Hollandia Dairy CUP Modification
Draft Initial Study/ Mitigated Negative Declaration

Prepared For
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Project Applicant
Hollandia Dairy
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SMA

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I. INTRODUCTION

I. PURPOSE

This document is an Initial Study (IS) for evaluation of environmental impacts resulting from implementation of the Hollandia Dairy Conditional Use Permit (CUP) Modification project. For the purposes of this document, the proposed Hollandia Dairy CUP as described in Section II, Project Description, will be called the "project."

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

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

Through this IS, the City has determined that although the project could have a significant effect on the environment, mitigation has been included to bring all potential impacts to less than significant levels. This determination was made based upon technical analysis, factual data, and other supporting documentation. Therefore, a Mitigated Negative Declaration (MND) is being proposed. The IS/MND will be circulated for a period of 30 days for public review. Comments received on the document will be considered by the City before it acts on the proposed project.

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

III. INTENDED USES OF INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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

IV. CONTENTS OF DOCUMENT

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

- **I. INTRODUCTION** identifies the City contact persons involved in the process, scope of environmental review, environmental procedures, and incorporation by reference documents.
- **II. PROJECT DESCRIPTION** describes the proposed project. A description of proposed discretionary approvals and permits required for project implementation is also included.

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

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

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

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

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

VIII. MITIGATED NEGATIVE DECLARATION

IX. FINDINGS

V. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

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

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

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

VI. PERMITS AND ENTITLEMENTS FOR PROJECT APPROVAL

The requested entitlements for the project include the following:

- ***Conditional Use Permit*** – A Conditional Use Permit (CUP) to replace the existing creamery, central plant, breakroom and ancillary components of the creamery. This includes the following actions: 1) demolish the existing cold storage; 2) construct new creamery and central plant; 3) update the wash rack; 4) commission the creamery[1]; 5) demolish the existing creamery; and 6) construct the warehouse and support building.

- ***Variance*** – A variance is requested for reduced building setback requirements on Mulberry Drive. When Mulberry Drive was upgraded and widened approximately 20 years ago, additional right-of-way was provided by Hollandia Dairy. The additional right-of-way grant then placed the existing silos, sugar containers, ammonium equipment and switch gear within the required setback from the Mulberry Drive right-of-way. The central plant has a fixed width because of the size of the mechanical equipment inside the building. Additionally, the new plan must be separated from other buildings onsite to maintain the required onsite circulation. The mechanical equipment building will encroach into the right of way. As a result of the site constraints, a variance is requested to maintain the existing setback from the Mulberry Drive right-of-way.

[1] Building commissioning is a process to ensure that a new building operates initially as the owner intended and that building staff are prepared to operate and maintain its systems and equipment.

II. PROJECT DESCRIPTION

I. PROJECT LOCATION AND SETTING

The 14.54-acre Hollandia Dairy project site is located at 622 E. Mission Road in the Richland Neighborhood in the City of San Marcos in northern San Diego County (**Figure 1**). The Assessor Parcel Number (APN) is 218-180-048-00. Specifically, the project site is located on the northeast corner of Mulberry Drive and E. Mission Road. The project site is bounded by Mulberry Drive to the west, E. Mission Road to the south, and the existing cut slopes and Mission Hills Court to the north and east. The sites adjoining the project site include industrial and commercial uses to the west of Mulberry Drive and heavy industrial uses south of E. Mission Road. Mission Hills High School is to the east of Mission Hills Court and Mission Hills Church is to the north of the project site.

The project site is entirely paved and developed and is currently the operational processing, packaging, and distribution facility for Hollandia Dairy. The project site is graded and relatively flat with elevations from approximately 610 feet above mean sea level (amsl) at the southwest corner at Mulberry Drive, to about 630 amsl in the northeast corner. Per the Federal Emergency Management Agency (FEMA), the project site is located within an area of minimal flood hazard or Zone X, as mapped by FEMA Panel 0794G.

II. PROJECT DESCRIPTION

Site History

Hollandia Dairy has been in operation as an active dairy since 1950. In 1964 a gas station and creamery were established on site. By 1970 much of the original facility had been constructed. Current development and activities on the site, which include operations, processing, packaging and distribution, occur in accordance with an existing Conditional Use Permit (CUP 98-357 (09 M)).

Existing Site Development

Seven buildings currently exist on the project site and their size, height, and operational characteristics are described below.

Building	Size (s.f.)	Height (Feet)	Operational Characteristics
Main Office Building	9,672	28	Operations activities. Monday through Friday, 7 AM to 6 PM.
Process Facility/Cooler Warehouse	39,164	42	Production Line/Warehouse Cold Storage. Monday through Saturday, 5 AM to 3 AM
Cooler Warehouse	26,957	28	Warehouse Cold Storage Monday through Saturday, 5 AM to 3 AM
Mechanical Building	1,438	21	Utility Building Monday through Friday, 6 AM to 4 PM
Case Return Dock Area	n/a (outdoor canopy area)	21	Outdoor Case Return Machine. Monday through Saturday, 5 AM to 3 AM
Maintenance Building No. 1	9,070	28	Maintenance Building Monday through Friday, 6 AM to 4 PM
Maintenance Building No. 2	9,668	28	Maintenance Building Monday through Friday, 6 AM to 4 PM

In addition to the buildings listed above, the site has paved drive aisles and parking areas for delivery trucks, employees and visitors. Access to the site is via one driveway on Mulberry Drive (gate controlled) and two driveways on E. Mission Road. There is existing frontage landscaping along E. Mission Road and Mulberry Drive as well as landscaping along the south and west sides of the main office building.

Over the last ten years, the Hollandia Dairy has been modernizing their San Marcos facility, including replacement of coolers, freezers, the maintenance building, adding a waste processing plant, updating their wash racks and their cardboard storage buildings.

In 2020 a photovoltaic system was installed on the project site on two buildings and on parking canopies. The system includes 2,842 panels and can produce up to 1,66MM kwh/year, which represents about 27% of the site's energy demand.

Additionally, in March 2021, a permit to construct a compressed natural gas (CNG) dispensing station with compressor along the northern boundary of the project site was approved. The CNG facility was built and is now operational. The CNG facility is assumed to be part of the baseline conditions on the project site for this environmental analysis.

Current Dairy Operations

Current dairy operations are consistent with the approved Conditional Use Permit (CUP 98-357 (09M)). The current CUP allows for operation of up to 70 large trucks per 24-hour period. This includes trucks delivering raw product to the dairy, local delivery trucks, and support trucks delivering products used in the manufacturing process within the dairy plant. **Table 1** summarizes the typical number of trucks and vehicles that come to the site during a 24-hour period as identified in the approved Conditional Use Permit (CUP 98-357 (09M)).

Table 1. Trucks and Vehicles Per 24-Hour Period Under Current Operations

Vehicle Type	Number of Trucks/Vehicles	Frequency
Large Trucks	70	Per/24-hour Period
Employees + Normal Deliveries	158	Per/24-hour Period
Truck Drivers' Personal Vehicle	53	Per/24-hour Period
Total	**281**	

Weekday Operations

On weekdays (Monday through Friday), the dairy operates 24-hours per day. On weekdays, the dairy receives tanker deliveries of raw milk product (approximately 9 per day), runs three manufacturing shifts (20 employees per shift), two warehouse shifts (15 employees per shift), one office shift (10 employees) and one maintenance shift (10 employees). Route drivers and cold storage truck drivers also work on the weekdays. **Table 2** provides a breakdown of the truck and vehicle distribution during the weekday by job type. The majority of the trips occur during off-peak hours with approximately 20 peak hour trips occurring per-day. This distribution is consistent the approved Conditional Use Permit (CUP 98-357 (09M)).

Table 2. Truck and Vehicle Distribution by Job Type per Weekday

Job Type	Number of Trucks/Vehicles	Frequency
Route Trucks	53	Per/day
Tanker Deliveries	9	Per/day
Cold Storage Trucks	45	9 per day
Manufacturing Shift Employees	60	3 shifts per day
Warehouse Shift Employees	30	2 shifts per day
Office Shift	10	1 shift per day
Maintenance Shift	10	1 shift per day

Weekend Operations

On weekends (Saturday and Sunday) the only activity at the dairy is the receiving of raw milk product. On Saturday and Sunday, approximately nine tanker trucks arrive onsite, hook up to unload the raw milk, and then leave the site. There are no manufacturing or warehouse operations and no route deliveries or cold storage truck deliveries on the weekends.

Project Components

The proposed project is intended to upgrade and renovate existing facilities on site and to replace older buildings with new structures and equipment to maintain compliance with current food safety regulations and standards and to increase employee workplace safety standards.

The project applicant is requesting approval of a Conditional Use Permit (CUP) for the following actions: 1) demolish the existing cold storage; 2) construct new creamery and central plant; 3) update the wash rack; 4) commission the creamery; 5) demolish the existing creamery; and 6) construct the warehouse and support building. **Figure 2** shows the existing overall site plan and **Table 3** provides the phasing of the demolition and construction activities.

Table 3. Demolition and Construction Phasing

Demolition		Construction		Net Change in Size (s.f.)
PHASE 1		**PHASE 1**		
Cooler Warehouse Loading Dock	10,076 s.f.	Process Building 1st Level	35,418 s.f.	**+ 37,246**
		Office/Welfare	9,168 s.f.	
Utility Canopy	797 s.f.	Utility Building	3,533 s.f.	
Phase 1 Demolition Subtotal	***10,873* s.f.**	***Phase 1 New Construction Subtotal***	***48,119* s.f.**	
PHASE 2		**PHASE 2**		
Process Facility	15,061 s.f.	Warehouse 1st Level	28,008 s.f.	**+ 39,517**
Mechanical	1,438 s.f.	Warehouse 2nd Level (unoccupied space)	28,008 s.f.	
Phase 2 Demolition Subtotal	16,499 s.f.	***Phase 2 New Construction Subtotal***	***56,016* s.f.**	
Demolition Total	**27,372 s.f.**	**New Construction Total**	**104,135 s.f.**	**+ 76,763** (see note 1)

Note: (1) 76,763 s.f represents the net change of the new construction, however, the 2nd floor of the warehouse is not considered occupied space, so the net change in occupied space would be 48,755 s.f. (76,763 s.f. less 28,008 s.f.).

Although there would be an increase in the net building square footage of 76,763 s.f., of which 48,755 s.f. would be considered occupied space, there would not be a change to the number of employees, truck counts, or increase to the volume of product the dairy currently receives. Currently the dairy receives 6,000 gallons of raw product per tanker and 55 tankers per week, and that rate would stay the same. Additionally, manufacturing capacity will remain at the current levels. The additional square footage will allow engineers to efficiently maintain the equipment by providing additional working space to access and maintain the machines. It will also help with the flow of materials, need for production and keeping the raw product area separate from the pasteurized area thereby improving food safety. Providing additional building square footage will allow for more space, resulting in safer working conditions for employees by providing more floor area clear of equipment and moving parts. Increasing the building area provides for efficiency, which translates to better product quality while also increasing workplace safety. **Figure 3** presents the overall site phasing plan.

Demolition and Reconstruction of New Creamery – The project proposes to replace the existing creamery and central plant containing approximately 27,372 square feet (s.f) and the existing covered outdoor staging area of approximately 1,620 s.f. with a modern processing plant and support services of approximately 104,135 s.f. (net increase of 76,763 s.f. 48,755 s.f. of which can be classified as occupied space). This upgraded facility will maintain the existing quantities of product intake and productions and will keep the dairy in compliance with all the current food processing facility requirements.

Building expansion is necessary to bring the dairy into compliance with federal dairy operating regulations which in part require more space between equipment.

Demolition of Old Process Facility and Construction of New Warehouse and Support Building – The replacement facility will contain a new processing plant, office space, maintenance building, employee space, restrooms, unoccupied space which houses mechanical equipment, and a new cover over the milk crate wash racks. The new building space will also house a molder, which will eliminate the need for delivery and storage of pre-formed plastic containers which are used for packing products. Currently there are seven pieces of dairy processing equipment that will be replaced on a one-to-one basis as older machines become obsolete.

Phasing - Project construction is proposed in phases, as detailed in Table 4 and Figure 3. This is necessary to ensure that the current plant operations are not interrupted by the construction of the new facility. The phasing will allow the new creamery and central plant to be fully tested, placed into operation, and vetted prior to demolition of the current plant. Once the current plant is removed, the maintenance building, staff space and bathrooms will be constructed and finally the new building occupying the original plant space will be constructed. Phase 2 will provide a new space for existing bottling, storage, and production area.

- **Phase 1** proposes to demolish approximately 10,873 s.f. of existing structures consisting of the cooler warehouse/loading dock and a utility canopy. Construction under Phase 1 includes 48,119 s.f. of new buildings. The new buildings will house the processing plant equipment and office support space associated with the dairy operations. Equipment will be moved from the existing creamery or replacement equipment will be installed, tested, and then engaged to ensure no interruption of dairy operations.

- **Phase 2** proposes to demolish the old process facility after equipment is transferred to the process facility to be constructed under Phase 1. This phase will demolish approximately 16,499 s.f. of existing structures consisting of the process facility and a mechanical area. The new building will

be a two-story 56,016 s.f. warehouse building. The second level of the warehouse building (28,008 s.f.) is considered unoccupied space.

Architectural Design – Proposed building elevations for Phase 1 and at buildout are shown in **Figures 4 and 5.** The proposed building will range from 39 to 42 feet high with some architectural elements reaching 50 feet. The building walls exterior will be painted precast concrete with metal canopy and fascia detailing and a metal cornice. The proposed architectural design is intended to complement the existing newer main office building in the eastern portion of the project site.

Vehicle Trips – The CUP modification would maintain the current numbers of vehicle trips to the site per week as shown in Table 2. Once complete, the facility will continue to receive the same quantity of raw product (55 tanker trucks per week). The dairy's total truck operations for the San Marcos plant is 50 trucks per day serving 51 routes. This includes eight 2-axle tractors, nine 3-axle tractors and 34 bobtails.

Parking – The proposed modifications and changes in building square footage will change the occupancy classification for the buildings, which modifies the parking requirements. **Table 4** provides information on existing and proposed site uses and the required/proposed parking per the Section 20.340 of the San Marcos Municipal Code (SMMC).

Table 4. Parking Distribution Table

Building Description	SMMC Parking Requirement[(1)]	Facility Size (s.f.)	Parking Spaces Required
Facility Plant	1 space/1,000 s.f.	3,544	4
Maintenance Facilities	1 space/500 s.f.	22,271	45
Facilities and Office Support Area	4 spaces/1,000 s.f.	18,840	76
Cold Storage and Warehouse	1 space per 4,000 s.f.	112,385	29
Creamery	1 space per 500 s.f.	35,418	71
		Total Parking Required Per Code	**225**
		Total Parking Provided	**234**

Note: (1) Maintenance Facilities are parked per the Machine Repair Shop rate; Facilities Office Support area are parked per the Business Support Services rate, Cold Storage and Warehouse are parked per the Warehousing, Indoor rate, and the creamers is parked per the Manufacturing and Assembly rate. Rates are from SMMC Section 20.340.040.

Variance - A variance is requested for reduced building setback requirements on Mulberry Drive. When Mulberry Drive was upgraded and widened approximately 20 years ago, additional right-of-way was provided by Hollandia Dairy. The additional right-of-way grant then placed the existing silos, sugar containers, ammonium equipment and switch gear within the required setback from the Mulberry Drive right-of-way. The central plant has a fixed width because of the size of the mechanical equipment inside the building. Additionally, the new plan must be separated from other buildings onsite to maintain the required onsite circulation. The mechanical equipment building will encroach into the right of way. As a result of the site constraints, a variance is requested to maintain the existing setback from the Mulberry Drive right-of-way.

Project Access – Access to the project site would continue to be from two driveways on E. Mission Road and one driveway on Mulberry Drive. No changes in project site access are proposed.

Utility Improvements – The project site is within the Vallecitos Water District (VWD) water and sewer service boundaries and VWD currently serve the project site. The project's utility plan includes proposed water lines, storm drains, and sewer lines within the existing project footprint and connecting to existing main lines. There will be no increase in water or wastewater demand under the project. The project applicant will continue to coordinate with Encina Wastewater Authority to update their industrial waste permit, however the project is not anticipated to increase the industrial waste discharge.

Landscaping – The landscape exhibit is included in Appendix A3. The project will match existing planting in the right-of-way for screening purposes and shall be constructed in accordance with the City's landscape standard drawings and approved materials list. One tree is proposed to be removed to accommodate the project construction. Any existing trees or landscaping that is removed or damaged during the dairy modernization will be replaced. Biofiltration landscaping along E. Mission Road will comply with the City's 2019 BMP Design Manual with soil media and planting methods to meet the BF-2 design criteria and the City's landscape requirements.

Stormwater Management – The existing project site has several site-specific drainage basins that convey storm runoff to the public facilities within the right-of-way. There is existing drainage on the western portion of the parcel, along Mulberry Drive and E. Mission Road. The drainage basin is approximately 7.2 acres and generally drains from the northeast to the southwest and is treated by a sand filter before released to a public stormdrain system. Several inlets are located throughout the drainage basin that convey flows to a storm drain inlet along Mulberry Dr. This storm drain is the point of compliance (POC) for this project site. There is no offsite runoff conveyed through the site.

The proposed project site drainage conveyance system would be largely similar to the existing condition. Most of the existing topography will remain the same in the post-developed conditions. The area east of the northern detention pipe system will be maintained in its current condition. The asphalt will be changed but the stormwater flows will go to the same location. The project does propose to direct runoff produced by the easterly constructed building into a proposed underground storm drain network and convey the flows to a pipe storage field, which ultimately conveys the flow to the POC. The westerly constructed buildings will collect runoff and convey flows in a separate proposed underground pipe network and storage field, which ultimately outlets flow to the POC. A portion of the southerly roof on the newly constructed western building will convey the roof runoff to a bio-filtration planter that will treat the runoff and convey the flows to the POC. Maintenance of these biofiltration basins would be the responsibility of the project owner.

Grading – Grading and earthwork activity will be required to prepare the site for redevelopment. Based upon information from the project applicant, the project requires 5,590 cubic yards (cy) of cut and 10,986 cy of fill, for a net import of 5,396 cy. Soil import is expected to take four weeks (24 work days). Assuming a 15-cy hauling truck, this results in approximately 15 truck trips per day for soils import.

Construction Schedule - Assuming receipt of all necessary approvals, Phase 1 is anticipated to run from 2021 to 2022. Phase 2 would begin in 2022 and be complete in 2023.

Project Design Features - The project includes design features which would reduce potential impacts and the project would adhere to applicable regulatory requirements, as identified in **Table 5**.

Table 5. Project Design Features

Air Quality • The project shall comply with Section 87.426 of the City's Grading Ordinance and implement dust control measures. These measures include watering of active grading sites and unpaved roads a minimum of twice daily, replacement of ground cover as quickly as possible, reducing speeds on unpaved roads/surfaces to 15 miles per hour or less, and reducing dust during unloading and loading operations. • The project shall comply with all San Diego Air Pollution Control District rules with respect to dust management during grading and construction (Rule 51). • Heavy diesel construction equipment shall be rated Tier IV or better.
Greenhouse Gas • Installation of 75 percent light emitting diode (LED) lighting for both interior and exterior lighting. • Installation of low-maintenance and drought tolerant landscaping. • Use of state-of-the-art irrigation system to reduce water consumption. • Compliance with the City's Water Efficient Landscape Ordinance (WELO).
Noise • Comply with Section 17.32.180 of the San Marcos Municipal Code that limits grading activities to between 7:00 AM and 4:30 PM Monday through Friday. Grading extraction or related earth moving is not allowed in the City on weekends or holidays. • Comply with Chapter 10.24 of the San Marcos Municipal Code which prohibits building construction activities to between 7:00 AM and 6:00 PM Monday through Friday or between 8:00 AM or after 5:00 PM on Saturdays.
Utilities and Service Systems - Water and Wastewater • Pay Water Capital Facility Fees per VWD Ordinance No. 175. • Pay Wastewater Capital Facility Fees per VWD Ordinance No. 176.

Figure 1. Project Vicinity

Figure 2. Existing Overall Site Plan and Proposed Demolition

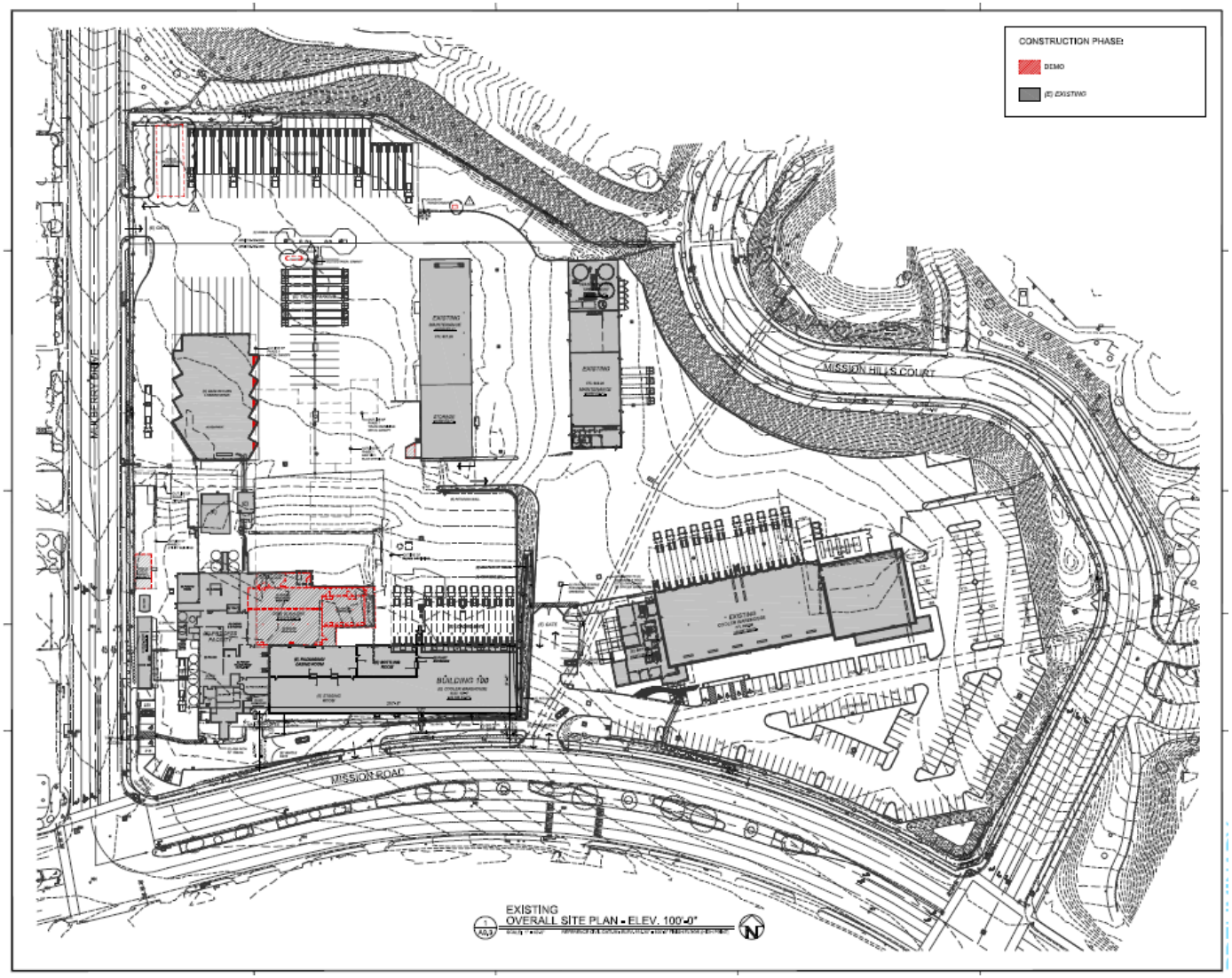


Figure 3. Overall Site Plan – Phases 1 and 2

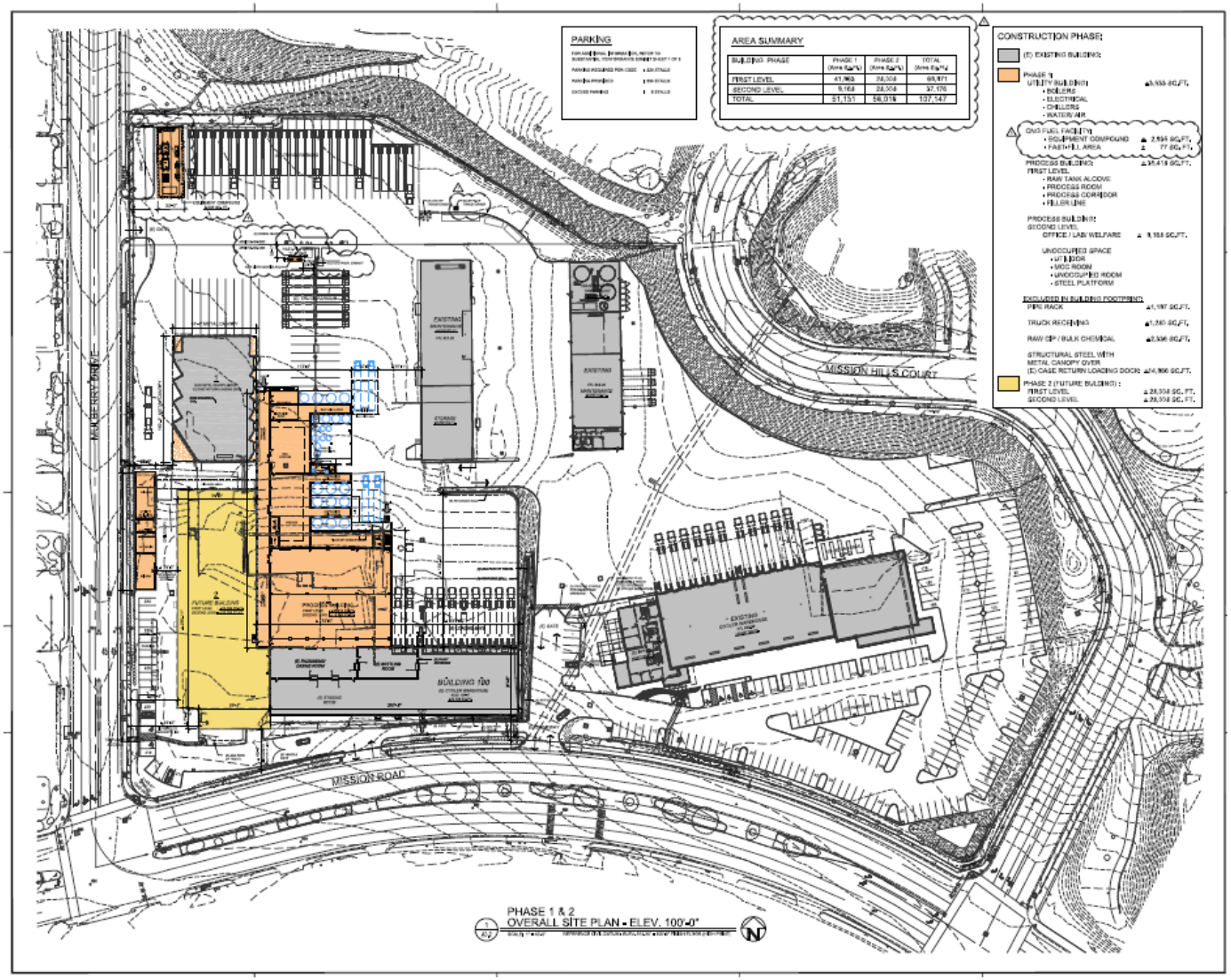


Figure 4. Proposed Building Elevations – Phase 1

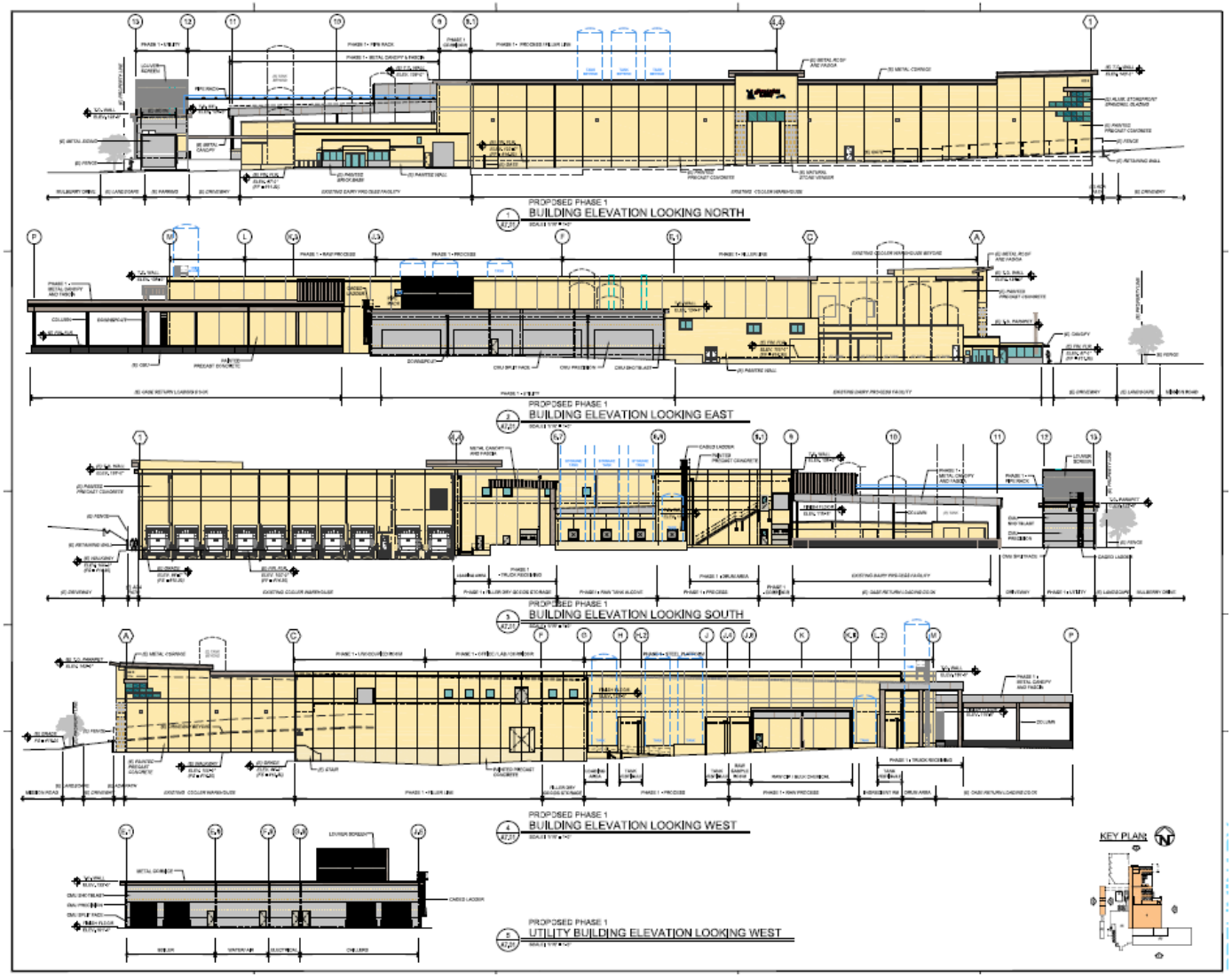
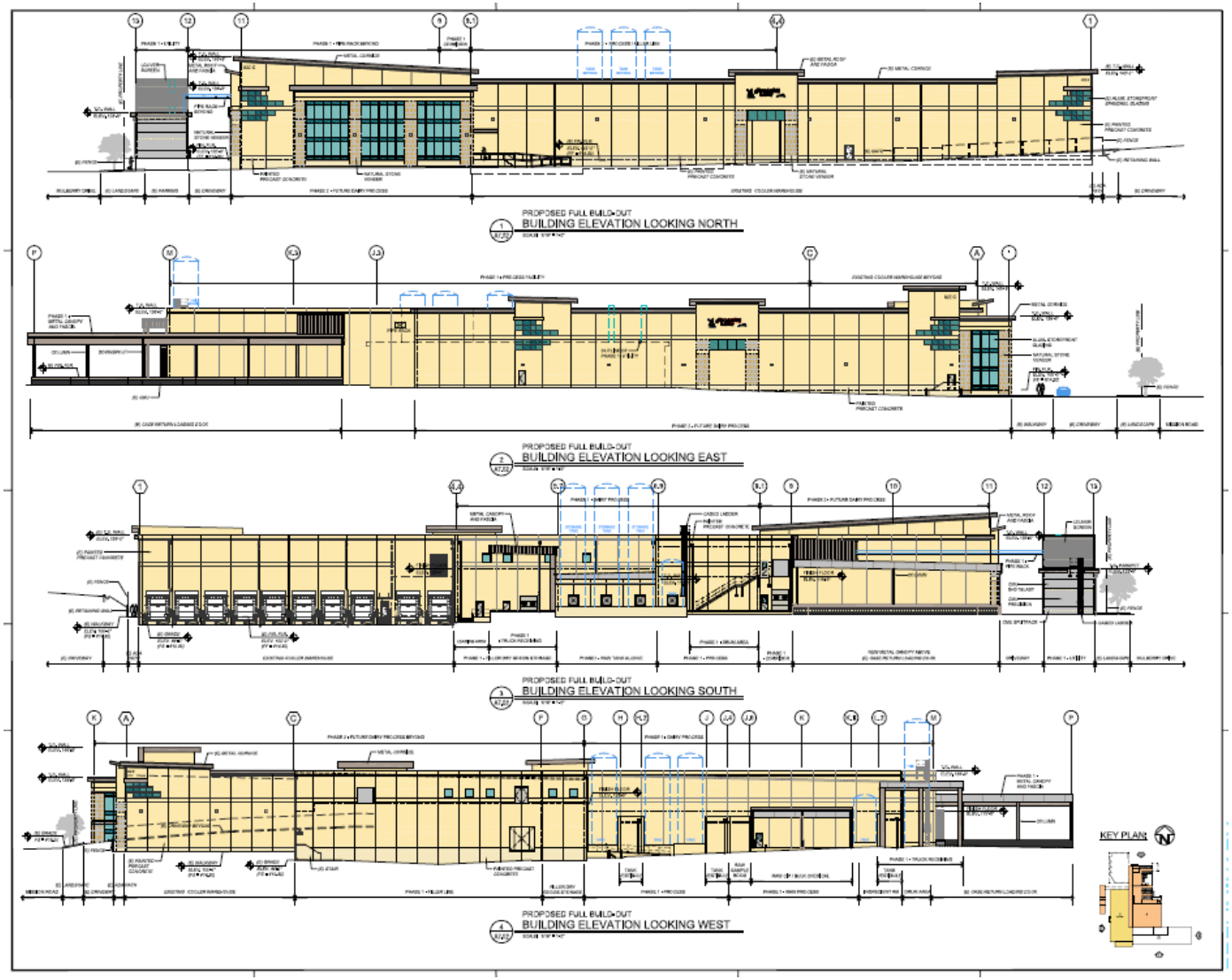


Figure 5. Proposed Building Elevations – Buildout



III. ENVIRONMENTAL CHECKLIST

I. BACKGROUND

1. **Project Title:** Hollandia Dairy CUP

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

3. **Contact Person and Phone Number:**
   Sean del Solar, Associate Planner
   760-744-1050 ext. 3223
   sdelsolar@san-marcos.net

4. **Project Location:** The 14.54-acre site is located at the northeast corner of Mulberry Drive and E. Mission Road. The site is bounded by existing cut slopes and Mission Hills Court to the north and E. Mission Road to the south, and Mulberry Drive to the west.

5. **Project Sponsor's Name and Address:**
   Hollandia Dairy
   622 E. Mission Road
   San Marcos, CA 92069

6. **General Plan Designation:** The project site has a General Plan Designation of Commercial (C).

7. **Zoning Designation:** The Zoning on the project site is Commercial (C).

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

9. **Surrounding Land Uses and Setting**: The project site is fully developed with existing Hollandia Dairy facilities and bounded by Mulberry Drive to the west, E. Mission Road to the south, and the existing cut slopes and Mission Hills Court to the north and east. The sites adjoining the project site include industrial and commercial uses to the west of Mulberry Dr. and south of E. Mission Road. Mission Hills High School is to the east of Mission Hills Court and Mission Hills Church is to the north of the project site.

10. **Other Public Agencies Whose Approval is Required:** Encina Wastewater Authority

11. **Have California Native American tribes traditionally or culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc?** The City has notified the tribes in accordance with Public Resources Code Section 21074. The City received an AB52 consultation request from the San Luis Rey Band of Mission Indians (San Luis Rey Band) and the Rincon Band of Luiseño Indians (Rincon Band). The City consulted with the San Luis Rey Band and consultation was concluded on October 1, 2020. The City also consulted with the Rincon Band and consultation was concluded on May 21, 2021.

II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- □ Aesthetics
- □ Agriculture and Forestry Resources
- □ Air Quality
- □ Biological Resources
- **X Cultural Resources**
- □ Energy
- **X Geology and Soils**
- □ Greenhouse Gas Emissions
- **X Hazards and Hazardous Materials**
- □ Hydrology and Water Quality
- □ Land Use and Planning
- □ Mineral Resources
- □ Noise
- □ Population and Housing
- □ Public Services
- □ Recreation
- □ Transportation
- **X Tribal Cultural Resources**
- □ Utilities and Service Systems
- □ Wildfire
- **X Mandatory Findings of Significance**

III. DETERMINATION

On the basis of this initial evaluation:

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

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Digitally signed by Sean del Solar
DN: cn=Sean del Solar, o=City of San Marcos, ou=Planning Division, email=sdelsolar@san-marcos.net, c=US
Date: 2021.11.15 16:25:12 -08'00'

Sean del Solar, Associate Planner

November 15, 2021
Date

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				**X**
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			**X**	
c) 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 publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with the applicable zoning and other regulations governing scenic quality?			**X**	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			**X**	
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Legacy Assessment Project and the carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				**X**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				**X**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				**X**
d) Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				**X**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			**X**	
b) 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?			**X**	
c) Expose sensitive receptors to substantial pollutant concentrations?			**X**	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			**X**	
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				**X**
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				**X**
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?				**X**
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				**X**
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				**X**
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				**X**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			**X**	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		**X**		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			**X**	
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?			**X**	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			**X**	
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				**X**
b) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?			**X**	
c) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?				**X**
d) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?				**X**
e) Result in substantial soil erosion or the loss of topsoil?			**X**	
f) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			**X**	
g) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		**X**		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Have soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				**X**
i) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			**X**	
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			**X**	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			**X**	
XI. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			**X**	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		**X**		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			**X**	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				**X**
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?				**X**
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			**X**	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				**X**
X.HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			**X**	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there the project may impede substantial groundwater management of the basin?				**X**
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: result in substantial erosion or siltation on- or off-site?			**X**	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			**X**	
e) 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: create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			**X**	
f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: impede or redirect flood flows?			**X**	
g) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			**X**	
h) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			**X**	
i) Result in significant alteration of receiving water quality during or following construction?			**X**	
j) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity, and other typical storm water pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).			**X**	
k) Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?			**X**	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
l) Be tributary to environmentally sensitive areas (e.g., MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions?				**X**
m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters?			**X**	
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				**X**
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 and environmental effect?			**X**	
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?				**X**
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				**X**
XIII. NOISE. Would the project result in:				
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 genera plan or noise ordinance, or applicable standards of other agencies?			**X**	
b) Generation of excessive groundborne vibration or groundborne noise levels?			**X**	
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?			**X**	
XIV. POPULATION AND HOUSING. Would the project:				
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)?				**X**
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				**X**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			**X**	
b) Police protection?			**X**	
c) Schools?				**X**
d) Parks?			**X**	
e) Other public facilities?			**X**	
XVI. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				**X**
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			**X**	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?			**X**	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			**X**	
d) Result in inadequate emergency access?				**X**
XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?		**X**		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		**X**		
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in relocation or the construction of new or expanded water, wastewater treatment facilities, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			**X**	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			**X**	
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?			**X**	
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?			**X**	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				**X**
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zone, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				**X**
b) Due to slope, prevailing wind, and other factors, exacerbate wildlife risk, and thereby expose project occupants to, pollutant concentrations from a wildlife or the uncontrolled spread of wildlife?				**X**
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 the temporary or ongoing impacts to the environment?				**X**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose people or structures to significant risk, including downslope or downstream flooding or landslide, as a result of runoff, post-fire slope instability, or drainage changes?				**X**
V. MANDATORY FINDINGS OF SIGNIFICANCE.				
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?		**X**		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			**X**	
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		**X**		

IV. ENVIRONMENTAL ANALYSIS

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

I. AESTHETICS

a) Have a substantial adverse effect on a scenic vista? <u>No Impact</u>

The project site is fully developed with existing Hollandia Dairy facilities and bounded by Mulberry Drive to the west, E. Mission Road to the south, and the existing cut slopes and Mission Hills Court to the north and east. The sites adjoining the project site include industrial and commercial uses to the west of Mulberry Dr. and south of E. Mission Road. Mission Hills High School is to the east of Mission Hills Court and Mission Hills Church is to the north of the project site.

The City has a Ridgeline Protection and Management Overlay Zone to protect natural viewsheds and unique natural resources, minimize physical impacts to ridgelines, and to establish innovative sensitive architectures standards. The project site is not located in the Ridgeline Protection and Management Overlay Zone. Further, the project site does not include any primary or secondary ridgelines, as identified in Figure 4-5 of the Conservation and Open Space Element of the General Plan. The project site is relatively flat and located at a lower elevation of the City. Redevelopment would occur within the existing project foot print. The architectural design of the project includes upgraded finishes, textures, and materials to improve the overall aesthetic of the project site. Therefore, remodeling of facilities proposed at the project site would not have a substantial adverse effect on a scenic vista and no impact is identified for this issue area.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway? <u>Less than Significant Impact</u>

The project site is located approximately 0.4 miles north of State Route 78 (SR-78). A portion of SR-78 is recognized as a Scenic Highway by Caltrans; however, that portion is not in the project vicinity. The portion identified as a Scenic Highway is approximately 50 miles east of the project site near Anza Borrego (Caltrans 2020). At a local level, SR-78 is designated by the City as a view corridor. The highway corridor provides views of the Merriam Mountains, Mount Whitney, and Double Peak. The project would not impact views to these peaks from SR-78 since there is intervening development between the project and SR-78. Development of the proposed project is not proposed on any area identified as a primary or secondary ridgeline in the City's Ridgeline Protection and Management Overlay Zone.

The site does not support any significant trees or rock outcroppings as identified in or protected by the City's General Plan.

Due to the age of the Hollandia Dairy buildings, the cultural resources report (ASM 2020) prepared for the project evaluated its eligibility for listing in the California Register of Historical Resources (CRHR) and as an historical resource under CEQA. As discussed in more detail below in Cultural Resources, Section V. (a), ASM concluded that the building is not eligible for the CRHR because it does not retain sufficient overall integrity to convey its historical significance. The Hollandia Dairy does not meet any of the other CRHR criteria. As such, the Hollandia Dairy is not eligible for the CRHR, either individually or as a historic district, and is therefore not a CEQA historical resource.

In summary, the project would not damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway. A less than significant impact would occur.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with the applicable zoning and other regulations governing scenic quality? Less than Significant Impact

The project site is located in an urbanized portion of the City surrounding by commercial, public facility and light industrial uses. The project site is currently developed with an existing dairy facility. The proposed demolition and reconstruction of some of the facilities on the project site would increase overall building square footage and slightly raise maximum building elevations in some areas, but all within the existing project footprint. The project includes upgraded finishes, textures, and materials to improve the overall aesthetic of the project site.

The project will not conflict with any regulations governing scenic quality. As discussed in I.a and I.b, above, the project site is not located in the Ridgeline Protection and Management Overlay Zone. Further, the project site does not include any primary or secondary ridgelines, as identified in Figure 4-5 of the Conservation and Open Space Element of the General Plan. Additionally, per the cultural resources report prepared for the project the project site does not support any historic buildings (ASM 2020). The site does not support any significant trees, rock outcroppings, or historic buildings as identified in or protected by the City's General Plan. In summary, the project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Impacts would be less than significant.

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

The project site is currently developed with existing Hollandia Dairy facilities and is located in a developed area of the City. Proposed lighting would include cut-off light fixtures to direct light downward and avoid spillage onto adjacent properties. Development of the project would be required to comply with the City's lighting standards, and the location, type, and direction of the lighting would be reviewed during Improvement Plan review to ensure compliance.

Additionally, proposed exterior finishes (precast concrete and manufactured stone veneer) would not be characterized as glare inducing. Architectural features such as metal cornices, metal roof and fascia, and storefront glazing will be used sparingly in the project design. See Figures 4 and 5 for proposed exterior elevations. Therefore, the project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. Impacts would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? No Impact

The project site is not mapped as prime farmland, unique farmland, or farmland of statewide importance, as determined by the Farmland Mapping and Monitoring Program, as shown on Figure 4-4 (Agricultural

Areas) in the San Marcos General Plan (San Marcos 2012). Therefore, the project would not result in the conversion of prime farmland, unique farmland, or farmland of statewide importance. No impact is identified.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <u>No Impact</u>

The project site has a General Plan designation of Commercial (C) and a zoning designation of Commercial (C). The project site does not support zoning for an agricultural use.

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The project site is not located within a Williamson Act contract area. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact is identified.

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

The project site has a General Plan designation of Commercial (C) and a zoning designation of Commercial (C). The project site does not support zoning for forest land. No General Plan or Zoning Changes are proposed. Therefore, the proposed project is not located in an area that is zoned for forest land, timber land or for timber production. Implementation of the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impact is identified.

d) Result in the loss of forest land or conversion of forest land to non-forest use? <u>No Impact</u>

The project site does not support forests, nor is there any forest land adjacent to the project site. The project site is developed with the existing Hollandia Dairy site. Therefore, the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use. No impact is identified for this issue area.

e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? <u>No Impact</u>

The project site is located in a developed portion of the City. There is existing development on both sides of the project site. The project area does not support any agricultural or forest land. Therefore, the project would not 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. No impact is identified for this issue area.

III. AIR QUALITY

An air quality report was prepared for the project by Ldn Consulting (LDN) (2021a) and is included as **Appendix B** of this document.

a) Conflict with or obstruct implementation of the applicable air quality plan? Less than Significant Impact

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

The project site has a General Plan designation of C (Commercial) and a zoning designation of Commercial (C). No change in designation is proposed. The project would modernize the dairy and would not increase the intensity of use. Therefore, the project would be consistent with the development intensities identified in the General Plan, and thereby consisted with the SDAB air quality plans, including the RAQS and SIP. Furthermore, the project would comply with all applicable rules and regulations that have been adopted as part of the SIP. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan. Impacts would be less than significant.

Criteria Pollutant Analysis

Air quality emissions were calculated as part of the air quality study prepared by LDN (2021a).

Table 6 shows the state and federal attainment status for criteria pollutants in the SDAB. As shown, the SDAB is a nonattainment area for the state and federal O_3 standards and for the state PM_{10} and $PM_{2.5}$ standards.

Air Quality Rules and Regulations

The SDAPCD establishes screening thresholds for air quality emissions under Rule 20.2 for new or modified stationary sources. These screening criteria can be used to demonstrate that a project's total emission would not result in a significant impact as defined by CEQA. The screening thresholds are shown in **Table 7**. These criteria can be used as numeric indicators that demonstrate whether a project's emissions would result in a significant impact to air quality. Any project with daily construction- or operation-related emissions that exceed any of the following thresholds would be considered to have a significant air quality impact and modeling would be required to demonstrate that the project's total air quality impacts result in ground-level concentrations that are below State and Federal Ambient Air Quality Standards, including appropriate background levels. For nonattainment pollutants (O_3, with ozone precursors NOx and VOCs, and PM_{10}), if emissions exceed the thresholds shown below, the project could have the potential to result in a cumulatively considerable net increase in these pollutants.

Table 6. Attainment Status of Criteria Pollutants in San Diego Air Basin

Pollutant	Federal	State
Ozone (8-Hour)	Nonattainment	Nonattainment
Ozone (1-Hour)	Attainment(1)	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment
Particulate Matter–10 microns (PM_{10})	Unclassified(2)	Nonattainment
Particulate Matter–2.5 microns ($PM_{2.5}$)	Attainment	Nonattainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Lead	Attainment	Attainment
Sulfates	No Federal Standard	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Visibility	No Federal Standard	Unclassified

Source: SDAPCD, 2021.
Notes:
(1) The federal 1-hour standard of 12 ppm was in effect from 1979 through June 15, 2005. The revoked standard is referenced because it was employed for such a long period and because this benchmark is addressed in State Implementation Plans.
(2) At the time of designation, if the available data does not support a designation of attainment or nonattainment, the area is designated as unclassifiable.

Table 7. Screening-Level Thresholds for Criteria Pollutants

Pollutant	Total Emissions (lbs per day)
Construction Emissions	
Respirable Particulate Matter (PM10)	100
Fine Particulate Matter (PM2.5)	55
Nitrogen Oxide (NOx)	250
Sulfur Oxide (SOx)	250
Carbon Monoxide (CO)	550
Volatile Organic Compounds (VOCs)(1)	75
Reactive Organic Gases (ROG) SCAQMD	75
Operational Emissions	
Respirable Particulate Matter (PM10)	100
Fine Particulate Matter (PM2.5)	55
Nitrogen Oxide (NOx)	250
Sulfur Oxide (SOx)	250
Carbon Monoxide (CO)	550
Lead and Lead Compounds	3.2
Volatile Organic Compounds (VOC)	75
Reactive Organic Gases (ROG) SCAQMD	75

Note: (1) SDAPCD does not have an air quality impact threshold for VOCs. The South Coast Air Quality Management District threshold for the Coachella Valley is used for this analysis.

Non criteria pollutants, such as Hazardous Air Pollutants (HAPs) or Toxic Air Contaminants (TACs), are also regulated by the SDAPCD. Rule 1200 (Toxic Air Contaminants - New Source Review) adopted on June 12, 1996, requires evaluation of potential health risks for any new, relocated, or modified emission unit which may increase emissions of one or more toxic air contaminants. The rule requires that projects that propose to increase cancer risk to between 1 and 10 in one million need to implement toxics best available control technology (T-BACT) or impose the most effective emission limitation, emission control device or control technique to reduce the cancer risk. At no time shall the project increase the cancer risk to over 10 in one million. At no time shall the project increase the cancer risk to over 10 in one million or a health hazard index (chronic and acute) greater than one. Projects creating cancer risks less than one in one million are not required to implement T-BACT technology.

The proposed project would also be required to be compliant with California Health and Safety Code Section 41700 (California 1975) and District Rule 51 (SDAPCD 1976) which states that no person can discharge air contaminants that cause injury, nuisance, or annoyance to any considerable number of persons or the public, or that endanger the comfort, health or safety of such persons and would include odors.

Since odor issues are very subjective by the nature of odors themselves and their measurements are difficult to quantify. A qualitative approach is recommended. Each project will be reviewed on an individual basis, focusing on the existing and potential surrounding uses and location of sensitive receptors.

Construction Emissions

Construction-related air emissions were calculated using the CalEEMod 2020.4.0 model. One model was prepared for each phase. The construction module in CalEEMod was used to calculate the emissions associated with the construction of the project. The CalEEMod input/output models (one for each phase) are shown in Attachments A and B of the air quality report (Appendix B).

Construction-related emissions for the project would include emissions from demolition, site preparation, grading, building construction, paving and architectural coatings. Based upon information from the project applicant, the project requires 5,400 cy of materials import for grading.

The project would be constructed in two phases. Phase 1 is anticipated to run 2021 to 2022. Phase 2 would begin in 2022 and be complete in 2023. Consistent with SDAPCD's fugitive dust rules/fugitive dust control measures outlined in Section 87.426 of the City's Grading Ordinance, the project would implement fugitive dust control measures during grading, which would include watering the site a minimum of twice daily to control dust, as well as reducing speeds on unpaved surfaces to 15 miles per hour (mph) or less, replacing ground cover in disturbed areas quickly, and reducing dust during loading/unloading of dirt and other materials. The project would also require that all heavy diesel construction equipment be rated Tier IV or better. These requirements have been identified as project design features for the project in Table 1.

Anticipated equipment for project demolition and construction includes concrete/industrial saws, graders, rubber-tired dozers, excavators, tractors/loaders/backhoes, pavers, rollers, cranes, forklifts, and air compressors. Hauling trucks for the import of grading material will also be required. See Tables 3 and 4 of the air quality report (Appendix B of this report) for a more detailed breakdown of construction equipment quantities and anticipated duration of use.

Table 8 presents the anticipated construction emissions for the project, incorporating the identified project design features.

Table 8. Construction Emissions (lbs/day)

Year	ROG	NOx	CO	SO_2	PM_{10} (Total)	$PM_{2.5}$ (Total)
2021 (Phase 1)	1.11	22.70	16.36	0.09	9.61	4.35
2022 (Phase 1)	45.01	4.31	15.70	0.03	0.28	0.11
2022 (Phase 2)	0.23	1.81	8.51	0.05	4.97	2.55
2023 (Phase 2)	65.17	1.17	10.40	0.02	0.33	0.11
Maximum	**65.17**	**22.7**	**16.36**	**0.09**	**9.61**	**4.35**
Screening Level Threshold	**75**	**250**	**550**	**250**	**100**	**55**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Ldn Consulting, 2021a.

As shown in Table 8, maximum daily emissions would be below the screening level thresholds for all criteria pollutants and construction emissions impacts would be less than significant for all phases of the project.

Operational Emissions

Operations at the existing Hollandia Dairy would remain the same with the approval of the project. The modernization project is necessary for the Hollandia Dairy to meet current regulations with respect to equipment separation. There would not be an increase in product yield with the modernization of the dairy nor would there be an increase in trips under the proposed project. The number of tanker trucks bring in product and the number of delivery trucks delivering products would remain the same. Similarly, the number of employees would be comparable to what is under the current operations, with no additional employees expected to result from the project. Since the proposed project would not be expected to modify existing operations, the project would not increase operational air quality emissions. Given this, operational air quality impacts would be less than significant.

Cumulative Air Quality Emissions

Whenever a project is under construction with a nearby construction project at the same time, there is a potential for cumulative impacts. Based on a review of nearby projects, there is a potential for the construction of the nearby Hollandia Farms/Mission Outdoor Storage Project to coincide with the proposed project. Emissions from the Mission Outdoor Storage project were found to be less than significant and are shown in **Table 9** below (LDN 2020). These emissions would be additive to the proposed project's maximum emissions since the projects are so close in proximity. Based on this the maximum emissions from the proposed Project are also included in Table 9. Adding these emissions was found to also generate a less than significant impact and would therefore be less than significant cumulatively.

Table 9. Expected Cumulative Construction Emissions Summary (Pounds per Day)

Emission Source	ROG	NO_x	CO	SO_2	PM_{10} (Dust)	PM_{10} (Exhaust)	PM_{10} (Total)	$PM_{2.5}$ (Dust)	$PM_{2.5}$ (Exhaust)	$PM_{2.5}$ (Total)
Mission Outdoor Storage Maximum Daily Construction Emissions	1.96	26.81	22.25	0.10	6.53	0.09	6.61	3.32	0.09	3.32
Proposed Project Maximum Daily Construction Emissions (See Table 8 above)	65.17	22.7	16.36	0.09	9.26	0.36	9.61	4.01	0.34	4.35
Cumulative Total	**67.13**	**49.51**	**38.61**	**0.19**	**15.79**	**0.45**	**16.22**	**7.33**	**0.43**	**7.67**
Screening Level Threshold	**75**	**250**	**550**	**250**	**-**	**-**	**100**	**-**	**-**	**55**
Exceeds Screening Level?	**No**	**No**	**No**	**No**	-	-	**No**	-	-	**No**

Source: LND Consulting 2021a

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? Less Than Significant Impact

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

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

With regard to emissions of O_3 precursors NOx and VOCs during construction, the SIP includes emissions associated with construction in its emissions budget and therefore within its attainment demonstration. As identified above, the O_3 precursor emissions associated with project construction are well below the screening level thresholds. Therefore, the project would not result in additional emissions of O_3 precursors above those projected in the attainment demonstration for O_3. The project would therefore not result in a cumulatively considerable impact to O_3 levels within the SDAB. In summary, the project would not result in a cumulatively considerable net increase of O_3, PM_{10}, or $PM_{2.5}$ standards, for which the project region is non-attainment.

c) Expose sensitive receptors to substantial pollutant concentrations? <u>Less Than Significant Impact</u>

Sensitive receptors are defined as schools, hospitals, resident care facilities, and day-care centers, as well as residential receptors. The project site is located adjacent to the Mission Hills High School although the project construction would be on the west side of the Hollandia Dairy site with intervening facilities existing within the line of sight from the construction are to the school.

Since the school is within close proximity to the site, the school is analyzed as a sensitive receptor. In addition to the school, there is a multifamily development to the northwest which is also analyzed within this assessment. Given this, health risks must be quantified at these locations based on the Office of Environmental Health Hazard Assessment (OEHHA) requirements and would be required to show a cancer risk from diesel exhaust of construction equipment would generate a risk of less than 10 per one million exposed for a less than significant impact. Methodologies identified by OEHHA have been utilized within this screening assessment (OEHHA, 2015).

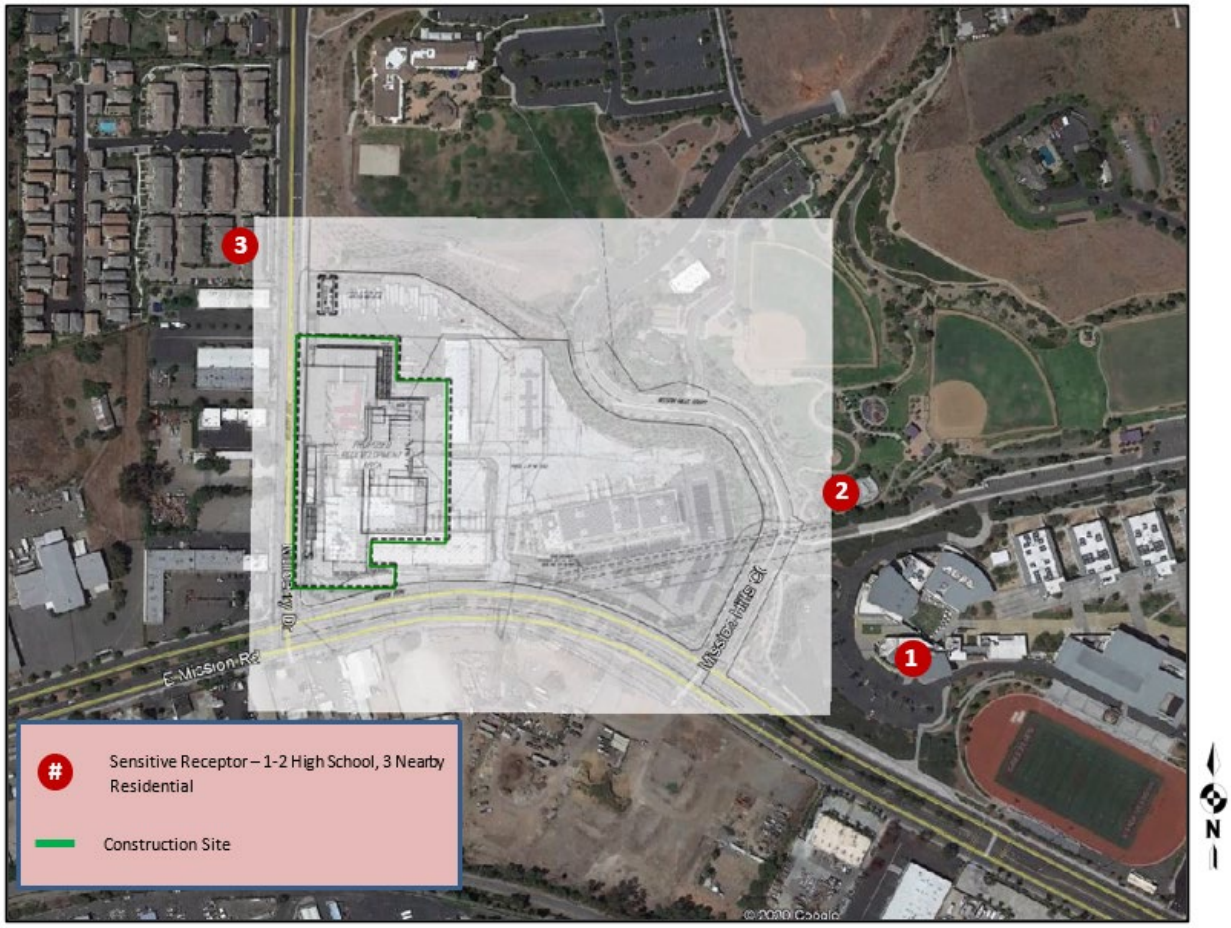
Based upon the air quality modeling, worst-case onsite PM_{10} from onsite construction exhaust would cumulatively produce 0.0036 tons during Phase 1 and 0.0011 tons during Phase 2 or a combined total of 0.0047 tons over the construction duration. The construction duration over both phases is (582-working days) or an average of $8.44x10^{-5}$ grams/second. The average emission rate over the grading area is $4.39x10^{-9}$ g/m^2/s.

OEHHA recommends that an exposure duration (residency time) of 30 years be used to estimate individual cancer risk for the Maximally Exposed Individual Resident (MEIR) or receptor. OEHHA also recommends that the 30-year exposure duration be used as the basis for public notification and risk reduction audits and plans. The High School site is the primary sensitive receptor. AERMOD was used to determine diesel emissions concentrations at nearby receptors. AERMOD was adopted by the United States Environmental Protection Agency (EPA) and as their preferred atmospheric dispersion regulatory model.

A graphical representation of the modeling locations is shown on a site aerial in **Figure 6**. The red points (Nos. 1, 2 and 3) represent the sensitive receptor locations where air quality emissions are calculated by AERMOD. Points Nos. 1 and 2 are associated with Mission Hills High School. Point No. 3 is a nearby multi-family home community. The green polygon represents the grading area.

The AERMOD outputs are provided in Appendix B. Utilizing the AERMOD dispersion model, we find that the peak maximum annual concentration is 0.0073 µg/m^3 at the nearby multi-family development and 0.0050 µg/m^3 at the Mission Hills High School Receptor No. 2. Utilizing the risk equations, the inhalation cancer risk at the worst-case receptor is 2.04 per one million exposed at the nearby multi-family development. Based on this, the T-BACT equipment would generate less than 10 per million exposed for a less than significant health risk impact during construction. Also, since all dispersed emissions from the project are lower at remaining receptor locations (Nos. 1 and 2), health risks at these locations would also be lower than 2.04 and less than significant.

Figure 6. Sensitive Receptor Locations



Source: LDN Consulting (2021a)

d) Result in other emissions such as those leading to odors affecting a substantial number of people? <u>Less Than Significant Impact</u>

For operations, according to the SCAQMD CEQA Air Quality Handbook (SCAQMD 1993), land uses associated with odor complaints are agricultural operations, wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding plants. The project is not in any of these categories and is not proposing any of these uses.

Potential onsite odor generators would include short-term construction odors from activities such as paving and possibly painting. Operationally, the project will not change the materials input or product output under the modernization project. The proposed would be required to be comply with California Health and Safety Code Section 41700 (California, 1975) and District Rule 51 (SDAPCD, 1976) which states that no person can discharge air contaminants that cause injury, nuisance or annoyance to any considerable number of persons or the public, or that endanger the comfort, health or safety of such persons and would include odors.

Because the project would not generate objectionable odors or place sensitive receptors near existing odor sources that would affect a considerable number of persons or the public during project construction or operation, odor impacts are less than significant.

IV. BIOLOGICAL RESOURCES

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? No Impact

The project site is entirely paved and developed, as it is currently the operational packaging facility for Hollandia Dairy. The project site is graded and relatively flat with elevations from approximately 610 feet amsl at the southwest corner at Mulberry Drive, to about 630 amsl in the northeast corner. Per FEMA, the project site is located within an area of minimal flood hazard or Zone X, as mapped by FEMA Panel 0794G. There are no species identified as a candidate, sensitive, or special status species supported on the project site.

The proposed project is intended to upgrade and renovate existing facilities on site or to replace old buildings and equipment to maintain compliance with current food safety regulations and standards and to increase employee workplace safety standards. No impact to sensitive biological resources would occur.

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? No Impact

The project site is completely paved and developed with the Hollandia Dairy facility. The proposed renovations to existing facilities and replacement of old buildings and equipment would not result in a substantial adverse effect on any riparian habitat or other sensitive natural communities. No impacts would occur to riparian habitat.

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? No Impact

The project site is completely paved and developed with the Hollandia Dairy facility. The proposed renovations to existing facilities and replacement of old buildings and equipment would not result in a substantial adverse effect on state or federally protected wetlands. No impact is identified.

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? No Impact

The project site is completely paved and developed with the Hollandia Dairy facility. The proposed renovations to existing facilities and replacement of old buildings and equipment would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites. No impact is identified.

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

The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. One tree will be removed during project construction and will be replaced. No impact is identified in this issue area.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? <u>No Impact</u>

The project site is completely paved and developed with the Hollandia Dairy facility. The proposed renovations to existing facilities and replacement of old buildings and equipment would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact is identified.

V. CULTURAL RESOURCES

A cultural resources study was prepared for the project by ASM Affiliates (ASM) (2020). The complete report is included as Appendix C of this document.

Records Search

As part of the cultural resources study, a records search request of the archives at the South Coastal Information Center, San Diego State University, of the California Historical Resources Information System for San Diego County (CHRIS), was requested and completed on September 16, 2020, by ASM. The record search area encompasses the project area and a search radius of one mile around it. The California Register of Historic Resources and the National Register of Historic Places were also examined to identify any additional resources within one mile of the project area.

The records search identified 63 previous reports that addressed areas within a one-mile radius of the project area. Two of these reports indicate that previous cultural resources surveys have occurred within the project area or intersect or overlap the project area. CHRIS records also indicate the presence of 23 previously recorded cultural resources outside of, but within a one-mile radius of the project area. No historical addresses were identified as occurring within the one-mile radius.

Native American Heritage Commission Search

On September 17, 2020, a letter was sent to the California Native American Heritage Commission (NAHC) to inquire about known areas of cultural concern, such as traditional cultural places, sacred sites, archaeological sites, or cultural landscapes that may exist within or within one mile of the originally proposed project. ASM received a response from the NAHC dated October 1, 2020, stating that a record search was negative. The NAHC response included a list of tribes that may have knowledge of cultural resources in the project area. ASM sent letters to each of these tribes and two responses were received.

On October 7, the Viejas Tribal Government responded that the project site has cultural significance or ties with the Kumeyaay Nation and recommended the City contact the San Pasqual Band of Mission Indians. On October 19, 2020, the Rincon Band of Luiseño Indians responded that the site is within the Territory of the Luiseno people and is also within Rincon's specific area of historic interest. The Rincon

Band recommended an archaeological resources search be conducted and that the results be provided to the Tribe. The City has provided the Rincon Band with a copy of the cultural resources report.

Site Survey

Both an archaeological and architectural history survey were conducted for the study.

Archaeological Survey

The project site was surveyed by Holly Drake, Senior Archaeologist with ASM, on October 2, 2020. P.J. Stoneburner, a Native American monitor with Saving Sacred Lands also participated in the site survey.

The project area is entirely paved and developed, as it is currently the operational packaging facility for Hollandia Dairy. Areas of exposed ground were limited to ornamental planters in the southwestern portion of the project area, all of which contained disturbed and mulched soil and ornamental plants that prevented visibility of the actual ground surface. No prehistoric or historical cultural material was identified on the ground surface within the project area, and the limited portions of exposed ground provided no evidence for the presence of surface or subsurface cultural resources.

Architectural Survey

Hollandia Dairy proposes demolition of several existing buildings and construction of new infrastructure on the currently developed property. The project area contains one building, the Hollandia Dairy building, constructed more than 45 years ago; as such, its potential for historical significance must be considered in compliance with CEQA. The property within this project area is proposed for redevelopment and modernization. The building within the project area was evaluated for its eligibility for listing in the California Register of Historical Resources (CRHR) and as an historical resource under CEQA.

ASM conducted archival research to develop a general historic context for dairies for San Diego County, a history of Hollandia Dairy, and land use history of the parcel. ASM collected City of San Marcos building permits and building records from the San Diego County Assessor's Office and obtained a chain of title for the project area. ASM contacted the San Marcos Historical Society and San Diego History Center for additional information, but due to COVID-19 restrictions, the San Marcos Historical Society was not available for research. Historical photographs and aerials from the San Diego History Center and Hollandia Dairy provided imperative information on how the complex developed over time. City directories were not readily available for this period.

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? <u>Less than Significant Impact</u>

A cultural resources study was prepared for the project by ASM (2020). The report presents the results of a cultural and historical resources inventory conducted within the project site and within a one-mile radius. No historical addresses were identified as occurring within a one-mile radius.

Hollandia Dairy proposes demolition of several existing buildings and construction of new infrastructure on the currently developed property. The project area contains one building, the Hollandia Dairy building, constructed more than 45 years ago; as such, its potential for historical significance must be considered in compliance with CEQA. ASM conducted archival research to develop a general historic context for dairies for San Diego County, a history of Hollandia Dairy, and land use history of the parcel and performed an architectural site survey.

Eligibility Criteria

California Register of Historical Resources Significance Criteria

The CRHR program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA. The criteria established for eligibility for the CRHR are directly comparable to the national criteria established for the National Register for Historic Places (NRHP). To be eligible for listing in the CRHR, a building must satisfy at least one of the following four criteria:

1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
2) It is associated with the lives of persons important to local, California, or national history.
3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values.
4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation [Public Resources Code, §5024.1(c)].

Historical resources eligible for listing in the CRHR must also retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

For the purposes of eligibility for the CRHR, integrity is defined as "the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance" (California Office of Historic Preservation 2001). This general definition is generally strengthened by the more specific definition offered by the NRHP—the criteria and guidelines on which the CRHR criteria and guidelines are based upon.

Integrity

To be eligible for listing in the NRHP and CRHR, a property must retain sufficient integrity to convey its significance. The NRHP publication *How to Apply the National Register Criteria for Evaluation*, National Register Bulletin 15, establishes how to evaluate the integrity of a property: "Integrity is the ability of a property to convey its significance" (National Park Service, National Register of Historic Places 1998).

The evaluation of integrity must be grounded in an understanding of a property's physical features and how they relate to the concept of integrity. Determining which of these aspects are most important to a property requires knowing why, where, and when a property is significant. To retain historic integrity, a property must possess several, and usually most, aspects of integrity:

1) **Location** is the place where the historic property was constructed or the place where the historic event occurred.
2) **Design** is the combination of elements that create the form, plan, space, structure, and style of a property.
3) **Setting** is the physical environment of a historic property and refers to the character of the site and the relationship to surrounding features and open space. Setting often refers to the basic physical conditions under which a property was built and the functions it was intended to serve.

These features can be either natural or manmade, including vegetation, paths, fences, and relationships between other features or open space.

4) **Materials** are the physical elements that were combined or deposited during a particular period or time, and in a particular pattern or configuration to form a historic property.

5) **Workmanship** is the physical evidence of crafts of a particular culture or people during any given period of history or prehistory and can be applied to the property as a whole, or to individual components.

6) **Feeling** is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, when taken together, convey the property's historic character.

7) **Association** is the direct link between the important historic event or person and a historic property.

California Environmental Quality Act Significance Criteria

California Code of Regulations, Title 14, §15064.5 Determining the Significance of Impacts to Archeological and Historical Resources requires that all private and public activities not specifically exempted be evaluated against the potential for environmental damage, including effects to historical resources. Historical resources are recognized as part of the environment under CEQA. It defines historical resources, in pertinent part, as "[a]any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California[.]"

Lead agencies have a responsibility to evaluate historical resources against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources. Mitigation of adverse impacts is required if the proposed project will cause substantial adverse change to a historical resource.

Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired. While demolition and destruction are fairly obvious significant impacts, it is more difficult to assess when change, alteration, or relocation crosses the threshold of substantial adverse change. California Code of Regulations, Title 14, §15064.5(b)(2) provides that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance. The CRHR is used in the consideration of historical resources relative to significance for purposes of CEQA. The CRHR includes resources listed in, or formally determined eligible for listing in, the NRHP, as well as some California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory, may be eligible for listing in the CRHR and are presumed to be significant resources for purposes of CEQA, unless a preponderance of evidence indicates otherwise.

Generally, under California Code of Regulations, Title 14, §15064.5(a), a resource is considered by the lead agency to be a "historical resource" if it:

1) Is listed in, or determined to be eligible by, the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code, §5024.1; California Code of Regulations, Title 14, §§4850 et seq.).

2) Is included in a local register of historical resources, as defined in Public Resources Code, §5020.1(k), or is identified as significant in an historical resource survey meeting the requirements of Public Resources Code, §5024.1(g).

3) Is a building or structure determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California (Public Resources Code, §5024.1; California Code of Regulations, Title 14, §4852).

Evaluation of Eligibility

In evaluating the Hollandia Dairy building within the proposed project site, ASM considered a number of factors relevant to making a recommendation of eligibility for the CRHR, including:

- The history of Hollandia Dairy;
- The history of the building's construction, use, and association with dairies within San Diego County;
- The history of the surrounding community and the building's relationship to that community;
- The building's association with important people or events;
- Whether the building is the work of a master architect, craftsman, artist, or landscaper;
- Whether the building is representative of a particular style or method of construction; and
- Whether the building has undergone structural alterations over the years, the extent to which such alterations have compromised its historical integrity, and the current condition of the property.

ASM considered the Hollandia Dairy building's significance within the local-level theme of Agriculture. The potential period of significance considered for the property under Criterion 1 of CRHR begins in 1956, when the store and milk plant were constructed during the growth of dairy production in San Diego County, and ending in 1970, when the dairy industry in San Diego began its decline. The end date of 1970 is also 50 years ago, corresponding to the age at which properties potentially eligible for the CRHR no longer need to demonstrate that sufficient time has passed to understand its historical importance.

Hollandia Dairy helped define San Diego County as an important dairy producer in California during the height of dairy production in San Diego County from the early 1950s to the early 1970s. By 1972, the overall consumption of milk decreased in San Diego County. Hollandia Dairy remained steadfast and renovated its facilities to remain competitive in a changing market. It championed through inflation, milk surpluses, and increasing operation costs when other dairies in San Diego County consolidated or sold their land for residential developments largely beginning in the early 1970s. Over the years, Hollandia Dairy's survival largely hinged on its ability to process milk for those remaining dairies in the county as well as its own milk. It needed much larger facilities to store, package, and ship milk. Hollandia Dairy has been a stalwart for the San Marcos community offering its milk products at the store and through home deliveries. It remained an important cultural icon of San Marcos' rural past when the rural community became a city in 1963 and rural land transitioned into commercial and residential properties. As such, the Hollandia Dairy is clearly associated with events that made a significant contribution to the broad patterns of local history, specifically Agriculture in Northern San Diego County, and would therefore be potentially eligible for the CRHR under Criterion 1. However, as the Integrity Assessment below concludes, it is not eligible under Criterion 1 as the building does not retain sufficient integrity to its period of significance (see Integrity Assessment below).

Arie de Jong, Sr., who established Hollandia Dairy, was a long-time and well-known resident of San Marcos. Arie is arguably a historically significant individual to the community of San Marcos. Arie remained an owner of the dairy until he retired in 1968, the end of the productive years of his career and strong association with the Hollandia Dairy property in San Marcos. However, the fact that Arie was only associated with the property for a short time after its construction in 1956. The following year, Arie's brothers became co-owners of the family dairy and from 1958 to 1968 Arie was largely in Hanford, California, establishing another family dairy. Arie maintained a second home on the property (no longer extant) after he retired from 1968 until his death in 1989. As Arie de Jong, Sr. was only associated with the property for two years of his productive career, it does not retain a strong enough association to be eligible for the CRHR under Criterion 2.

The Hollandia Dairy building was originally built as a vernacular building with some Mid-Century Modern and late Colonial Revival stylistic influences. As constructed, the building was not a good representation of any architectural style. Alternations and additions to the building after 1956 have resulted in a building that lacks distinctive characteristics of a type, period, or method of construction. It was not designed by a master nor does it possess high artistic values. As such, ASM recommends the Hollandia Dairy is not eligible for the CRHR under Criterion 3.

Finally, the Hollandia Dairy is not eligible under Criterion 4 as it does not have the potential to yield, information important to prehistory or history that cannot be obtained through historic research.

Integrity Assessment

For a property to be eligible for the CRHR, it must not only be significant under one of the criteria, but also retain integrity to its period of significance. NRHP guidelines (as adopted by the CRHR) state that a property must possess several, and usually most of the seven aspects of integrity. As the Hollandia Dairy could appear to be eligible under Criterion 1, an assessment of integrity to its period of significance of 1956-1970 is included below.

1) **Location** The portion of the Hollandia Dairy building that existed in 1970 is still in its original location and the building retains its integrity of location.
2) **Design** While some original features are evident—a wooden, double-hung window, period downspouts, and a 1950s diamond shaped glass block window, the building no longer reads as a building constructed in 1950s. Integrity of design has been negatively impacted by the multiple alterations to the south façade, including a retail store entrance addition from the early 1970s and an addition to the southeast corner that removed one of two 1950s-era glass block windows. The roof trim with tile is no longer evident. The entire eastern façade of the store was absorbed by one of the later additions and is no longer visible. The many additions now overwhelm the original building replaced by a much larger mass that largely dates to post-1970. As such, the integrity of design is poor.
3) **Setting** The setting of the building has been altered since the end of the period of significance. The 120-acre dairy is now less than 16 acres. The associated barns and structures as well as the de Jong residence no longer exist on the property. The school, park, church, and other adjacent construction are further examples of intrusions in the setting of the property. Therefore, integrity of setting is poor.
4) **Materials** - The original exterior walls have been covered with a stucco that does not appear to be original. Primary entrance doors have been removed, original windows have been lost and/or

replaced, and roof tiles have been removed. The extant building has been altered to the point where it no longer retains integrity of materials.

5) **Workmanship** - The Hollandia Dairy has been altered to the point that it no longer retains components that serve as evidence of a particular period of history nor does it reveal methods of construction or technology of a specific craft. Therefore, it has no integrity of workmanship.

6) **Feeling** - Due to alterations to the building and the other elements of the property, the Hollandia Dairy no longer retains integrity of feeling.

7) **Association** - The Hollandia Dairy has poor integrity of association as it cannot sufficiently convey its historic function and association with Agriculture in Northern San Diego County.

While the Hollandia Dairy retains integrity of location, it has poor integrity of design and setting and no integrity of materials, workmanship, feeling, or association. As such, the Hollandia Dairy does not retain sufficient integrity to convey its significance for eligibility to the CRHR.

Conclusion

Although the Hollandia Dairy building meets CRHR Criterion 1 under the theme of Agriculture, the building is not eligible for the CRHR because it does not retain sufficient overall integrity to convey its historical significance. The Hollandia Dairy does not meet any of the other CRHR criteria. As such, the Hollandia Dairy is not eligible for the CRHR, either individually or as a historic district, and is therefore not a CEQA historical resource. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5 and a less than significant impact is identified.

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

Based upon the cultural resources study prepared for the project, no archaeological resources are known to occur on the project site and none were observed during the field work (ASM 2020).

The sites that occur within a one-mile radius of the project site consist predominantly of prehistoric resources. Most of these prehistoric sites are lithic scatters, with the remainder composed primarily of bedrock milling features. One site was noted to contain habitation debris, indicating a more intensive use of that location. In general, most of these sites were disturbed or destroyed by modern construction and development activities and are now characterized by relatively sparse surficial manifestations or sparse and relatively shallow subsurface deposits. Some historic buildings and structures, remnants of historic foundations, historic debris scatters, and a historic highway segment have also been recorded within a one-mile radius of the project site.

The intensive visual inspection of the accessible portions of the project site provided no evidence for the presence of cultural resources in those areas. However, as previously noted, most of the project area is paved and/or developed, and the lack of ground surface visibility in the majority of the project prevented inspection of the ground surface during the pedestrian survey. Although the likelihood of subsurface deposits is low, it is possible that subsurface cultural deposits are still present under the surface and construction activities could impact these resources if they are present. This represents a significant impact and mitigation is required. (**Impact CR-1**).

The following mitigation measures apply to grading and construction activity that occurs within areas of previously undisturbed soil. Once construction excavation has exposed soil to a sufficient depth that precludes the potential for cultural resources, typically greater than 1 meter, or depths at which cultural resources may be present, the cultural resources monitoring may be ceased.

MM-CR-1a Prior to the issuance of a Grading Permit, or ground-disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with the San Luis Rey Band of Mission Indians, and/or another Traditionally and Culturally Affiliated Native American Tribe ("TCA Tribe"). The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of Native American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas and other tribal cultural resources, located within and/or discovered during ground disturbing and/or construction activities for the proposed project, including any additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and all other ground disturbing activities.

MM-CR-1b The landowner shall relinquish ownership of all non-burial related tribal cultural resources collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement. Any burial related tribal cultural resources (as determined by the Most Likely Descendant) shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission pursuant to California Public Resources Code Section 5097.98. If none of the TCA Tribes accept the return of the cultural resources, then the cultural resources will be subject to the curation requirements contained herein. Additionally, in the event that curation of tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved facility and the curation shall be guided by California State Historic Resource Commissions Guidelines for the Curation of Archaeological Collections. The City of San Marcos shall provide the developer final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The applicant shall provide to the City written documentation from the TCA Tribe, the Most Likely Descendant, and/or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.

MM-CR-1c Prior to the issuance of a Grading Permit or ground-disturbing activities, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the Development Services Department stating that a Qualified Archaeologist and TCA Native American monitor have been retained at the Applicant/Owner or Grading Contractor's expense to implement the monitoring program, as described in the Tribal Cultural Resource Treatment and Monitoring Agreement.

MM-CR-1d Prior to submittal of grading and/or improvement as-built plans, or prior to the issuance of any project Certificate of Occupancy, a monitoring report, which describes

the results, analysis and conclusions of the archaeological monitoring program shall be submitted by the Qualified Archaeologist, along with the TCA Native American monitor's notes and comments, to the Planning Division Manager for approval. A copy of any submitted monitoring report shall be provided to the San Luis Rey Band of Mission Indians and any other TCA Tribe that requests the report.

MM-CR-1e The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall notify the Planning Division, preferably through e-mail, of the start and end of all ground disturbing activities.

MM-CR-1f The Qualified Archaeologist and TCA Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on-site full-time during grubbing, grading and/or other ground disturbing activities, including the placement of imported fill materials or fill used from other areas of the project site, to identify any evidence of potential archaeological or cultural resources. All fill materials shall be absent of any and all cultural resources. The Applicant/Owner or Grading Contractor may submit written documentation to the City to substantiate if any fill material is absent of cultural resources. Should the City concur that the fill material is absent of cultural resources, in consultation with a Qualified Archaeologist and/or the TCA Native American monitor, then no monitoring of that fill material is required.

MM-CR-1g The Qualified Archaeologist or the TCA Native American monitor may halt ground disturbing activities if unknown archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field, collected, and be given to the TCA Tribe so that they may be reburied at the site on a later date. If a determination is made that the unearthed artifact deposits or tribal cultural resources are considered potentially significant, the San Luis Rey Band of Mission Indians and/or the TCA Tribe referenced in CR-1 shall be notified and consulted with in regard to the respectful and dignified treatment of those resources. All sacred sites, significant tribal cultural resources and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation, if feasible. If, however, a data recovery plan is authorized by the City as the Lead Agency under CEQA, the contracted San Luis Rey Band of Mission Indians and/or the TCA Tribe referenced in CR-1 shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant artifact deposits, tribal cultural resources or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA

Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the TCA Native American monitor, may at their discretion, collect said resources and provide them to the contracted TCA Tribe referenced in CR-1 for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. If the Developer, the Qualified Archaeologist, and the TCA Tribe cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of the California Environmental Quality Act and California Public Resources Code Section 21083.2(b) with respect to archaeological resources, tribal cultural resources and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe. Notwithstanding any other rights available under law, the decision of the Planning Division Manager shall be appealable to the Planning Commission and/or City Council.

MM-CR-1h 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 Medical Examiner's Office. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner 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, and consultation and treatment could occur as prescribed by law. By law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC), by telephone, within 24 hours. The NAHC will make a determination as to the Most Likely Descendent. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the examination of the remains shall only occur on-site in the presence of a TCA Native American monitor.

Tribal Consultation

Assembly Bill (AB) 52 Assembly Bill (AB) 52 requires consultation with California Native American Tribes and consideration of tribal cultural resources, requiring consultation prior to the release of an environmental document if requested by a California Native American Tribe. Outreach to local tribes by the City, consistent with AB 52, was initiated as part of the preparation of this environmental document. The Rincon Band requested consultation and the City and consultation completed on May 19, 2021.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries? <u>Less Than Significant with Mitigation Incorporated</u>

The cultural resource study prepared for the project did not indicate the likelihood of human remains on the site (ASM 2020). Additionally, existing regulations through the California Health and Safety Code Section 7050.5 state that if human remains are discovered during project construction, no further

disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the San Diego County Coroner determines the remains to be Native American, the NAHC shall be contacted within a reasonable timeframe. Subsequently, the NAHC shall identify the Most Likely Descendant. The Most Likely Descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Furthermore, while there is no evidence of human remains on the project site, as provided by mitigation measures MM-CR-1a through MM-CR-1h, an archaeological monitor and a Luiseño Native American monitor shall be present during the earth moving and grading activities to assure that any resources found during project grading would be protected. Mitigation measure MM-CR-1h further details the requirements should human remains be encountered during project construction. With mitigation, the project would not disturb any human remains, including those interred outside of formal cemeteries. Impacts would be less than significant with the incorporation of mitigation.

VI. ENERGY

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction, or operation? Less than Significant Impact

Energy service to the project site is currently provided by San Diego Gas & Electric (SDG&E). In 2020 a photovoltaic system was installed on the rooftop of two buildings and on parking canopies. The system includes 2,842 panels and can produce up to 1,66MM kwh/year, which represents about 27% of the site's energy demand. The existing photovoltaic system will not be impacted or disrupted by the project.

Construction activities for the project would include demolition of some existing structures on the project site, grading, building construction and application of architectural coatings to the new buildings, and repaving some areas of the parking lots.

The project would consume energy resources during construction in three general forms: 1) petroleum-based fuels used to power off-road construction vehicles and equipment on the site, construction worker travel to and from the project site, as well as delivery and haul truck trips (e.g. soils import) ; 2) electricity associated with the conveyance of water that would be used during project construction for dust control (supply and conveyance) and 3) electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power.

Operational energy use would include, but not limited to, heating/ventilating/air conditioning (HVAC), dairy production equipment, refrigeration, lighting, appliances, and electronics. Energy would also be consumed during operations related to water usage, solid waste disposal, landscape equipment and vehicle trips.

The project would comply with regulatory compliance measures outlined by the State and City related to air quality, GHG emissions, transportation/circulation, and water supply. Additionally, the project will be constructed in accordance with all applicable City Building and Fire Codes which require efficiency and energy conservation.

The project does not propose any excessive or unnecessary energy consumption beyond what would be typical of this type of development. Therefore, potential impacts associated with the wasteful, inefficient,

or unnecessary consumption of energy resources during project construction or operation would be less than significant.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? Less than Significant Impact

The project would comply with all Federal, State, and City requirements related to the consumption of electricity, including but not limited to, CCR Title 24, Part 6 *Building Energy Efficiency Standards* and CCR Title 24, Part 11: *California Green Building Standards.* The CCR Title 24, Part 6 and Part 11 standards require numerous energy efficiency measures to be incorporated into the proposed buildings, including enhanced insulation, use of energy efficient lighting and appliances as well as requiring a variety of other energy-efficiency measures to be incorporated into all of the proposed structures. Therefore, the project would be designed and built to minimize electricity use and that existing and planned electricity capacity and electricity supplies would be enough to support the project's electricity demand and impacts related to electrical supply and infrastructure capacity would be less than significant.

The Conservation Element of the General Plan includes local policies related energy conservation. These are primarily related to the incorporation of energy efficient features in a project and the use of renewable energy. In 2020 a photovoltaic system was installed on the rooftops of two buildings and on parking canopies at the project site. The system includes 2,842 panels and can produce up to 1,66MM kwh/year, which represents about 27% of the site's energy demand. The existing photovoltaic system will not be impacted or disrupted by the project. As previously sated, the project will comply with state energy efficiency standards and impacts would be less than significant.

VII. GEOLOGY AND SOILS

A soils report was prepared for the project site by NOVA Services, Inc (2019). The complete report is included as **Appendix D** of this document.

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. No Impact

The project site is located within a seismically active region, as is all of southern California; however, the project site not located on or adjacent to any known active faults. According to California Earthquake Hazard Zone Application, the City of San Marcos is not identified as a jurisdiction affected by Alquist-Priolo Earthquake Fault Zones (California Department of Conservation 2019).

According to the soils report prepared by Nova Services included as Appendix D of this document, there are no known active or potentially active faults transecting the project site. Further, the project site is not located within any State Mapped Earthquake Fault Zone or County of San Diego mapped fault zone. The nearest known active fault to the project site is the Newport-Inglewood-Rose Canyon Fault Zone, located approximately 13.3 miles west of the project site. Therefore, the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. No impact is identified for this issue area.

b) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking? <u>Less Than Significant Impact</u>

The proposed project is located in seismically-active southern California. The type and magnitude of seismic hazards affecting the site are dependent on the distance to causative faults, the intensity, and the magnitude of the seismic event. Per the soils report prepared for the project site (NOVA Services 2019), the Rose Canyon Fault is considered to have the most significant effect at the site from a design standpoint. The fault is located approximately 13.3 miles to the west of the site. The project site is not located within an Alquist-Priolo Earthquake Fault Zone. All structures on the site would be designed in accordance with seismic parameters of the latest California Building Code. Therefore, the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Impacts would be less than significant.

c) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction? <u>No Impact</u>

Seismic-related Ground Failure

The soils report indicated that there are no active faults are mapped on the project site and the site is not located within a mapped Alquist-Priolo Earthquake Fault Zone. Shallow ground rupture due to shaking from distant seismic events is not considered to be a significant hazard for the project site (NOVA Services 2019). No impact is identified for this issue area.

Liquefaction

The project site is identified as having Zero to Low Susceptibility for liquefaction per Figure 6-1 of the Safety Element of the City's General Plan. Further, the soils report indicated that the cemented, very dense, and geologically 'older' subsurface units at this site have no potential for liquefaction. No impact is identified for this issue area.

Seismically Induced Settlement

Apart from liquefaction, a strong seismic event can induce settlement within loose to moderately dense, unsaturated granular soils. The soils report indicated that the soils on the project are sufficiently cemented and dense that these soils will not be prone to seismic settlement. No impact is identified for this issue area.

d) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides? <u>No Impact</u>

The project site is generally flat and is located in a generally flat portion of the City. The project site is identified as having Zero to Low Susceptibility for soil slip, surficial landslides, or debris flow per Figure 6-1 of the Safety Element of the City's General Plan. Also, in consideration of the level ground at and around the site, NOVA Services reviewed of published information regarding landslide hazard at the site and determined the risk to be 'negligible' for the site and the surrounding area. No impact is identified for this issue area.

e) Result in substantial soil erosion or the loss of topsoil? <u>Less than Significant Impact</u>

The project site is relatively flat. There are no existing slopes on the site and no new slopes are planned as part of the future site development. Per the Soils Report, there is no concern regarding embankment stability or erosion-related washouts or soil creep at this site.

The project would be under the State Water Resources Control Board (SWRCB) General Construction Permit, which prohibits sediment or pollutant release from the project site and requires preparation of a Stormwater Pollution Prevention Plan (SWPPP) and implementation of best management practices (BMPs) that would incorporate erosion and sediment control measures during and after grading operations to stabilize graded areas. Permanent vegetation would also be required to stabilize graded areas. The project would not result in substantial soil erosion or the loss of topsoil. Impacts would be less than significant.

f) 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? <u>Less than Significant Impact</u>

The project site is not located on or adjacent to any known active faults nor is the site underlain by soils that are conducive to landslides. The project would not 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. Per the soils report prepared for the project site, the cemented, very dense, and geologically 'older' subsurface units at this site have no potential for liquefaction. Adverse impacts from liquefaction are considered low. Lateral spreading is a phenomenon in which large blocks of intact, non-liquefied soil move downslope on a liquefied soil layer. Lateral spreading is often a regional event. For lateral spreading to occur, a liquefiable soil zone must be laterally continuous and unconstrained, free to move along sloping ground. Due to the absence of a potential for liquefaction and relatively flat surrounding topography, there is no potential for lateral spreading. Impacts would be less than significant.

g) 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? <u>Less Than Significant Impact with Mitigation Incorporated</u>

According to the soils report prepared for the project site (Nova Systems), the majority of the onsite material is expected to have medium expansion potential. However, higher expansive soils may be encountered during the grading of the site. This represents a significant impact (**Impact GEO-1**), and mitigation is required. As a condition of project approval, implementation of the following mitigation measure (MM-GEO-1) will be required, and will reduce the impact to below a level of significance:

MM-GEO-1 The project applicant shall implement the geotechnical recommendations identified beginning on pages 27 – 41 of the Soils Report prepared by NOVA Systems for the project site. These recommendations address seismic design parameters, corrosivity and sulfates, earthwork activities, foundations, and slab considerations, retaining wall design, and temporary slopes.

h) Have soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? <u>No Impact</u>

The project does not propose any septic tanks or alternative wastewater disposal systems. The project will continue to be served by VWD for wastewater service. Therefore, no impact is identified for this issue area.

i) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? <u>Less than Significant Impact</u>

The project area is located in the coastal portion of the Peninsular Range geomorphic province. This geomorphic province encompasses an area that extends approximately 900 miles from the Transverse Ranges and the Los Angeles Basin south to the southern tip of Baja California. The province varies in width from approximately 30 to 100 miles.

This area of the Province has undergone several episodes of marine inundation and subsequent marine regression (coastline changes) throughout the last 54 million years. These events have resulted in the deposition of a thick sequence of marine and nonmarine sedimentary rocks on the basement igneous rocks of the Southern California Batholith and metamorphic rocks.

Gradual emergence of the region from the sea occurred in Pleistocene time, and numerous wave-cut platforms, most of which were covered by relatively thin marine and nonmarine terrace deposits, formed as the sea receded from the land. Accelerated fluvial erosion during periods of heavy rainfall, along with the lowering of base sea level during Quaternary times, resulted in the rolling hills, mesas and deeply incised canyons which characterize the landforms in western San Diego County.

According to the soils report prepared for the project (NOVA systems), the geologic conditions underlying the site consist of:

- Undocumented artificial soils (Afu), or Fill comprised of sandy silt of firm to stiff consistency
- Quaternary-aged Young and Old Alluvium (Qya and Qoa)
- Metavolcanics beneath the alluvium. (Mzu) basement rocks and Cretaceous Tonalite.

According to the San Marcos General Plan EIR (page 3.12-1), older Pleistocene-age alluvial deposits have the potential to yield "Ice-age" fossils. In composition, these deposits consist of "moderately well consolidated, poorly sorted, permeable, commonly slightly desiccated gravel, sand, silt, and clay-bearing alluvium." These Pleistocene alluvial deposits are locally capped by Holocene alluvium and artificial fill, and at depth, are underlain by Cretaceous and older igneous rocks. Pleistocene old alluvial flood plain deposits in northern San Diego County include recorded fossil collecting localities in Vista, Carlsbad, and Oceanside. These localities have yielded fossils of terrestrial plants, freshwater and terrestrial invertebrates such as clams and snails, and terrestrial mammals such as ground sloth, rodents, horse, tapir, camel, llama, deer, mastodon, and mammoth. Given that no fossils have been recovered from the sediments mapped as old alluvial flood plain deposits in the City, it is suggested that these deposits have an unproven and/or undetermined paleontological sensitivity. Since the project site has already been developed, there is a low likelihood of encountering paleontological resources. Impacts would be less than significant.

VIII. GREENHOUSE GAS EMISSIONS

A Climate Action Plan Consistency Review Checklist (Checklist) was completed for the project and is included as **Appendix E** of this document. The purpose of the Checklist is to implemented greenhouse gas (GHG) reduction measures from the Climate Action Plan (CAP) that apply to new discretionary development projects. New development would demonstrate consistency with relevant CAP strategies and would not conflict with the City's ability to achieve the identified GHG reduction targets through implementation of applicable measures. Projects that are consistent with the CAP, as determined through the use of this Checklist, may rely on the CAP for the cumulative impact analysis of GHG emissions. A greenhouse gas screening letter was also prepared for the project and is included as **Appendix E**.

The City adopted an updated CAP on December 8, 2020 (San Marcos 2020b). The CAP outlines strategies and measures that the City will undertake to achieve its proportional share of State greenhouse gas (GHG) emissions reduction targets.

The City's CAP is a qualified GHG emissions reduction plan in accordance with State CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of a CAP.

Appendix D of the City's CAP is the City's *Guidance to Demonstrating Consistency with the City of San Marcos Climate Action Plan: For Discretionary Projects Subject to CEQA* (Guidance Document). The Guidance Document establishes a GHG screening threshold of 500 $MTCO_2e$/year for new development projects in order to determine if a project would need to demonstrated consistency with the CAP through the Checklist. Projects that are projected to emit fewer than 500 $MTCO_2e$/year would not make a considerable contribution to the cumulative impact of climate change and would not need to provide additional analysis to demonstrate consistency with the CAP (page 3, Guidance Document).

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

Construction Emissions

Construction-related GHG emissions include emissions from demolition and construction equipment, truck traffic, and worker trips. Emissions for construction of the dairy modernization were calculated based on emission factors from the CalEEMod 2020.4.0 model. Additionally, as a design feature of the project, the construction contractor shall use Tier IV rated diesel construction equipment to minimize diesel particulates from construction equipment. A list of anticipated demolition and construction equipment is included in Table 2 of the greenhouse gas report (Appendix E of this document).

Tables 10 and 11 present the anticipated construction emissions for the proposed project for Phase 1 and Phase 2.

Table 10. Phase 1 Expected Construction CO2e Emissions Summary (Metric Tons)

Year	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	Total CO2e (metric tons)
2021	0.00	71.16	71.16	0.01	0.00	71.77
2022	0.00	176.35	176.32	0.03	0.00	177.72
Total Phase 1 Construction Emissions						**249.49**
Yearly Average Construction Emissions (Metric Tons/year over 30 years)						**8.32**

Source: LDN Consulting, 2021b.
Notes: CO2 = Carbon Dioxide; CH4 = Methane; N2O= Nitrous Oxide

Table 11. Phase 2 Expected Construction CO2e Emissions Summary (Metric Tons)

Year	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	Total CO2e (metric tons)
2022	0.00	15.23	15.23	0.00	0.00	15.46
2023	0.00	64.62	64.62	0.02	0.00	65.43
Total Phase 2 Construction Emissions						**80.89**
Yearly Average Construction Emissions (Metric Tons/year over 30 years)						**2.70**

Source: LDN Consulting, 2021b.
Notes: CO_2 = Carbon Dioxide; CH_4 = Methane; N_2O= Nitrous Oxide

As shown in Table 10, anticipated construction-related GHG emissions for Phase 1 of the project are estimated at 249.49 MT of CO2e over the construction life of the project. Per guidance from SCAQMD, the construction-related emissions are amortized over a 30-year period because impacts from construction activities occur over a relatively short-term period of time and they contribute a relatively small portion of the overall lifetime project GHG emissions (SCAQMD 2008). SDAPCD does not have guidance on this topic and SCAQMD's recommended methodology has been widely accepted throughout the State. This amortized figure estimates project construction would be 8.32 MT/year of CO2e per year.

As shown in Table 11, anticipated construction-related GHG emissions for Phase 2 of the project are estimated at 80.89 MT of CO2e over the construction life of the project. Per SCAQMD guidance, these emissions are amortized over 30 years (SCAQMD 2008). This amortized figure estimates project construction would be 2.70 MT/year of CO2e per year. The combined amortized construction emissions for Phase 1 and Phase 2 would be 11.02 MT/year of CO2e per year.

Operational Emissions (Existing Use)

Operations at the existing Hollandia Dairy would remain the same with the approval of the project. . There would not be an increase in materials input or product yield with the modernization of the dairy nor would there be an increase in trips under the proposed project. The number of tanker trucks bring in product and the number of delivery trucks delivering products would remain the same. The number of employees would be similar to what is under the current operations.

The project proposes to replace their existing creamery and central plant containing approximately 27,372 s.f. of which 25,137 s.f. is occupied space. This analysis compares the emissions generated by the existing facilities, constructed in the 1950s, with the emissions generated by the proposed modern facility.

GHGs from the existing occupied area include the emissions generated from area, energy, solid waste and water uses, and were calculated within CalEEMod. The program is largely based on default settings which are automatically populated throughout the model based on the inputted land use. CalEEMod has an option to use energy emissions from 2019 or from before 2019 (historic inputs). The facility was constructed in the 1950s and would likely generate higher emissions from older equipment than the default settings. However, since the existing operational emissions will be subtracted from the proposed operational emissions, to be conservative, this analysis assumed energy emissions for the existing facility to be from 2019 or newer. Mobile emissions were excluded from the analysis since the proposed modernization project would not change capacity or worker levels and vehicular trips would remain the same. The calculated operational emissions for the existing operations are identified in **Table 12** and were done for the 2023 scenario. Based on these findings, the existing area generates 263.64 $MTCO_2e$.

Table 12. Existing Facility Operational Emissions Summary (MT/Year)

Year	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e (MT/Yr)
Area	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	224.38	224.38	0.01	0.00	225.24
Mobile	0.00	0.00	0.00	0.00	0.00	0.00
Waste	4.80	0.00	4.80	0.28	0.00	11.88
Water	1.84	18.54	20.39	0.19	0.00	26.52
Total Existing Facility Operations (MT/Year)						**263.64**

Source: LDN Consulting, 2021b.
Notes: CO_2 = Carbon Dioxide; CH_4 = Methane; N_2O= Nitrous Oxide

Project Related Operational Emissions

As previously discussed, emissions generated from area, energy, solid waste and water uses are also calculated within CalEEMod. CalEEMod is largely based on default settings which are automatically populated throughout the model based on the inputted land uses. It should be noted that specific equipment within the plant was not modeled individually since the proposed modernized plant would not increase capacity. Some of the equipment will be upgraded, which will result in even greater efficiencies, and some of the existing equipment will be retained and continued to be used. Therefore, CalEEMod algorithms are sufficient for planning purposes.

The Phase 1 and Phase 2 operation modeling results are provided in Attachments A and B of Appendix E of this document. As shown in **Table 13**, the calculated operational emissions for Phase 1 and Phase 2, including the annualized construction emissions from both phases, minus the emissions from the existing use that will be replaced under this project, is 233.82 $MTCO_2e$.

Table 13. Proposed Operations Summary (MT/Year)

Year	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e (MT/Yr)
Phase 1 - Area	0.00	0.00	0.00	0.00	0.00	0.00
Phase 1 - Energy	0.00	349.22	349.22	0.02	0.00	350.58
Phase 1 - Waste	9.38	0.00	9.38	0.55	0.00	23.23
Phase 1 - Water	3.37	36.64	40.01	0.35	0.01	51.25
Phase 2 - Area	0.00	0.00	0.00	0.00	0.00	0.00
Phase 2 - Energy	0.00	26.82	26.82	0.00	0.00	26.92
Phase 2 - Waste	5.34	0.00	5.34	0.32	0.00	13.24
Phase 2 - Water	2.05	20.65	22.70	0.21	0.01	29.54
Proposed Operations						494.76
Phase 1 – Amortized Construction Emissions						8.32
Phase 2 – Amortized Construction Emissions						2.72
Proposed Operations Plus Phase 1 and Phase 2 Construction Emissions						**497.46**
Existing Operations						**-263.64**
Total Proposed Additional Facility Operational GHG Emissions (MT/Year)						**233.82**

Source: LDN Consulting, 2021b.
Notes: CO_2 = Carbon Dioxide; CH_4 = Methane; N_2O= Nitrous Oxide

Based on the analysis the project would generate a net increase in GHG emissions of 233.82 MTCO2e per year. Since this is below the 500 $MTCO_2e$/year screening threshold, GHG impacts would be less than significant.

Since the proposed project would not be expected to modify existing operations, the project would not increase operational-related greenhouse gas emissions. Given this, operational greenhouse gas impacts would be less than significant.

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

The City's CAP is the applicable plan adopted for the purpose of reducing greenhouse gas emissions. Appendix D of the City's CAP is the Guidance Document. The Guidance Document establishes a GHG screening threshold of 500 $MTCO_2e$/year for new development projects in order to determine if a project would need to demonstrate consistency with the CAP through the Checklist. Projects that are projected to emit fewer than 500 $MTCO_2e$/year would not make a considerable contribution to the cumulative impact of climate change and would not need to provide additional analysis to demonstrate consistency with the CAP (page 3, Guidance Document). Based upon the analysis presented in Table 13, the project would generate a net increase in GHG emissions of 233.82 MTCO2e per year. This is below the 500 $MTCO_2e$/year screening threshold in the City's CAP. The proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emission of greenhouse gases. Impacts would be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

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

Hazardous materials include solids, liquids, or gaseous materials that, because of their quantity, concentration, or physical, chemical, or infectious characteristics could pose a threat to human health or the environment. Hazards include the risks associated with potential explosions, fires, or release of hazardous substances in the event of an accident or natural disaster, which may cause or contribute to an increase in mortality or serious illness or pose substantial harm to human health or the environment.

The proposed project would involve the transport of fuels, lubricants, and various other liquids needed for operation of construction equipment at the site on an as-needed basis by equipment service trucks. In addition, workers would commute to the project site via private vehicles and would operate construction vehicles and equipment on both public and private streets. Materials hazardous to humans, wildlife, and sensitive environments, including diesel fuel, gasoline, equipment fluids, concrete, cleaning solutions and solvents, lubricant oils, adhesives, human waste, and chemical toilets, would be present during project construction. The potential exists for direct impacts to human health from accidental spills of small amounts of hazardous materials from construction equipment; however, the proposed project would be required to comply with Federal, State, and City Municipal Code restrictions which regulate and control those materials handled onsite. Compliance with these restrictions and laws would ensure that potentially significant impacts would not occur during project construction.

Modification of the CUP would not change operations from the existing Dairy facilities. There would no change or increase in hazardous materials as a result of the CUP. The proposed project would be required to comply with Federal, State, and City Municipal Code restrictions which regulate and control materials handled onsite. Compliance with these restrictions and laws would ensure that potentially significant impacts through the routine transport, use or disposal of hazardous materials would not occur during the continued operation of the outdoor storage yard.

In summary, the project would not create a significant hazard to the pubic or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

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? <u>Less Than Significant with Mitigation Incorporated</u>

Historical Use on the Project Site and Project Vicinity

Based on a review of historical information, as detailed in the cultural resources report for the project, the project site was acquired by Hollandia Dairy in 1955. From then on, the site has been operated as a complete creamery and dairy production facility with dairy cows on site until 2003. The adjacent Mission Hills High School also used to be part of Hollandia Dairy.

Recognized Environmental Conditions

A recognized environmental condition (REC) is defined by ASTM E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. A comprehensive records

and database search was conducted, and the project site was not listed in any of the regulatory databases. The project site is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, the project site was listed as a cleanup program site in the State Water Resources Control Board's database, but the case was completed and closed as of 1/19/2001. Additionally, two Leaking Underground Storage Tanks (LUST) clean-up sites were identified in the southwest corner of the project site near the intersection of Mulberry Drive and E. Mission Road. These cases were closed on 5/7/2012 and 11/5/2013 (DTSC 2021a and 2021b). These sites were associated with the former gas station that was located on the project site. Due to the fact that the project site is fully developed, and all prior cleanup cases have been closed, no RECs are identified for the project site.

Demolition

The project includes demolition of the existing creamery and mechanical equipment building and old process facility. The potential exists for the presence of asbestos containing material and lead-based paint. This represents a potentially significant impact (**Impact HAZ-1**), and mitigation is required. As a condition of project approval, implementation of the following mitigation measure (**MM-HAZ-1**) will be required, and will reduce the impact to below a level of significance:

MM-HAZ-1 Prior to issuance of a demolition permit from the Building Division, the structures proposed for demolition shall be inspected for the presence of asbestos-containing materials and lead-based paint. Should asbestos-containing materials or lead-based paint be identified, they shall be properly abated and disposed of by a contractor that is licensed to perform the work. Results of the inspection and abatement (if required) shall be provided to the Building Division.

Proposed Operations

Modifications to the CUP would not change operations from the existing dairy facilities. The number of vehicle trips and nature of operations would remain the same so there would be no change or increase in hazardous materials or increased likelihood of accident or upset involving a release of hazardous materials as a result of project site improvements.

Summary

In summary, with implementation of MM-HAZ-1 to reduce potential impacts related to asbestos-containing materials and lead-based paint to below a level of significance, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials. Impacts would be less than significant with mitigation.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? Less than Significant Impact

The project site is located in a developed area of the City with surrounding light industrial and commercial uses. Missions Hills High School is located across Mission Hills Court Rd from the project site. Therefore, the project site is within one-quarter mile of an existing school. The proposed CUP would not affect operations and would not lead to an increase in hazardous emission or materials above existing conditions. No increase in hazardous emissions is anticipated and a less than significant impact is identified.

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? <u>No Impact</u>

A comprehensive records and database search was conducted, and the project site was not listed in any of the regulatory databases. The project site is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, the project site was listed as a cleanup program site in the State Water Resources Control Board's database, but the case was completed and closed as of 1/19/2001. Additionally, two Leaking Underground Storage Tanks (LUST) clean-up sites were identified in the southwest corner of the project site near the intersection of Mulberry Drive and E. Mission Road. These cases were closed on 5/7/2012 and 11/5/2013. As discussed above, no recognized environmental condition was identified for the site.

Surrounding properties within a one-mile radius were included in the data base search. A total of 10 sites were identified and are summarized below in **Table 14.** Any of the listed sites identified in the vicinity of the project site have been determined to be low risk to the project site.

Table 14. Sites within a One-Mile Radius of the Hollandia Dairy (EnviroStor Database)

Name	Address	Project Type	Status
Mission Hills High School AKA Hollandia Dairy	800/900 East Mission Road	School Investigation	No Further Action as of 3/13/2001
Midway Container	664 N. Twin Oaks Valley Road	Tiered Permit	Inactive- needs evaluation
7-Eleven Food Store #18977	578 E. Mission Road	LUST Cleanup Site[1]	Completed – Case Closed
US Post Office	420 N. Twin Oaks Valley Road	LUST Cleanup Site[1]	Completed – Case Closed
TRI-M-CO	528 E. Mission Road	LUST Cleanup Site[1]	Completed – Case Closed
Hubbard Enterprises	393 Enterprise Street	Cleanup Program Site[2]	Completed – Case Closed
Sam Coutts Plastering Inc	201 La Moree Road	LUST Cleanup Site[1]	Completed – Case Closed
Howell Construction Inc	444 Barham Dive	Cleanup Program Site[2]	Completed – Case Closed
Astrea Helicopter Pad	182 Santar Place	Cleanup Program Site[2]	Completed – Case Closed
WJS Plastics, Inc	688 Rancheros Drive	Cleanup Program Site[2]	Completed – Case Closed
Marketplace Cleaners	197 Woodland Parkway	Cleanup Program Site related to exceedances of industrial air screening standards for chlorinated hydrocarbons and other potential contaminants.	Open – Site Assessment. Located approximately 0.6 miles east of the project site.
Foothill Terrace Site	909 Richland Rd	Cleanup Program Site[2]	Completed – Case Closed

Source: Department of Toxic Substances Control EnviroStor Database. Search Conducted 12/13/2020.
Notes:

1) Leaking Underground Storage Tank (LUST) Cleanup Sites include all Underground Storage Tank (UST) sites that have had an unauthorized release (i.e., leak or spill) of a hazardous substance, usually fuel hydrocarbons, and are being (or have been) cleaned up.
2) Cleanup Program Sites include all "non=federally owned" sites that are regulated under the State Water Resources Control Board's Site Cleanup Program and/or similar programs conducted by each of the nine Regional Water Quality Control Boards.

Summary

The project site is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Any of the listed sites identified in the vicinity of the project site have been determined to be low risk to the project site. Therefore, implementation of the proposed project would not create a significant hazard to the public pursuant to Government Code Section 65962.5.

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? <u>No Impact.</u>

The nearest airport is the McClellan-Palomar Airport in Carlsbad, which is located approximately eight miles west of the project site. While the proposed project is not within two miles of a public airport or public use airport, according to Figure 6-5 of the Safety Element of the City's General Plan, the project site is located within Review Area 2 of the airport influence area. This influence area is regulated by the Airport Land Use Commission, which regulates land uses in the area to be compatible with airport-related noise, safety, airspace protection, and overflight factors. Review Area 2 limits the heights of structures in areas of high terrain. The project site would not be characterized as high terrain. Therefore, the project would not result in a safety hazard for people residing or working in the project area. No impact would occur.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <u>Less than Significant Impact</u>

The project does not propose any development that would impair implementation of or physically interfere with any adopted emergency response plan or evacuation plan. Construction of the project would not result in any road closures. In addition, the San Marcos Fire Department (SMFD) has reviewed the project and has not identified any issues related to emergency response planning or emergency evacuation planning. Impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? <u>No Impact</u>

The project site is located in an urbanized area of the City and is not adjacent to any open space or wildland areas. The Fire Marshal has reviewed the project and standard City fire conditions have been applied to the project. The project site is identified as being in a non-Very High Fire Hazard Severity Zone per CalFire (2009). Therefore, the project would not expose people or structure to a significant risk of loss, injury or death involving wildland fires. No impact is identified for this issue area.

X. HYDROLOGY AND WATER QUALITY

A preliminary storm water quality management plan (SWQMP) was prepared for the project by Excel Engineering (2020) and is included as **Appendix F1**. A hydrology report was also prepared for the project by Excel Engineering (2019) and it is included as **Appendix F2**.

Existing Site Conditions

The project is a previously graded and developed site for dairy production. Existing buildings and parking areas are spread out within the borders of the facility. Topography on the site is rather flat ranging from 0.5 to 5 percent slopes. The area that will be disturbed is an impervious area consisting of a dairy processing building, food storage, utility building, maintenance building, and delivery truck access to the loading dock.

The parcel has several site-specific drainage basins that convey storm runoff to the public facilities within the right-of-way. There is ~~an~~ existing drainage on the western portion of the parcel, along Mulberry Drive and E. Mission Road. The drainage basin is approximately 7.2 acres and generally drains from the northeast to the southwest and is treated by a sand filter before released to a public storm drain system. Several inlets are located throughout the drainage basin that convey flows to a storm drain inlet along Mulberry Dr. This storm drain is the point of compliance (POC) for this project site. There is no offsite runoff conveyed through the site.

Proposed Conditions

The proposed project site drainage conveyance system would be largely similar to the existing condition. Most of the existing topography will remain the same in the post-developed conditions. The area east of the northern detention pipe system will be maintained in its current condition. The asphalt will be changed but the water will go to the same place. The project does propose to direct runoff produced by the easterly constructed building into a proposed underground storm drain network and convey the flows to a pipe storage field, which ultimately conveys the flow to the POC. The westerly constructed buildings will collect runoff and convey flows in a separate proposed underground pipe network and storage field, which ultimately outlets flow to the POC. A portion of the southerly roof on the newly constructed western building will convey the roof runoff to a bio-filtration planter that will treat the runoff and convey the flows to the POC.

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? Less than Significant Impact

The project site is located in the Carlsbad hydrologic unit (904) and Richland hydrologic subarea (904.52) of the Carlsbad watershed (904). The project discharges to a public storm drain (southwest of the site) within Richland hydrologic subarea to the San Marcos Creek, to Lake San Marcos, to the Batiquitos Lagoon and ultimately discharge the Pacific Ocean. Impaired water bodies in this watershed, as listed in the State Water Resources Control Board (SWRCB) 303(d) impaired waters list, include San Marcos Creek (dichlorodiphenyldichloroethylene (DDE)), phosphorus, sediment toxicity, and selenium), Lake San Marcos (ammonia as nitrogen and nutrients), Batiquitos Lagoon (total coliform) and the Pacific Ocean (total coliform).

Construction activities would involve the use of oil, lubricants and other chemicals that could be discharged from leaks or accidental spills. These discharges would have the potential to impact water quality in receiving water bodies.

The applicant would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit. Regionally, this is achieved by preparing and implementing a Stormwater Quality Management Plan (SWQMP) based on the standards set forth in the 2016 Model BMP Design Manual – San Diego Region (BMP Design Manual). The SWQMP will require implementation of water quality best management practices (BMPs) to ensure that water quality standards are met and that stormwater runoff

from construction areas do not result in a degradation of water quality in receiving water bodies. The preliminary SWQMP prepared for this project indicates the project will meet the requirements of the BMP Design Manual. As such, the potential impacts would be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? <u>No Impact</u>

Implementation of the project would not use any groundwater. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. No impact is identified for this issue area.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site? <u>Less than Significant Impact</u>

Implementation of the proposed project would increase impervious surfaces but would not substantially alter the existing drainage pattern of the site or alter the course of a stream or river. The project has been designed to generally match the existing drainage pattern of the site. The proposed drainage improvements for the site include two drainage pipe storage fields, which provide detention to treat the water quality volume. The pipe storage fields will each discharge to a modular wetland system where it will be treated and sent to the existing POC. Additionally, a Bio-filtration planter will be constructed to treat roof storm runoff. The flows will be discharged to an existing underground pipe storm drain network where it will be connected to the same POC as the pipe storage.

The Hydrology/ Hydraulics Study (Excel Engineering 2019) determined that the project will not increase the 100-year peak runoff at the project POC. The study shows a slight decrease in runoff produced by the project site. It can therefore be concluded that erosive behavior of the site runoff will not be increased by development of this project.

The project would implement construction BMPs in compliance with the Construction General Permit. These BMPs focus on areas such as good site management/housekeeping, non-stormwater management, erosion control, sediment control, run-on and run-off control, inspection/ maintenance/repair, rain event action plan, and monitoring/reporting requirements. Implementation of stated BMPs would further reduce the potential for erosion and siltation to enter project area waterways. In conclusion, implementation of the proposed project would not result in substantial erosion or siltation on or off-site. Impacts would be less than significant.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, through the addition of impervious surfaces, in a manner which would: substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <u>Less than Significant Impact</u>

Implementation of the proposed project would increase impervious surfaces but would not substantially alter the existing drainage pattern of the site or alter the course of a stream or river. The project has been designed to generally match the existing drainage pattern of the site. The proposed drainage improvements for the site include two drainage pipe storage fields to detain runoff. The pipe storage

fields will each discharge to a modular wetland system where it will be treated and sent to the existing POC. The storage fields provide detention to treat the water quality volume and bypass the system after the volume requirement of the SWQMP is met. Additionally, a Bio-filtration planter will be constructed to treat roof storm runoff, but no detention is performed within the planter. The flows will be discharged to an existing underground pipe storm drain network where it will be connected to the same POC as the pipe storage.

Of note, the project has a portion of sidewalk and planter strip, 2,263 sq. ft., which produces surface flows that cannot be treated by an underground system. The flows will overland flow to an existing storm runoff treatment facility where it will be treated as it was in the existing condition. In order to ensure the project is treating the appropriate amount of runoff, a portion of undisturbed driveway, 5,532 sq. ft., will be treated in the proposed system to the west. The treatment of the driveway is more than twice the sidewalk & planter and has a higher pollutant loading which would make the proposed treated area larger and more efficient than required.

The private storm drain system was analyzed in the Hydrology/ Hydraulics Study (Excel Engineering 2019). Three inlets were analyzed as part of the private storm drain system. All inlets are sized with a 50 percent clogging factor. The inlet to the northeast of the project (Node 3) is proposed to accept existing overland flows and convey them to the same existing storm drain network they currently flow to. The inlet is sized to accept the 100-year design storm. A proposed water quality inlet (WQ inlet-28) is designed along the westerly edge of the project to convey overland flow to the underground storage pipe field. The inlet is sized to take 1.5 times the design flow rate required to accept the 85th percentile storm, which is the same flow rate the modular wetlands treats the runoff at. The existing inlet along the westerly boundary (Node 28.1) that accepts existing overland overflow is analyzed to ensure that the overflow from the water quality inlet during the 100-year storm.

The Hydrology/Hydraulics Study and resulting data indicate that the project will not increase the 100-year peak runoff at the project POC. Further, the study shows a slight decrease in runoff produced by the development which indicates potential flooding downstream would be decreased as well. It can be determined that no negative impact on the existing downstream storm drain facilities or adjacent and downstream properties will occur. Therefore, the project would not alter existing drainage patterns of the site area in a manner that would result in a substantial increase to the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, through the addition of impervious surfaces, in a manner which would: create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <u>Less than Significant Impact</u>

Implementation of the proposed project would increase impervious surfaces but would not substantially alter the existing drainage pattern of the site or alter the course of a stream or river. The project has been designed to generally match the existing drainage pattern of the site. The proposed drainage improvements for the site include two drainage pipe storage fields to detain runoff. The pipe storage fields will each discharge to a modular wetland system where it will be treated and sent to the existing POC. The storage fields provide detention to treat the water quality volume and bypass the system after the volume requirement of the SWQMP is met. Additionally, a Bio-filtration planter will be constructed to treat roof storm runoff, but no detention is performed within the planter. The flows will be discharged

to an existing underground pipe storm drain network where it will be connected to the same POC as the pipe storage.

The Hydrology/Hydraulics Study and resulting data indicate a slight decrease in runoff produced by the development which indicates potential flooding downstream would be decreased as well. It can be determined that no negative impact on the existing downstream storm drain facilities or adjacent and downstream properties will occur. Therefore, the project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, through the addition of impervious surfaces, in a manner which would: Impede or redirect flood flows? Less than Significant Impact

Per the Federal Emergency Management Agency (FEMA), the project site is located within an area of minimal flood hazard or Zone X, as mapped by FEMA Panel 0794G. The Hydrology/Hydraulics Study and resulting data indicate that the project will not increase the 100-year peak runoff at the project POC. Further, the study shows a slight decrease in runoff produced by the development which indicates potential flooding downstream would be decreased as well. It can be determined that no negative impact on the existing downstream storm drain facilities or adjacent and downstream properties will occur.

In addition, the project proposes a comprehensive stormwater management plan that includes stormwater improvements within the project boundary. This includes the use of two drainage pipe storage fields, a modular wetland system, and a bio-filtration planter. Flows will be discharged to an existing underground pipe storm drain network where it will be connected to the same POC as existing conditions. These facilities were designed to accommodate 100-year 6-hour storm flows and to meet hydromodification requirements and peak flow attenuation. Therefore, the project would not alter existing drainage patterns of the site area in a manner that would result in a substantial increase to the rate or amount of surface runoff in a manner which would impede or redirect flood flows. Impacts would be less than significant.

g) In flood hazards, tsunami or seiche zones, risk release of pollutants due to project inundation? Less than Significant Impact

The proposed project site is not located within a tsunami evacuation area; therefore, damage due to tsunamis would not occur. Seiches are periodic oscillations in large bodies of water such as lakes, harbors, bays, or reservoirs. The proposed project is also not located immediately adjacent to any lakes or confined bodies of water; therefore, the potential for a seiche to affect the property is considered low.

The project site is graded and relatively flat with elevations from approximately 610 amsl at the southwest corner at Mulberry Drive, to about 630 amsl in the northeast corner. Per FEMA, the project site is located within an area of minimal flood hazard or Zone X, as mapped by FEMA Panel 0794G. The project is not located downstream of any levee or dam and is not at significant risk of loss, injury, or death from a failure of a levee or dam.

In addition, the project proposes a comprehensive stormwater management plan that includes stormwater improvements within the project boundary. This includes the use of two drainage pipe storage fields, a modular wetland system, and a bio-filtration planter. Flows will be discharged to an existing underground pipe storm drain network where it will be connected to the same POC as existing

conditions. These facilities were designed to accommodate 100-year 6-hour storm flows and to meet hydromodification requirements and peak flow attenuation. Impacts would be less than significant.

h) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? Less than Significant Impact

The applicant would be required to comply with the NPDES permit. Regionally, this is achieved by preparing and implementing a SWQMP based on the standards set forth in the 2020 Model BMP Design Manual – San Diego Region (BMP Design Manual). The SWQMP will require implementation of water quality best management practices (BMPs) to ensure that water quality standards are met and that stormwater runoff from construction areas do not result in a degradation of water quality in receiving water bodies. The preliminary SWQMP prepared for this project indicates the project will meet the requirements of the BMP Design Manual. Further the project is being designed to comply with the current Hydromodification Management Plan (HMP) requirements which include addressing both flow-control and critical coarse sediment. Additionally, the project would not use any groundwater or affect direct infiltration and saturation. Therefore, implementation of the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. As such, the potential impacts would be less than significant.

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

Potential construction-related impacts associated with receiving water quality would include siltation and erosion, the use of fuels for construction equipment, and the generation of trash and debris from the construction site. To minimize these potential sources of pollution, the project would incorporate construction-related water quality BMPs. Such measures could include, but are not limited to:

- Use of sediment trapping devices to control sediment runoff;
- Proper containment and disposal of trash/debris;
- Use of erosion control devices to minimize runoff during rain events; and
- Additional measures identified in the SWPPP that would be implemented prior to the commencement of on-site work.

These measures are designed to minimize the generation of pollutants, inducing sediment and trash/debris. Preparation and implementation of a SWPPP and construction-related water quality BMPs would ensure that there are no significant alterations to receiving water quality during project construction. During project operation, the project includes a comprehensive water quality management approach including implementing a variety of site design, source control, and treatment control BMPs to treat anticipated pollutants of concern and minimize the potential for pollutants prior to reaching the storm drain and off-site waterways. Therefore, the project would not result in significant alteration of receiving water quality during or following construction. Impacts would be less than significant.

j) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity, and other typical storm water pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash). Less than Significant Impact

The project site is located in the Carlsbad hydrologic unit (904) and San Marcos hydrologic subarea (904.52) of the Carlsbad watershed (904). Impaired water bodies in this watershed, as listed in the State Water Resources Control Board (SWRCB) 303(d) impaired waters list, include San Marcos Creek (dichlorodiphenyldichloroethylene (DDE)), phosphorus, sediment toxicity, and selenium), Lake San Marcos (ammonia as nitrogen and nutrients), Batiquitos Lagoon (total coliform) and the Pacific Ocean (total coliform).

According to the preliminary SWQMP prepared for the project, anticipated pollutants to be generated by the project include sediment, nutrients, heavy metals, trash/debris, oxygen demanding substances, and oil/grease. As identified above, the project includes a comprehensive water quality management approach to ensure that there would not be an increase in pollutant discharge to receiving waters. The Hydromodification and Water Quality system proposed for this project consists of a single biofiltration basin that will be a box planter and 2 modular wetland units that will catch flows on site, treat that water, and then discharge to Mulberry Drive where it will confluence at the corner of the project site. This system detains storm water in the basin surface of the planter and, in the pre-storage prior to the modular wetland units. Bio-filtration filters storm water through plant roots and a biologically active soil mix, and then releases it into the existing storm drain system which currently collects the site's storm flows. The resulting mitigated outflows are shown to be equal to or less than all continuously simulated storms based on the historical data collected from the Escondido rain gage.

Bioretention has a high efficiency for removal of sediments, nutrients, trash, metals, oil/grease, organics, and oxygen demanding substances. Therefore, the use of biofiltration would effectively treat stormwater runoff prior to discharge from the site and to receiving waters.

The biofiltration devices would be subject to regular inspection and maintenance. The property owner would be required, pursuant to the City's Municipal Code Section 4.14 and BMP Design Manual to enter into a stormwater management and discharge control maintenance agreement for the installation and maintenance of permanent BMPs prior to the issuance of permits. Since the project includes a comprehensive approach to the handling and treatment of on-site stormwater runoff and would achieve a medium or high efficiency for removal of anticipated pollutants, the project would not result in an increase in pollutant discharges to receiving waters. Impacts would be less than significant.

k) Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? Less than Significant Impact

As identified above, impaired water bodies in the Carlsbad watershed include San Marcos Creek and Lake San Marcos. The project proposes a comprehensive water quality approach including the use of two drainage pipe storage fields, a modular wetland system, and a bio-filtration planter. The City's BMP Design Manual requires that the pollutants of concern for each impaired water body in each watershed be treated by engineered treatment controls to a medium pollutant removal efficiency or better prior to leaving each development site, thus reducing pollutant levels. Biofiltration has a high efficiency for removal of sediments, nutrients, trash, metals, oil/grease, organics, and oxygen demanding substances and a medium efficiency for removal of bacteria. Therefore, the use of biofiltration would effectively treat

stormwater runoff prior to discharge from the site and to receiving waters. The biofiltration devices would be subject to regular inspection and maintenance. The property owner would be required to enter into a stormwater management and discharge control maintenance agreement for the installation and maintenance of permanent BMPs prior to the issuance of permits. Since the project includes a comprehensive approach to the handling and treatment of on-site stormwater runoff and would achieve a medium or high efficiency for removal of anticipated pollutants, the project would not result in an increase in any pollutant for which area impaired water bodies are already impaired. Impacts would be less than significant.

l) Be tributary to environmentally sensitive areas (e.g., MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions? <u>No Impact</u>

The project site is already graded and developed and is located outside of the Biological Resource Conservation area for the MHCP. Therefore, the project would not exacerbate already sensitive conditions within environmentally sensitive areas. No impact is identified.

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

The project site is already graded and developed and is located outside of the Biological Resource Conservation area for the MHCP. There are no sensitive areas on the project site.

The project would implement BMPs during project construction to minimize potential impacts to surface water quality. The project also includes a comprehensive water quality approach including a storm drain system and a biofiltration basin. Incorporation of these measures would ensure that the project would not have a potentially significant impact on surface water quality to either marine, fresh, or wetland waters. Impacts would be less than significant.

XI. LAND USE AND PLANNING

a) Physically divide an established community? <u>No Impact</u>

The project site is entirely paved and developed, as it is currently the operational packaging facility for Hollandia Dairy in a developed area of the City. The proposed project is intended to upgrade and renovate existing facilities on site or to replace old buildings and equipment to maintain compliance with current food safety regulations and standards and to increase employee workplace safety standards. The project will not divide an established community. No impact is identified for this issue area.

b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental effect? <u>No Impact</u>

The project site has a General Plan designation of Commercial (C) and a zoning designation of Commercial (C). The project includes a Conditional Use Permit to upgrade and renovate existing facilities at the Hollandia Dairy site. Although there would be an increase in the net building square footage (see Table 3 Phasing Plan), there would not be a change to the number of employees, truck counts, or increase to the volume of product the site currently receives (6,000 gallons of raw product per tanker, 55 tankers per week). Manufacturing capacity will remain at the current levels. The proposed demolition and renovation would be consistent with the site's land use and zoning designation of Commercial. The project does not

include a General Plan Amendment or Zone Change. Therefore, implementation of the proposed project would not cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental effect.

XII. MINERAL RESOURCES

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

The project site is currently developed with the Hollandia Dairy. There are no known mineral resources on the project site of value to the region or to residents of the state. Therefore, the project would not result in the loss of availability of a known mineral resource. No impact would occur.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? <u>No Impact</u>

The project site is currently developed with the Hollandia Dairy. There are no known locally important mineral resources identified on the project site. The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

XIII. NOISE

A noise assessment was prepared for the project by Ldn Consulting (LDN 2021c) and is included as **Appendix G** of this document.

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? <u>Less Than Significant Impact</u>

Demolition and Construction-Related Noise Analysis

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

Grading and earthwork activity will be required to prepare the site for development. Based upon information from the project applicant, the project requires 5,590 cubic yards (cy) of cut and 10,986 cy of fill, for a net import of 5,396 cy.

The project would be required to comply with Chapter 10.24 of the San Marcos Municipal Code, which prohibits loud, annoying, or unnecessary noises. Section 10.24.020 provides definitions for and examples of prohibited noise sources. Included in the list of prohibited noise sources are building construction activities that occur Monday through Friday before 7:00 AM and after 6:00 PM or on Saturdays before 8:00 AM or after 5:00 PM. The project would also be required to comply with the grading operation restrictions listed in Section 17.32.180 of the San Marcos Municipal Code. This section of the code addresses the time limits that apply to grading, extraction, and blasting between 7:00 AM and 4:30 PM

Monday through Friday. Grading, extraction, or related earth moving is not allowed in the City on the weekends or holidays. The Municipal Code does not set noise limits on construction activities. Commonly, the City has utilized the County of San Diego's Noise Ordinance noise limit of 75 dBA for construction activities.

The U.S. Environmental Protection Agency (U.S. EPA) has compiled data regarding the noise generating characteristics of specific types of construction equipment. Noise levels generated by heavy construction equipment can range from 60 dBA to in excess of 100 dBA when measured at 50 feet. However, these noise levels diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 75 dBA measured at 50 feet from the noise source to the receptor would be reduced to 69 dBA at 100 feet from the source to the receptor and reduced to 63 dBA at 200 feet from the source. Additionally, sound levels are logarithmic not linear, so adding two sources of 68 dBA plus 68 dBA is equal to 71 dBA, not 136 dBA.

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

Demolition Activities Noise Findings

Not all the equipment will operate continuously over an 8-hour period, the equipment will be utilized on an as-needed basis depending on the demolition activities are required. As an example: a saw will be used to weaken some of the structural components of the structure and then the excavator would be utilized to demo that section of the structure. The excavator or a loader will then be used to place the debris into the haul trucks.

Noise levels from the demolition activities can reach short-term peak noise levels in excess of 90 dBA but will decay rapidly. This is due to the fact that once the equipment knocks down a portion of the building the debris needs to be removed, sorted, and inspected. Based on empirical data gathered during the monitoring of a similar project, the worst-case hourly noise level was found to be 80.8 dBA Leq at an average distance of 25 feet for demolition activities (Source: Aztec Court Noise Monitoring – San Diego, Ldn Consulting 2012). At an average distance of 50 feet, the noise level from the demolition activities would be 74.8 dBA. The average distance from the demolition activates is anticipated to vary between 25 feet and 175 feet from the adjacent property lines. Given this, the noise levels will comply with the average 75 dBA Leq 8-hour threshold at the property lines and impacts would be less than significant.

Grading Activities Noise Findings

The grading activities will consist of the preparation of internal roadways, parking, and the finished pads. The grading equipment will be spread out over the project site from distances near the occupied property lines to distances of 150 feet or more away. Based upon the site plan the majority of the grading operations, on average, will occur more than 75 feet from the property lines. This means that most of the time the average distance from all the equipment to the nearest property line is 75 feet. As can be seen in **Table 15**, at an average distance of 75 feet from the construction activities to the nearest property line would result in a noise attenuation of -3.5 dBA without shielding.

Table 15. Construction Noise Levels

Equipment Type	Quantity Used	Source @ 50 Feet (dBA)	Cumulative Noise Level @ 50 Feet (dBA)
Tractor/Backhoe	1	72	72.0
Loader/Grader	1	73	73.0
Roller/Compactor	1	74	74.0
		Cumulative Level	77.8
		Distance to Nearest Sensitive Use or Property Line	75
		Noise Reduction due to distance at the Property Line	-3.5
		Property Line Noise Level	**74.3**

Source: LDN Consulting 2021c

Given this, the noise levels will comply with the 75 dBA Leq 8-hour standard at the property lines and impacts would be less than significant.

Operational-Related Noise Analysis

Operations at the existing Hollandia Dairy would remain the same with the approval of the project. The modernization project is necessary for the dairy to meet current regulations with respect to equipment separation. Vehicular trips, employment and input/output or operational hours would not change based on this project. Since the proposed project would not be expected to modify existing operations and would replace some older equipment with newer equipment (i.e., mechanical ventilation) the project would not increase onsite noise levels or offsite noise levels. Given this, operational noise impacts would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels? Less Than Significant Impact

The nearest vibration-sensitive uses are the residences located to the northwest of the project site. Demolition, deconstruction and construction activities are not anticipated to be an excessive source of groundborne vibrations. Additionally, the proposed use is the same uses that is occurring on the site and would not typically be characterized as causing excessive groundborne or groundborne noise levels. Impacts would be less than significant.

c) For a project located within an airport land use plan 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? Less than Significant Impact

As identified above, the nearest airport is the McClellan-Palomar Airport in Carlsbad, which is located approximately seven miles west of the project area. According to the Airport Land Use Compatibility Plan (ALUCP) for the McClellan-Palomar Airport, the proposed project site is located outside of the existing and future 60 dB CNEL noise contours of the airport (San Diego County Regional Airport Authority 2010).

According to the ALUCP, the project site is located within Review Area 2 of the airport influence area. This influence area is regulated by the Airport Land Use Commission, which regulates land uses in the area to

be compatible with airport-related noise, safety, airspace protection, and overflight factors. Review Area 2 limits the heights of structures in areas of high terrain and requires the recordation of overflight notification documents, which informs prospective buyers of property near an airport that the property may be subject to noise, vibration, overflights, or odors associated with airport operations. In summary, because the project site is located outside of the existing and future 60 dB CNEL noise contours of the airport, the project would not expose people residing or working in the project area to excessive noise levels. Impacts would be less than significant.

XIV. POPULATION AND HOUSING

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)? <u>No Impact</u>

The project site is currently developed with existing Hollandia Dairy facilities. The project includes demolition and reconstruction of dairy facilities within the existing footprint. The proposed project would not lead to a significant increase in on-site employees and no off-site improvements to roads or infrastructure would be required. The project will continue to be served by existing water, sewer, and storm drain infrastructure. Therefore, the proposed project would not induce substantial population growth in the area directly or indirectly. No impact is identified.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <u>No Impact</u>

The project site is currently developed with the existing Hollandia Dairy facilities and does not contain any existing residential units. Therefore, implementation of proposed site improvements would not displace any existing housing. No impact is identified.

XV. PUBLIC SERVICES

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

a) Fire protection? <u>Less than Significant Impact</u>

Fire protection services in the City are provided by the San Marcos Fire Department (SMFD). SMFD is a full-service department responsive to the City and the San Marcos Fire Protection District, which covers an area of 33 square miles and a population of approximately 95,000 residents. SMFD provides the following services within its service area: fire suppression, rescue, emergency medical service, fire prevention services, vegetation management, public education, emergency preparedness and trauma support (City of San Marcos 2020a).

The project site is located between two fire stations. Fire Station #1 is located 1.1 miles west of the project site at 180 West Mission Road. Fire Station 3 is located 1.1 miles east of the site located at 404 Woodland Parkway. The existing Dairy Facility is currently served by SMFD for fire protection service. Although there would be an increase in the net building square footage, there would not be a change to the number of employees, truck counts, or increase to the volume of product the site currently receives (6,000 gallons

of raw product per tanker, 55 tankers per week). Therefore, implementation of the project existing Hollandia Dairy site would not significantly change existing operations and would therefore not impact demand on fire protection services above and beyond existing demand. The project site is already annexed into CFD 98-01 for Police and Fire and assessments will be adjusted for the new building sizes. Impacts would be less than significant.

b) Police protection? <u>Less than Significant Impact</u>

The project site would be served by the San Marcos Station located nearby at 182 Santar Place, which is located approximately two miles south of the project site. Implementation of the project at the existing Hollandia Dairy site would not substantially increase demand on police protection services. The Dairy would maintain existing operations with the same hours of operation, and same security protocols. Therefore, implementation of the project existing Hollandia Dairy site would not significantly change existing operations and would therefore not impact demand on fire protection services above and beyond existing demand. The project site is already annexed into CFD 98-01 for Police and Fire and assessments will be adjusted for the new building sizes. Impacts would be less than significant.

c) Schools? <u>No Impact</u>

The project site is located within the service boundary of the San Marcos Unified School District (SMUSD). Since the project is proposing demolition, reconstruction, and renovations at the existing Hollandia Dairy facility, it will not generate any students. The project applicant will be required to pay applicable school fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h) and 65996(b) in effect at the time of building permit issuance. Current Level I school fees are $0.66/square foot for commercial/industrial uses.

d) Parks? <u>Less than Significant Impact</u>

The City has 16 major community parks and 18 mini parks and an extensive trail network. The closest existing parks to the project site are Hollandia Park located at 12 Mission Hills Court and Mulberry Park located at 751 Mulberry Drive. Hollandia Park has an amphitheater, lighted ballfield and multi-purpose field, BBQ area, dog park, horseshoe court, park, permanent restrooms, picnic shelter, play equipment, skate plaza, trail connection and a turf play area. Mulberry Park has a BBQ area, permanent restrooms, picnic tables, play equipment, a splashpad, trail connection and a turf play area. The project does not include a residential component and will not add residents to the City of San Marcos. Therefore, the project will not result in any impact to park facilities or park services.

The project applicant would still be required to pay the City's Public Facilities Fee (PFF), a portion of which is designated for parks. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City. Payment of the PFF will be required prior to issuance of a building permit. Because the project is not anticipated to increase demand on existing parks and through the contribution of funds for the acquisition and development of local and community park facilities throughout the City, impacts would be less than significant.

e) Other public facilities? <u>Less than Significant Impact</u>

The analysis within Sections XIV(a) through XIV(d) concluded that the project would have a less than significant impact or reduce impacts to below a level of significance for police protection, fire protection,

schools, and parks. The project would not result in an impact to any other public facilities. Impacts would be less than significant.

XVI. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated? Less Than Significant Impact

The City has 16 major community parks and 18 mini parks and an extensive trail network. The closest existing parks to the project site are Hollandia Park located as 12 Mission Hills Court and Mulberry Park located at 751 Mulberry Drive.

Hollandia Park has an amphitheater, lighted ballfield and multi-purpose field, BBQ area, dog park, horseshoe court, park, permanent restrooms, picnic shelter, play equipment, skate plaza, trail connection and a turf play area. Mulberry Park has a BBQ area, permanent restrooms, picnic tables, play equipment, a splashpad, trail connection and a turf play area. The project does not include a residential component and will not add residents to the City of San Marcos. Therefore, there is no anticipated increase in the use of existing neighborhood and regional parks or other recreational facilities.

The project applicant would still be required to pay the City's Public Facilities Fee (PFF), a portion of which is designated for parks. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City. Payment of the PFF will be required prior to issuance of a building permit. Because the project is not anticipated to increase demand on existing parks and through the contribution of funds for the acquisition and development of local and community park facilities throughout the City, impacts would be less than significant.

b) Does the project include any recreational facilities or require the construction or expansion of recreation facilities which might have an adverse physical effect on the environment? No Impact

As identified above, the project proposes site improvements to the existing Hollandia Dairy Facility. Since the project does not include a residential component and would not add residents to the City of San Marcos, no construction or expansion of recreational facilities is warranted. No impact is identified for this issue area.

XVII. TRANSPORTATION

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? Less than Significant Impact

Transit Facilities

Transit services in San Marcos are provided by the North County Transit District (NCTD) and include the Breeze Bus and the SPRINTER light rail. The closest light rail stop is the SPRINTER station at the San Marcos Civic Center, west of the project site, approximately 0.75 miles west of the project site. NCTD Breeze Route 305 runs between the Vista Transit Center and the City of Escondido and travels along Mission Road with multiple stops near the project site to serve Mission Hills High School. The project does not include any roadway improvements that would result in any impact to or change in transit facilities. No impact is identified.

Bicycle and Pedestrian Facilities

The project site is located on E. Mission Road which is classified as an Arterial with Enhanced bicycle pedestrian facilities and has an existing Class II bicycle path, according to the Mobility Element in the City of San Marcos General Plan. The project would not result in any change in the existing bicycle and pedestrian infrastructure adjacent to the project site on E. Mission Road. Impacts would be less than significant.

Parking

The proposed modifications and additions and subtraction of building square footage will change the occupancy classification for the buildings, which modifies the parking requirements. Table 4 provides information on existing and proposed site uses and the required/proposed parking. As shown in Table 4, 225 parking stalls are required per the City's Municipal Code and the project will provide 234 stalls for an excess of 9 stalls. Therefore, the parking standards would be met, and no impact is identified.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? Less than Significant Impact

Section 15064.3(b) of the CEQA Guidelines provide criteria for analyzing transportation impacts for land use projects and transportation projects. The City produced their Transportation Impact Analysis Guidelines (Guidelines), dated November 16, 2020, to provide guidance to City staff, applicants, and consultants on the requirements to evaluate transportation impact for projects in the City. These guidelines implement the requirements of SB743 with respect to the City.

The Guidelines include a process to determine if a detailed vehicle miles traveled (VMT) analysis is needed, including several screening approaches that can be used to identify when a project should be expected to cause a less than significant impact related to VMT. A project that meets at least one of the screening criteria would be considered to have a less-than-significant VMT impact due to project or location characteristics.

The screening parameters indicate that projects that typically generate fewer than 110 vehicle trips can be presumed to cause a less-than-significant impact and would not require a detailed VMT analysis. Table 1 of the City's Draft Interim Transportation Impact Guidelines list sample small projects. A dairy facility project does not have a specific listing as a sample small project; however, as explained below, after construction the project would not generate any additional trips beyond what is already occurring on the site. Therefore, since the project does not generate more than 110 new trips, a VMT analysis is not required and impacts are determined to be less than significant.

Trip Generation

Under existing conditions, operations trips plus employee personal vehicle trips included with support vehicle trips (mail, UPS, sales, etc.) total approximately 281 trips over a 24-hour period. The majority of the vehicle trips occur on off-peak hours with approximately 20 peak hour trips occurring per-day. **Table 1** summarizes existing vehicle trip distribution. Although there would be an increase in the net building square footage, there would not be a change to the number of employees, truck counts, or increase to the volume of product the site currently receives (6,000 gallons of raw product per tanker, 55 tankers per

week). Manufacturing capacity will remain at the current levels. Therefore, no change in vehicle trips or VMT is anticipated.

Proposed Trip Generation – Construction

Trips would be generated during project construction and includes worker vehicles as well as truck trips associated with material import for project grading. Proposed grading quantities include 5,590 cy of cut material, 10,986 cy of fill material with an import quantity of 5,396 cy. Assuming the use of 15 cy haul trucks, this would represent 360 truck trips. Soil import is expected to take approximately four weeks (24 work days) leading to approximately 15 truck trips per day. This is below the current trip generation of the existing operations (281 ADT).

In summary, implementation of the project would not change existing vehicle trips or VMT during operations and truck trips during construction would be less than significant. Since the project does not generate more than 110 new trips, a VMT analysis is not required and impacts are determined to be less than significant.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Less than Significant Impact

The project does not propose any changes to current circulation or access patterns within the project site. No sharp curves or dangerous intersections are identified. The project does require a variance to maintain existing setbacks to the central plant from the Mulberry Drive right of way. There are no aspects of the project which would not substantially increase hazards due to a geometric design feature. A less than significant impact is identified for this issue area.

d) Result in inadequate emergency access? No Impact

Access to the project site would continue to be via three driveways off of E. Mission Road. Interior drive aisles are 30 feet wide and can accommodate emergency vehicles. The SMFD reviewed the project and did not identify any emergency access issues with the project. No impact is identified for this issue area.

XVIII. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? Less than Significant with Mitigation Incorporated

AB 52 Coordination

Assembly Bill (AB) 52 Assembly Bill (AB) 52 requires consultation with California Native American Tribes and consideration of tribal cultural resources, requiring consultation prior to the release of an environmental document if requested by a California Native American Tribe. Outreach to local tribes by the City, consistent with AB 52, was initiated as part of the preparation of this environmental document.

City received an AB52 consultation request from the San Luis Rey Band of Mission Indians (San Luis Rey Band) and the Rincon Band of Luiseño Indians (Rincon Band). The City consulted with the San Luis Rey Band and consultation was concluded on October 1, 2020. The City also consulted with the Rincon Band and consultation was concluded on May 19, 2021.

Potential for Resources

The intensive visual inspection of the accessible portions of the project site provided no evidence for the presence of cultural resources in those areas. However, as previously noted, most of the project area is paved and/or developed, and the lack of ground surface visibility in the majority of the project prevented inspection of the ground surface during the pedestrian survey. Although the likelihood of subsurface deposits is low, it is possible that subsurface cultural deposits are still present under the surface and construction activities could impact these resources if they are present. To further ensure Native American archaeological resources are protected, implementation of MM-CR-1a through MM-CR-1h provides additional protections for significant resources and describes the process for proper treatment and handling to ensure impacts would be minimized. Implementation of this mitigation would reduce potential project-level impacts to tribal cultural resources to below a level of significance.

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. Less than Significant with Mitigation Incorporated

The City has not identified any cultural resources to be present on the project site pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In addition, based upon the cultural resources study prepared for the project (ASM 2020) and consultation with local tribes, the project site does not contain any known tribal cultural resources that are significant pursuant to these criteria. However, as described in Section V, Cultural Resources, and as identified above, there remains the potential to encounter unidentified resources during project grading activities should construction go deeper than previously disturbed depths.

The project has the potential to disturb unidentified archaeological resources during project grading (Impact CR-1). Mitigation measures MM-CR-1a through MM-CR-1h, identified in the cultural resources analysis (Section V. of this document) provide for the presence of archaeological and Luiseño Native American monitors during ground disturbing activities that would be able to identify any previously unidentified cultural resources, to prevent inadvertent disturbance of any intact cultural deposits that may be present.

To further ensure Native American archaeological resources are protected, implementation of MM-CR-1a through MM-CR-1h provides additional protections for significant resources and describes the process for proper treatment and handling to ensure impacts would be minimized. Implementation of this mitigation would reduce potential project-level impacts to tribal cultural resources to below a level of significance.

XIX. UTILITIES AND SERVICE SYSTEMS

a) Require or result in the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? Less Than Significant Impact

Water and Wastewater Facilities Analysis

The project is located within VWD boundaries for water and wastewater service. The existing Hollandia Dairy is currently served by VWD for water and wastewater service. Although there would be an increase in the net building square footage, there would not be a change to the number of employees, truck counts, or increase to the volume of product the site currently receives (6,000 gallons of raw product per tanker, 55 tankers per week). Therefore, a significant increase in water and wastewater demand is not anticipated. VWD will continue to serve the project during and after demolition, reconstruction, and renovations. In summary, water facility impacts would be less than significant.

Storm Water Drainage

The existing project site has several site-specific drainage basins that convey storm runoff to the public facilities within the right-of-way. There is an existing drainage on the western portion of the parcel, along Mulberry Drive and E. Mission Road. The drainage basin is approximately 7.2 acres and generally drains from the northeast to the southwest and is treated by sand filter before released to a public storm drain system. Several inlets are located throughout the drainage basin that convey flows to a storm drain inlet along Mulberry Dr. This storm drain is the point of compliance (POC) for this project site. There is no offsite runoff conveyed through the site.

The proposed project site drainage conveyance system would be largely similar to the existing condition. Most of the existing topography will remain the same in the post-developed conditions. The area east of the northern detention pipe system will be maintained. The asphalt will be changed but the water will go to the same place. The project does propose to direct runoff produced by the easterly constructed building into a proposed underground storm drain network and convey the flows to a pipe storage field, which ultimately conveys the flow to the POC. The westerly constructed buildings will collect runoff and convey flows in a separate proposed underground pipe network and storage field, which ultimately outlets flow to the POC. A portion of the southerly roof on the newly constructed western building will convey the roof runoff to a bio-filtration planter that will treat the runoff and convey the flows to the POC. Maintenance of these biofiltration basins would be the responsibility of the project owner. Impacts would be less than significant.

Electric Power, Natural Gas and Telecommunications

Electricity service and natural gas services would be provided by San Diego Gas & Electric. The project will connect to existing infrastructure in the project vicinity for electric power, natural gas, and telecommunications. The project will meet all requirements from SDG&E for service. No impact is identified for this issue area.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? Less Than Significant Impact

The existing Dairy facility is currently served by VWD for water service. Although there would be an increase in the net building square footage, there would not be a change to the number of employees, truck counts, or increase to the volume of product the site currently receives. Therefore, a significant increase in water and wastewater demand is not anticipated. VWD will continue to serve the project during and after demolition, reconstruction, and renovations. VWD currently has water capacity to serve the project. Therefore, sufficient water supplies would be available to serve the project from existing entitlements and resources. Impacts would be less than significant.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? Less Than Significant Impact

The existing Hollandia Dairy is currently served by VWD for wastewater service. Although there would be an increase in the net building square footage, there would not be a change to the number of employees, truck counts, or increase to the volume of product the site currently receives. Therefore, a significant increase in wastewater demand is not anticipated. VWD will continue to serve the project during and after demolition, reconstruction, and renovations. VWD currently has wastewater treatment capacity to serve the project. Therefore, the project would not result in a determination by the wastewater treatment provider which serves the project that it has inadequate capacity to serve the project's increased demand in addition to the provider's existing commitments. Impacts would be less than significant.

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? Less than Significant Impact

The project would generate solid waste from the continued operation of the Dairy facility. Solid waste service in the City is provided by a private franchise hauler, EDCO Waste and Recycling (EDCO), which handles all residential, commercial, and industrial collections within the City. Waste collected by EDCO is hauled to the Escondido Resources Recovery Transfer Station where it is then transported to the Sycamore Sanitary Landfill in Santee. According to CalRecycle, the Sycamore Sanitary Landfill has a daily permitted capacity of 5,000 tons/day of solid waste with an anticipated closure date of 2042 (CalRecycle 2019 and County of San Diego 2018).

The City of San Marcos is currently exceeding their waste reduction targets. According to CalRecycle, the City of San Marcos has an employee disposal rate target of 19 pounds per day (PPD). If the City meets this target, the City is considered in compliance with the 50 percent diversion requirement of Assembly Bill 939. The most recent data from CalRecycle identifies the annual per capital disposal rate is 12.7 PPD (CalRecycle 2018). Thus, the City is more than meeting their current targets for diversion. The proposed project's solid waste generation during operation can be accommodated at the landfill based upon the available daily permitted capacity. Impacts would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? <u>No Impact</u>

All solid waste facilities, including landfills, require solid waste facility permits to operate. In San Diego County, Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440 et seq.) authorizes the County Department of Environmental Health, Local Enforcement Agency to issue solid waste facility permits. Sycamore Sanitary Landfill is a permitted facility and EDCO is a licensed hauler. The project would comply with existing regulations related to solid waste disposal. The project would not violate federal, state, or local statutes or regulations related to solid waste. No impact is identified for this issue area.

XX. WILDFIRE

a) If located in or near state responsibility areas or lands classified as very high fire hazard severity zone, would the project:

- ***Substantially impair an adopted emergency response plan or emergency evacuation plan? <u>No Impact.</u>***
- ***Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? <u>No Impact</u>***
- ***Require the installation of 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? <u>No Impact</u>***
- ***Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? <u>No Impact</u>***

The four wildlife thresholds relate specifically to projects located in or near state responsibility areas or lands classified as very high fire severity zones. The project site is located in an urbanized portion of the City. The project site is not located in or near a State Responsibility Area nor is it classified as being located in a very high fire severity zone (CAL FIRE 2009). Further, per Figure 6-4 (SMFD Community Hazard Zones) of the Safety Element of the City's General Plan, the project site is not identified as being within a community hazard zone. No wildfire impact is identified for the project.

V. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? Less Than Significant Impact With Mitigation Incorporated

The project site is entirely paved and developed with existing Hollandia Dairy facilities. Therefore, no sensitive biological resources are present.

A cultural resources study was prepared for the project and did not identify any resources on the site. The project site is already developed with existing Hollandia Dairy facilities. Due to the age of the Hollandia Dairy Building, the cultural resources report evaluated its eligibility for listing in the California Register of Historical Resources (CRHR) and as an historical resource under CEQA. As discussed in more detail in Cultural Resources, Section V. (a), ASM concluded that the building is not eligible for the CRHR because it does not retain sufficient overall integrity to convey its historical significance. The Hollandia Dairy does not meet any of the other CRHR criteria. As such, the Hollandia Dairy is not eligible for the CRHR, either individually or as a historic district, and is therefore not a CEQA historical resource.

The City also conducted outreach to tribes consistent with the requirements of AB 52 and a summary of that consultation is discussed in the cultural resources and tribal cultural resources sections of this document. Mitigation measures MM-CR-1a through MM-CR-1h would be applicable to the project for any additional grading in previously-undisturbed areas.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) Less Than Significant Impact

Based upon the analysis presented in this document, the project will not have any impacts that are individually limited but cumulatively considerable. Impacts would be less than significant.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? <u>Less Than Significant Impact with Mitigation Incorporated</u>

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VIII. Hazards and Hazardous Materials, IX. Hydrology and Water Quality, XII. Noise, XIII. Population and Housing, XIV. Public Services, and XVI. Transportation and Traffic. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. All impacts in these environmental issue areas are less than significant or mitigated to below a level of significance through implementation of mitigation measures that will be required as a condition of project approval (MM-GEO-1 and MM-HAZ-1). Therefore, this project has been determined not to meet this Mandatory Finding of Significance and impacts are less than significant with the incorporation of mitigation.

VI. PREPARERS

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

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VII. REFERENCES

ASM Affiliates, Inc. (ASM). 2020. Cultural Resources Study for the Hollandia Dairy Project, San Marcos, San Diego County, California. November 3.

Black & Veatch. 2018. 2018 Water, Wastewater, and Recycled Water Master Plan Prepared for Vallecitos Water District. October 4. http://www.vwd.org/home/showdocument?id=10656

CAL FIRE. 2009. Very High Fire Hazard Severity Zone in LRA as Recommended by CAL FIRE (for San Marcos). https://osfm.fire.ca.gov/media/5970/san_marcos.pdf Viewed April 14, 2020.

CalRecycle. 2020a. Facility/Site Summary Details: Sycamore Landfill (37-AA-0023). https://www2.calrecycle.ca.gov/swfacilities/Directory/37-AA-0023/ Viewed May 17, 2020.

CalRecycle. 2020b. Countywide, Regionwide, and Statewide Jurisdiction Diversion / Disposal Progress Report (San Diego County) https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal Viewed May 17, 2020.

CalRecycle (California Department of Resources Recycling and Recovery). 2006. Estimated Solid Waste Generation Rates: Residential Sector Generation Rates. https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Residential . Viewed May 17, 2020.

Caltrans. 2020. Officially Designated State Scenic Highways. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm. Viewed May 15.

City of San Marcos. 2012a. General Plan http://www.san-marcos.net/work/economic-development/general-plan

City of San Marcos. 2012b. Final Environmental Impact Report San Marcos General Plan. SCH No. 2011071028. February.

City of San Marcos. 2013. Climate Action Plan. September 10. http://www.san-marcos.net/departments/development-services/planning/climate-action-plan

City of San Marcos. 2020. Draft Interim Transportation Impact Analysis Guidelines. July 1

CalRecycle. 2018. Jurisdiction Diversion and Disposal Rate Summary (2007 – Current): San Marcos. https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006. Viewed April 16, 2020.

County of San Diego. 2018. Five-Year Review Report of the Countywide Integrated Waste Management Plan. https://www.sandiegocounty.gov/content/dam/sdc/dpw/SOLID_WASTE_PLANNING_and_ RECYCLING/Files/2.%20Five-YearReview-%20Final.pdf. Viewed April 16, 2020.

Department of Toxic Substances Control. 2021a. EnviroStor Database. https://geotracker.waterboards.ca.gov/profile_report?global_id=T0607303009. Viewed September 1.

Department of Toxic Substances Control. 2021b. EnviroStor Database. https://geotracker.waterboards.ca.gov/profile_report?global_id=T0607302356. Viewed September 1.

FEMA. 2020. Federal Insurance Rate Map Panel 06073C0794G (Effective 5/16/2012). Viewed October 4, 2020.

Excel Engineering. 2019. Hydrology/Hydraulics Study for the Preliminary Grading Plan for Hollandia Dairy Redevelopment. APN 218-180-48. 622 E. Mission Road San Marcos, CA 92069. February 19.

Excel Engineering. 2020. Priority Development Plan (PDP) Storm Water Quality Management Plan (SWQMP) for Hollandia Dairy Redevelopment. 622 E. Mission Road San Marcos, CA 92069. February 19.

LDN Consulting, Inc. (LDN). 2020. Mission Road Storage Air Quality and Greenhouse Gas Screening Letter – City of San Marcos. November 16.

LDN Consulting, Inc. (LDN). 2021a. Hollandia Dairy Modernization Air Quality Assessment – San Marcos. September 10.

LDN Consulting, Inc. (LDN). 2021b. Hollandia Dairy Modernization Greenhouse Gas Screening Letter – San Marcos. September 10.

LDN Consulting, Inc. (LDN). 2021c. Noise Evaluation for Hollandia Dairy Modernization – San Marcos. January 20.

North County Transit District (NCTD). 2019. Rider's Guide. https://gonctd.com/wp-content/uploads/2020/01/Riders-Guide-October-2019-Web-2.pdf. Viewed April 9, 2020.

NOVA Services, Inc. 2019. Geotechnical Investigation Hollandia Dairy Fluid Milk Plan Improvements. 622 E. Mission Road, San Marcos, California.

San Diego Air Pollution Control District (SDAPCD). 2021. Attainment Status. https://www.sdapcd.org/content/sdc/apcd/en/air-quality-planning/attainment-status.html. Viewed January 15, 2021.

SDAPCD. 1976. *District Rule 51.* Retrieved from https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Rules_and_Regulations/Prohibitions/APCD_R50-1-51.pdf

San Diego County Regional Airport Authority, Airport Land Use Commission (SDCRAA-ALUC). 2010. McClellan-Palomar Airport Land Use Compatibility Plan. January 25. Amended March 4, 2010, and December 1, 2011. http://www.san.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=2991&language=en-US&PortalId=0&TabId=225. Viewed May 14, 2020.

South Coast Air Quality Management District. SCAQMD. 2008. Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Thresholds. October.

US EPA. (1992). *Screening Procedures for Estimating the Air Quality Impact of Stationary Sources Revised.* US EPA. Retrieved from http://www.epa.gov/scram001/guidance/guide/EPA-454R-92-019_OCR.pdf

VIII. MITIGATED NEGATIVE DECLARATION

City of San Marcos

The following Mitigated Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Sections 21091 and 21092 of the Public Resources Code.

Public Review Period: December 6, 2021 to January 5, 2022

Project Name: Hollandia Dairy Conditional Use Permit Modification

Project Applicant: Hollandia Dairy, 622 E. Mission Road, San Marcos, CA 92069

Project Location: The 14.54-acre Hollandia Dairy project site is located at 622 E. Mission Road in the Richland Neighborhood in the City of San Marcos in North San Diego County. The Assessor Parcel Number (APN) is 218-180-048. Specifically, the project site is located on the northeast corner of Mulberry Drive and E. Mission Road. The project site is bounded by Mulberry Drive to the west, E. Mission Road to the south, and the existing cut slopes and Mission Hills Court to the north and east. The sites adjoining the project site include industrial and commercial uses to the west of Mulberry Dr. and south of E. Mission Road. Mission Hills High School is to the east of Mission Hills Court and Mission Hills Church is to the north of the project site.

Project Description: The proposed project is intended to upgrade and renovate existing facilities on site or to replace old buildings and equipment to maintain compliance with current food safety regulations and standards and to increase employee workplace safety standards. The project applicant is requesting approval of a Conditional Use Permit (CUP) for the following actions: 1) Demolish and reconstruct new creamery and mechanical equipment building and construct new canopy over case return dock station; and 2) Demolish old process facility and construct new warehouse and support building.

Demolition and Reconstruction of New Creamery – The project proposes to replace the existing creamery and central plant containing approximately 27,372 s.f. and the existing covered outdoor staging area of approximately 1,620 s.f. with a modern processing plant and support services of approximately 104,135 s.f. (net increase of 76,763 s.f., 48,755 s.f. of which can be classified as occupied space). This upgraded facility will maintain the existing quantities of product intake and productions and will keep the dairy in compliance with all the current food processing facility requirements. Building expansion is necessary to bring the dairy into compliance with federal dairy operating regulations which in part require more space between equipment.

Demolition of Old Process Facility and Construction of New Warehouse and Support Building – The replacement facility will contain a new processing plant, office space, maintenance building, employee space, restrooms, unoccupied space which houses mechanical equipment, and a new cover over the milk crate wash racks. Rather than receive several shipments of pre-formed plastic containers and storing those, new building space will also house a molder, eliminating plastic deliveries by truck. Processing equipment totals 7 machines, which will be replaced on a one-to-one basis as older machines become obsolete.

IX. FINDINGS

This is to advise that the City of San Marcos, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this Mitigated Negative Declaration based upon the following findings:

☐ The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

Cultural Resources/Tribal Cultural Resources

MM-CR-1a Prior to the issuance of a Grading Permit, or ground-disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with the San Luis Rey Band of Mission Indians, and/or another Traditionally and Culturally Affiliated Native American Tribe ("TCA Tribe"). The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of Native American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas and other tribal cultural resources, located within and/or discovered during ground disturbing and/or construction activities for the proposed project, including any additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and all other ground disturbing activities.

MM-CR-1b The landowner shall relinquish ownership of all non-burial related tribal cultural resources collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement. Any burial related tribal cultural resources (as determined by the Most Likely Descendant) shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission pursuant to California Public Resources Code Section 5097.98. If none of the TCA Tribes accept the return of the cultural resources, then the cultural resources will be subject to the curation requirements contained herein. Additionally, in the event that curation of tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved facility and the curation shall be guided by California State Historic Resource Commissions Guidelines for the Curation of Archaeological Collections. The City of

San Marcos shall provide the developer final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The applicant shall provide to the City written documentation from the TCA Tribe, the Most Likely Descendant, and/or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.

MM-CR-1c Prior to the issuance of a Grading Permit or ground-disturbing activities, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the Development Services Department stating that a Qualified Archaeologist and TCA Native American monitor have been retained at the Applicant/Owner or Grading Contractor's expense to implement the monitoring program, as described in the Tribal Cultural Resource Treatment and Monitoring Agreement.

MM-CR-1d Prior to submittal of grading and/or improvement as-built plans, or prior to the issuance of any project Certificate of Occupancy, a monitoring report, which describes the results, analysis and conclusions of the archaeological monitoring program shall be submitted by the Qualified Archaeologist, along with the TCA Native American monitor's notes and comments, to the Planning Division Manager for approval. A copy of any submitted monitoring report shall be provided to the San Luis Rey Band of Mission Indians and any other TCA Tribe that requests the report.

MM-CR-1e The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall notify the Planning Division, preferably through e-mail, of the start and end of all ground disturbing activities.

MM-CR-1f The Qualified Archaeologist and TCA Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated Subcontractors to present the archaeological monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on-site full-time during grubbing, grading and/or other ground disturbing activities, including the placement of imported fill materials or fill used from other areas of the project site, to identify any evidence of potential archaeological or cultural resources. All fill materials shall be absent of any and all cultural resources. The Applicant/Owner or Grading Contractor may submit written documentation to the City to substantiate if any fill material is absent of cultural resources. Should the City concur that the fill material is absent of cultural resources, in consultation with a Qualified Archaeologist and/or the TCA Native American monitor, then no monitoring of that fill material is required.

MM-CR-1g The Qualified Archaeologist or the TCA Native American monitor may halt ground disturbing activities if unknown archaeological artifact deposits or cultural features are discovered. Ground disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field,

collected, and be given to the TCA Tribe so that they may be reburied at the site on a later date. If a determination is made that the unearthed artifact deposits or tribal cultural resources are considered potentially significant, the San Luis Rey Band of Mission Indians and/or the TCA Tribe referenced in CR-1 shall be notified and consulted with in regard to the respectful and dignified treatment of those resources. All sacred sites, significant tribal cultural resources and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation, if feasible. If, however, a data recovery plan is authorized by the City as the Lead Agency under CEQA, the contracted San Luis Rey Band of Mission Indians and/or the TCA Tribe referenced in CR-1 shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant artifact deposits, tribal cultural resources or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the TCA Native American monitor, may at their discretion, collect said resources and provide them to the contracted TCA Tribe referenced in CR-1 for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. If the Developer, the Qualified Archaeologist, and the TCA Tribe cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of the California Environmental Quality Act and California Public Resources Code Section 21083.2(b) with respect to archaeological resources, tribal cultural resources and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe. Notwithstanding any other rights available under law, the decision of the Planning Division Manager shall be appealable to the Planning Commission and/or City Council.

MM-CR-1h 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 Medical Examiner's Office. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner 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, and consultation and treatment could occur as prescribed by law. By law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC), by telephone, within 24 hours. The NAHC will make a determination as to the Most Likely Descendent. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in

close proximity to where they were found, and the examination of the remains shall only occur on-site in the presence of a TCA Native American monitor.

Geology and Soils

MM-GEO-1 The project applicant shall implement the geotechnical recommendations identified beginning on pages 27 – 41 of the Soils Report prepared by NOVA Systems for the project site. These recommendations address seismic design parameters, corrosivity and sulfates, earthwork activities, foundations, and slab considerations, retaining wall design, and temporary slopes.

Hazards and Hazardous Materials

MM-HAZ-1 Prior to issuance of a demolition permit from the Building Division, the structures proposed for demolition shall be inspected for the presence of asbestos-containing materials and lead-based paint. Should asbestos-containing materials or lead-based paint be identified, they shall be properly abated and disposed of by a contractor that is licensed to perform the work. Results of the inspection and abatement (if required) shall be provided to the Building Division.

A MITIGATED NEGATIVE DECLARATION will be prepared.

If adopted, the Mitigated Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the Planning Division Counter at the City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069.

NOTICE

The public is invited to comment on the proposed Mitigated Negative Declaration during the review period.

Digitally signed by Sean del Solar
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Date: 2021.11.15 16:28:20 -08'00'

Sean del Solar, Associate Planner

December 6, 2021
Date of Determination