to the site or areas surrounding the site. Consequently, significant impacts would not occur with implementation of the proposed project.

XVIII. Utilities and Service Systems *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

DISCUSSION

a. – c. LESS THAN SIGNIFICANT IMPACT.

RELOCATED, NEW OR EXPANDED UTILITY OR SERVICE SYSTEM INFRASTRUCTURE

The proposed project would result in the construction of 35 condominiums in a built-up/urbanized area of the city. The project is essentially an urban infill development project, with existing development on all four sides. All wet and dry public utilities, facilities and infrastructure are in place and available to serve the project site without the need for relocated, new or expanded facilities. While new utility and service connections would need to be extended to and from the project site (e.g., sewer, stormwater runoff, electrical, etc.), these new connections would not result in a need to modify the larger off-site infrastructure.

As a result, implementation of the proposed project would have a less than significant impact on water, wastewater treatment, storm water drainage, electrical power, natural gas, or telecommunications facilities or infrastructure.

SUFFICIENT WATER SUPPLY

Development of the vacant project site would increase the demand for potable water that is needed to serve the proposed 35 new townhomes anticipated to ultimately be developed on-site. Water service for the project would be provided by the Vista Irrigation District (VID or District) from the water main in Cedar Road. The District is a member agency of the San Diego County Water Authority (SDCWA). VID imports approximately 70 percent of its potable water supply from SDCWA, who in turn buys it from the Metropolitan Water District of Southern California (MWD). The remaining 30 percent of VID's supply is from Lake Henshaw, which is fed through precipitation from the San Luis Rey watershed. The average daily demand of potable water for the proposed project would be approximately 7,118 gpd (1.95 acres x 3.650 gpd per acre).[14]

Water supplies necessary to serve the demands of the proposed project, along with existing and other projected future users, and the actions necessary to develop these supplies (e.g., conservation via Senate Bill 7 of the Seventh Extraordinary Session (or SBX 7-7), efficiency standards, etc.) have been identified in the Urban Water Management Plans (UWMPs) of VID, the SDCWA, and MWD. California's urban water suppliers are required to prepare UWMPs in compliance with the Urban Water Management Planning Act (California Water Code §10610 et seq.) and the Water Conservation Bill of 2009 (SBX 7-7). UWMPs are prepared every five years by urban water suppliers to support their long-term resource planning and ensure adequate water supplies are available to meet existing and future water demands over a 20-year planning horizon, including the consideration of various drought scenarios and Demand Management Measures. The passage of SBX 7-7 in 2009 was enacted to require retail urban water agencies within California to achieve a 20 percent reduction in urban per capita water use by December 31, 2020 (Water Code Section 10608.20). As a result, SBX 7-7 also requires that UWMPs report base daily per capita water use (baseline), urban water use target, interim urban water use target, and compliance daily per capita water use. VID, SDCWA, and MWD calculate future demands within their respective service areas based on SANDAG's projected population and growth rate projections; SANDAG's projections are based on the land use policies in the general plans of the jurisdictions within San Diego County. These projections provide consistency between retail and wholesale agencies' water demand projections, thereby ensuring that adequate supplies are being planned for existing and future water users.

According to VID's *2015 Urban Water Management Plan* (*UWMP*) (June 2016), VID will use local water resources whenever possible; however, if there is a shortfall, they would rely on SDCWA supplies. In the analysis of a normal water supply year, as described in VID's *2015 UWMP* (June 2016), if SDCWA, MWD, and VID supplies are developed as planned and SBX 7-7 conservation targets are achieved, no shortages are anticipated within VID's service area in a normal year through 2040. That would mean that the District's entire projected potable water supply would meet the entire projected SBX 7-7 water demand of 24,147-Acre Feet in 2040.

In the analysis of a single-dry year through 2040, VID's *2015 UWMP* (June 2016) findings indicated that if SDCWA, MWD and VID supplies are developed as planned and SBX 7-7 conservation targets are achieved, no shortages are anticipated within VID's service area. However, for multiple-dry year reliability analyses, the conservative planning assumption used in VID's *2015 UWMP* (June 2016) expects that MWD would be allocating supplies to its member agencies. As a result, some level of shortage could be potentially experienced. As stated above, when shortages occur in VID's resources, the SDCWA would use various measures to cover the shortfall, as described below.

14 Based on a unit demand factor for multi-family residential land use designation in Table 3-2 of VID's Potable Water Master Plan, April 9, 2018. The total is rounded up.

The SDCWA was established pursuant to legislation adopted by the California State Legislature in 1943 for the primary purpose of supplying imported water to San Diego County for wholesale distribution to its member agencies. These imported water supplies consist of water purchases from MWD, core water transfers from Imperial Irrigation District (IID) and canal lining projects that are wheeled through MWD's conveyance facilities to the SDCWA's pipelines (or aqueducts), and spot water transfers that are pursued on an as-needed basis to offset reductions in supplies from MWD. Following the major drought in California of 1987 - 1992, which led to severe water supply shortages throughout the state, the SDCWA and its member agencies vigorously developed plans to minimize the impact of potential shortages by diversifying its supplies and strengthening its conservation programs. SDCWA's *2015 UWMP* (June 2016) identifies a diverse mix of water resources projected to be developed over the next 25 years to ensure long-term water supply reliability for the region. For example, existing and planned supplies from the Imperial Irrigation District transfer, canal lining projects are considered "verifiable" sources, and planned supplies from the new seawater desalination project in Carlsbad would be considered a drought-resilient supply.

The SDCWA, as a wholesale supplier, is also required by law to support its retail member agencies' efforts to comply with SBX 7-7 through a combination of regionally and locally administered active and passive water conservation measures, programs, and policies, as well as the use of recycled water. Examples of active measures and programs include residential and commercial water use surveys and education programs. Examples of passive measures include programs that encourage long-term behavior change towards measurable reductions in outdoor water use; increase the landscape industry's basic knowledge regarding the interdependency between water efficiency design, irrigation design, and maintenance; and participation on statewide, national, and industrial committees to advance behavior-based conservation strategies. Additional passive programs and policies include outreach activities, plumbing code changes, legislation, and conservation-based rate structures.

According to the SDCWA's *2015 UWMP* (June 2016) section on water supply reliability, under a single dry-year assessment using a very conservative assumption regarding limited Metropolitan supplies during a single dry water year, and assuming SDCWA and member agency supplies are maintained and developed as planned, along with achievement of the additional conservation target, no shortages are anticipated within the Water Authority's service area in a single dry year until 2035. These shortages would be eliminated should MWD supplies approach the supply levels projected in their *2015 UWMP* Single Dry Year Supply Capability. With the previous years leading up to the single dry year being wet or average hydrologic conditions, MWD should have adequate supplies in storage to cover potential shortfalls in core supplies and would not need to allocate. Therefore, it is anticipated that the SDCWA would be able to meet VID's increased demands during a single-dry water year. For SDCWA's 2015 *UWMP* (June 2016) multiple dry-year reliability analysis, the conservative planning assumption is that MWD will be allocating supplies to its member agencies. Because it is uncertain in the future how MWD will allocate supplies to its member agencies, the analysis in SDCWA's *2015 UWMP* (June 2016) assumes supplies are allocated based on preferential right to MWD supplies. If a shortage occurs, the SDCWA plans to utilize action measures in its Water Shortage and Drought Response Plan. These actions include dry-year supplies, carryover storage, and regional shortage management measures to fill the shortfall. The SDCWA's dry-year supplies and carryover storage are components of managing potential shortages within the region and for increasing supply reliability for the region. The dry-year supplies assist in minimizing or reducing potential supply shortages from MWD. Over the last five years the SDCWA has developed a carryover storage program to manage supplies more effectively. This includes in-region surface storage currently in member agency reservoirs and increasing capacity through the recently completed raising of San Vicente Dam. The SDCWA also has an out-of-region groundwater banking program in the California central valley. Through these efforts, SDCWA can store water available during wet periods for use during times of shortage. In years

where shortages may still occur, after utilization of carryover storage, additional regional shortage management measures, such as securing dry-year transfers and extraordinary conservation achieved through voluntary or mandatory water-use restrictions would also be undertaken.

On the local level, additional water conservation for new developments in Vista would be achieved through compliance with the Water Efficient Landscaping Ordinance in the COV's Development Code, Chapter 18.56. A revised Estimated Total Water Use (ETWU) Worksheet for the proposed project would be required to be submitted in the application for a Grading Permit, which would have to be under the Maximum Applied Water Allowance (MAWA). As shown in Table 2-2 Landscape Water Requirements, a preliminary ETWU Worksheet shows the total ETWU for the proposed landscape plan would be 117,118.84 gallons per year, some 31,778.63 gallons per year less than the MAWA. Accordingly, from a CEQA perspective the proposed project would be in compliance with the COV Water Efficient Landscaping Ordinance.

In addition to the noted UWMP's described above, other regional and/or State entities may also enact other measures during multiple-dry water years as well, including emergency regulations. As part of the Conditions of Approval for this project, compliance with any applicable VID emergency drought regulations regarding new development would be conducted by appropriate staff during review of project plans and various inspections prior to the approval of a Certificate of Occupancy. Therefore, as discussed in the above analysis the development of the project would not require new or expanded water entitlements from VID or require new water resources be found.

ADEQUATE WASTEWATER TREATMENT CAPACITY

New sewer lines would extend into the project site from an existing COV sewer main in Cedar Road. Wastewater is treated at the Encina Water Pollution Control Facility (Encina Facility), which is a conventional activated sludge wastewater treatment plant with a treatment capacity of 43.3 million gallons per day (mgd). The COV sewer system and the Encina Facility operate in accordance with applicable wastewater treatment requirements of the San Diego Regional Water Quality Control Board, and the project's wastewater system has been designed to comply with these treatment requirements. Therefore, upon development, the proposed development would tie into existing wastewater/sewer lines and would adhere to all wastewater treatment requirements specified by the COV and the San Diego Regional Water Quality Control Board so that significant impacts would not occur.

Based on the COV's *Sewer Master Plan 2017 Update* (August, 2018), the proposed project would be expected to generate approximately 7,196 gpd of wastewater (1.95 acres x 3,690 gpd per acre) under the existing HD *GP 2030* land use designation.[15] The project's private sewer pipe would connect to the COV's sewer main in Cedar Road. The City's sewer system consists of approximately 215 miles of sewer collection pipelines and one pump station, serving approximately 16,000 parcels, and conveys an annual average flow of 6.53 mgd.[16] As stated above, wastewater from the project would be treated by the Encina Facility. Wastewater generation from the proposed project would not exceed the capacity of the Encina Facility to treat it. Therefore, the project's contribution of wastewater would not require new water/wastewater facilities to be built or existing facilities to expand; as a result, impacts would be less than significant.

d – e. LESS THAN SIGNIFICANT IMPACT.

SOLID WASTE GENERATION

Development of the proposed 35 condominiums would result in a negligible increase in domestic municipal solid waste generation. Construction of the project would entail demolition and removal of the

15 Table 3-10, Land Use Sewage Flow Generation Factors, *City of Vista Sewer Master Plan 2017 Update* (2018).
16 City of Vista website, http://www.cityofvista.com/services/city-departments/engineering/construction-projects/sewer, 2016

remaining concrete slab foundation on-site. As a result, the construction of the proposed residential development and associated improvements would likely generate both green waste (e.g., vegetation, etc.) and construction and demolition debris. Once construction of the residential buildings begins, it would generate various types of debris, including asphalt, metal, wood, etc. In compliance with AB 939, Municipal Code Chapter 13.17 - Construction and Demolition Debris Recycling, the City would require the diversion of at least 50 percent of the total construction and demolition debris generated by a project via reuse or recycling via a Waste Management Plan.[17] To comply with this requirement, construction and demolition debris would typically be hauled to a Construction, Demolition and Inert (CDI) Recycling Facility, such as the Escondido Disposal Corporation's (EDCO) CDI facility in San Marcos. Any remaining debris that is not recyclable would be disposed at a licensed landfill such as the Sycamore Landfill in San Diego.

Once operational, the project is estimated to generate approximately 3.73 pounds of solid waste per square foot per year. The proposed project would construct a total of 47,653 SF in a total of five residential buildings containing the 35 condominiums. Therefore, the project would generate a total of approximately 89 tons of solid waste per year).[18] As discussed in the *GP 2030 PEIR* (City of Vista, 2012b), EDCO is the current contracted solid waste hauler for the City and would serve the project. EDCO has several recycling programs, and the company processes over 1,000 tons of recyclables each day within its three material recovery facilities. Once all recyclables are recovered, the remaining solid waste would be taken to the Sycamore Landfill, which has a permitted capacity of 5,000 tons per day (tpd), and a remaining capacity of 113,972,637 cubic yards (CalRecycle, 2018). The average daily weight received at the Sycamore Landfill during September 2018 was 3,356 tons. Based on the project's projected daily generation of solid waste, the Sycamore Landfill can adequately accommodate the anticipated solid waste from the proposed project. Therefore, development of the proposed project would generate solid waste that would be within the capacity of local landfills, resulting in less than significant impacts.

COMPLIANCE WITH SOLID WASTE STATUTES AND REGULATIONS

The COV complies with all federal, State, and local statutes and regulations related to solid waste, such as AB 939 and AB 341. EDCO also complies with all applicable federal and State solid waste regulations. The San Diego County DEH issues permits to all solid waste facilities in the county, including the Sycamore Landfill (37-AA-0023) which undergoes monthly inspections. As solid waste generated by the proposed project would be diverted to material recovery facilities, with the remaining waste hauled to the Sycamore Landfill (or any active, permitted landfill facility in the county), it would comply with existing regulations related to solid waste. Therefore, the project would comply with all applicable federal, State and local management and reduction statues and regulations regarding solid waste, resulting in less than significant impacts.

17 This is initiated through submission of a Waste Management Plan (WMP), which is part of the submittal package for a building permit. Prior to Final Building Approval, the applicant shall submit to the WMP Compliance Official documentation that it has met the Diversion Requirement for the project.

18 Based on a solid waste generation rate of tons annually per multi-family household (source: Table 4.12-9, sub-section in the *GP 2030 PEIR* [City of Vista, 2012b]).

XIX. Wildfire *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

a. LESS THAN SIGNIFICANT IMPACT. In general, VHFHSZs (Very High Fire Hazard Severity Zones) exist in the City's SOI immediately adjacent to the city boundaries. There are relatively large areas of VHFHSZ in the southern, eastern, and northeastern portions of Vista. Properties located in areas defined as a VHFHSZ are subject to more stringent building and landscape code requirements than are properties outside of that zone (*GP 2030 PEIR*, 2012b). The project site is located within the urban unzoned area as shown in the FHSZ Map layer of the VistaGIS map (2019). Parcels immediately surrounding the project site have the same designation. The closest VHFHSZ to the project site is located approximately four miles to the east, within the SOI, which is within the Vista Fire Protection District (VFPD). The VFPD has adopted Emergency Evacuation Plans in its Community Wildfire Protection Plan to identify evacuation routes, emergency facilities, and available Vista Fire Department (VFD) personnel and equipment to effectively deal with emergency situations. As a result, no revisions to the adopted Emergency Evacuation Plans would be required due to the development of the proposed project.

The nearest VFD station is Fire Station No. 1 located at 175 N Melrose Drive, approximately two miles away to the northeast of the project site. As discussed in Section IX Hazards and Hazardous Materials of this document, under resource topic F, the proposed project plans have been reviewed by the VFD, and the design would provide all required emergency access in accordance with the requirements of the Department. Therefore, implementation of the proposed project would not impair or physically interfere with an evacuation plan. As a result, impacts would be less than significant, and no mitigation is required.

b. LESS THAN SIGNIFICANT IMPACT. As discussed in the *GP 2030 PEIR* (City of Vista, 2012b), the combination of southern California's Mediterranean climate (winter and spring rainfall and hot dry summers), and the frequency of high wind velocity from Santa Ana winds (which generally blow east to west) creates optimum conditions for wildfires. Steep terrain also contributes to the rapid spread of wildfires. Slopes affect the behavior of fire because they can change the proximity of separate burns. Many hillside areas within Vista have slopes with a gradient greater than 30 percent, resulting in long, winding roads that terminate on the sides and tops of ridges leading to single-family residences.

The project site is located within an urbanized area in the western portion of the city (see Figure 1, City Location Map, and Figure 2, Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A), and is located approximately four miles west of the nearest VHFHSZ. This VHFHSZ is within the SOI, which is within the VFPD. The VFD serves the VFPD and administers the Weed Abatement Program and Defensible Space requirements for new residential developments in the District, among other duties. The VFD and other City departments are active participants in the *Multi-Jurisdictional Hazard Mitigation Plan* (MJHMP) *for San Diego County* (San Diego County, 2017), which identifies risks by natural and human-made disasters and ways to minimize the damage from these disasters. The City's portion of the *MJHMP* (2017) includes goals, objectives, and actions to reduce wildfire hazards within Vista. The City is responsible for implementing these goals and actions, which includes such actions as "continue to promote cooperative vegetation management programs that encompass hazard mitigation in the city and unincorporated areas that threaten the city" (San Diego County, 2017).

As stated in Chapter 2 of this document, the project site is vegetated but vacant, and it is comprised of gentle to moderate slopes that descend from the northeast to southwest at approximately three to 16 percent (SCS&T, 2014). The project has been designed to meet all applicable development and fire codes, including landscaping and vegetation requirements. Also, VFD has been involved in plan checks for the discretionary permit review process, and the proposed project has been approved. Once applications for building permits are submitted, VFD will review all construction plans for adequate fire suppression, fire access, and emergency evacuation.

As a result, adherence to standard COV and State policies and regulations regarding fire codes would not result in exacerbating wildfire risks, and impacts from wildfire pollution would be less than significant.

c. LESS THAN SIGNIFICANT IMPACT. As previously discussed, all proposed project components (including utilities, roadway, buildings, walls, landscaping, etc.) would be located within the boundaries of the project site, and impacts associated with the development of the project are analyzed throughout this document. As also noted above, the closest VHFHSZ to the site is located approximately four miles to the east, within the SOI which is within the VFPD. The project has been designed to meet all applicable development and fire codes, including landscaping and vegetation requirements, and VFD has been involved in plan checks for the discretionary permit review process, and has preliminarily approved the project's compliance with its standards. As a result, adherence to standard COV policies in the installation or maintenance of associated infrastructure would not exacerbate fire risk, and potential impacts would be less than significant.

d. LESS THAN SIGNIFICANT IMPACT. As discussed above, the project site is located approximately four miles west of the nearest VHFHSZ. All proposed project components (including utilities, private road, buildings, walls, landscaping, etc.) would be located within the boundaries of the project site, and impacts associated with the development of the project are analyzed throughout this document. The proposed project has been designed to meet all applicable development and fire codes, including landscaping and vegetation requirements, and VFD has been involved in plan checks for the discretionary permit review process, and has preliminarily approved the project's compliance with its standards. As a result, adherence to standard COV policies in the installation or maintenance of associated infrastructure would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes; therefore, potential impacts would be less than significant.

XX. Mandatory Finding of Significance	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Does the project have the potential to substantially 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, substantially 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?	☐	☒	☐	☐
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)?	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

DISCUSSION

a. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. With the incorporation of mitigation measures, the proposed project would not have the potential to degrade the quality of the environment, reduce the habitat of any sensitive plant or animal species, or eliminate important examples of California history or prehistory.

As discussed in Section IV, Biological Resources, in this chapter, based on the analysis in the *Bio Report* (REC, 2020) it was determined that construction of the proposed project could result in significant temporary (direct) impacts to active bird nests during the bird breeding season. However, if avoidance of the avian breeding season is not feasible, then Mitigation Measure BR-1 would be undertaken, which would reduce this potentially significant temporary impact to a biological resource to a less than significant level. Direct impacts to native grasslands would also be potentially significant; however, with implementation of Mitigation Measure BR-2, impacts would be fully mitigated to less than significant levels.

Based on the analysis in the *Cultural Report* (LME, 2020), which included pedestrian surveys of the project site by an archaeologist and a TCA Native American monitor, surficial or known cultural or tribal cultural resources were not identified on the site. Nonetheless, based on a number of factors indicating that the surrounding area is generally rich in cultural resources, unknown cultural and tribal cultural resources, and human remains, could be inadvertently discovered during ground-disturbing activities, which would be considered a potentially significant impact. However, with the implementation of Mitigation Measures CR-1 to CR-6 in Section V in this chapter, these impacts would be reduced to less than significant levels.

b. LESS THAN SIGNIFICANT IMPACT. Implementation of the proposed project would not result in individually limited, but cumulatively considerable significant impacts. All resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts, less-than-significant impacts, or less than significant impacts with mitigation. In addition, taken in sum with other projects in the area the scale of the proposed project is small, and impacts to any environmental resource or issue areas would not be cumulatively considerable. Therefore, impacts would be less than significant.

c. LESS THAN SIGNIFICANT IMPACT. The project would not consist of any uses or activities that would negatively affect any persons directly or indirectly. In addition, all resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts, less-than-significant impacts, or less than significant impacts with mitigation incorporated. Consequently, the project would not result in any environmental effects that would cause substantial adverse effects on human beings directly or indirectly.

Chapter 3

REFERENCES AND LIST OF PREPARERS

References

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data. The documents listed below are hereby incorporated by reference. The pertinent material is summarized throughout this Initial Study where that information is relevant to the analysis of impacts of the proposed project. Referenced documents that are followed by a star (*) are on file and available for review at the City of Vista Planning Division office located at 200 Civic Center Drive, Vista.

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Individuals and Organizations Consulted

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- Jason Christman, P.E. Senior Engineer, City of Vista Land Development Division

Preparer

- Leslea Meyerhoff, AICP, Principal, Summit Environmental Group, Inc.

Attachment A – Figures

CEDAR ROAD TOWNHOMES PROJECT

North	Project Site Location is Approximate	No Scale

Source: City of Vista GIS, 2019- Aerial Photo 2017

★ = Site of Proposed Project

FIGURE 1
CITY LOCATION MAP

P19-0255
Community Dev. Dept.

City of Vista
August 2020

CEDAR ROAD TOWNHOMES PROJECT

Source: City of Vista GIS, 2019- Aerial Photo 2017

North	Project Site Location is Approximate	No Scale

FIGURE 2
AERIAL PHOTO OF EXISTING PROPERTY AND SURROUNDING LAND USES

P19-0255
Community Dev. Dept.

City of Vista
August 2020

CEDAR ROAD TOWNHOMES PROJECT

North	Project Site Location is Approximate	No Scale

Source: City of Vista GIS, 2019- Aerial Photo 2017

FIGURE 3

AERIAL PHOTO OF EXISTING PROPERTY

P19-0255
Community Dev. Dept.

City of Vista
August 2020

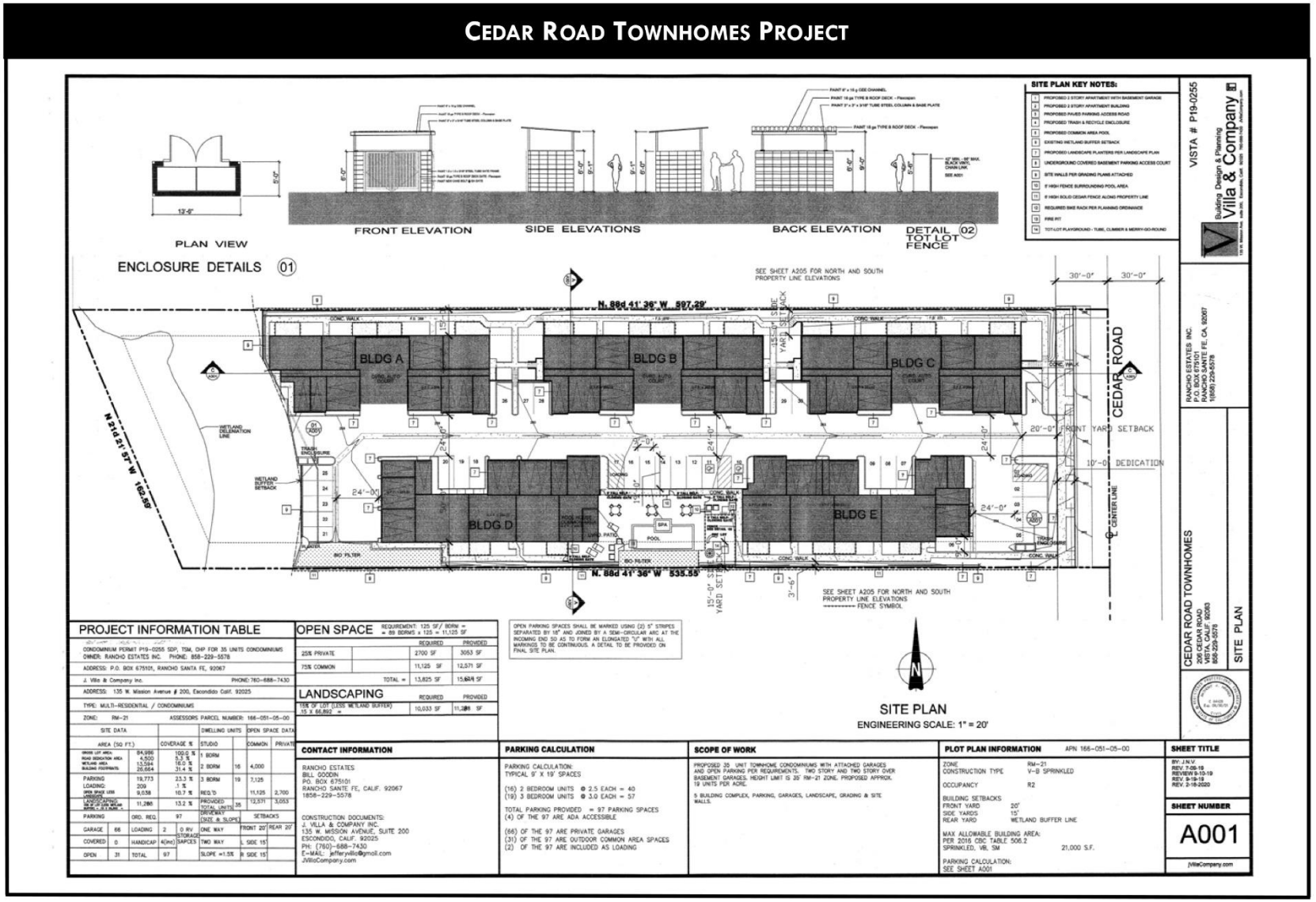
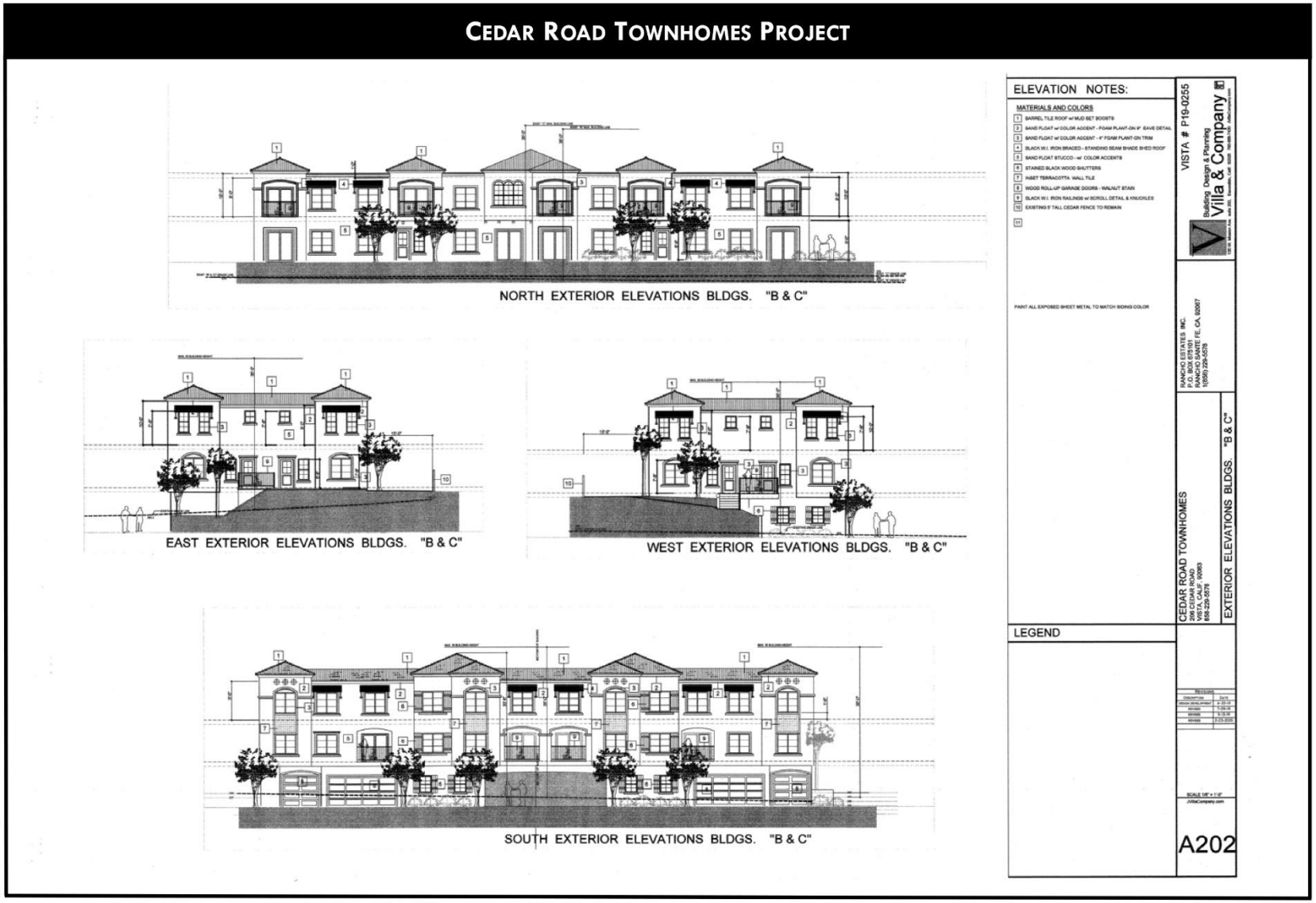


FIGURE 4
PROPOSED SITE PLAN

P19-0255
Community Dev. Dept.

City of Vista
August 2020



North	Project Site Location Overlay is Approximate.	No Scale

FIGURE 5
EXAMPLE OF PROPOSED BUILDING ELEVATIONS

P19-0255
Community Dev. Dept.

City of Vista
August 2020

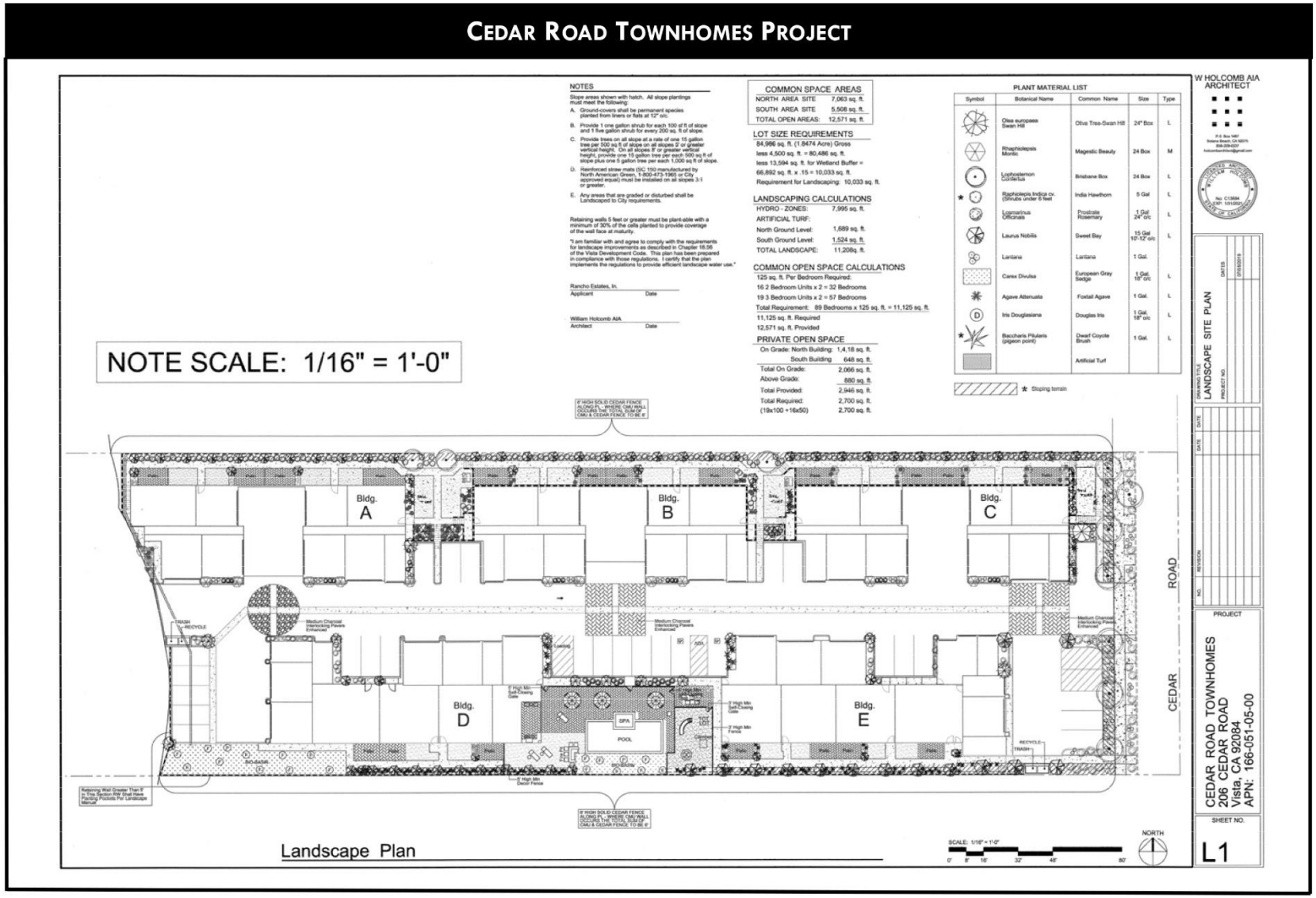


FIGURE 6
PROPOSED LANDSCAPE PLAN

P19-0255
Community Dev. Dept.

City of Vista
August 2020

Attachment B – Mitigation Monitoring & Reporting Program

CITY OF VISTA

MITIGATION MONITORING AND REPORTING PROGRAM FOR MITIGATED NEGATIVE DECLARATION P19-0255

AUGUST 2020

PROJECT NAME: Cedar Road Townhomes Project

DESCRIPTION: The applicant seeks approval of a Site Development Plan, Tentative Subdivision Map and Condominium Permit to develop 35 condominiums in five buildings on a 1.95-acre site Development of the project would include utility connections and drainage improvements, vehicular parking and driveway access off Cedar Road, and landscaping. There would be 97 parking spaces and two loading spaces. Additional site improvements would include a common recreation area that includes a pool, spa, pool house, tot lot, walkways and semi-private patios.

LOCATION: 206 Cedar Road, on the west side of the street between West Drive to the north and W. Vista Way to the south in the city of Vista.

The following Mitigation Measures have been incorporated into the project design or are to be implemented before or during construction in accordance with the project Conditions of Approval, thereby reducing all identified impacts to less than significant levels.

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
BR-1	The Applicant or Owner shall ensure that no active nests are adversely affected by vegetation clearing, grubbing, grading, or construction, in compliance with the Migratory Bird Treaty Act and California Fish and Game Code. These activities shall be scheduled to avoid the raptor and general avian breeding season (January 1 – September 15). Alternatively, these activities may occur during the avian breeding season if a Qualified Biologist (i.e. with experience conducting breeding bird surveys) conducts a survey for nests within three days prior to the work in the area, and monitors vegetation removal to ensure no nesting birds/raptors are impacted by the project. If an active nest is identified, the following active nest protection mitigation measures shall be applied: a. A buffer shall be established between the clearing, grubbing, grading, and construction activities and the active nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 300 feet (500 feet for raptors and special-status species) shall be delineated by temporary fencing, and shall remain in effect as long as construction is occurring or until the nest is no longer active. The Qualified Biologist shall monitor the nest during project activities until nesting is complete. This buffer may be reduced if it can be demonstrated to the satisfaction of the City of Vista and Wildlife Agencies that the reduction does not represent a threat to nesting activities. b. Normal clearing, grubbing, grading, and construction without nest buffer(s) may resume once the biologist demonstrates to the satisfaction of the City of Vista and Wildlife Agencies that all nesting is complete. Nesting would be considered complete if no active nests are observed during a focused nesting bird survey conducted within three days prior to resumption of such activities. c. Best Management Practices and the Storm Water Pollution Prevention Plan will specifically include mandatory measures to prevent any movement of water, soils, or any material from the site into off-site areas.	City Planner or City Engineer	Prior to any construction	
BR-2	The Applicant or Owner shall purchase 0.56 acres of non-native grassland habitat in a City approved off-site mitigation bank, through the preservation of an off-site property that contains these resources, or other lands acceptable to the COV.	City Planner or City Engineer	Prior to any construction	
CR-1	Cultural resource mitigation monitoring shall be conducted on the site to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a Qualified Archaeologist and a traditionally and culturally affiliated (TCA) Native American Monitor associated with a TCA tribe for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of any imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and any related road improvements, including, but not limited to, the installation of infrastructure, realignments, and/or expansions to parking lots. Other tasks of the monitoring program shall include the	City Planner and/or City Engineer	Prior to any and all on-site and off-site ground disturbing activities, including any informal or formal solicitation of construction bids	

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
	following: • The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. • The Qualified Archaeologist and TCA Native American Monitor shall attend at least one pre-construction meeting with the Contractor and/or associated Subcontractors (e.g., Grading Contractor) and a representative from the City of Vista's Engineering or Community Development departments to present the archaeological monitoring program as presented in these measures. • The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above. The Contractor or Grading Contractor shall notify the Director of Community Development & Engineering, preferably through e-mail, of the start and end of all ground-disturbing activities. • The Qualified Archaeologist and/or TCA Native American Monitor may halt ground-disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground-disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TCA Native American Monitor, in consultation with the San Luis Rey Band of Mission Indians (San Luis Rey Band), or other TCA tribe. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the TCA Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources. • The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a data recovery plan may be authorized by the City as the Lead Agency under CEQA. If data recovery is required, then the San Luis Rey Band or other TCA tribe shall be notified and consulted in drafting and finalizing any such recovery plan.			
CR-2	Prior to the submission of a grading plan to City staff for review, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with the San Luis Rey Band, or other TCA tribe. A copy of the agreement shall be included in the grading plan submission. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant or Owner, and/or Contractor, and the San Luis Rey Band (or other TCA tribe) for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, off-site infrastructure installation,	City Planner	Prior to issuance of a demolition or grading permit, and throughout all ground disturbing or altering activities	

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
	grading, and all other ground disturbing activities.			
CR-3	Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which shall comply with Government Code Section 6254(r), shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City Planner for the project administrative record.	City Planner	Prior to the issuance of a Grading Permit	
CR-4	All cultural materials that are associated with burial and/or funerary goods shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission (NAHC) per California Public Resources Code Section 5097.98.	Director of Community Development	Prior to the issuance of a Grading Permit	
CR-5	Recovered cultural material of historic significance, but not of tribal significance, shall be curated with accompanying catalog, photographs, and reports to a San Diego curation facility that meets federal standards per 36 CFR Part 79. Recovered cultural material of tribal cultural significance shall be repatriated as stipulated in the pre-excavation agreement as described in CR-2.	City Planner	Prior to the release of the Grading Bond	
CR-6	As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission would then make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept *in situ* ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a TCA Native American monitor.	City Planner	Throughout all ground disturbing or altering activities	
GS-1	Due to the high potential for uncovering fossils, paleontological resources mitigation monitoring shall be undertaken for on-site mass grading activities. Paleontological monitoring shall be conducted to provide for the identification, evaluation, and recovery of any exposed fossil remains that may be discovered during the construction of the proposed project. The monitoring shall consist of the on-site presence of a Qualified Paleontologist (or a Paleontological Resources Monitor under the supervision of a Qualified Paleontologist) during initial cutting, grading or excavation into the underlying Santiago Formation. Other tasks of the monitoring program shall include the following:	City Engineer and/or City Planner	During any grading and/or excavations implemented during construction of the proposed project	

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
	• Prior to the issuance of a Grading Permit, the Applicant or Owner, and/or Contractor shall provide a written and signed letter to the COV's Director of Community Development, stating that a Qualified Paleontologist (or a Paleontological Resources Monitor under the supervision of the Qualified Paleontologist) has been retained at the Applicant or Owner and/or Contractor's expense to implement the monitoring program. A copy of the letter shall be included in the Grading Plan Submittals for the Grading Permit. • The requirement for paleontological resource mitigation monitoring shall be noted on all grading plans. • The Qualified Paleontologist shall attend all pre-grading/pre-construction meetings to consult with grading contractors regarding the requirement of monitoring for paleontological resources.			
GS-2	If paleontological resources are unearthed, the Qualified Paleontologist (or a Paleontological Monitor under supervision of a Qualified Paleontologist) shall: • Direct, divert, or halt any grading or excavation activity until such time that the sensitivity of the resource can be determined, and the appropriate recovery implemented. • Grading activities shall not resume until the Qualified Paleontologist, or Paleontological Monitor, deems the fossil has been appropriately documented and/or protected. At the Paleontologist Archaeologist's discretion, the location of grading activities may be relocated elsewhere on the project site to avoid further disturbance of the paleontological resources. • Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, other required methods (e.g., plaster-jacketing of large and/or fragile specimens). • Record stratigraphic and geologic data to provide a context for the recovered fossil remains, if feasible, and photographic documentation of the geologic setting. • Curate, catalog and identify all fossil remains, and transfer the cataloged fossil remains to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display.	City Engineer and/or City Planner	During any grading and/or excavations implemented during construction of the proposed project	
HAZ-1	Prior to any site disturbing activities, the applicant and/or owner shall conduct additional soil sampling and analysis and the results of this sampling and analysis effort shall be included in the submittal to the COV to obtain a Grading Permit. The goal of this analysis is to delineate the horizontal and lateral limits of soil containing detectable concentrations of organochlorine pesticides at concentrations exceeding the San Diego Regional Water Quality Control Board (RWQCB) Tier1 SSL, since any reported concentrations of constituents of concern besides metals would be considered a regulated waste. Any soil exported from the site must be properly managed and transported to an appropriately permitted facility if it is characterized as a regulated or hazardous waste.			

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
N-1	Construction Noise Management Plan. Noise levels from project-related demolition, grading, and construction activities shall not exceed the noise limit specified in San Diego County Code (adopted by COV) Sections 36.408 and 36.409 of 75 dBA (8-hour average), when measured at the boundary line of the property where the noise is located or any occupied property where noise is being received. A Construction Management Plan that describes the measures included on the construction plans to ensure compliance with the noise limit shall be prepared by the project Applicant and submitted to the COV Planning Division for approval prior to issuance of the Grading Permit. The following measures may be included to reduce construction/demolition noise: • Construction equipment to be properly outfitted and maintained with manufacturer- recommended noise-reduction devices. • Diesel equipment to be operated with closed engine doors and equipped with factory- recommended mufflers. • Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) to be equipped with shrouds and noise control features that are readily available for that type of equipment. • Electrically powered equipment to be used instead of pneumatic or internal-combustion powered equipment, where feasible. • Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) to be prohibited. • Material stockpiles and mobile equipment staging, parking, and maintenance areas to be located as far as practicable from noise sensitive receptors. • The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. • No project-related public address or music system shall be audible at any adjacent sensitive receptor. • Temporary sound barriers or sound blankets may be installed between construction operations and adjacent noise-sensitive receptors. Due to equipment exhaust pipes being approximately 7-8 feet above ground, a sound wall at least 10 feet in height above grade, located along the northern and southern property line between the project and neighboring residences would mitigate noise levels to within acceptable levels. To effectively reduce noise levels, the sound barrier should be constructed of a material with a minimum weight of two pounds per square foot with no gaps or perforations and remain in place until the conclusion of demolition, grading, and construction activities. • The Applicant or Owner and/or Contractor shall notify residences within 100 feet of the project's property line in writing within one week of any construction activity such as demolition, hard rock handling, concrete sawing, asphalt removal, and/or heavy grading operations. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of a complaint and response procedure.	City Building Official and/or City Planner	Prior to Building Permit Approval	

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
	• The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process for the affected resident shall be established prior to construction commencement to allow for resolution of noise problems that cannot be immediately solved by the site supervisor.			