

**ENVIRONMENTAL (CEQA) COMPLIANCE CONSULTING  
SERVICES**  
**RICHARD T. STEED MEMORIAL PARK/BARON VON WILLARD  
DOG PARK MASTER PLAN UPDATE**  
**Initial Study and Mitigated Negative Declaration (IS/MND)**

*CEQA Analysis Prepared for:*



**City of San Clemente**  
Beaches, Parks & Recreation Department  
100 N. Calle Seville  
San Clemente, CA 92672

*Prepared by:*



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Irvine, CA 92618  
Proposal No. 220417

**January 2023**

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## PROJECT INFORMATION SHEET

- 1. Project Title** Richard T. Steed Memorial Park and Baron Von Willard Dog Park – Master Plan Update
  
- 2. CEQA Lead Agency** City of San Clemente  
Beaches, Parks & Recreation Department
  
- 3. Project Applicant** Samantha Wylie, Beaches, Parks & Recreation  
Director  
**City of San Clemente**  
Beaches, Parks & Recreation Department  
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San Clemente, CA 92672  
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- 4. Project Location** 247 Avenida La Pata, San Clemente, CA 92673
  
- 5. Assessor’s Parcel Number (APN)** 690-552-06
  
- 6. Project Site General Plan Designation(s)** OS1- Open Space, Publicly Owned
  
- 7. Project Site Zoning Designation(s)** Rancho San Clemente Specific Plan  
OS (Open Space)
  
- 8. Surrounding Land Uses and Setting** The park is located adjacent to the San Onofre State Beach and Marine Corps Base Camp Pendleton to the south and east. Located to the northwest of the project site is the Bella Collina Golf Club, San Clemente’s only private golf club. Rancho San Clemente Business Park is located to the west on a bluff above Richard T. Steed Memorial Park.
  
- 9. Description of Project** The Original Master Plan for the Richard T. Steed Memorial Park was approved by City Council in April 2003. At that time, the existing uses included the following: four-field softball complex; skate park; play areas; parking and internal circulation; and vegetation. Since the opening, additional features added have included: improvements to the softball complex; food concession building; enclosed tot lot; picnic area with tables; and two dog parks (large and small breed).  
  
The Master Plan Update (proposed project) includes:



- Mountain Bike Hub Enlargement
- Activity Meadows/ Large Soccer Field
- 16 - 18 Pickleball Courts
- Two Pump Track Facilities
- Large Dog Park and Shade Structure
- Small Dog Park and Shade Structure
- Skateboard Hub
- Flex Space/Volleyball Courts or Open Space
- Scenic Overlook and Trellis
- Added Parking Lot Space
- Improvements to existing park facilities

Refer to **Section 3.0** of this document for additional information.

**10. Selected Agencies whose Approval is Required**

City of San Clemente

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1?**

**If so, has consultation begun?**

Letters were sent by the City of San Clemente (the Lead Agency), to local Native American tribes asking if they wished to participate in AB 52 consultation concerning the proposed project in the City. Tribes had up to 90 days in which to respond to notification of the project. For the proposed project, those tribe(s) that requested consultation were contacted by the City per Public Resources Code § 21074. A response was received from Juaneño Band of Mission Indians – Acjachemen Nation – Belardes and consultation is in process.

**12. Other Public Agencies**

Agencies that will review the proposed project include the following:

- California Regional Water Quality Control Board – San Diego
- South Coast Air Quality Management District
- Orange County Fire Department





# TABLE OF CONTENTS

**1.0 INTRODUCTION..... 1-1**

1.1 Proposed Project..... 1-1

1.2 Project Components..... 1-1

1.3 Estimated Construction Schedule ..... 1-1

1.4 Lead Agencies – Environmental Review Implementation ..... 1-1

1.5 CEQA Overview ..... 1-1

1.6 Purpose of Initial Study ..... 1-2

1.7 Review and Comment by Other Agencies ..... 1-3

1.8 Impact Terminology ..... 1-4

1.9 Organization of Initial Study ..... 1-4

1.10 Findings from the Initial Study..... 1-5

**2.0 ENVIRONMENTAL SETTING ..... 2-1**

2.1 Project Location..... 2-1

2.2 Project Setting ..... 2-1

2.3 Land Use and Zoning ..... 2-1

2.4 Existing Characteristics of the Site ..... 2-7

2.4.1 Climate and Air Quality ..... 2-7

2.4.2 Hydrology..... 2-7

2.4.3 Public Services ..... 2-8

2.4.4 Utilities ..... 2-8

**3.0 PROJECT DESCRIPTION ..... 3-1**

3.1 Purpose ..... 3-1

3.2 Project Location and Setting ..... 3-1

3.3 Project Site History ..... 3-1

3.3.1 Community Outreach ..... 3-3

3.3.2 Design Concepts Presented to Commission..... 3-3

3.4 Proposed Park Features ..... 3-4

3.5 Construction Schedule ..... 3-5

3.6 Intended Uses of the Initial Study ..... 3-15

3.7 Discretionary and Administrative Actions ..... 3-15

**4.0 ENVIRONMENTAL CHECKLIST ..... 4-1**

4.1 Aesthetics ..... 4.1-1

4.2 Agriculture and Forestry Resources ..... 4.2-1

4.3 Air Quality ..... 4.3-1

4.4 Biological Resources ..... 4.4-1

4.5 Cultural Resources ..... 4.5-1

4.6 Energy..... 4.6-1

4.7 Geology and Soils ..... 4.7-1

4.8 Greenhouse Gas Emissions ..... 4.8-1

4.9 Hazards and Hazardous Materials ..... 4.9-1

4.10 Hydrology and Water Quality ..... 4.10-1

4.11 Land Use and Planning ..... 4.11-1

4.12 Mineral Resources ..... 4.12-1

4.13 Noise..... 4.13-1



4.14 Population and Housing ..... 4.14-1

4.15 Public Services ..... 4.15-1

4.16 Recreation ..... 4.16-1

4.17 Transportation and Traffic ..... 4.17-1

4.18 Tribal Cultural Resources ..... 4.18-1

4.19 Utilities and Service Systems ..... 4.19-1

4.20 Wildfire ..... 4.20-1

4.21 Mandatory Findings of Significance ..... 4.21-1

**5.0 REFERENCES..... 5-1**

**6.0 LIST OF PREPARERS ..... 6-1**

6.1 CEQA Lead Agency..... 6-1

6.2 Project Applicant..... 6-1

6.3 UltraSystems Environmental, Inc..... 6-1

**7.0 Mitigation Monitoring and Reporting Program ..... 7-1**

**TABLES**

**Table 3.2-1 - Project Summary..... 3-5**

**Table 4.1-1 - Existing Visual Character and Land Uses in the Project Area..... 4.1-4**

**Table 4.3-1 - Federal and State Attainment Status ..... 4.3-2**

**Table 4.3-2 - Ambient Air Quality Monitoring Data ..... 4.3-5**

**Table 4.3-4 - SCAQMD Thresholds of Significance ..... 4.3-8**

**Table 4.3-4 - Construction Schedule..... 4.3-8**

**Table 4.3-5 - Maximum Daily Regional Construction Emissions ..... 4.3-9**

**Table 4.3-6 - Maximum Daily Project Operational Emissions..... 4.3-10**

**Table 4.3-7 - Results of Localized Significance Analysis ..... 4.3-11**

**Table 4.4-1 - Mapped Land Cover Types..... 4.4-22**

**Table 4.6-1 - Estimated Project Operational Energy Use..... 4.6-3**

**Table 4.7-1 - Construction Best Management Practices ..... 4.7-7**

**Table 4.7-2 - Fossil Localities in the Project Region..... 4.7-10**

**Table 4.8-1 - Summary of Emissions Local and State Reduction Measures ..... 4.8-9**

**Table 4.8-2 - Project Construction-Related GHG Emissions ..... 4.8-11**

**Table 4.8-3 - Project Operational GHG Emissions..... 4.8-12**

**Table 4.11-1 - Consistency Analysis: The Proposed Project Compared to Relevant City of San Clemente Centennial General Plan Land Use and Rancho San Clemente Specific Plan..... 4.11-1**

**Table 4.13-1 – Sensitive Receivers in Project Area ..... 4.13-2**

**Table 4.13-1 – Sensitive Receivers in Project Area ..... 4.13-2**

**Table 4.13-2 - Ambient Noise Measurement Results ..... 4.13-5**

**Table 4.13-3 - California Land Use Compatibility for Community Noise Sources ..... 4.13-6**

**Table 4.13-9 - Vibration Levels of Typical Construction Equipment..... 4.13-19**

**Table 4.14-1 - City of Fontana Demographic Forecast..... 4.14-1**

**Table 4.17-1 - Project Compliance With City of San Clemente General Plan Policies Regarding Mobility and Complete Streets..... 4.17-2**

**Table 7.0-1 - Mitigation Monitoring and Reporting Program ..... 7-2**



## FIGURES

**Figure 2.2-1** - Regional Location..... 2-2

**Figure 2.2-2** - Project Location ..... 2-3

**Figure 2.2-3** - Topographic Map ..... 2-4

**Figure 2.2-4** - Project Site Photographs..... 2-5

**Figure 3.3-1** - Rancho San Clemente Land Use Exhibit ..... 3-2

**Figure 3.2-1** - Concept Illustrative Plan..... **Error! Bookmark not defined.**

**Figure 3.2-2** - Concept Illustrative Plan - Skate Park Hub and Mountain Bike Hub..... 3-7

**Figure 3.2-3** - Concept Imagery - Skate Park Hub, Mountain Bike Hub, Trailhead Signage ..... 3-8

**Figure 3.2-4** - Concept Imagery - Active Recreation, Baseball & Softball Hub ..... 3-9

**Figure 3.2-5** - Site Plan - Existing Conditions.....3-10

**Figure 3.2-6** - Site Plan - Existing Open Space .....3-11

**Figure 3.2-7** - Site Plan - Existing Topography .....3-12

**Figure 3.2-8** - Site Plan - Opportunities .....3-13

**Figure 3.2-9** - Site Plan - Constraints .....3-14

**Figure 4.1-1** - State Scenic Highways..... 4.1-3

**Figure 4.1-2** - Existing Visual Character in the Vicinity of the Project Site.....4.1-5

**Figure 4.1-3** - Existing Visual Character in the Vicinity of the Project Site.....4.1-6

**Figure 4.1-2** - Existing Visual Character in the Vicinity of the Project Site.....4.1-7

**Figure 4.1-3** - Concept Illustrative Plan - Overview ..... **Error! Bookmark not defined.**

**Figure 4.1-4** - Concept Illustrative Plan - Detail ..... **Error! Bookmark not defined.**

**Figure 4.2-1** - Important Farmland Categories .....4.2-2

**Figure 4.4-1** - Project Location and Biological Study Area .....4.4-3

**Figure 4.4-2** - Land Cover Types.....4.4-4

**Figure 4.4-3** - CNDDDB Known Occurrences Plant Species and Habitats .....4.4-6

**Figure 4.4-4** - CNDDDB Known Occurrences Wildlife Species .....4.4-7

**Figure 4.4-5** - Surface Drainage..... 4.4-27

**Figure 4.4-5** - CDFW Wildlife Corridors ..... 4.4-29

**Figure 4.5-1** - Topographic Map ..... 4.5-2

**Figure 4.7-1** - Alquist Priolo Fault Zones .....4.7-3

**Figure 4.7-2** - Regionally Active Faults .....4.7-4

**Figure 4.7-3** - Landslides and Liquefaction.....4.7-6

**Figure 4.9-1** - Project Cortese List Map ..... 4.9-5

**Figure 4.9-2** - Airports in the Project Region ..... 4.9-6

**Figure 4.9-3** - Fire Hazard Severity Zones - Local Responsibility Area..... 4.9-9

**Figure 4.9-4** - Fire Hazard Severity Zones - State Responsibility Area..... 4.9-10

**Figure 4.10-1** - USGS Surface Waters and Watersheds..... 4.10-3

**Figure 4.11-1** - General Plan Land Use Designation..... 4.11-2

**Figure 4.12-1** - Designated Mineral Resource Zone ..... 4.12-2

**Figure 4.12-2** - Oil, Gas and Geothermal Wells..... 4.12-3

**Figure 4.13-1** - Sensitive Receivers Near the Project Site..... 4.13-3

**Figure 4.13-2** - Ambient Noise Measurement Locations..... 4.13-4

**Figure 4.20-1** - Wildland Urban Interface..... 4.20-3



## APPENDICES

Appendix A	Project Plans
Appendix B1	CalEEMod Input and Results For Air Quality Analysis
Appendix B2	CalEEMod Input and Results For Greenhouse Gas Emissions Analysis
Appendix C	Biological Resources Evaluation
Appendix D1	Cultural Resources Report
Appendix D2	Paleontological Records Search
Appendix E	Reserved
Appendix F	Phase I Environmental Site Assessment-Data Only
Appendix G	Noise Data
Appendix H	Traffic Study



**ACRONYMS AND ABBREVIATIONS**

Acronym/Abbreviation	Term
AAQS	ambient air quality standards
AB 32	California Global Warming Solutions Act of 2006 (Assembly Bill 32)
AB 52	Assembly Bill 52
ACM(s)	Asbestos-Containing Material(s)
ADA	Americans with Disabilities Act
AFY	Acre-feet per year
AIA	Airport Influence Area
AMI	Area Median Income
amsl	above mean sea level
APE	Area of Potential Effect
APN	Assessor’s Parcel Number
AQA	Air Quality Analysis
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
BAU	business as usual
BIOS	Biogeographic Information and Observation System
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CAL FIRE	California Department of Forestry and Fire Protection
CAL Green	California Green Building Standards
Caltrans	California Department of Transportation
CAO(s)	Cleanup and Abatement Order(s)
CAPCOA	California Air Pollution Control Officers Association
CASGEM	California Statewide Groundwater Elevation Monitoring
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDO(s)	Cease and Desist Order(s)
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFGF	California Fish and Game Code
cfs	cubic feet per second
CGS	California Geological Survey
CH <sub>4</sub>	methane
CHRIS	California Historic Resources Inventory System
City	City of San Clemente
CMP	Congestion Management Program
CMP	corrugated metal pipe
CMPHS	CMP Highway System



❖ ACRONYMS AND ABBREVIATIONS ❖

Acronym/Abbreviation	Term
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalent
CRC	California Residential Code
CWA	Clean Water Act
DAMP	Drainage Area Management Plan
dB	decibel
dBA	A-weighted decibel scale
DOC	California Department of Conservation
DOSH	California Division of Safety and Health
DTSC	Department of Toxic Substances Control
du/ac	Dwelling units per acre
DWR	Department of Water Resources
EIR	Environmental Impact Report
EMS	Emergency Medical Services
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
ESA	Environmental Site Assessment
ESRL	Earth System Research Laboratory
EV	electric vehicle
EVCS	electric vehicle charging station
°F	degrees Fahrenheit
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zones
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHG	greenhouse gases
GIS	Geographic Information System
GPCD	gallons per capita per day
gpd	gallons per day
GWP	global warming potential
HABS	Historic American Building Survey
HCP	Habitat Conservation Plan
HFCs	hydroflourocarbons
HU	Hydrologic Unit
HVAC	heating, ventilation and air conditioning
IPCC	Intergovernmental Panel on Climate Change
ISA	International Society of Arboriculture
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
L <sub>90</sub>	noise level that is exceeded 90% of the time
L <sub>eq</sub>	equivalent noise level



❖ ACRONYMS AND ABBREVIATIONS ❖

Acronym/Abbreviation	Term
LBP	Lead-Based Paint
LID	Low Impact Development
$L_{max}$	root mean square maximum noise level
LOS	Level of Service
LRA	Local Responsibility Area
LSTs	Localized Significance Thresholds
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MLD	Most Likely Descendant
MM(s)	mitigation measure(s)
MMRP	Mitigation Monitoring and Reporting Program
MMTCO <sub>2e</sub>	million metric tons of CO <sub>2e</sub>
MND	Mitigated Negative Declaration
MPAH	Master Plan of Arterial Highways
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer permit
MT	Metric tons
N <sub>2</sub> O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
National Core	National Community Renaissance
NASA	National Aeronautics and Space Administration
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO	nitric oxide
NO <sub>x</sub>	nitrogen oxides
NO <sub>2</sub>	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
O <sub>3</sub>	Ozone
OCFA	Orange County fire Authority
OCSD	Orange County Sanitation District
OCTA	Orange County Transportation Agency
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PCB	polychlorinated biphenyl
PFCs	perfluorocarbons
PM	particulate matter
PM <sub>10</sub>	respirable particulate matter
PM <sub>2.5</sub>	fine particulate matter
ppm	parts per million
PPV	peak particle velocity
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Condition(s)
RHNA	Regional Housing Needs Allocation



❖ ACRONYMS AND ABBREVIATIONS ❖

Acronym/Abbreviation	Term
RMS	root mean square
ROG	Reactive organic gases
ROW	Right-of-way
RPS	Renewables Portfolio Standard
RWQCB	Regional Water Quality Control Board
§	section
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SDG&E	San Diego Gas & Electric
SF <sub>6</sub>	sulfur hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SMARA	Surface Mining and Reclamation Act
SO <sub>2</sub>	sulfur dioxide
SoCalGas	Southern California Gas Company
SRA	State Responsibility Area
SRAs	source receptor areas
SRRE	Source Reduction and Recycling Element
STIP	Statewide Transportation Improvement Program
SUSMP	Standard Urban Stormwater Mitigation Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAPs	Transportation Assembly Points
TCRs	Tribal Cultural Resources
TMP	Traffic Management Plan
UFPO	Urban Forest Protection Ordinance
UEI	Ultrasystems Environmental, Inc.
U.S.	United States
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
VdB	vibration decibels
VCP	vitriified clay pipe
VHFHSZ(s)	very high fire hazard severity zone(s)
VMT	vehicle miles traveled
VOC	volatile organic compound
WEG	wind erodibility group
WQMP	Water Quality Management Plan
WRI	World Resources Institute
ybp	years before present





## **1.0 INTRODUCTION**

### **1.1 Proposed Project**

The City of San Clemente (City) is updating the Master Plan for Richard T. Steed Memorial Park and Baron von Willard Dog Park. The project would consist of: (1) improvements to existing park features; (2) construction of various new park structures and features, including the relocation onsite of various park features (i.e., dog park); (3) utilities improvements; and (4) project site amenities (including structures, trellis, stairs) and onsite landscaping.

### **1.2 Project Components**

The proposed project would consist of:

- Mountain Bike Hub Enlargement
- Activity Meadows/ Large Soccer Field
- 16 – 18 Pickleball Courts
- Two Pump Track Facilities
- Large Dog Park and Shade Structure
- Small Dog Park and Shade Structure
- Skateboard Hub
- Flex Space/Volleyball Courts or Open Space
- Scenic Overlook and Trellis
- Added Parking Lot Space
- Improvements to existing park facilities

### **1.3 Estimated Construction Schedule**

Depending on final funding sources for the park improvements, construction is estimated to start no later than July 1, 2023. The project will be completed in phases, with completion expected 18 to 24 months after construction start.

### **1.4 Lead Agencies – Environmental Review Implementation**

The City of San Clemente is the Lead Agency for the proposed project. Pursuant to the California Environmental Quality Act (CEQA) and its implementing regulations,<sup>1</sup> the Lead Agency has the principal responsibility for implementing and approving a project that may have a significant effect on the environment.

### **1.5 CEQA Overview**

#### **1.1.1 Purpose of CEQA**

All discretionary projects within California are required to undergo environmental review under CEQA. A Project is defined in CEQA Guidelines § 15378 as the whole of the action having the potential

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<sup>1</sup> Public Resources Code §§ 21000 - 21177 and California Code of Regulations Title 14, Division 6, Chapter 3.



to result in a direct physical change or a reasonably foreseeable indirect change to the environment and is any of the following:

- An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements.
- An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

CEQA Guidelines § 15002 lists the basic purposes of CEQA as follows:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures (MMs) when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

### **1.1.2 Authority to Mitigate under CEQA**

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. Under CEQA Guidelines § 15041 a Lead Agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the “nexus”<sup>2</sup> and “rough proportionality”<sup>3</sup> standards.

CEQA allows a Lead Agency to approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant effect. In such cases, the Lead Agency must specifically identify expected benefits and other overriding considerations from the project that outweigh the policy of reducing or avoiding significant environmental impacts of the project.

## **1.6 Purpose of Initial Study**

The CEQA process begins with a public agency making a determination as to whether the project is subject to CEQA at all. If the project is exempt, the process does not need to proceed any farther. If the project is not exempt, the Lead Agency takes the second step and conducts an Initial Study to determine whether the project may have a significant effect on the environment.

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2 A nexus (i.e., connection) must be established between the mitigation measure and a legitimate governmental interest.

3 The mitigation measure must be “roughly proportional” to the impacts of the Project.



The purposes of an Initial Study as listed in § 15063(c) of the CEQA Guidelines are to:

- Provide the Lead Agency with information necessary to decide if an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) should be prepared.
- Enable a Lead Agency to modify a project to mitigate adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND or MND.
- Assist in the preparation of an EIR, if required, by focusing the EIR on adverse effects determined to be significant, identifying the adverse effects determined not to be significant, explaining the reasons for determining that potentially significant adverse effects would not be significant, and identifying whether a program EIR, or other process, can be used to analyze adverse environmental effects of the project.
- Facilitate an environmental assessment early during project design.
- Provide documentation in the ND or MND that a project would not have a significant effect on the environment.
- Eliminate unnecessary EIRs.
- Determine if a previously prepared EIR could be used for the Project.

In cases where no potentially significant impacts are identified, the Lead Agency may issue a ND, and no MMs would be needed. Where potentially significant impacts are identified, the Lead Agency may determine that MMs would adequately reduce these impacts to less than significant levels. The Lead Agency would then prepare a MND for the proposed project. If the Lead Agency determines that individual or cumulative effects of the proposed project would cause a significant adverse environmental effect that cannot be mitigated to less than significant levels, then the Lead Agency would require an EIR to further analyze these impacts.

## 1.7 Review and Comment by Other Agencies

Other public agencies are provided the opportunity to review and comment on the IS/MND. Each of these agencies is described briefly below.

- A Responsible Agency (14 CCR § 15381) is a public agency, other than the Lead Agency, that has discretionary approval power over the Project, such as permit issuance or plan approval authority.
- A Trustee Agency<sup>4</sup> (14 CCR § 15386) is a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California.
- Agencies with Jurisdiction by Law (14 CCR § 15366) are any public agencies who have authority (1) to grant a permit or other entitlement for use; (2) to provide funding for the project in question; or (3) to exercise authority over resources which may be affected by the project. Furthermore, a city or county will have jurisdiction by law with respect to a project when the city or county having primary jurisdiction over the area involved is: (1) the site of the project; (2) the area in which the major environmental effects will occur; and/or (3) the area in which reside those citizens most directly concerned by any such environmental effects.

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4 The four Trustee Agencies in California listed in CEQA Guidelines § 15386 are California Department of Fish and Wildlife, State Lands Commission, State Department of Parks and Recreation, and University of California.



## 1.8 Impact Terminology

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

- A finding of ***no impact*** is appropriate if the analysis concludes that the project would not affect the particular environmental threshold in any way.
- An impact is considered ***less than significant*** if the analysis concludes that the project would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered ***less than significant with mitigation incorporated*** if the analysis concludes that the project would cause no substantial adverse change to the environment with the inclusion of environmental commitments, or other enforceable measures, that would be adopted by the lead agency.
- An impact is considered potentially significant if the analysis concludes that the project could have a substantial adverse effect on the environment.

An EIR is required if an impact is identified as ***potentially significant***.

## 1.9 Organization of Initial Study

This document is organized to satisfy CEQA Guidelines § 15063(d), and includes the following sections:

- **Section 1.0 - Introduction**, which identifies the purpose and scope of the IS/MND.
- **Section 2.0 - Environmental Setting**, which describes location, existing site conditions, land uses, zoning designations, topography, and vegetation associated with the project site and surroundings.
- **Section 3.0 - Project Description**, which provides an overview of the project, a description of the proposed development, project phasing during construction, and discretionary actions for project approval.
- **Section 4.0 - Environmental Checklist**, which presents checklist responses for each resource topic to identify and assess impacts associated with the proposed project, and proposes MMs, as needed, to reduce potential environmental impacts to less than significant.
- **Section 5.0 - References**, which includes a list of documents cited in the IS/MND.
- **Section 6.0 - List of Preparers**, which identifies the primary authors and technical experts that prepared the IS/MND.

Technical studies and other documents, which include supporting information or analyses used to prepare the IS/MND, are included in the following appendices:

- Appendix A Project Plans
- Appendix B1 CalEEMod Input and Results For Air Quality Analysis
- Appendix B2 CalEEMod Input and Results For Greenhouse Gas Emissions Analysis
- Appendix C Biological Resources Evaluation
- Appendix D1 Cultural Resources Report
- Appendix D2 Paleontological Records Search
- Appendix E Reserved
- Appendix F Phase I Environmental Site Assessment-Data Only
- Appendix G Noise Data
- Appendix H Traffic Study



## **1.10 Findings from the Initial Study**

### **1.1.3 No Impact or Impacts Considered Less than Significant**

Based on IS findings, the project would have no impact or a less than significant impact on the following environmental categories listed from Appendix G of the CEQA Guidelines.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Wildfire

### **1.1.4 Impacts Considered Less than Significant with Mitigation Measures**

Based on IS findings, the project would have a less than significant impact on the following environmental categories listed in Appendix G of the CEQA Guidelines when proposed MMs are implemented.

- Biological Resources
- Cultural Resources
- Geology and Soils
- Noise
- Tribal Cultural Resources
- Mandatory Findings of Significance



## 2.0 ENVIRONMENTAL SETTING

### 2.1 Project Location

The proposed Richard T. Steed Memorial Park and Baron Von Willard Dog Park Master Plan Update Project is located at 247 Avenida La Pata in the City of San Clemente, California, on an approximately 43.44-acre site. Refer to **Figure 2.1-1**, which shows the project's location in a regional context. Local surface streets adjacent to the site include Avenida La Pata to the north and Calle Extremo to the east. The park is currently only assessable by vehicle from the north off of Avenida La Pata. **Figure 2.1-2** depicts an aerial photo of the project site and the surrounding land.

### 2.2 Project Setting

The project site is comprised of one parcel, APN 988-046-26. The project proposes an update to the Richard T. Steed Memorial Park/Baron Von Willard Dog Park Master Plan. Some of the proposed conceptual elements include an enlarged skateboard hub, enlarged mountain bike hub, scenic overlook and trellis, activity meadows/sports field, pickleball court/plaza, volleyball courts, fenced dog parks (separate large and small dog areas), and various other improvements. The existing baseball/softball fields will remain with updated turf, new lighting, scoreboards, foul ball net, and more. See **Figure 2.2-1**, which depicts the topography of the site and surrounding area. The project site is located on a hillside that was approved for grading in 1986, with additional associated grading plans approved in 1993 and 2006. Site photographs are provided in **Figures 2.2-2** and **2.2-3**.

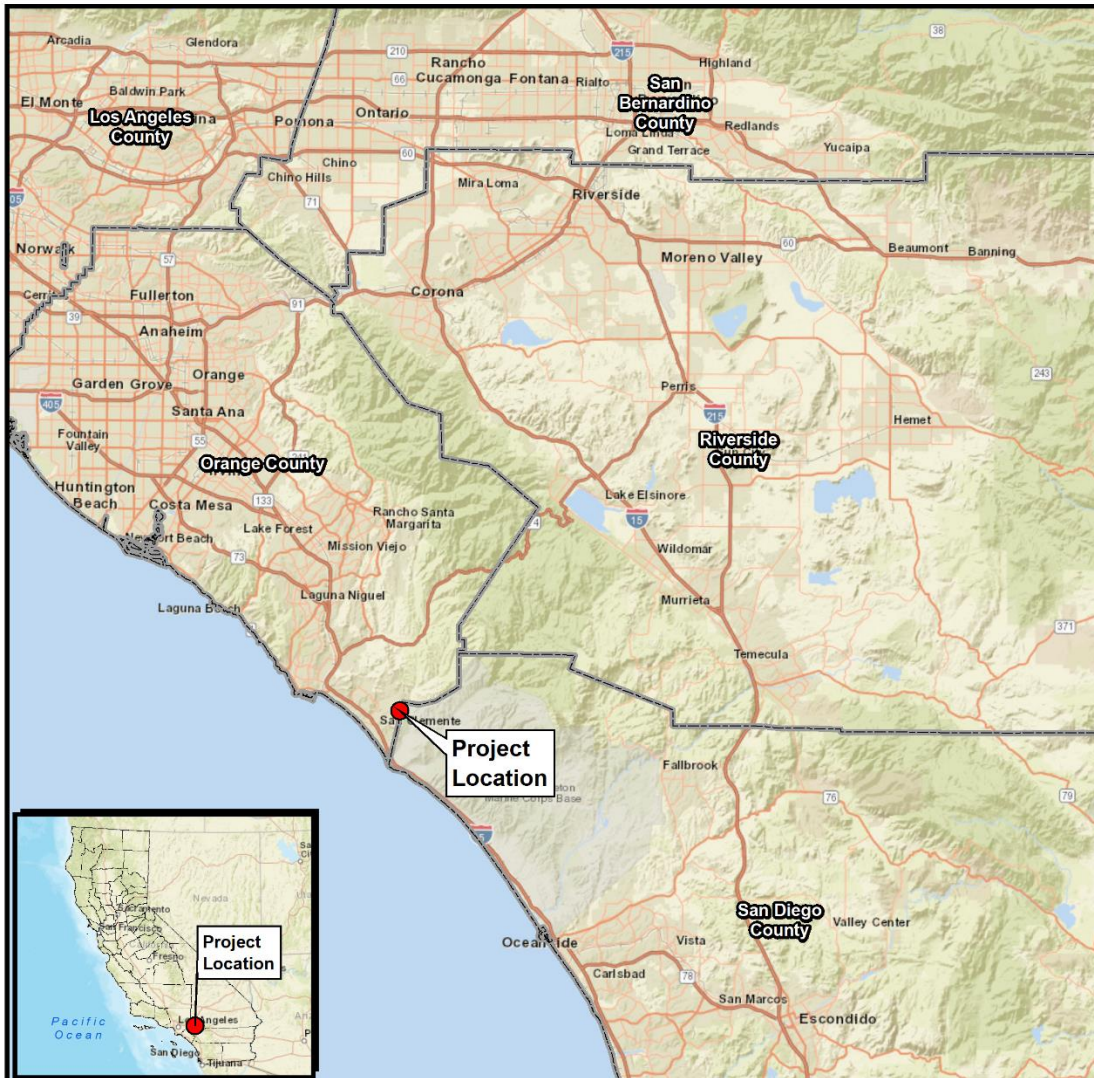
### 2.3 Land Use and Zoning

The project site is regulated and zoned under the Rancho San Clemente Specific Plan (San Clemente, 2021a), which is both a planning and a regulatory document to implement the goals, policies, and objectives of the City of San Clemente's Centennial General Plan (San Clemente, 2022a). The project site has a General Plan land use designation of Open Space Public (OS1) which is intended for publicly-owned existing and dedicated parklands, passive open space areas, recreational facilities, and golf courses (San Clemente, 2022a, p. LU-10). Consistency analysis of the proposed project respecting the San Clemente Centennial General Plan Land Use and the Rancho San Clemente Specific Plan goals and policies is provided in **Table 4.17-1** in **Section 4.17** of this IS/MND document.





**Figure 2.1-1  
REGIONAL LOCATION**



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\gis\GIS\Projects\17179\_SanClemente\_RichardT.Steed\_Memorial\PR\_IS\_MND\MXD\17179\_SanClemente\_2.0\_Regional\_Location\_2022\_06\_28.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, UltraSystems Environmental, Inc., 2022

June 30, 2022

Scale: 1:633,600



0 5 10 Miles

0 5.5 11 Kilometers

**Legend**

● Project Location

**Richard T. Steed  
Memorial Park MPU**

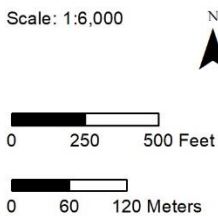
Regional Location







**Figure 2.1-2  
PROJECT LOCATION**



**Legend**

-  Project Boundary
-  County Boundary

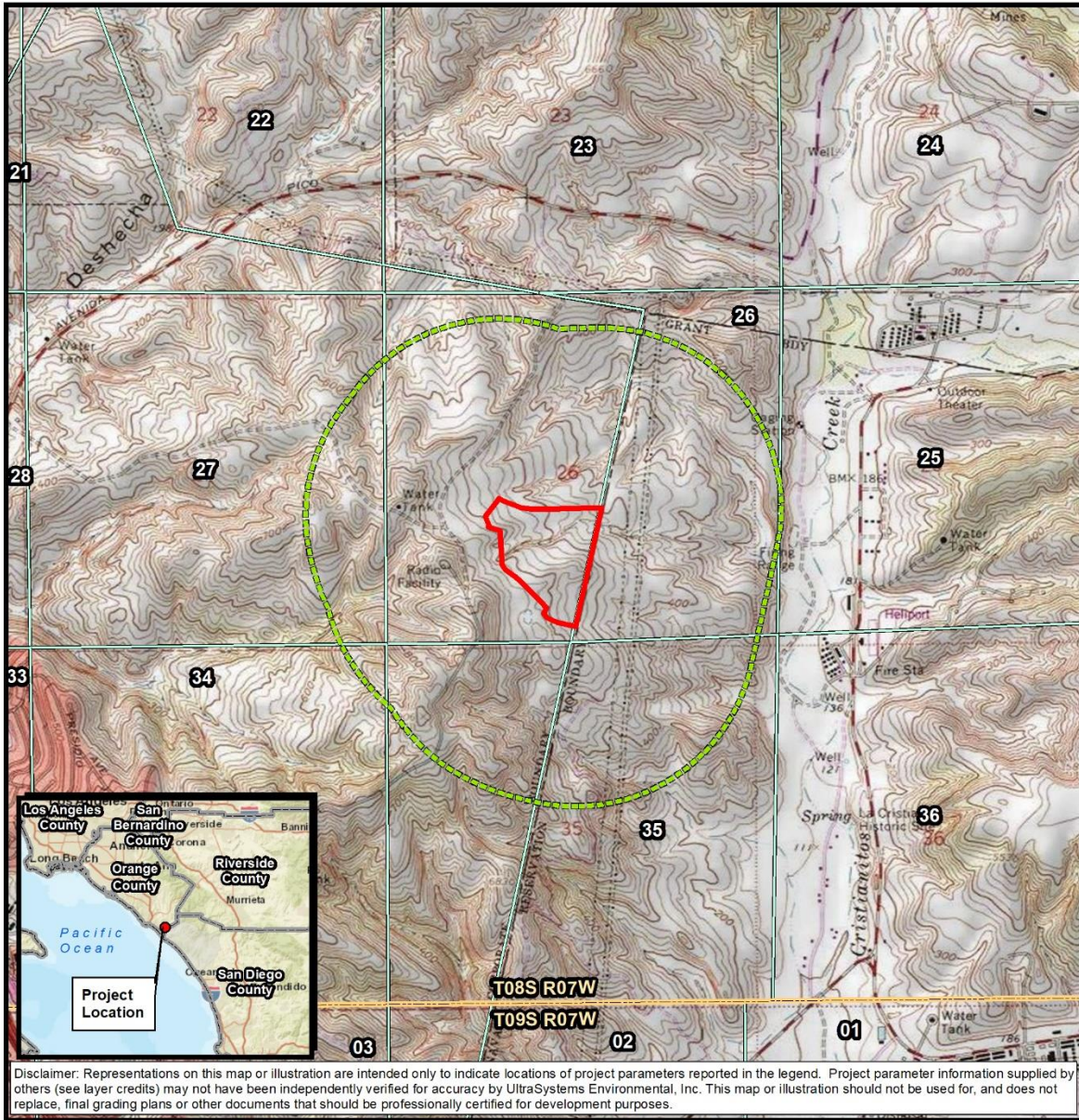
**Richard T. Steed  
Memorial Park MPU**  
Project Location



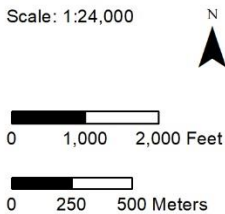




**Figure 2.2-1  
TOPOGRAPHIC MAP**



Path: V:\GIS\Projects\7179\_SanClemente\_RichardT.Steed\_MemorialPK\_IS\_MND\MXDs\7179\_SanClemente\_4\_5\_Topo\_2022\_06\_09.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC,  
 (c) OpenStreetMap contributors, and the GIS User Community, Copyright © 2013 National Geographic Society, i-cubed, California Department of Conservation, 2019,  
 UltraSystems Environmental, Inc., 2022



**Richard T. Steed  
Memorial Park MPU**  
 Topographic Map  
 USGS Quadrangle: San Clemente  
 Township: 8S Range: 7W  
 Section: 26







**Figure 2.2-2**  
**PROJECT SITE PHOTOGRAPHS**



**Photo #1: Looking west from Avenida La Pata at the park entrance.**



**Photo #2: Looking east from Avenida Fabricante at the project site.**



**Photo #3: Looking north from the Rancho San Clemente Ridgeline Trailhead over the proposed skate park expansion area and the existing skate park (Ralphs Skate Park).**



**Photo #4: Looking north from the skate hub entrance at the existing skate park.**

Source: UltraSystems, 2022





**Figure 2.2-3  
ADDITIONAL PROJECT SITE PHOTOGRAPHS**



**Photo #5: Looking southeast from Avenida La Pata & Calle Extremo at the existing large dog park entrance (proposed mtb. bike hub).**



**Photo #6: Looking southwest from the existing baseball hub over the southwest baseball diamond.**



**Photo #7: Looking southwest from Calle Extremo & Avenida Fabricante at the undeveloped area for the proposed pickleball courts, activity meadows, volleyball courts, and dog parks.**



**Photo #8: Looking northeast from Avenida Fabricante at the undeveloped area for the proposed pickleball courts, activity meadows, volleyball courts, and dog parks.**

Source: UltraSystems, 2022



## 2.4 Existing Characteristics of the Site

### 2.4.1 Climate and Air Quality

The project site is located wholly within the South Coast Air Basin (SCAB), which includes all of Orange County as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The distinctive climate of the SCAB is determined by its terrain and geographical location. The SCAB is in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. Thus, the climate is mild, tempered by cool sea breezes. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds as detailed in **Section 4.3**.

### Geology and Soils

The park site was part of the Rancho San Clemente Business Park, and the site was originally mass-graded in 1986. **Section 4.7** details that no mapped active faults or Alquist Priolo Earthquake Fault Zones are within or near the project site. The entire project site is within a landslide – a dormant young rock slide – identified by the California Geological Survey and discussed in further detail in **Section 4.7**.

The project site is underlain by Quaternary landslide deposits (Kennedy, Michael, and Tan, Siang, 2007); the Quaternary Period extends from approximately 2.58 million years before present to the present.

### 2.4.2 Hydrology

The project site has elevations ranging from approximately 381 to 768 feet above mean sea level (amsl). Under existing conditions, stormwater generated on the project site drains to the north and east/northeast and enters an existing storm drain inlet in the cul-de-sac at the eastern termination of Avenida La Pata. This storm drain, a pre-existing drainage basin that discharges stormwater from the project site, feeds into an unnamed drainage that heads east from the northeast corner of the biological study area (USEPA, 2022c).

### Biology

The project site is located in a relatively-developed area, but the Biological Study Area (BSA) is situated in a general geographic vicinity that supports high levels of native biodiversity and therefore provides valuable habitat for special-status plant and wildlife species. The majority of the project site is currently developed with the existing Richard T. Steed Memorial Park (Steed Park) and the Baron Von Willard Dog Park. The project area also contains a parking lot in the western segment of the project area, and some areas of bare or very sparsely vegetated disturbed areas with some landscaped areas containing primarily ornamental vegetation. There are commercial developments and associated paved areas to the west and south and landscaped areas to the north of the project site, within the BSA as detailed in **Section 4.4**.



### 2.4.3 Public Services

#### Fire Protection

The city is served by a full range of public services. Existing fire protection and emergency medical services are available to the project site, provided by the Orange County Fire Authority (OCFA). The nearest Fire Station is located 1.8 miles northwest from the project site (Google Earth Pro, 2022d). The OCFA provides rescue, fire prevention, fire investigation, hazardous materials response, public information/education, paramedic, and ambulance transport services. (San Clemente, 2022d & e).

#### Police Protection

Police services are provided through a contract with Orange County Sheriff's Department (OCSD) (San Clemente, 2022f). The OCSD provides law enforcement services that include patrol, investigations, traffic enforcement, community support, drug education, parking control, and crime prevention. As always, the OCSD's primary goal is to provide a safe environment for its community members to enjoy San Clemente's many amenities. The City of San Clemente Police Station, under contract with the OCSD, is located at 910 Calle Negocio and is approximately 1.9 miles west of the project site (San Clemente, 2022f; Google Earth Pro, 2022e).

#### Schools

The project site is in the Capistrano Unified School District (CUSD), which serves all of the City of San Clemente. The CUSD operates thirty-three elementary (K-5) schools, three K-8 schools, ten middle schools (6-8), six comprehensive high schools, five charter schools, and eight alternative education schools/programs (CUSD, 2022a).

#### Parks

The City of San Clemente Beaches, Parks and Recreation Department oversees the use of 324 acres of recreational space including 23 parks, 25.9 miles of hiking trails, and two miles of public beaches, as well as a 133-acre golf course (San Clemente, 2022k).

#### Other Public Facilities

The nearest hospital to the project site is Providence Mission Hospital Mission Viejo at 27700 Medical Center Rd, Mission Viejo, 14 miles north northwest of the project site. Providence Mission is a 504-bed facility that includes an emergency department (Providence, 2022)(Google Earth Pro, 2022).

### 2.4.4 Utilities

#### Water

The City of San Clemente supplies water within the city including the project site. San Clemente's domestic water is a blend of surface water imported by the Metropolitan Water District of Southern California (MWDSC) and local groundwater. MWDSC sources for imported water are the State Water Project (SWP) which draws water from the Sacramento-San Joaquin Delta, and the Colorado River. (San Clemente, 2022a. p. PS-7).



### **Sewage**

The City of San Clemente owns and operates its water treatment plant, located within the city. The wastewater service area tributary to the San Clemente Water Reclamation Plant (San Clemente WRP) is approximately 14.3 square miles. This service area represents approximately 84 percent of the total 17.1 square mile incorporated area of the City of San Clemente (San Clemente, 2019c. p. 2-1)

### **Solid Waste**

The City of San Clemente contracts with the County of Orange for the collection and disposal of the city's solid waste (San Clemente, 2016). According to the San Clemente Centennial General Plan Draft EIR, two solid waste facilities accept the vast majority of solid waste from San Clemente. About 85 percent of the solid waste from San Clemente disposed of at landfills was sent to the Prima Deshecha Sanitary Landfill in the City of San Juan Capistrano. The remainder was sent to the Frank R. Bowerman Sanitary Landfill in the City of Irvine. Both facilities are operated by OC Waste & Recycling. (The Planning Center, 2013).

### **Electricity**

Electric power for the City of San Clemente is provided by San Diego Gas and Electric (SDG&E). The proposed project is in a developed area, and the infrastructure for providing electric power to the area and the project site is well established. San Diego Gas and Electric provides electricity to and maintains a distribution network for San Clemente (San Clemente, 2022a. p. PS-15).

### **Natural Gas**

The proposed development would be all-electric and no natural gas supplies or natural gas distribution infrastructure would be used.

### **Telecommunications**

Telephone, television, and internet services are offered by a variety of providers in San Clemente, including Xfinity, Cox Communications, Spectrum, and others. These services are privately operated and offered to each location in San Clemente for a fee defined by the provider (Smartmove, 2022).





## 3.0 PROJECT DESCRIPTION

### 3.1 Purpose

The purpose of the Project Description is to describe the proposed Richard T. Steed Memorial Park and Baron Von Willard Dog Park Project (proposed project or Project) in a way that is meaningful to the public, reviewing agencies, and decision makers. The California Environmental Quality Act (CEQA) Guidelines § 5124 requires that the Project Description contain: (1) the precise location and boundaries of a proposed project; (2) a statement of objectives sought by the proposed project including the underlying purpose of the project; (3) a general description of the project's technical, economic, and environmental characteristics; and (4) a statement briefly describing the intended uses of the environmental document, including a list of the agencies that are expected to use the EIR in their decision making, a list of the permits and other approvals required to implement the project, and a list of related environmental review and consultation requirements required by federal, State, or local laws, regulations, or policies. An adequate project description need not be exhaustive but should supply the detail necessary for project evaluation.

The City of San Clemente (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the development of a City-initiated Park Master Plan Update for the proposed project. The City is the Lead Agency for the purposes of the CEQA.

### 3.2 Project Location and Setting

The project site is located at 247 Avenida La Pata, the terminus of Avenida La Pata, at the eastern limits of the City of San Clemente in Orange County, California. Assessor's Parcel Number (APN) is 690-552-06. The site encompasses 43.6 acres, all of which are located within the city. The park is located adjacent to San Onofre State Beach State Park and Marine Corps Base Camp Pendleton to the south and east, Bella Collina Golf Club to the north, and a portion of Rancho San Clemente Business Park to the west (Google Earth Pro, 2022).

The City's General Plan land use and zoning designations for the project site are OS1- Open Space, Publicly Owned (City of San Clemente, 2016a) and Rancho San Clemente Specific Plan – OS (Open Space) (City of San Clemente, 2018), respectively.

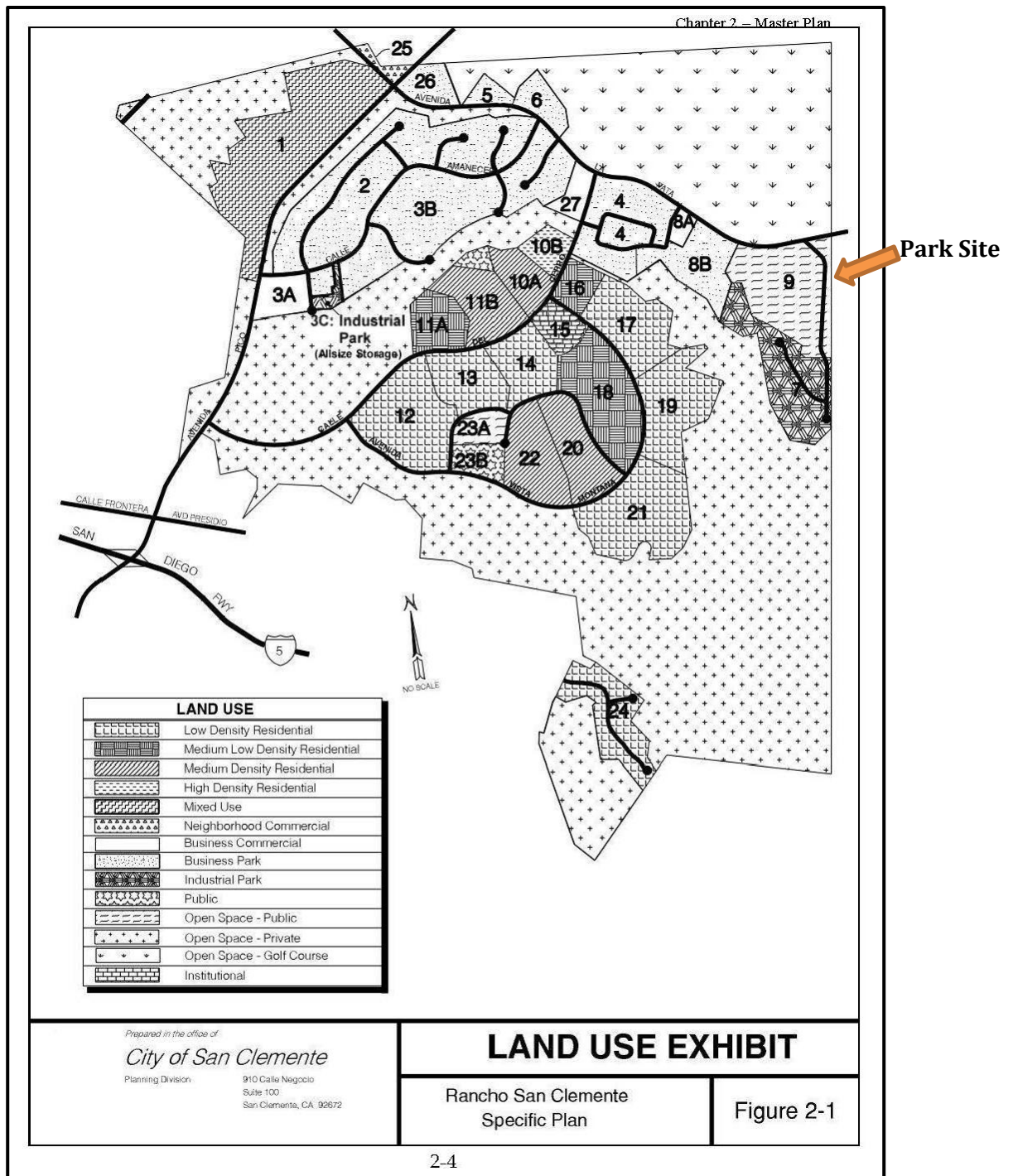
### 3.3 Project Site History

The project site was originally envisioned as part of the Rancho San Clemente Specific Plan, and was included within Planning Area 9 as a softball park consisting of 46.9 acres. The park site was part of the Rancho San Clemente Business Park, and the site was originally mass graded in 1986. The park and the golf course (Bella Collina) were provided within this Specific Plan as a buffer between the business/industrial uses and the planned residential area. They were also designed to preserve the natural habitat, as well to visually define neighborhoods.<sup>5</sup> See **Figure 3.3-1, Rancho San Clemente Land Use Exhibit**.

<sup>5</sup> City of San Clemente, Rancho San Clemente Specific Plan, pg. 18. Dated December 2002, and Amended March 16, 2021.



**Figure 3.3-1  
RANCHO SAN CLEMENTE LAND USE EXHIBIT**







In 1986 the site was renamed as the San Clemente Sports Complex, Richard T. Steed Memorial Park, after police officer Richard Steed. Officer Steed is the only San Clemente police officer ever to die in the line of duty.<sup>6</sup>

The Original Master Plan for the Richard T. Steed Memorial Park was approved by City Council in April 2003. This was a culmination of an environmental review process that began with City staff and its environmental consultants in May 2002. At that time, the existing uses included the following:

Features	Acreage
Four-field softball complex	9.9
Skate Park	0.6
Play Areas (unused)	0.4
Parking and internal circulation	3.2
Vegetation (introduced and irrigated landscape, disturbed/ruderal)	29.5
<b>TOTAL</b>	<b>43.6</b>

Construction included the following: (1) lighting provided by Musco Sportscluster, 1500 watt metal halide mounted on 60' high Penta-treated wood poles; (2) backstops for the fields; (3) fencing consisting of various heights and sizes for the infield, sideline and outfield perimeter fencing; (4) scoreboards; (5) two drinking fountains; (6) infield surface materials composed of Corona Clay Projects; (7) Turf Grass consisting of Bermudagrass Stolons and Alta Fescue; (8) Tot Lot with 12-inch perimeter curbing, along with a woodland climber; (9) Warning Tracks and Warmup Areas; and (10) Concession Stand comprised of a masonry building with metal roof material.

### 3.3.1 Community Outreach

In March 2021, the City awarded a design contract to SWA to update five site-specific park master plans, including the Richard T. Steed Memorial Park. In May 2021, SWA, along with the City's Beaches, Parks and Recreation Department, compiled and released an online survey to the public to gather feedback and comments on this park site. After the survey commenced and comments were received, the City further gathered input from the public through a series of publicly-noticed community workshops. These workshops were held on May 11, 2021 and May 13, 2021. Additional comments were received and compiled by SWA and City staff following those workshops.

### 3.3.2 Design Concepts Presented to Commission

On September 2, 2021, the City's Beaches, Parks and Recreation Commission provided comments to SWA on their draft conceptual designs for the proposed park. Two public forums were held in September 2021 at the City's Community Center to solicit additional opportunities for the public to comment and ask questions on the first draft conceptual designs. After all of the public feedback and comments were received, SWA modified its first set of conceptual designs, thus producing a second set of draft concept plans.

<sup>6</sup> Officer Down Memorial Page, <https://www.odmp.org/officer/12733-police-officer-richard-thomas-steed>. Accessed on July 6, 2022.



For the second draft conceptual designs, park designations defined within the City’s 1999 and 2018 Beach, Parks & Recreation Master Plans were taken into consideration by the SWA design team. The Richard T. Steed Memorial Park is designed by the City as a Community Park, since it is over 10 acres and is designated to serve larger portions of the City as compared to a neighborhood park site. Below are the definitions of each type of park.

**Neighborhood Parks:** Neighborhood parks are designed to serve the needs of local neighborhoods. They are generally less than 10 acres. Typical facilities in these parks include children’s play areas, picnic areas, restroom buildings, sports courts, exercise areas, and open turf.

**Community Parks:** Community parks are designed to serve larger portions of the City or the entire City. They are generally over 10 acres. These parks include major sports facilities such as baseball, softball, soccer, football, tennis, and basketball. These facilities generally include field lighting and parking lots to accommodate high use. Neighborhood park amenities (picnic areas and children’s play areas) are also included, since community parks are also designed to serve neighborhood park needs.

City staff and SWA sought comments from the Beaches, Parks & Recreation Commission on the second draft of the conceptual plan. After comments were received and addressed, SWA prepared final cost estimates and City staff prepared a final recommendation to City Council for its approval in December 2021. That recommendation by City Council approved the second draft of the conceptual design for the update of the Master Plan for Richard T. Steed Memorial Park.

### 3.4 Proposed Park Features

The project would consist of: (1) improvements to existing park features; (2) construction of various new park structures and features, including the relocation onsite of various park features (i.e., dog park); (3) utilities improvements; and (4) project site amenities (including structures, trellis, stairs) and onsite landscaping.

**Table 3.2-1** summarizes the proposed project features. Acreage is indicated for features using land area. **Figure 3.2-1** is a Concept Illustrative Plan depicting the layout of the proposed park features (existing and new) and onsite amenities. **Figures 3.2-2** through **3.2-9** illustrate various aspects of and perspectives of the proposed plan design and existing conditions.



**Table 3.2-1  
PROJECT SUMMARY**

Existing Features	Changes to Existing Features	Acreage
Four League-Lighted Baseball/Softball Fields	New turf. Foul ball netting surrounding baseball fields. Baseball scoreboards.	9.9
Three Batting Cage Lanes		
Two Bullpens		
Ticket Booth		
Spectator Seating		
Food Concession Building		
Enclosed Tot-Lot		0.4
Picnic Area/Tables/Benches		
Two Restrooms/Drinking Fountains	Three additional restrooms	
Park Furniture		
Lighted Skateboard Court	Expanded to include skate bowl, main skatepark, youth skatepark, palm tree grove, social zone, skate art plaza, planting of various trees.	0.6
Two existing parking lots with 233 parking spaces.	100 additional parking spaces will be added to one of the lots. Lot would also include solar panel/shade overhead structures. Stair connection to possible future parking lot.	3.2
Fenced large (northern area) and small (southern area) Dog Park. Each park includes a 6-ft. chain link fence, and access gates with vestibule at Calle Extremo and access to Regional Trail	Moved to a new location onsite. Includes dog park entrance with double gates and shade structure.	1.0
<b>New Park Features</b>		<b>Square Feet</b>
Mountain Bike Hub Enlargement	Includes asphalt pump track, dirt pump track, proposed restroom, picnic area and shade structure, trailhead and interpretive signage.	37,785
Activity Meadows/ Large Soccer Field		137,432
16-18 Pickleball Courts to include a stadium court, several practice courts, and some concession setup and restroom facilities		
Two Pump Track Facilities		
Large Dog Park and Shade Structure		20,272
Small Dog Park and Shade Structure		9,804
Skateboard Hub		84,600
Flex Space/Volleyball Courts or Open Space		32,279
Scenic Overlook and Trellis		17,551
Added Parking Lot Space		17,918

### 3.5 Construction Schedule

Depending on final funding sources for the park improvements, construction is estimated to start no later than July 1, 2023. The project will be completed in phases, with completion expected 18 to 24 months after construction start.



**Figure 3.2-1**  
**CONCEPT ILLUSTRATIVE PLAN**





**Figure 3.2-2**  
**CONCEPT ILLUSTRATIVE PLAN – SKATE PARK HUB AND MOUNTAIN BIKE HUB**

[ATTACHMENT 3]

# Richard T. Steed Memorial CONCEPT ILLUSTRATIVE PLAN



**Proposed Concept Elements**

- 1 Asphalt Pump Track
- 2 Dirt Pump Track
- 3 Proposed Trees, Typical
- 4 Proposed Restroom
- 5 Picnic Area & Shade Structure
- 6 Trailhead
- 7 Interpretive Signage

**Existing Elements to Remain**

- A Existing Trees



**Proposed Concept Elements**

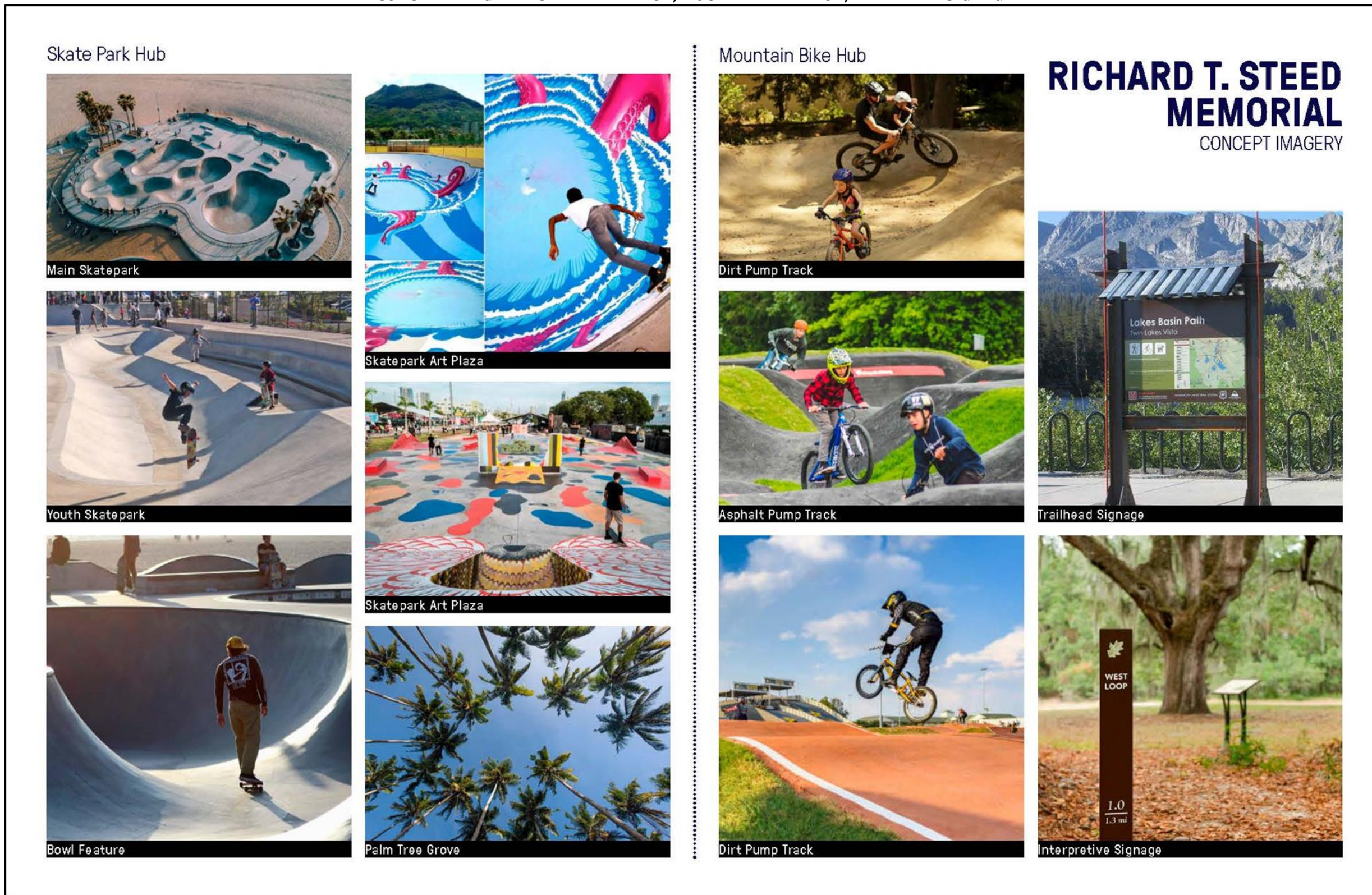
- 1 Skate Bowl
- 2 Main Skatepark
- 3 Youth Skatepark
- 4 Palm Tree Grove and Social Zone
- 5 Skate Art Plaza
- 6 Proposed Trees, Typical

**Existing Elements to Remain**

- A Existing Trees
- B Existing Skatepark
- C Restroom/Storage Building



**Figure 3.2-3**  
**CONCEPT IMAGERY – SKATE PARK HUB, MOUNTAIN BIKE HUB, TRAILHEAD SIGNAGE**





**Figure 3.2-4**  
**CONCEPT IMAGERY - ACTIVE RECREATION, BASEBALL & SOFTBALL HUB**

Active Recreation Hub



Sports Fields



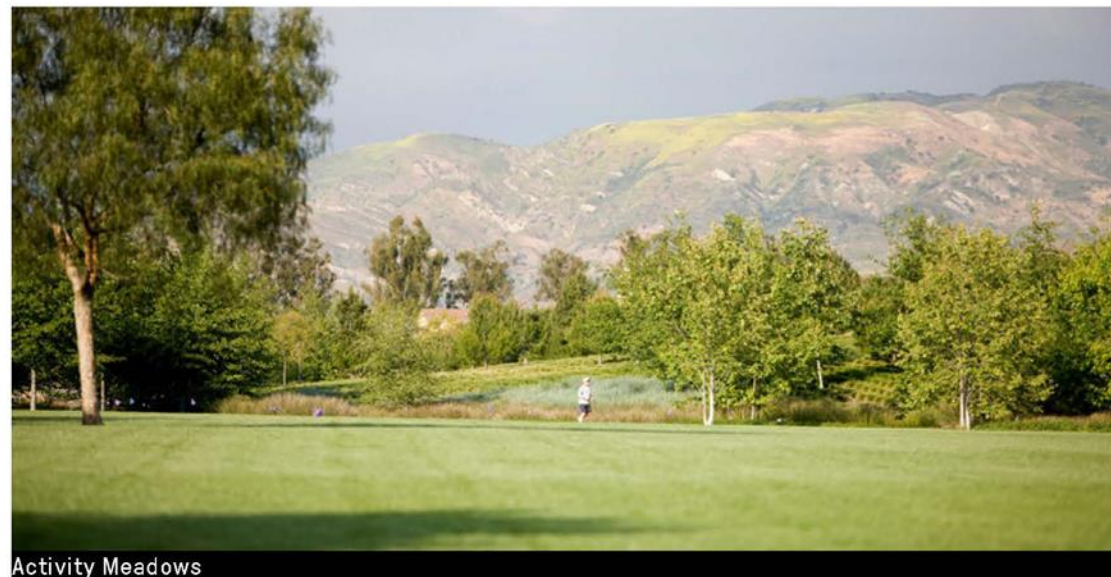
Activity Lawns



Meandering Trails



Active Trails



Activity Meadows

Baseball & Softball Hub

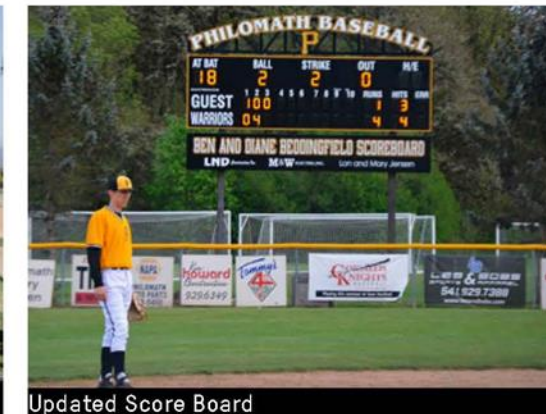


Updated Field Lighting

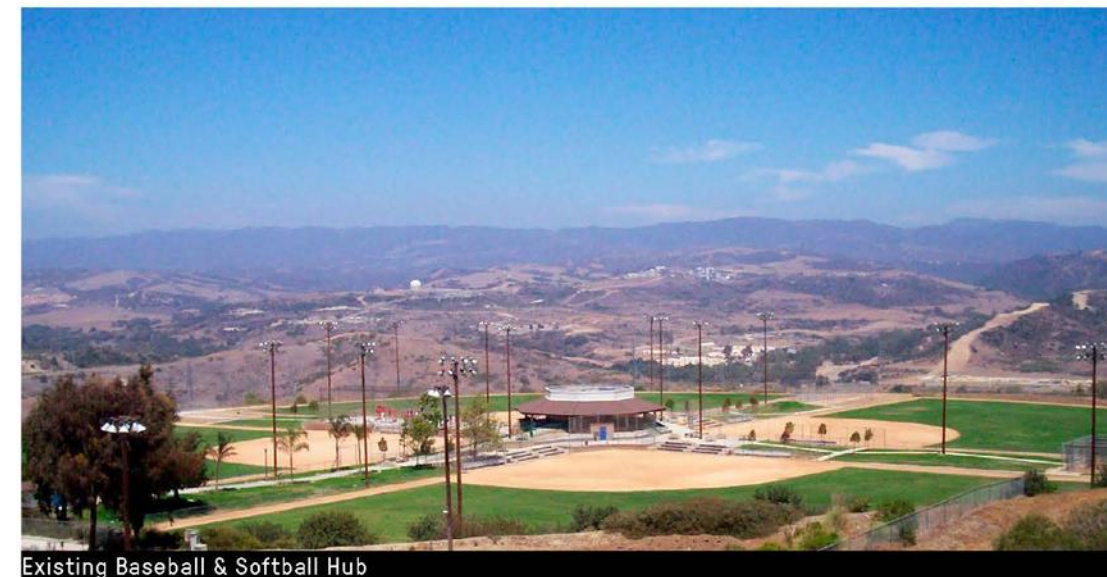


Existing Baseball & Softball Hub

**RICHARD T. STEED  
 MEMORIAL**  
 CONCEPT IMAGERY



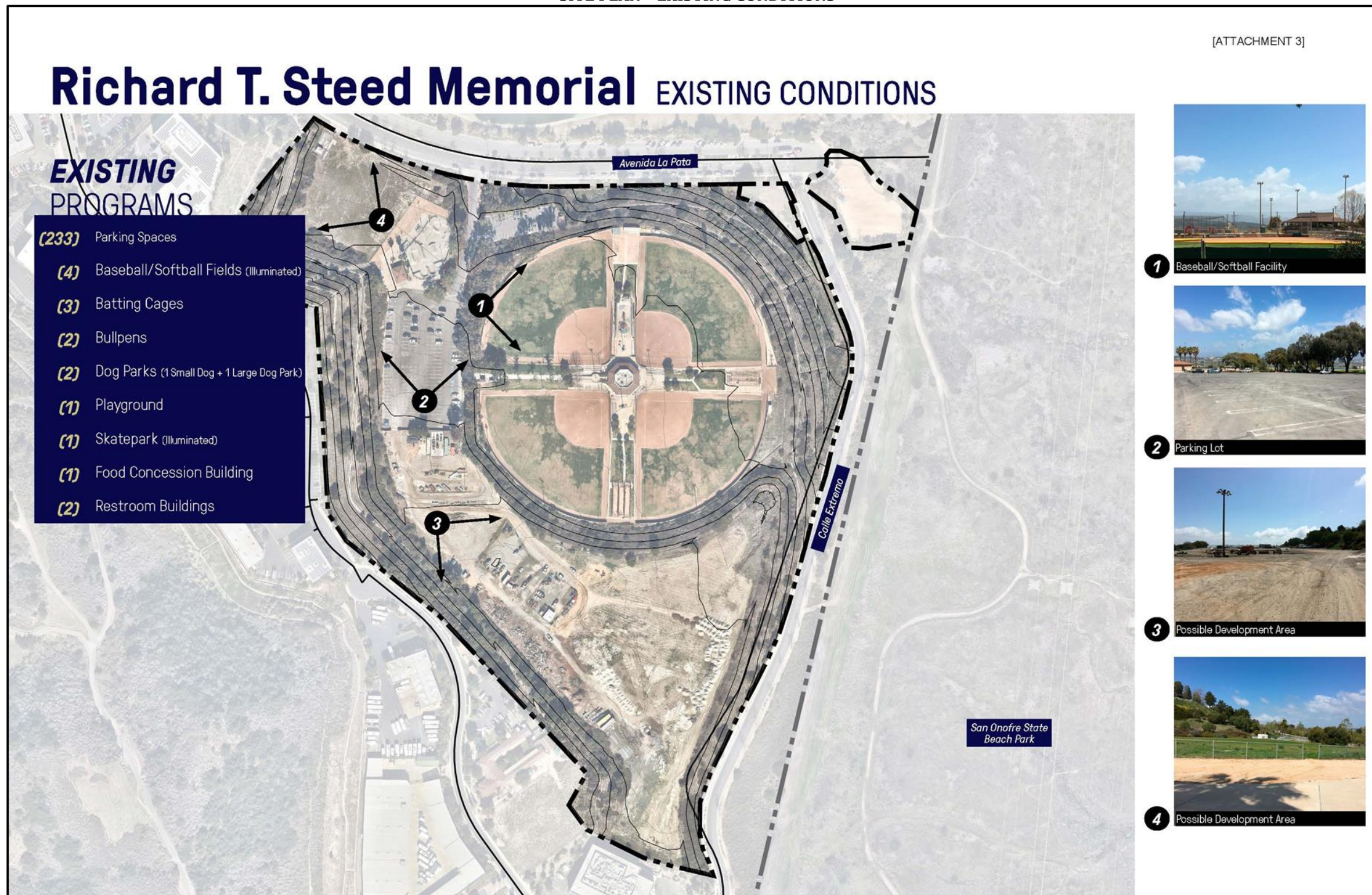
Updated Score Board



Existing Baseball & Softball Hub



**Figure 3.2-5**  
SITE PLAN - EXISTING CONDITIONS





**Figure 3.2-6**  
SITE PLAN - EXISTING OPEN SPACE

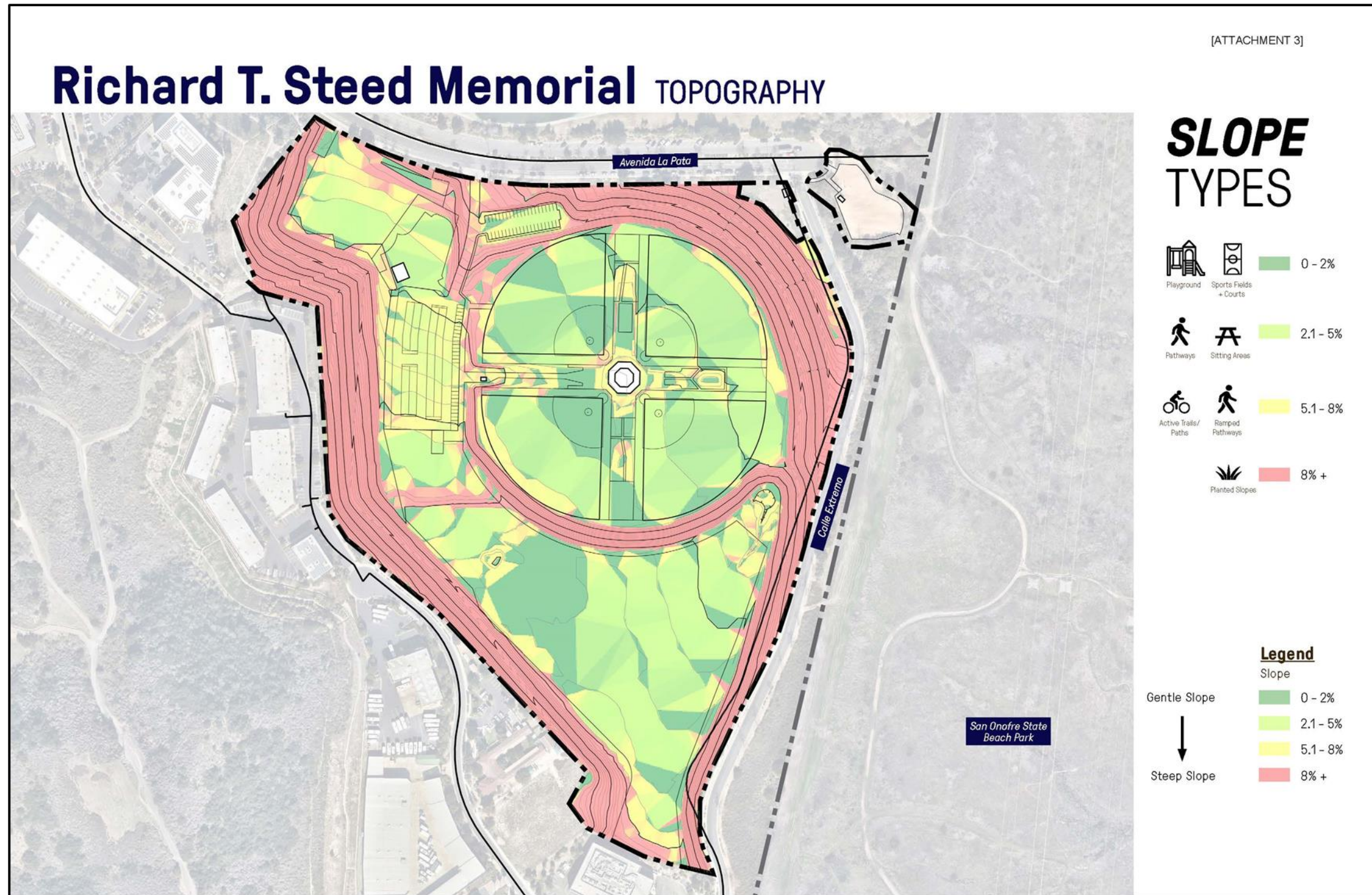
[ATTACHMENT 3]

# Richard T. Steed Memorial EXISTING OPEN SPACE





**Figure 3.2-7**  
SITE PLAN - EXISTING TOPOGRAPHY





**Figure 3.2-8**  
SITE PLAN - OPPORTUNITIES

[ATTACHMENT 3]

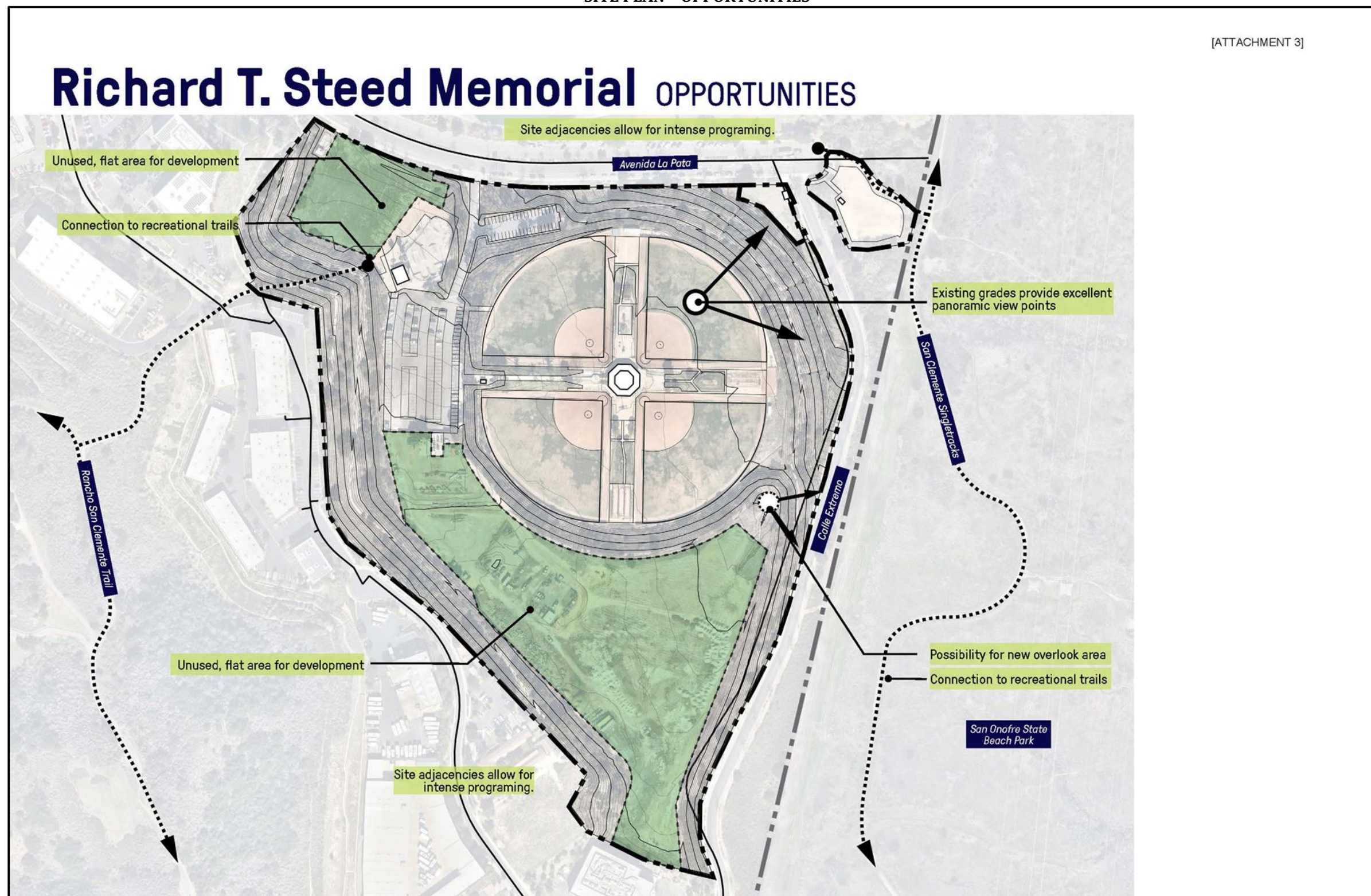
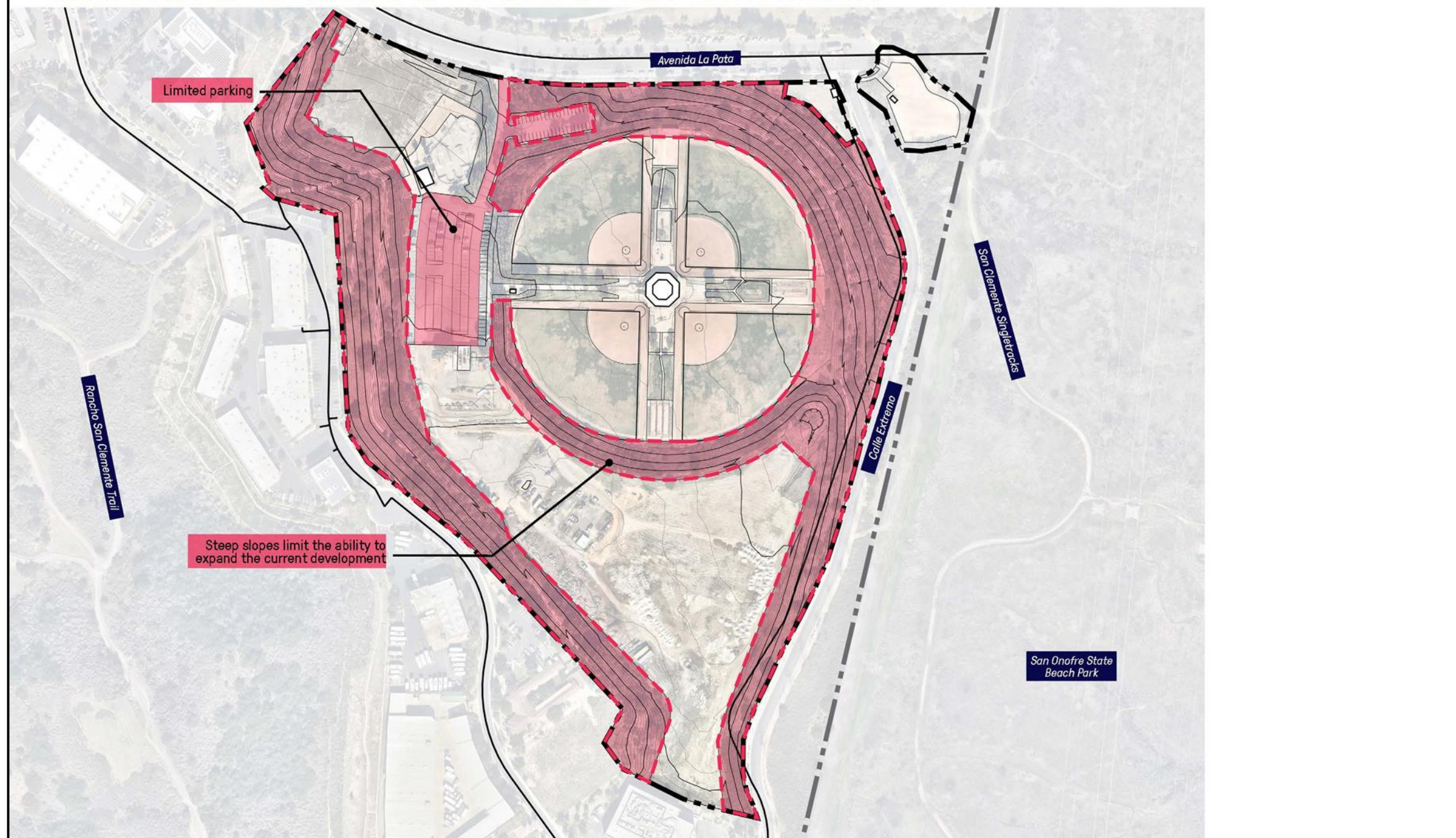




Figure 3.2-9  
SITE PLAN - CONSTRAINTS

[ATTACHMENT 3]

# Richard T. Steed Memorial CONSTRAINTS







### **3.6 Intended Uses of the Initial Study**

In accordance with CEQA Guidelines Section § (d)(1), the City has, based on the information known at the time of preparation of this Initial Study, identified:

- The various public agencies that are expected to use the Initial Study in their decision-making;
- The related environmental review and consultation requirements of federal, State, or local laws, regulations, or policies. To the fullest extent possible, the City, as the CEQA Lead Agency, will integrate CEQA review with these related environmental review and consultation requirements; and
- The specific permits and other approvals required to implement the proposed project.

### **3.7 Discretionary and Administrative Actions**

Following the City's approval of the Initial Study/Mitigated Negative Declaration, a single permit would be issued by the City to cover all building-related requirements, including site preparation, infrastructure and vertical construction. Construction may proceed in phases, depending on funding sources, and a single permit would be issued for each phase (Wylie, Samantha, 2022c).



**4.0 ENVIRONMENTAL CHECKLIST**

**Environmental Factors Potentially Affected**

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

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

**Determination (To Be Completed by the Lead Agency)**

On the basis of this initial evaluation:

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

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

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

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

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

Signature

3/7/2023

Date

Samantha Wylie

Printed Name

City of San Clemente



## Evaluation of Environmental Impacts

- (1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- (2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- (3) Once the lead agency has determined that a particular physical impact may occur then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- (4) “Negative Declaration: Less than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to less than significant level.
- (5) Earlier analyses may be use where, pursuant to the tiering, Program EIR, or other CEQA process, an affect has been adequately analyzed in an earlier EIR or negative declaration. (See Section 15063(c)(3)(D) of the CEQA Guidelines. In this case, a brief discussion should identify the following:
  - (a) Earlier Analyses Used. Identify and state where the earlier analysis available for review.
  - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- (6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference



## ❖ SECTION 4.0 – ENVIRONMENTAL CHECKLIST ❖

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to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

- (7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- (8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- (9) The explanation of each issue should identify:
  - (a) The significance criteria or threshold, if any, used to evaluate each question; and
  - (b) The mitigation measure identified, if any, to reduce the impact to less than significant.





**4.1 Aesthetics**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, 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 point). If the project is in an urbanized area, would the project conflict with 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	

A “visual environment” includes the built environment (development patterns, buildings, parking areas, and circulation elements) and natural environment (such as hills, vegetation, rock outcroppings, drainage pathways, and soils) features. Visual quality, viewer groups and sensitivity, duration, and visual resources characterize views.

- Visual quality refers to the general aesthetic quality of a view, such as vividness, intactness, and unity.
- Viewer groups identify who is most likely to experience the view.
- High-sensitivity land uses include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas.
- Duration of a view is the amount of time that a particular view can be seen by a specific viewer group.
- Visual resources refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.



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

**Less than Significant Impact**

Scenic vistas generally include extensive panoramic views of natural features, unusual terrain, or unique urban or historic features, for which the field of view can be wide and extend into the distance, and focal views that focus on a particular object, scene or feature of interest. Scenic vistas are visible from the project site and surroundings of Bella Collina San Clemente, a private golf course, to the north, and San Onofre State Beach Park and Marine Corps Base Camp Pendleton to the east and south. The view to the west, of industrial-style buildings in Rancho San Clemente Business Park on a bluff above the project site, is not considered to be a scenic vista. None of the views of the surrounding area would be impeded by completion of the project. Therefore, impacts would be less than significant.

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

**No Impact**

The California Department of Transportation (Caltrans) provides information regarding officially designated or eligible state scenic highways, designated as part of the California Scenic Highway Program. **Figure 4.1-2** shows locations of Officially Designated and Eligible State Scenic Highways relative to the project site location. There are no officially designated state scenic highways within 30 miles of the project site, although Coast Highway through San Clemente (about three miles from the project) is noted as Eligible for designation. Due to the large distance between the project site and the nearest Designated highway (State Route 91 near Anaheim), construction and implementation of the project would have no impacts on state scenic highways. Therefore, the project would have no impacts on trees, rock outcroppings and historic buildings within a state scenic highway.

c) **In non-urbanized areas, would the project 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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

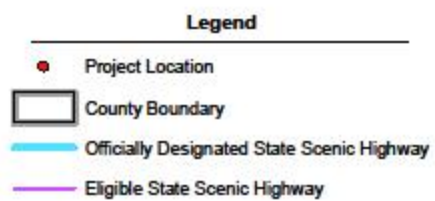
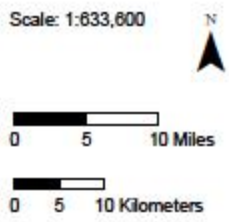
**Less than Significant Impact**

The project site is located at the edge of an urbanized area, and is within a Specific Plan area that has a mix of uses, including business park and recreation/open space, among others. Views of the existing streetscape are primarily of open space, although the views to the west are characterized by one-story industrial-style buildings on a bluff above the project site.

Refer to **Table 4.1-1**, which describes the existing visual character in the vicinity of the project site. **Figure 4.1-2** includes photographs of the project vicinity.



**Figure 4.1-1  
STATE SCENIC HIGHWAYS**



**Richard T. Steed  
Memorial Park MPU**  
Scenic Highways





**Table 4.1-1  
EXISTING VISUAL CHARACTER AND LAND USES IN THE PROJECT AREA**

Location	General Characteristics	Existing Lighting	Building Height and Design	Landscaping
Project Site	Developed public sports park	Park facilities-related lights, including fields and skate court	None except 1-story accessory buildings for sports fields and skate court	Grasses, dirt, ornamental trees and shrubs
<b>Surrounding Areas</b>				
North	Bella Collina San Clemente (golf course)	Exterior lighting associated with the golf course and clubhouse	None visible from project site	Ornamental and golf course vegetation consisting of trees, grasses, and shrubs.
South and Southeast	San Onofre State Beach – undeveloped open space	none	Vacant land	Native vegetation
East	San Onofre State Beach and Camp Pendleton – undeveloped open space; major power line towers in foreground	none	Vacant land	Native vegetation
West	Business park on bluff above site	Exterior lighting associated with business park	Single -story tilt-up industrial buildings	Ornamental landscaping including a few trees and ornamental vegetation.

Source: UltraSystems, 2022 and Google Earth, 2022.





**Figure 4.1-2**  
**EXISTING VISUAL CHARACTER IN THE VICINITY OF THE PROJECT SITE**



Photo 1: South View. Signage for the Richard T. Steed Memorial Park. Located near the Main Entrance.



Photo 2: Westerty View. Looking at existing skatepark area. Restrooms are located in the background.



Photo 3: Southwest View. Looking towards existing Industrial Park, located along Avenida Fabricante.



Photo 4: Northeast View. Area planned for park development, including pickleball courts.



**Figure 4.1-3**  
**EXISTING VISUAL CHARACTER IN THE VICINITY OF THE PROJECT SITE**



PHOTO 5: Northerly View. Perimeter of existing skate park area, Camp Pendleton located to the east. Near main entrance of park.



PHOTO 6: Northerly View. Looking towards main entrance and parking lot off to the main entrance.



PHOTO 7: Easterly View. Looking towards Camp Pendleton from Main Access. Avenida La Pata in the foreground



PHOTO 8: Southerly View. Signage of Baron Von Willard Dog Park.





**Figure 4.1-4**  
**EXISTING VISUAL CHARACTER IN THE VICINITY OF THE PROJECT SITE**



PHOTO 5: Southerly View, Entrance to the existing Baron Von Willard Dog Park.



PHOTO 6: Easterly View, Looking towards area planned for Pickleball and located on the back-side of existing baseball fields.



PHOTO 7: Westerly View, Existing view of storage area on-site, Existing City Animal Shelter located on the top of ridgeline.



PHOTO 8: Northerly View, Storage Area on-site.





## **Construction**

Construction of the proposed project would result in views of construction activities, construction staging areas, grading, excavation, construction equipment, material storage areas, construction debris, and exposed trenches on the project site. During project construction, there would be certain elements on the project site that are not compatible with the project vicinity. These may include construction equipment, stockpiled materials, and construction-area barriers and fencing. While these elements would be removed following construction, they would nonetheless result in a temporary impact. However, during project construction, work areas would be screened from public view by temporary barriers/fencing. Project construction could temporarily degrade the existing visual character of the project area and its immediate surroundings. This impact would be short-term and thus would be less than significant.

## **Operation**

The completed project would include a number of additional activity areas within the established park boundaries, including some that will incorporate small, single-story structures as part of their designs. The proposed improvements would not be out of character with the surrounding area or other facilities within the park. The proposed project would not degrade the existing visual character of the site because the new structures would be consistent with the general character of the surrounding park area in terms of architectural style and setbacks.

The overall site plan design incorporates numerous landscaped areas onsite. The project would improve existing underutilized portions of the park, thereby resulting in a beneficial change to existing site conditions and would not adversely affect the existing visual character of the site and its surroundings.

## **Shade and Shadow Impacts**

Shadow-sensitive uses include all residential uses and routinely usable outdoor spaces associated with recreational or institutional uses, commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas, nurseries, and existing solar collectors. These uses are considered sensitive because sunlight is important to function, physical comfort, or commerce. While project itself is a recreational use, there are no other shadow-sensitive uses in the vicinity of the project. Therefore, there can be no significant shadow impact.

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

## **Less Than Significant Impact**

### **Construction**

During project construction there would be additional sources of light that would be used to provide security lighting for the construction staging area(s) on the project site. Project construction would not generate substantial glare that would adversely affect daytime or nighttime views in the area. Construction equipment consists of low-glare materials. Construction would occur between the hours of 7:00 a.m. to 7:00 p.m., and so would not involve long durations of nighttime work. Construction glare impacts would be less than significant, and no mitigation is required.



## **Operation**

The project proposes new exterior lighting in certain areas of the site. Installation of exterior lighting would be necessary for safety and nighttime visibility throughout the project. The new project lighting would be visible from the surrounding area during park operating hours. Therefore, the project's proposed exterior lighting is expected to contribute to ambient nighttime illumination in the project vicinity. The project site is located in at the edge of an urban area, which is characterized by low to medium nighttime ambient light levels. Streetlights, traffic on local streets, and exterior lighting in surrounding developments are the primary sources of light that contribute to the ambient light levels in the project area. Other than the project itself, there are no light-sensitive uses in the project area. Thus, the proposed project would have a less than significant impact regarding new sources of light.

## **Sky Glow**

Sky Glow is the brightening of the sky that occurs as a result of outdoor lighting fixtures emitting a portion of their light directly into the sky. Project lighting will be directed downward to illuminate the activity areas within the project, and no portion of their light would be directed into the sky. Sky glow impacts would be less than significant.

## **Glare**

Glare is the objectionable brightness caused by over-illumination, as well as poorly shielded or poorly aimed light fixtures. The proposed project would introduce new outdoor artificial lighting elements, which have the potential to result in glare if the main beams of proposed lighting elements (i.e., the portion of the lamp with the greatest illuminance) are visible from offsite locations, resulting in excessive, uncontrolled brightness. However, design of the proposed project will incorporate lighting that does not create adverse glare. Thus, glare impacts would be less than significant.



**4.2 Agriculture and Forestry Resources**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				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 § 12220(g)), timberland (as defined by Public Resources Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 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 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?				X

- a) **Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**No Impact**

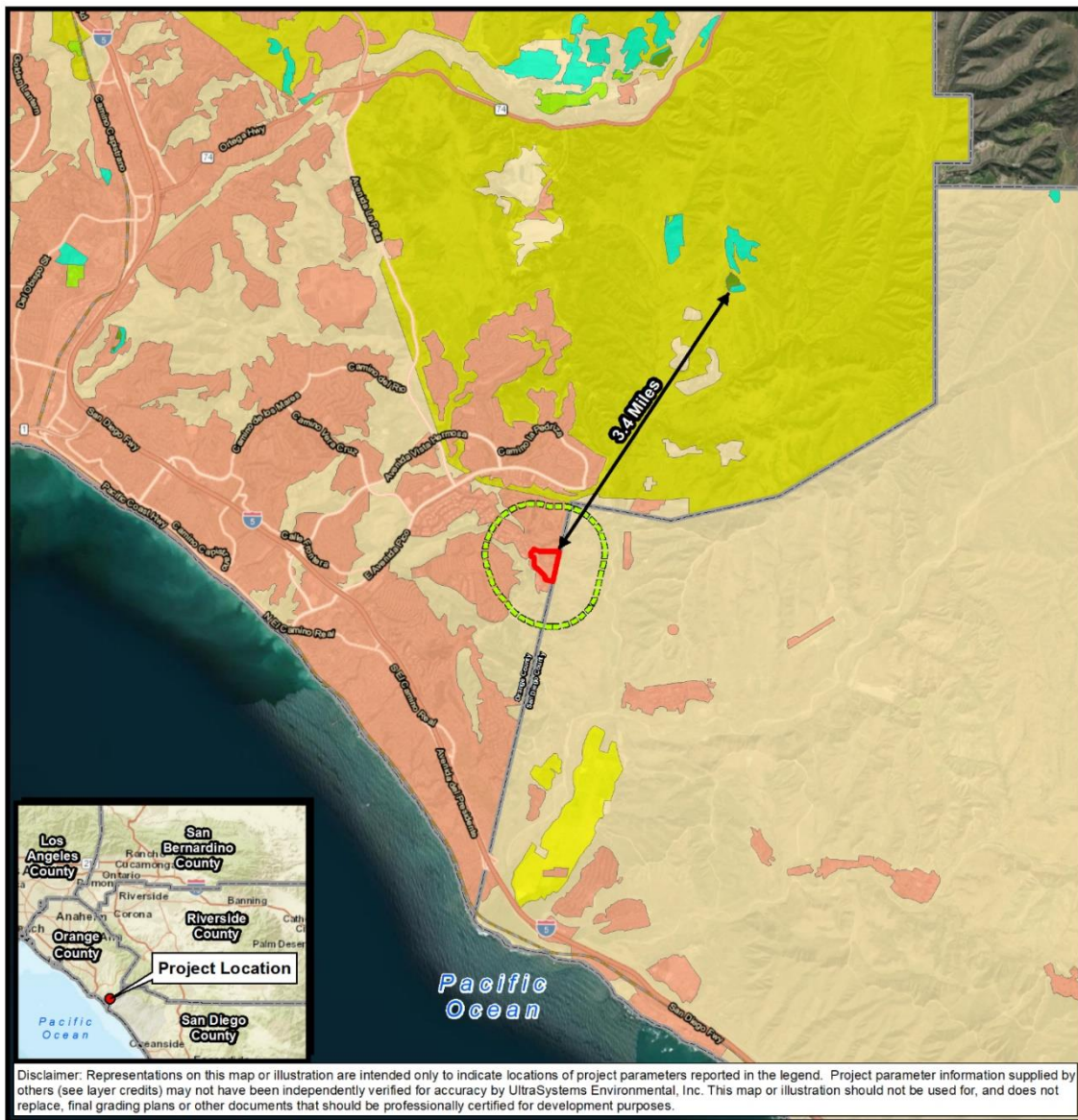
The project site and surrounding uses are designated by the Division of Land Resource Protection (DLRP) as “Urban and Built-Up Land” and “Other Lands” (see **Figure 4.2-1** below) which is land not included in any other mapping category; the nearest Unique Farmland is 3.4 miles northeast of the project site. Other Land includes: low density rural developments; brush, timber, wetland and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. (DOC, 2018) Therefore, no farmland would be converted to non-agricultural use and no impacts would occur.





❖ SECTION 4.2 – AGRICULTURE AND FORESTRY RESOURCES ❖

**Figure 4.2-1**  
**IMPORTANT FARMLAND CATEGORIES**



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: Y:\gis\projects\1719\_SanClemente\_Richard Steed Memorial Park\_MND\MXD\1719\_SanClemente\_4.2\_Important Farmlands\_2022\_06\_29.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, CA Dept. of Conservation, 2018, UltraSystems Environmental, Inc., 2022

July 29, 2022

Scale: 1:95,040



0 0.75 1.5 Miles

0 0.75 1.5 Kilometers

**Legend**

- Project Boundary
- Half Mile Radius
- County Boundary
- Farmland Category:**
- D - Urban and Built-Up Land
- G - Grazing Land
- P - Prime Farmland
- S - Farmland of Statewide Importance
- U - Unique Farmland
- X - Other Land

**Richard T. Steed  
Memorial Park MPU**  
Important Farmland  
Categories





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

**No Impact**

The project site has a General Plan land use designation of OS1 (Open Space Public) which is intended for publicly owned existing and dedicated parklands, passive open space areas, recreational facilities, and golf courses. (SCCGP, 2016) Also the project site is zoned RSCSP OS1(Open Space) within the Rancho San Clemente Specific Plan, and is not for agricultural use (SCGPM, 2017). Williamson Act contracts restrict the use of privately-owned land to agriculture and compatible open-space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value. Williamson Act contracts are made only on land within agricultural reserves; the project site is not within an agricultural reserve (DOC DLRP, 2017). Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract and no impact would occur.

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

**No Impact**

The project site is zoned Open Space within the Rancho San Clemente Specific Plan (RSCSP OS1). The site is not zoned for forest, timberland, or timberland production use. Therefore, project development would not conflict with zoning for forest land or timberland, and no impact would occur.

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

**No Impact**

The project site and surroundings do not support and are not cultivated for forest resources. Therefore, project development would not result in the loss of forest land or conversion of forest land to non-forest use, and no impact would occur.

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

**No Impact**

The project site is open space and is surrounded by the Bella Collina San Clemente private golf club to the north, San Onofre State Beach Park to the east, and various commercial and industrial uses to the south and west. No important farmland is near the project site; the nearest such farmland is Unique Farmland approximately 3.4 miles to the northeast. No forest land is present on or near the project site.

Therefore, project development would not indirectly cause conversion of farmland to non-agricultural use or conversion of forest land to non-forest use, and no impacts would occur.



### 4.3 Air Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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 nonattainment 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	

#### 4.3.1 Pollutants of Concern

Criteria pollutants are air pollutants for which acceptable levels of exposure can be determined and an ambient air quality standard has been established by the U.S. Environmental Protection Agency (USEPA) and/or the California Air Resources Board (ARB). The criteria air pollutants of concern are nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), sulfur dioxide (SO<sub>2</sub>), lead (Pb), and ozone, and their precursors, such as reactive organic gases (ROG) (which are ozone precursors). Since the proposed Richard T. Steed Memorial/Baron Von Willard Dog Park Project (proposed project or Project) would not generate appreciable SO<sub>2</sub> or Pb emissions,<sup>7</sup> it is not necessary for the analysis to include those two pollutants. Presented below is a description of the remaining air pollutants of concern and their known health effects.

The project is in the Orange County portion of the South Coast Air Basin (SCAB), for whose air pollution control the South Coast Air Quality Management District (SCAQMD) is substantially responsible.

**Table 4.3-1** shows the attainment status of the SCAB for each criteria pollutant for both the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS).

<sup>7</sup> Sulfur dioxide emissions will be below 0.064 pound per day during construction and below 0.0286 pound per day during operations.





**Table 4.3-1  
FEDERAL AND STATE ATTAINMENT STATUS**

Pollutants	Federal Classification	State Classification
Ozone (O <sub>3</sub> ) – 1-hour standard	No Federal Standard	Nonattainment
Ozone (O <sub>3</sub> ) – 8-hour standard	Nonattainment	
Particulate Matter (PM <sub>10</sub> )	Attainment	Nonattainment
Fine Particulate Matter (PM <sub>2.5</sub> )	Nonattainment	Attainment
Carbon Monoxide (CO)	Unclassified/Attainment	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Unclassified/Attainment	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Unclassified/Attainment	Attainment
Sulfates	No Federal Standards	Attainment
Lead (Pb)	Unclassified/Attainment	Attainment
Hydrogen Sulfide (H <sub>2</sub> S)	Unclassified	
Visibility Reducing Particles		

Sources: ARB, 2020a

Presented below is a description of the air pollutants of concern, and the known health effects.

**Nitrogen oxides** (NO<sub>x</sub>) serve as integral participants in the process of photochemical smog production and are precursors for certain particulate compounds that are formed in the atmosphere and for ozone. A precursor is a directly emitted air contaminant that, when released into the atmosphere, forms, causes to be formed, or contributes to the formation of a secondary air contaminant for which an ambient air quality standard (AAQS) has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more AAQs. When NO<sub>x</sub> and ROG are released in the atmosphere, they can chemically react with one another in the presence of sunlight to form ozone. The two major forms of NO<sub>x</sub> are nitric oxide (NO) and NO<sub>2</sub>. NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO<sub>2</sub> is a reddish-brown pungent gas formed by the combination of NO and oxygen. NO<sub>2</sub> acts as an acute respiratory irritant and eye irritant and increases susceptibility to respiratory pathogens (USEPA, 2011).

**Carbon monoxide** (CO) is a colorless, odorless non-reactive pollutant produced by incomplete combustion of fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft and trains. In urban areas, such as the project location, automobile exhaust accounts for most CO emissions. CO is a non-reactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions, primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, a typical situation at dusk in urban areas between November and



February. The highest levels of CO typically occur during the colder months of the year when inversion conditions are more frequent. In terms of health, CO competes with oxygen, often replacing it in the blood, thus reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can be dizziness, fatigue, and impairment of central nervous system functions. High concentrations are lethal (USEPA, 2010).

**Particulate matter** (PM) consists of finely divided solids or liquids, such as soot, dust, aerosols, fumes and mists. Primary PM is emitted directly into the atmosphere from activities such as agricultural operations, industrial processes, construction and demolition activities, and entrainment of road dust into the air. Secondary PM is formed in the atmosphere from predominantly gaseous combustion by-product precursors, such as sulfur oxides, NO<sub>x</sub>, and ROG.

Particle size is a critical characteristic of PM that primarily determines the location of PM deposition along the respiratory system (and associated health effects) as well as the degradation of visibility through light scattering. In the United States, federal and state agencies have focused on two types of PM. PM<sub>10</sub> corresponds to the fraction of PM no greater than 10 micrometers in aerodynamic diameter and is commonly called respirable particulate matter, while PM<sub>2.5</sub> refers to the subset of PM<sub>10</sub> of aerodynamic diameter smaller than 2.5 micrometers, which is commonly called fine particulate matter.

PM<sub>10</sub> and PM<sub>2.5</sub> deposition in the lungs results in irritation that triggers a range of inflammation responses, such as mucus secretion and bronchoconstriction, and exacerbates pulmonary dysfunctions, such as asthma, emphysema, and chronic bronchitis. Sufficiently small particles may penetrate the bloodstream and impact functions such as blood coagulation, cardiac autonomic control, and mobilization of inflammatory cells from the bone marrow. Individuals susceptible to higher health risks from exposure to PM<sub>10</sub> airborne pollution include children, the elderly, smokers, and people of all ages with low pulmonary/cardiovascular function. For these individuals, adverse health effects of PM<sub>10</sub> pollution include coughing, wheezing, shortness of breath, phlegm, bronchitis, and aggravation of lung or heart disease, leading, for example, to increased risks of hospitalization and mortality from asthma attacks and heart attacks (USEPA, 2022a).

**Reactive organic gases** (ROG) are defined as any compound of carbon, excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. It should be noted that there are no state or national ambient air quality standards for ROG because ROG are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formation of ozone. ROG are also transformed into organic aerosols in the atmosphere, which contribute to higher PM<sub>10</sub> and lower visibility. The term "ROG" is used by the ARB for this air quality analysis and is defined the same as the federal term "volatile organic compound" (VOC).

**Ozone** is a secondary pollutant produced through a series of photochemical reactions involving ROG and NO<sub>x</sub>. Ozone creation requires ROG and NO<sub>x</sub> to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, ozone is considered a regional, rather than a local, pollutant. The health effects of ozone include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. Ozone is also damaging to vegetation and untreated rubber (USEPA, 2022b).



### 4.3.2 Climate/Meteorology

Air quality is affected by both the rate and location of pollutant emissions, and by meteorological conditions that influence movement and dispersal of pollutants. Atmospheric conditions such as wind speed, wind direction, and air temperature gradients, along with local topography, provide the link between air pollutant emissions and air quality.

The project site is located wholly within the SCAB, which includes all of Orange County, as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The distinctive climate of the SCAB is determined by its terrain and geographical location. The SCAB is in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. Thus, the climate is mild, tempered by cool sea breezes. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds (SCAQMD, 1993).

The average high and low temperatures as recorded at the Laguna Beach meteorological station (#044647; latitude 33.5472°, longitude: -117.780°) (WRCC, 2022), which is approximately 13.2 miles west of the project site, are 71.2 degrees Fahrenheit (°F) and 51°F, respectively. Average winter (December, January, and February) high and low temperatures are approximately 65.8°F and 43.5°F, respectively, and average summer (June, July, and August) high and low temperatures are approximately 75.9°F and 58.3°F, respectively. The annual average of total precipitation is approximately 12.52 inches, which occurs mostly during the winter and relatively infrequently during the summer. Monthly precipitation averages approximately 2.4 inches during the winter (December, January, and February), approximately 1.1 inches during the spring (March, April, and May), approximately 0.7 inch during the fall (September, October, and November), and approximately 0.1 inch during the summer (June, July, and August).

### 4.3.3 Local Air Quality

The SCAQMD has divided the SCAB into source receptor areas (SRAs), based on similar meteorological and topographical features. The project site is in SCAQMD's Capistrano Valley air monitoring area (SRA 21), and is served by the SCAQMD's Mission Viejo-26081 Via Pera monitoring station, about 14 miles north-northwest at 26081 Via Pera, Mission Viejo, California. This station monitors ozone, PM<sub>10</sub> and PM<sub>2.5</sub>. The nearest station that monitors NO<sub>2</sub> is Anaheim-812 W Vermont Street monitoring station on 812 West Vermont Street, Anaheim, California, about 32 miles northwest of the project. The ambient air quality data in the project vicinity as recorded from 2019 through 2022, along with applicable standards, are shown in **Table 4.3-2**.





**Table 4.3-2  
AMBIENT AIR QUALITY MONITORING DATA**

Air Pollutant	Standard/Exceedance	2019	2020	2021
Ozone (O <sub>3</sub> )	Max. 1-hour Concentration (ppm)	0.106	0.171	0.105
	Max. 8-hour Concentration (ppm)	0.088	0.123	0.082
	# Days > Federal 8-hour Std. of 0.070 ppm	11	32	8
	# Days > California 1-hour Std. of 0.09 ppm	3	20	2
	# Days > California 8-hour Std. of 0.070 ppm	11	34	8
Particulate Matter (PM <sub>10</sub> )	Max. 24-hour Concentration (µg/m <sup>3</sup> )	45.1	56.2	35.2
	Est. # Days > Fed. 24-hour Std. of 150 µg/m <sup>3</sup>	0	ND	0
	Federal Annual Average (15 µg/m <sup>3</sup> )	17.1	18.3	16.2
Particulate Matter (PM <sub>2.5</sub> )	Max. 24-hour Concentration (µg/m <sup>3</sup> )	20.8	46.6	32.6
	# Days > Fed. 24-hour Std. of 35 µg/m <sup>3</sup>	0	6.9	0
	Federal Annual Average (15 µg/m <sup>3</sup> )	7.1	10.3	9.3
Nitrogen Dioxide (NO <sub>2</sub> )	Max. 1-hour Concentration (ppm)	0.070	0.060	0.060
	State Annual Average (0.030 ppm)	0.019	0.018	0.019
	# Days > California 1-hour Std. of 0.18 ppm	0	0	0

Source: ARB, 2022.

ND - There were insufficient (or no) data available to determine the value.

#### 4.3.4 Air Quality Management Plan (AQMP)

The SCAQMD is required to produce plans to show how air quality would be improved in the region. The California Clean Air Act (CCAA) requires that these plans be updated triennially to incorporate the most recent available technical information.<sup>8</sup> A multi-level partnership of governmental agencies at the federal, state, regional, and local levels implement the programs contained in these plans. Agencies involved include the USEPA, ARB, local governments, Southern California Association of Governments (SCAG), and SCAQMD. The SCAQMD and the SCAG are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the SCAB. The SCAQMD updates its AQMP every three years.<sup>9</sup>

The 2016 AQMP (SCAQMD, 2017) was adopted by the SCAQMD Board on March 3, 2017, and on March 10, 2017 was submitted to the ARB to become part of the State Implementation Plan (SIP).<sup>10</sup> The AQMP was then submitted to the USEPA (ARB, 2017). It focuses largely on reducing NO<sub>x</sub> emissions as a means of attaining the 1979 1-hour ozone standard by 2022, the 1997 8-hour ozone standard by 2023, and the 2008 8-hour standard by 2031. The AQMP prescribes a variety of current and proposed new control measures, including a request to the USEPA for increased regulation of mobile source emissions. The NO<sub>x</sub> control measures would also help the SCAB attain the 24-hour standard for PM<sub>2.5</sub>.

<sup>8</sup> CCAA of 1988.

<sup>9</sup> Adoption of the latest successor AQMP has been delayed. The public review period for this document, the “Revised Draft 2022 AQMP,” ended October 18, 2022. Internet: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>. Accessed October 20, 2022.

<sup>10</sup> The State Implementation Plan (SIP) is a collection of local and regional plans, regulations, and rules for attaining ambient air quality standards. It is periodically submitted to the USEPA for approval.



#### **4.3.5 Sensitive Receptors**

Some people, such as individuals with respiratory illnesses or impaired lung function because of other illnesses, persons over 65 years of age, and children under 14, are particularly sensitive to certain pollutants. Facilities and structures where these sensitive people live or spend considerable amounts of time are known as sensitive receptors. For the purposes of a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, or convalescent facility where it is possible that an individual could remain for 24 hours (Chico and Koizumi, 2008, p. 3-2). Commercial and industrial facilities are not included in the definition of sensitive receptor, because employees typically are present for shorter periods of time, such as eight hours. Therefore, applying a 24-hour standard for PM<sub>10</sub> is appropriate not only because the averaging period for the state standard is 24 hours, but because the sensitive receptor would be present at the location for the full 24 hours.

The nearest sensitive receptors to the project site are single-family residences, about 1,000 feet southwest of the project site.

#### **4.3.6 Applicable South Coast Air Quality Management District Rules**

##### **Rule 403 (Fugitive Dust Rule)**

During construction, the project would be subject to SCAQMD Rule 403 (fugitive dust). SCAQMD Rule 403 does not require a permit for construction activities, per se; rather, it sets forth general and specific requirements for all construction sites (as well as other fugitive dust sources) in the SCAB. The general requirement prohibits a person from causing or allowing emissions of fugitive dust from construction (or other fugitive dust source) such that the presence of such dust remains visible in the atmosphere beyond the property line of the emissions source. SCAQMD Rule 403 also prohibits construction activity from causing an incremental PM<sub>10</sub> concentration impact, as the difference between upwind and downwind samples, at the property line of more than 50 micrograms per cubic meter as determined through PM<sub>10</sub> high-volume sampling. The concentration standard and associated PM<sub>10</sub> sampling do not apply if specific measures identified in the rules are implemented and appropriately documented.

Other requirements of Rule 403 include not causing or allowing emissions of fugitive dust that would remain visible beyond the property line; no track-out extending 25 feet or more in cumulative length and all track-out to be removed at conclusion of each workday; and using the applicable best available control measures included in Table 1 of Rule 403.

##### **Rule 1113 (Architectural Coatings)**

Construction of this project will include the application of architectural coatings and be subject to SCAQMD Rule 1113 (Architectural Coatings). This rule is applicable to any person who supplies, sells, markets, offers for sale, or manufactures any architectural coating that is intended to be field applied within the District to stationary structures or their appurtenances, and to fields and lawns; as well as any person who applies, stores at a worksite, or solicits the application of any architectural coating within the District. The purpose of this rule is to limit the VOC content of architectural coatings used in the District.



#### 4.3.7 Impact Analysis

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

##### **Less than Significant Impact**

The South Coast 2016 AQMP, discussed above, incorporates land use assumptions from local general plans and regional growth projections developed by the SCAG to estimate stationary and mobile air emissions associated with projected population and planned land uses. If the proposed land use is consistent with the local general plan, then the impact of the project is presumed to have been accounted for in the AQMP. This is because the land use and transportation control sections of the AQMP are based on the SCAG regional growth forecasts, which incorporate projections from local general plans. The City's General Plan Land Use designation for the site is OS1- Open Space, Publicly Owned. The park is currently zoned Rancho San Clemente Specific Plan – OS (Open Space). The proposed project is in compliance with the City's General Plan and Zoning designations. Therefore, no General Plan amendment or Zone Change is required. The land use would continue to be consistent with the local plans and the impacts of the project are still accounted for in the AQMP.

Another measurement tool in evaluating consistency with the AQMP is to determine whether a project would generate population and employment growth and, if so, whether that growth would exceed the growth rates forecasted in the AQMP and how the project would accommodate the expected increase in population or employment. The project would create minimal increase in population and overall vehicle miles traveled (VMT) which would be included in the growth rates forecasted in the AQMP.

Additionally, to assist the implementation of the AQMP, projects must not create regionally significant emissions of regulated pollutants from either short-term construction or long-term operations. The SCAQMD (SCAQMD, 2019) has developed criteria in the form of emissions thresholds for determining whether emissions from a project are regionally significant. They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project is in conformity with plans to achieve attainment. SCAQMD's significance thresholds for criteria pollutant emissions during construction activities and project operation are summarized in **Table 4.3-3**. A project is considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.





**Table 4.3-3  
SCAQMD THRESHOLDS OF SIGNIFICANCE**

Pollutant	Construction Thresholds (lbs/day)	Operational Thresholds (lbs/day)
Volatile Organic Compounds (VOC)	75	55
Nitrogen Oxides (NO <sub>x</sub> )	100	55
Carbon Monoxide (CO)	550	550
Sulfur Oxides (SO <sub>x</sub> )	150	150
Particulate Matter (PM <sub>10</sub> )	150	150
Fine Particulate Matter (PM <sub>2.5</sub> )	55	55

Note: lbs = pounds.  
Source: SCAQMD, 2019.

**Regional Construction Emissions**

Construction activities for the project is anticipated to begin in July 2023 and end in December 2024 and would have five construction phases:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating

Table 4.3-4 shows the project schedule used for the air quality, GHG emissions, and noise analyses.

**Table 4.3-4  
CONSTRUCTION SCHEDULE**

Construction Phase	Start	End
Site Preparation	July 1, 2023	July 14, 2023
Grading	July 15, 2023	August 25, 2023
Building Construction	August 26, 2023	October 18, 2024
Paving	October 19, 2024	November 15, 2024
Architectural Coating	November 16, 2024	December 13, 2024

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021).

These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO<sub>x</sub> emissions. The quantity of emissions generated daily would vary, depending on the amount and types of construction activities occurring at the same time.



Estimated criteria pollutant emissions from the project’s onsite and offsite project construction activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0 (CAPCOA, 2021). CalEEMod is a planning tool for estimating emissions related to land use projects. Model-predicted project emissions are compared with applicable thresholds to assess regional air quality impacts. CalEEMod defaults were used for off-road and onroad construction traffic inputs.

As shown in **Table 4.3-5**, construction emissions would not exceed SCAQMD regional thresholds. Therefore, the project’s short-term regional air quality impacts would be less than significant. Refer to **Appendix A** of this document for air quality calculations.

**Table 4.3-5  
MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS**

Construction Activity	Maximum Emissions (lbs/day)				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Maximum Emissions, 2023	3.38	34.55	28.66	10.31	5.77
Maximum Emissions, 2024	4.26	16.45	22.90	3.34	1.33
<i>SCAQMD Significance Thresholds</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>55</i>
<b>Significant? (Yes or No)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021).

**Regional Operational Emissions**

The project proposes: (1) improvements to existing park feature improvements; (2) construction of various new park structures and features, including the relocation onsite of various park features (i.e., dog park); (3) utilities improvements; and (4) project site amenities (including structures, trellis, stairs) and onsite landscaping. Operational emissions generated by area sources, motor vehicles and energy demand would result from normal day-to-day activities of the project. Trip rates were adjusted to match data supplied by the Trip Generation Assessment Memorandum (CWE, 2022). The results of these calculations are presented in **Table 4.3-6**. As seen in the table, for each criteria pollutant, operational emissions would be below the pollutant’s SCAQMD significance threshold. Therefore, regional operational emissions would be less than significant.



**Table 4.3-6  
MAXIMUM DAILY PROJECT OPERATIONAL EMISSIONS**

Emission Source	Pollutant (lbs/day)				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Source Emissions	0.13	0.00	0.02	0.00	0.00
Energy Source Emissions	0.00	0.00	0.00	0.00	0.00
Mobile Source Emissions	0.37	0.41	8.11	3.80	1.02
Total Operational Emissions	0.50	0.41	8.13	3.80	1.02
<i>SCAQMD Significance Thresholds</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>55</i>
<b>Significant? (Yes or No)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021).

- b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

**Less Than Significant Impact**

Since the SCAB is currently in nonattainment for ozone, related projects may exceed an air quality standard or contribute to an existing or projected air quality exceedance. The SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects, nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the District recommends that a project’s potential contribution to cumulative impacts be assessed by utilizing the same significance criteria as those for project-specific impacts. Furthermore, the SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As discussed above, the mass daily construction and operational emissions generated by the project would not exceed any of the SCAQMD’s significance thresholds. Also, as discussed below, localized emissions generated by the Project would not exceed the SCAQMD’s Localized Significance Thresholds (LSTs). Therefore, the project would not contribute a cumulatively considerable increase in emissions for the pollutants which the SCAB is in nonattainment, and thus, cumulative air quality impacts associated with the project would be less than significant.

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

**Less than Significant Impact**

Construction of the project would generate short-term and intermittent emissions. Following the SCAQMD’s *Final Localized Significance Threshold Methodology* (Chico and Koizumi, 2008), only onsite construction emissions were considered in the localized significance analysis. The residence located





1,000 feet southwest of the project site is the nearest sensitive receptor. LSTs for projects in Source Receptor Area 21 (San Clemente) were obtained from tables in Appendix C of the aforementioned methodology. **Table 4.3-7** shows the results of the localized significance analysis for the project. Localized short-term air quality impacts from construction of the project would be less than significant.

**Table 4.3-7  
RESULTS OF UNMITIGATED LOCALIZED SIGNIFICANCE ANALYSIS**

Nearest Sensitive Receptor	Maximum Onsite Construction Emissions (pounds/day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Maximum daily unmitigated emissions	34.5	28.1	10.1	5.7
SCAQMD LST for 5 acres @ 304.8 meters	242	6,525	100	51
<b>Significant (Yes or No)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

- d) **Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**Less than Significant Impact**

A project-related significant adverse effect could occur if construction or operation of the proposed project would result in generation of odors that would be perceptible in adjacent sensitive areas. According to the SCAQMD *CEQA Air Quality Handbook (SCAQMD, 1993)*, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the project. The project would use typical construction techniques, and the odors would be typical of most construction sites and temporary in nature.

The project would not create substantial objectionable odors and this impact would be less than significant.



**4.4 Biological Resources**

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game 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 Game or US 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 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

Plant and wildlife species listed under the federal Endangered Species Act (ESA) or under the California Endangered Species Act (CESA) are referred to collectively as “listed species” in this section. Plant and wildlife species not listed under ESA or CESA but still protected by federal agencies, state agencies, local or regional plans such as Orange County Southern Subregion Habitat Conservation Plan (HCP), and/or nonprofit resource organizations, such as the California Native Plant Society (CNPS), are referred to as “sensitive species” in this section. The term “special-status species” is used when collectively referring to both listed and sensitive species. Descriptions of species status rankings can be accessed in the *Notes* section of the Species Occurrence Potential (SOP) Tables of **Appendix C Biological Resources Evaluation**.



#### 4.4.1 Discussion of Impacts

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

##### **Less Than Significant with Mitigation Incorporated**

##### **Environmental Setting**

The City of San Clemente is in southern Orange County, California. Industrial and commercial developments, with ornamental landscaped areas, are to the west and south of the proposed project. Large expanses of open space border the proposed project to the northeast, east, and southeast. A semi-natural area, Bella Collina San Clemente, is to the north of the project. These surrounding areas comprise the biological study area (BSA), shown in **Figure 4.4-1**.

The project site is situated between a relatively-developed area and protected open space of the San Onofre State Beach and Camp Pendleton that support abundant native biodiversity, and therefore provides valuable habitat for special-status plant and wildlife species. The project site and BSA exhibit east-sloping topography with elevations ranging from approximately 381 feet to 768 feet above mean sea level (amsl).

The developed portions of the project site include the Richard T. Steed Memorial Park (Steed Park), Baron Von Willard Dog Park (dog park), and Ralph’s Skate Court (skate park). Steed Park consists of two parking lots in the western and northwestern quadrant, baseball fields in the central area, and sloped, terraced landscaping to the east and southeast. A maintenance yard with undeveloped, disturbed land is to the south, surrounded by sloped, terraced landscaping. The landscaping throughout the park consists of ornamental and native trees and shrubs. The dog park consists of two fenced barren dirt fields surrounded by ornamental and native trees, shrubs, and herbaceous understory. A pedestrian and bike trail are immediately flanking the eastern boundary of the dog park. The skate park is a fenced, concrete arena with varied topography. For this document, hereafter these areas collectively are referred to as “Steed Park.”

The City has recently completed the conceptual design phase of a site-specific park master plan update for Steed Park. Under existing conditions, stormwater generated on the project site drains to the north and east/northeast and enters an existing storm drain inlet in the cul-de-sac at the eastern termination of Avenida La Pata. This storm drain feeds into an unnamed drainage that heads east from the northeast corner of the BSA and discharges into Cristianitos Creek, which is approximately 0.7 mile east from the BSA. Cristianitos Creek is a tributary of San Mateo Creek (USEPA 2022; Google Earth Pro, 2022a).

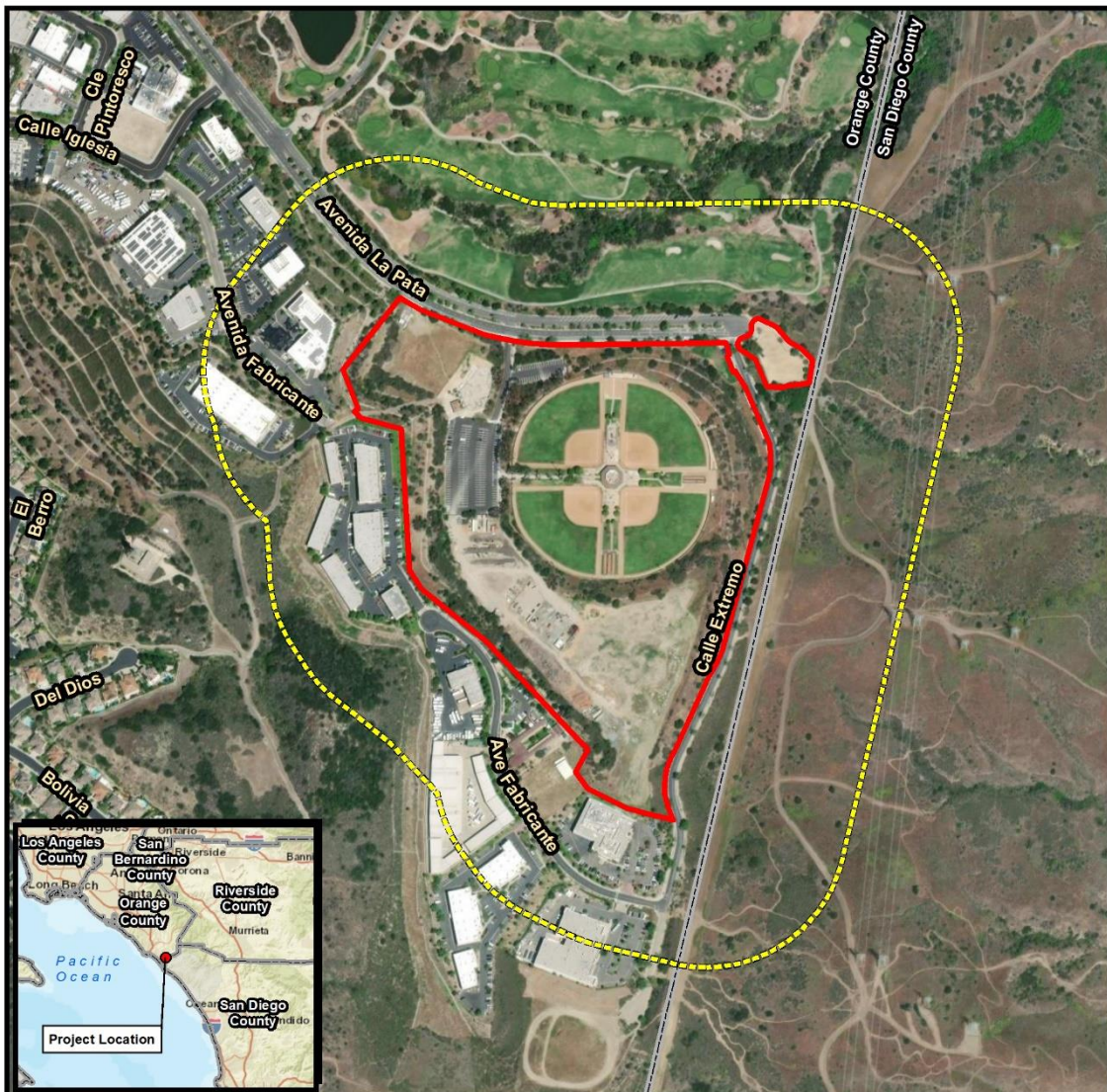
##### **Habitat Assessment Survey**

UltraSystems Environmental, Inc (UltraSystems) biologists Ms. Michelle Tollett and Ms. Audrey McNamara conducted habitat assessment surveys on November 4, 2022 and January 6, 2023 to assess the habitats, plants and wildlife that occur within the BSA. Twelve land cover types occur within the BSA and they are each described later in this section. See **Figure 4.4-2**. The project site is currently developed with the existing park facilities. The project area includes Richard Steed Memorial Park, associated parking areas, disturbed areas, and ornamental vegetation. There is coastal sage scrub existing within the BSA, including the project site. Plant and wildlife species were recorded during the habitat assessment survey and other surveys and these species lists can be viewed in **Appendix C, Plant and Wildlife Species Recorded During the Field Surveys**.



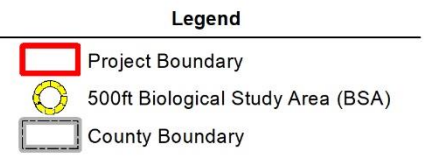
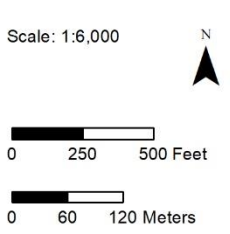


**Figure 4.4-1  
PROJECT LOCATION AND BIOLOGICAL STUDY AREA**



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\GIS\SVR\gis\Projects\7179\_SanClemente\_RichardT.Steed\_MemorialPark\_IS\_MND\MXD\BIO\7179\_SanClemente\_4\_4\_Project\_Location\_BSA\_2022\_11\_24.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, UltraSystems Environmental, Inc., 2022  
 November 24, 2022

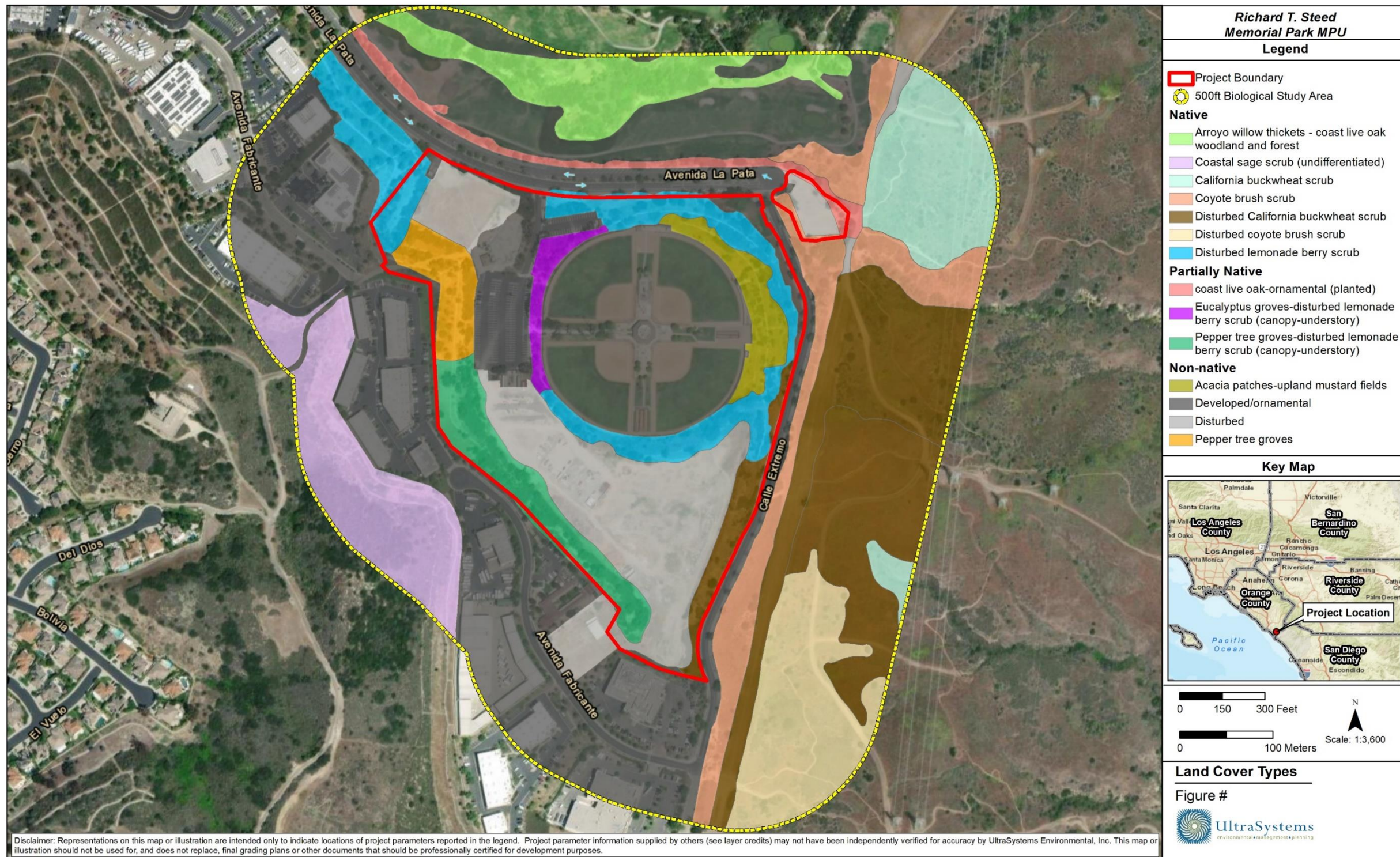


**Richard T. Steed  
Memorial Park MPU**  
 Project Boundary and  
Biological Study Area (BSA)





**Figure 4.4-2  
LAND COVER TYPES**







## Impacts to Special-Status Plants

Based on a literature review and query of publicly available databases (hereafter, plant inventory; USFWS 2022a, b, CNDDDB 2022a, CNPS, 2022a) for reported occurrences within a ten-mile radius of the project site, there were six listed and 28 sensitive plant species identified by one of the following means: reported in the plant inventory, recognized as occurring based on previous surveys or knowledge of the area, or observed during the habitat assessment survey. **Figure 4.4-3** shows those special-status plant species that have been recorded within two miles of the project site.

Of those 34 special-status species, four listed and 24 sensitive plant species were determined to have at least a low potential to occur. The remainder of the species were determined to have no potential to occur or are not expected to occur due to lack of suitable environmental factors to support them. No special-status plant species were observed during the surveys.

For a complete list of all plant species evaluated for occurrence potential and definitions of their respective status rankings, refer to **Appendix C** *Special-Status Species Inventory and Occurrence Potential Determination*.

### Plant Species with a High Potential to Occur (in BSA)

- decumbent goldenbush (*Isocoma menziesii* var. *decumbens*) CRPR: 1B.2
- thread-leaved brodiaea (*Brodiaea filifolia*) FT, SE, CRPR: 1B.1 (in BSA)

### Plant Species with a Moderate Potential to Occur

- San Diego ambrosia (*Ambrosia pumila*) FE, CRPR: 1B.1
- Encinitas baccharis (*Baccharis vanessae*) FT, SE, CRPR: 1B.1
- Allen's pentachaeta (*Pentachaeta aurea* ssp. *allenii*)
- white rabbit-tobacco (*Pseudognaphalium leucocephalum*) CRPR: 2B.2
- chaparral ragwort (*Senecio aphanactis*) CRPR: 2B.2
- Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*) CRPR: 4.3
- long-spined spineflower (*Chorizanthe polygonoides* var. *longispina*) CRPR: 1B.2
- intermediate mariposa lily (*Calochortus weedii* var. *intermedius*)

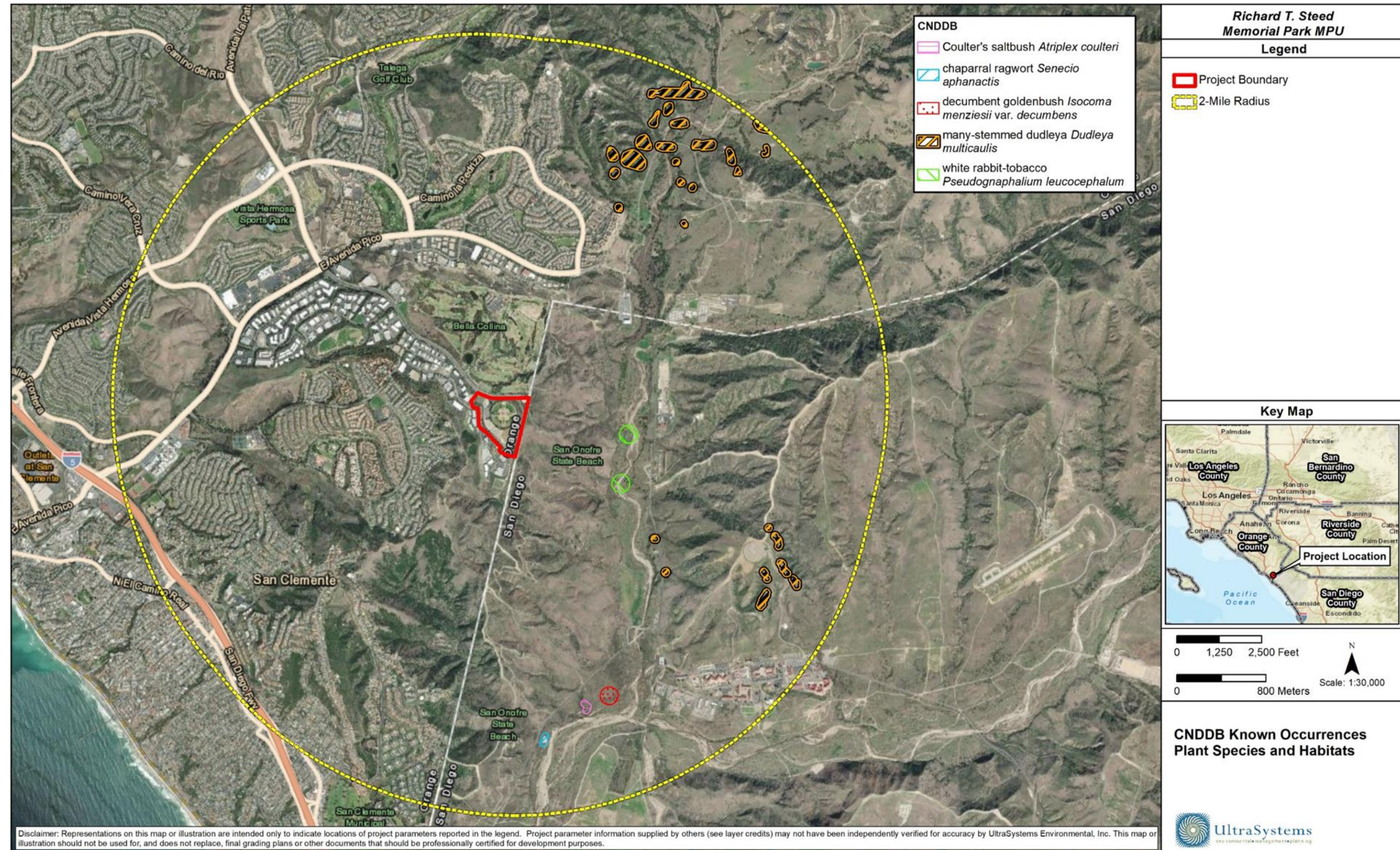
## Impacts to Special-Status Wildlife

Sixty-three special-status wildlife species were identified based on a literature review and query of publicly available databases (hereafter, wildlife inventory; USFWS 2022a, b, CNDDDB 2022a) for reported occurrences within a ten-mile radius of the project site. These species were identified by one or more of the following means: reported in the wildlife inventory, recognized as occurring based on previous surveys or knowledge of the area, or observed during the habitat assessment survey or other surveys. Refer to **Figure 4.4-4**, which displays species identified in the CNDDDB wildlife inventory within a two-mile radius of the BSA.

Of those 63 species, eight listed wildlife species and 31 sensitive wildlife species were determined to have at least a low potential to occur in the BSA. The remainder of the species were determined to have no potential to occur or are not expected to occur due to lack of suitable environmental factors

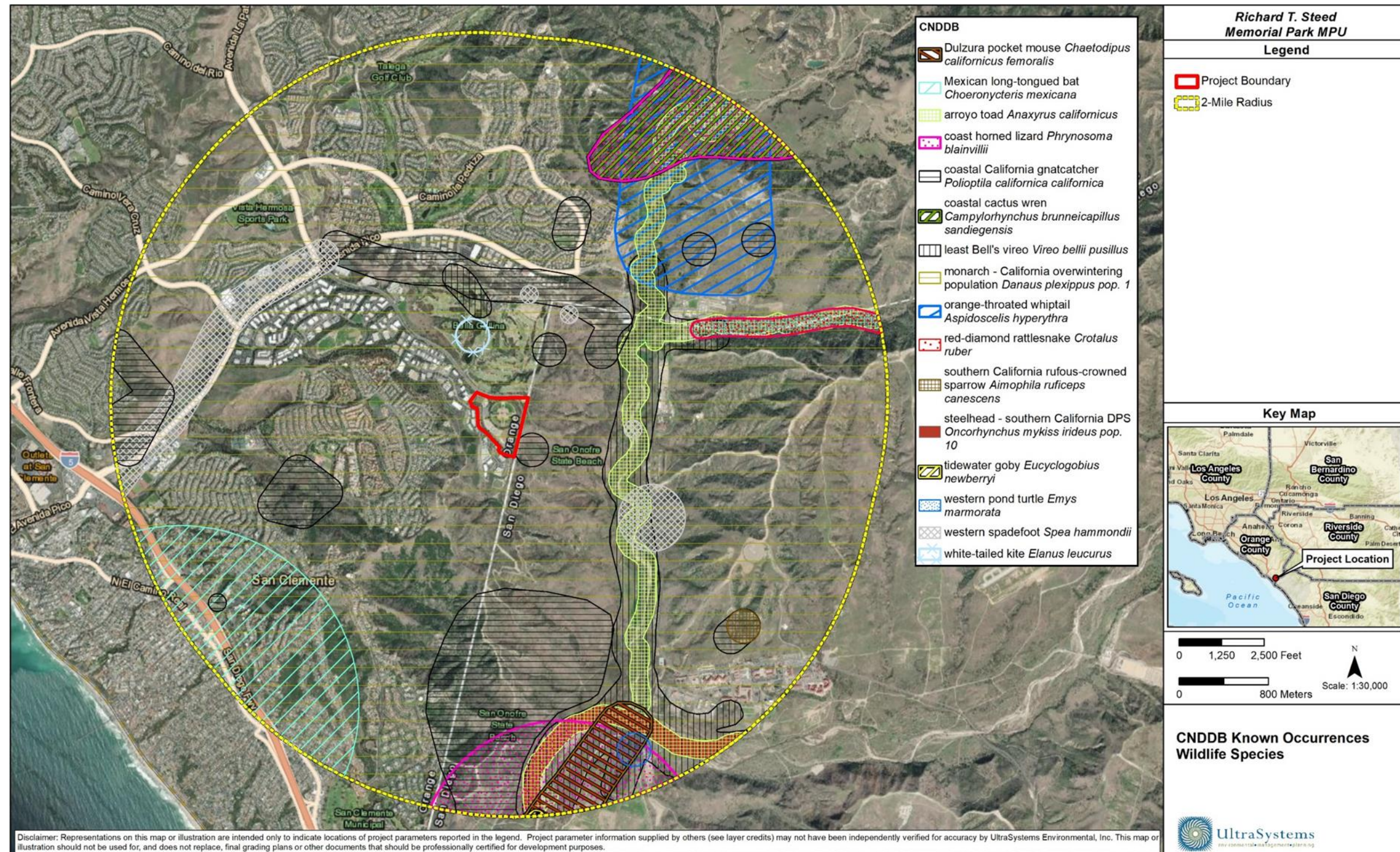


**Figure 4.4-3**  
**CNDDB KNOWN OCCURRENCES PLANT SPECIES AND HABITATS**





**Figure 4.4-4**  
**CNDDB KNOWN OCCURRENCES WILDLIFE SPECIES**







to support them.<sup>11</sup> These species are listed in **Appendix C, *Special-Status Species Inventory and Potential Occurrence Determination***. It is anticipated that construction of the project will have less than a significant impact to any of those special-status wildlife species that were determined to have only a low potential to occur.

The project site does not provide the conditions necessary to support a diverse array of special-status wildlife species, but may support foraging, sheltering, and reproduction opportunities for several listed and non-listed wildlife species. The BSA is known to provide suitable habitat for many special-status wildlife species.

This project will introduce additional “fringe effects” due to increased levels of traffic, traffic noise, recreational uses, and other human disturbances, which correspondingly decreases the functions and values of the adjacent available habitat. Impacts to wildlife species that are less-adaptive to fringe effects due to human influence may experience the greatest behavioral changes and should be given focused attention. Species that may use the project site or BSA for local movement may not be adversely affected at all; these include but are not limited to the Mexican long-tongued bat, western mastiff bat, hoary bat, pallid bat, long-eared owl merlin, American peregrine falcon, golden eagle, and other wildlife species.

However, because there is suitable habitat for coastal California gnatcatcher (CAGN), Allen’s hummingbird, burrowing owl (BUOW), Cooper’s hawk, coast horned lizard, silvery legless lizard, red-diamond rattlesnake, Nuttall’s woodpecker, pallid San Diego pocket mouse, San Diego kangaroo rat, Dulzura pocket mouse, and other protected wildlife occurs in the project site and the BSA, there is the potential for these species to occur and, therefore, potential impacts as a result of the project are possible. See natural history discussions below for descriptions of suitable habitat for these species.

Two USFWS-designated critical habitat (critical habitat) areas are proximate to the project. The eastern and western portions of the BSA overlay coastal California gnatcatcher critical habitat. The southern boundary of the BSA is immediately adjacent to Riverside fairy shrimp critical habitat. Direct impacts to critical habitat are not anticipated, although indirect impacts have potential to occur as a result of the project.

Impacts to special-status wildlife have potential to occur as a result of the proposed project’s construction-related activities. Post-construction operations and maintenance activities associated with the proposed project will introduce human and domestic pet activity, and thus increases in the ambient noise, vibration, lighting, toxins, non-native plant and wildlife species, trash, and pedestrian and vehicular traffic will occur as a result of the project. Therefore, mitigation is proposed to offset impacts to a less than significant level. See discussions of **BIO-2** through **BIO-10** below for mitigation measures.

The following species in the wildlife inventory were determined to have a moderate or high potential to occur in the BSA; however, none of these species were observed during the surveys. All applicable status rankings of the species in the wildlife inventory are presented in Attachment F of **Appendix C, *Special-Status Species Inventory and Potential Occurrence Determination***.

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<sup>11</sup> California thrasher, which is included in the wildlife inventory, was observed in the BSA during the November 4, 2022 field survey and is further discussed below.





## **Present in the BSA**

### **California thrasher (*Toxostoma redivivum*) BCC**

The range of the California thrasher is limited to California and a northern segment of Baja California, Mexico. This species is fairly common within its range, and is found in chaparral, foothills, coastal scrub, valley thickets, parks, gardens, and in virtually any lowland habitat with dense low brush. It also occurs in streamside thickets and in suburban neighborhoods that provide sufficient vegetation. California thrasher forages primarily on the ground, using its heavy curved bill to forage through leaf-litter and to dig in the soil. Diet of this species consists of primarily insects and berries; it feeds on a wide variety of insects including ants, wasps, bees, beetles, caterpillars, moths, and others including some spiders and centipedes. Berries and small fruits are an important dietary component along with seeds, acorns, and other plant material (Audubon Field Guide, 2022).

One individual California thrasher was visually and vocally identified in an area off the project site, within the eastern segment of the BSA.

## **High Potential to Occur in the BSA**

### **Coastal California gnatcatcher (*Poliophtila californica californica*) FT, SSC**

The coastal California gnatcatcher (gnatcatcher) is found on the coastal slopes of southern California, from southern Ventura southward through Los Angeles, Orange, Riverside, San Bernardino, and San Diego counties into Baja California, Mexico. Within its range, the distribution of gnatcatcher is further defined by relatively narrow elevation limits. In general, inland populations of the gnatcatcher can be found below the 1,640-foot elevation, and coastal populations tend to be found below an elevation of 820 feet.

The BSA, including the project area, contains coastal sage scrub, a habitat type required by this species. In addition, there are recent documented observations of gnatcatcher within a 2-mile radius of the project (CNDDDB, 2022a). Although the project site is currently developed with the existing facilities, it was determined that this species has a moderate potential to occur on the project site because the northeast corner of the site contains some coastal sage scrub habitat. Occurrence of this species throughout other areas of the project site would likely be limited to passage, as the majority of the project site contains developed areas that would not support gnatcatcher. Gnatcatcher could be indirectly impacted as a result of the project through noise, vibration, dust, and other disturbances as a result of the project (Cornell Lab of Ornithology, 2022; USFWS, 2022d).

### **Cooper's hawk (*Accipiter cooperii*); CDFW WL**

Cooper's hawks are medium-sized hawks of the woodlands. These raptors are commonly sighted in parks, neighborhoods, over fields, and even along busy streets if there are large trees nearby for perching, and adequate prey species such as other birds and small mammals. They prefer to breed in more densely wooded areas than occur in the BSA, such as woodland openings and edges of riparian and oak habitat. Cooper's hawks build nests in pines, oaks, Douglas firs, beeches, spruces, and other large trees. Males typically build the nest over a period of about two weeks, with just the slightest help from the female. Nests are piles of sticks roughly 27 inches in diameter and 6 to 17 inches high with a cup-shaped depression in the middle, 8 inches across and 4 inches deep. The cup is lined with bark flakes and, sometimes, green twigs. (CDFW, 2014; Cornell Lab of Ornithology, 2022)



The BSA is situated on a habitat edge providing suitable conditions to support foraging and nesting habitat for Cooper’s hawk. Therefore, there is a high potential for this species to occur in the BSA to perch or hunt.

**Burrowing owl (*Athene cunicularia*) SSC, BCC, Season of Concern: burrowing sites and some wintering sites**

The burrowing owl (BUOW) is a small, crepuscular (active at dusk and dawn), ground-inhabiting owl that is found largely throughout the southern United States. BUOW habitat is diverse, ranging from open, dry, flat ground or low rolling hills with sparse vegetation and available burrows (Gallagher, 1997) to annual and perennial grasslands, shortgrass prairies, open agricultural areas (particularly rangelands), desert floors, and vacant lots in residential areas and university campuses. BUOWs spend most of their time on the ground or on low perch sites such as fence posts and dirt mounds. They are generally found in open country, where tree or shrub canopies cover less than 30 percent of the habitat (Center for Biological Diversity et al., 2003). BUOWs inhabiting urban landscaped areas may live in vacant fields/lots, pastures, airports, athletic fields, golf courses, cemeteries, city parks, road shoulders, drainage sumps, railroad beds, irrigation ditches, and road cuts (Center for Biological Diversity et al., 2003).

Vegetation cover and height that prevents the owl from observing approaching predators places the BUOW at a severe disadvantage (Center for Biological Diversity et al., 2003). They are the only small owl likely to be seen perched in the open daylight (Sibley, 2000).

Suitable BUOW habitat must also support the primary prey items for BUOWs, such as insects and small mammals. BUOWs are opportunistic predators preying primarily on a broad array of arthropods (centipedes, spiders, beetles, crickets, and grasshoppers), and small rodents, but they also eat birds, amphibians, reptiles, and carrion. They may hunt from a perch, hover, hawk, run, walk, dive or hop after prey.

There is suitable nesting, sheltering, and foraging habitat within the BSA for BUOW. Portions of the BSA contain sparse shrub cover and friable soils which are preferred conditions for BUOW. In addition, several suitable burrows for this species were observed throughout the BSA. Therefore, mitigation is proposed

**Moderate Potential to Occur in the BSA**

**Allen’s hummingbird; BCC**

Allen’s hummingbird is a common summer resident and migrant along the majority of the California coast from January to July. Breeding habitat includes coastal scrub, valley foothill hardwood, and valley foothill riparian habitats, but also are common in closed-cone pine-cypress, urban, and redwood habitats. This species also occurs in a variety of woodland and scrub habitats as a migrant. Although mostly coastal in migration, Allen’s hummingbird is fairly common in southern mountains in summer and fall migration. This species takes nectar from a wide variety of herbaceous and woody flowering plants; also eats insects and spiders and uses sprinklers, bird baths, and other human water sources for bathing and possibly drinking, but also obtains water from nectar and dew (DeSante and Ainley, 1980; Garrett and Dunn 1981).



### **Rufous hummingbird (*Selasphorus rufus*) BCC**

The migratory rufous hummingbird is an uncommon resident of California during the summer season, and a regular winter resident of southern California. This species is found in a variety of habitats that provide nectar-producing flowers; uses valley foothill hardwood, valley foothill hardwood-conifer, riparian, and various chaparral habitats in both northward and southward migration; montane riparian, aspen, and high mountain meadows (to tree-line and above) used in southward migration. Rufous hummingbird utilizes riparian areas, open woodlands, chaparral, mountain meadows, and other habitats rich in nectar-producing flowers, including gardens and orchards. (Cornell Lab of Ornithology, 2022; Garret and Dunn, 1981; Grinnell and Miller, 1944). The BSA, including the project area, contains suitable coastal scrub habitat to support nesting and foraging of this species.

### **Costa's hummingbird (*Calypte costae*) BCC**

Costa's hummingbird occurs in Sonoran and Mojave Desert scrub, coastal California chaparral and sage scrub, and deciduous forest and desert scrub in Baja California, Mexico. Along the California coast, they utilize coastal sage scrub and chaparral. This species consumes nectar from a variety of desert plants, especially chuparosa and ocotillo. Small insects are also occasionally consumed (Cornell Lab of Ornithology, 2022). The BSA, including the project area, contains suitable coastal scrub habitat to support nesting and foraging of this species.

### **Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*); CDFW WL**

The southern California rufous-crowned sparrow is a fairly sedentary, non-migratory species that typically walks or runs on the ground between shrubs and grasses. This species is not a strong flier; the longest distance flown at once was recorded at approximately 540 feet. Rufous-crowned sparrows tend to remain on or near the ground to obtain shade and cover from predators. They usually build nests on the ground as well, sometimes hiding them underneath the overhanging edge of a rock or woody stem. This species is typically found on arid, rocky hillsides of the southwest with relatively low vegetation density (Cornell Lab of Ornithology, 2022).

There is suitable habitat in offsite areas within the BSA that could potentially support southern California rufous-crowned sparrow.

### **Loggerhead shrike (*Lanius ludovicianus*) SSC, BCC, Season of Concern: nesting**

Loggerhead shrike is a common resident and winter visitor in lowlands and foothills throughout California. This species inhabits areas with scattered shrubs, trees, posts, fences, utility lines, or other hardwood-conifer, valley foothill riparian, pinyon-juniper, juniper, desert riparian, and Joshua tree habitats. The BSA is within the known distributional range of the species and contains potentially suitable nesting and foraging habitat; therefore, this species has a moderate potential to occur within the BSA.

### **White-tailed kite (*Elanus leucurus*) FP, Season of Concern: nesting**

White-tailed kite is a small hawk that is a yearlong resident in coastal and valley lowlands, savannas, open woodlands, marshes, desert grasslands, partially cleared lands, and cultivated fields. They are rarely found away from agricultural areas and tend to avoid heavily grazed areas. White-tailed kites have a limited distribution in the United States that is confined to California and Texas. White-tailed





kites are relatively common, but their populations have declined by 36 percent between 1970 and 2014. The estimated global breeding population is 2 million.

This species consumes mainly small mammals, but it also eats birds, lizards, and insects on rare occasions. While hunting, the white-tailed kite hovers up to 80 feet off the ground and then drops straight down onto prey items with talons out. They can hold a stationary position in midair by facing into the wind and fluttering their wings, a behavior so characteristic of these birds that it's called kiting. White-tailed kites maintain territories, though they tend to tolerate nearby kites and are not as strongly territorial as other raptors (Cornell Lab of Ornithology, 2022; Dunk, 1995; Partners in Flight, 2017).

### **Western Spadefoot Toad (*Spea hammondi*), SSC**

Western spadefoot toad adults are essentially terrestrial, only entering aquatic habitats for breeding. This species prefers areas of open vegetation and short grasses, where the soil is sandy or gravelly. They occur in washes, floodplains of rivers, alluvial fans, and playas, but also range into the foothills and mountains (Stebbins 1985). They spend most of the year in a dormant to semi-dormant state burrowed in upland habitat adjacent to the rain pool sites (i.e., ponding sites). This species requires seasonal rain pools that last a minimum of four weeks as eggs take from 1 to 6 days to hatch and metamorphosis can be completed within 3 to 11 weeks (Jennings and Hayes 1994). Breeding habitat must be seasonal such that predators including bullfrogs and predatory fish do not become established. Breeding adults typically emerge during and/or immediately following relatively warm rains in late winter to early spring. Female western spadefoot toads deposit small clusters of 10 to 42 eggs to plant stems or other debris in the pool (Jennings and Hayes 1994).

### **Mountain Lion (*Puma concolor*), Candidate species**

The mountain lion is a specially protected mammal in the State Fish and Game Code, § 4800. In addition, on April 21, 2020, the California Fish and Game Commission accepted a petition to list an evolutionarily significant unit (ESU) of mountain lion in southern and central coastal California as threatened or endangered under CESA (CDFW 2020). As a CESA candidate species, the mountain lion in southern California is granted full protection of a threatened species under CESA.

Mountain lions may be impacted by increased traffic, human presence, light, and noise. Therefore, under CEQA and CESA, this report evaluates potential adverse impacts to mountain lions during and after Project construction as a result of stressors described. The project should be designed to allow safe passage of mountain lion under or over transportation projects that cross mountain lion movement corridors.

### **General Wildlife Surveys Results and Discussion**

One of the species identified in the wildlife inventory, California thrasher (*Toxostoma redivivum*), was observed in the eastern segment of the BSA. During the surveys, no nests were observed.

Project construction could cause several potential direct and indirect impacts to nesting and foraging behavior of protected wildlife, including year-round residents, seasonal residents, and migrants. Although only one special-status species was observed during the field surveys (California thrasher), a majority of the birds observed during the field surveys are protected by the Migratory Bird Treaty Act (MBTA) and Fish and Game Code § 3503, § 3503.5, and § 3513. Another potential direct impact would be the conversion of onsite vegetated areas to developed areas, as vegetated areas support



habitat for foraging and cover. However, impacts due to foraging habitat loss would be less than significant because there are many alternative foraging areas that could be utilized within the general vicinity of the BSA; the BSA is surrounded primarily by undeveloped space containing native vegetation. Potential for noise and fugitive dust generated by construction activities and unanticipated pollutants such as oil or gas that leak from machinery, could contaminate soil surfaces or temporary onsite water sources.

The project site contains numerous opportunities for wildlife foraging, nesting, and shelter to support a diverse assortment of wildlife species. The recommended mitigation measures below would reduce potential project impacts to biological resources.

### **Mitigation Measures**

The following mitigation measures will reduce potential impacts to a less than significant level and will serve to avoid, minimize, and offset potential impacts to biological resources and jurisdictional waters.

#### **MM BIO-1: Focused Botanical Surveys**

To avoid impacts to special-status plant species, a qualified biologist will survey the project site for the presence of special-status plant species with potential to occur within the direct and indirect impact areas of the project. The focused plant surveys will be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special-status Native Plant Populations and Sensitive Natural Communities (CDFW, 2018).

A minimum of two surveys would be conducted at appropriate times of the year to coincide with the optimum conditions and bloom periods, during different seasons of the same year, to adequately capture the floristic diversity of a site. Every plant taxon that occurs on site will be identified to the taxonomic level necessary to determine rarity and listing status, as feasible. Plant species will be identified using plant field and taxonomical guides. When optimum conditions for identification are present (generally blooms, fruits, and/or leaves).

Special-status plant species will be identified, recorded in field notes, counted or estimated, and mapped on an aerial map or with a GPS unit.

Following completion of the focused botanical surveys, a focused botanical survey report will be prepared in accordance with agency guidelines. The report will: 1) summarize information regarding the habitat of the survey area and the habitat's suitability for special-status plants; 2) assess the potential presence of special-status plants onsite; 3) analyze the potential impacts to special-status plants from project development; and 4) recommend, as appropriate, BMPs, avoidance and protection measures, and mitigation measures to reduce or avoid potential impacts to special-status plants. The report will include: 1) methods and results of the literature review and field surveys; 2) figures depicting the location of special-status plants; 3) a complete flora compendium; and 4) site photographs.

CDFW generally considers botanical surveys to be valid for a period of one to three years, with variation attributed to seasonal factors, such as during drought years or



post-fire recovery. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if the project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

**MM BIO-2: Focused Burrowing Owl Surveys**

The BSA contains suitable habitat to potentially support BUOW in the future. Therefore, a series of focused BUOW surveys is required. A qualified biologist will conduct the focused surveys in accordance with the Staff Report Burrowing Owl Mitigation (Staff Report; CDFG, 2012). A total of four breeding surveys should be conducted: one site visit should take place between February 15 and April 15, and a minimum of three site visits at least three weeks apart should take place between April 15 and July 15. In addition, a total of four surveys shall take place during the non-breeding season (July 16-February 14); these site visits should be spaced at relatively even intervals.

Following the completion of the focused surveys, the biologist would prepare a letter report in accordance with the Staff Report summarizing the results of the survey. The report would be submitted to the City and CDFW prior to initiating any ground disturbing activities.

If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from CDFW, project activities may commence and no further mitigation would be required.

If BUOW or signs of BUOW are observed during the survey, the site would be considered occupied. The biologist would then prepare a Burrowing Owl Mitigation, Monitoring, and Exclusion Plan and contact the City and CDFW to assist in the development of avoidance, minimization, and mitigation measures, prior to commencing project activities.

**MM-BIO-3: Focused Coastal California Gnatcatcher Surveys**

The BSA is located in the known distributional range of the coastal California gnatcatcher (CAGN) and contains suitable coastal sage scrub habitat to potentially support this bird; therefore, focused surveys in accordance with the Coastal California Gnatcatcher Presence/Absence Survey Protocol (USFWS, 1997; survey protocol) would be performed. The City or its designee will be responsible for retaining a qualified biologist authorized under a Section 10(a)(1)(A) recovery permit to conduct focused surveys for CAGN.

The Recovery Permit Coordinator at the Carlsbad USFWS Office should be notified by the qualified biologist of the intent to conduct CAGN surveys at least 10 working days prior to the anticipated start date of the survey effort. The qualified biologist shall follow the conditions within their recovery permit and the CAGN survey protocol should be adhered to unless an exception is otherwise granted by USFWS. Protocol surveys are valid for a period of one year. (USFWS, 1997).





A minimum of six surveys shall be conducted at least one week apart, between March 15 and June 30. A minimum of nine surveys shall be conducted at least two weeks apart between July 1 and March 14. Surveys should be conducted between the hours of 6:00 a.m. and 12:00 p.m. and shall avoid periods of inclement conditions. No more than 80 acres of suitable CAGN habitat should be surveyed per biologist per day. No attempts to examine or closely approach CAGN nests are approved unless authorization is obtained through service permits.

A survey report should then be prepared and submitted with 45 days from survey effort completion to the Carlsbad USFWS Office and the CDFW South Coast (Region 5) Office. The survey report should include written and mapped qualitative descriptions of plant communities in the survey area and areas adjacent, number, age, sex, and applicable color band information, the names and permit numbers of all surveyors, and survey area location.

If CAGN or their territories are located within direct or indirect impact areas, then consultation will occur with the USFWS to initiate informal consultation for preparation of a CAGN mitigation and monitoring plan, or a formal consultation for preparation of a Biological Assessment (“will affect letter”) for review and potential issuance of a Biological Opinion (“Incidental Take Permit”) from the USFWS.

Incidental observations of non-listed avian species shall be recorded during the CAGN surveys; incidental species include but are not limited to: Cooper’s hawk, loggerhead shrike, rufous hummingbird, Allen’s hummingbird, Costa’s hummingbird, Cooper’s hawk, California thrasher, and southern California rufous-crowned sparrow.

**MM BIO-4: Coastal California Gnatcatcher Noise Attenuation**

Impacts to CAGN would be considered permanent if pickleball noise levels cannot be attenuated below the significance limit of 60 dBA at the locations of mapped CAGN territories, determined during the focused surveys.

If impacts cannot be avoided, then noise attenuating BMPs are required, such as installation of a 10-foot acoustifence, or similar, would reduce the noise originating from the proposed pickleball courts by approximately 15 Leq. If installation of the acoustifence is not practicable or does not reduce the noise levels to less than 60 dBA at the locations of mapped CAGN territories, it is recommended that the design engineers provide alternate noise attenuating BMPs and/or move the proposed pickleball courts to an alternate location or consultation with the USFWS and CDFW is recommended.

If the aforementioned mitigation options are not possible and the project will have permanent impacts to occupied CAGN habitat, either during Project activities or over the duration of the Project, the City will contribute to an appropriate state-approved mitigation bank with CAGN credits. Mitigation bank credits should be purchased, approved, or otherwise fully executed prior to implementing Project related ground disturbing activities. All mitigation strategies will be approved by the USFWS and City prior to implementation.



**MM BIO-5: Pre-Construction General Wildlife Survey**

The following measures will be implemented to minimize impacts to non-listed sensitive species which include but are not limited to: coast horned lizard, silvery legless lizard, red-diamond rattlesnake, Nuttall's woodpecker, pallid San Diego pocket mouse, San Diego kangaroo rat, and Dulzura pocket mouse. The measures below will help to reduce direct and indirect impacts caused by construction on various sensitive species, if present, to less than significant levels.

- A qualified biologist will conduct a pre-construction general wildlife survey for sensitive wildlife and potential nesting sites such as open ground, shrubs, and burrows within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.
- If sensitive species and/or active nesting sites are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.
- If any sensitive wildlife species are identified within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency.
- If no sensitive species and/or active nesting sites are observed during the pre-construction survey or they are observed and will not be impacted, project activities may commence and no further mitigation will be required.
- Sensitive wildlife species and/or potential nesting sites will not be disturbed, captured, handled or moved.

**MM BIO-6: Pre-Construction Breeding Bird Survey**

To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.

- Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts to migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from



February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.

- If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.
- If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.
- If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no-activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone.
- If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency.
- Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.

**MM BIO-7: Worker Environmental Awareness Program (WEAP) and Biological Monitor**

Prior to project construction activities, a qualified biologist will prepare and conduct a Worker Environmental Awareness Program (WEAP) that will describe the





biological constraints of the project. All personnel who will work within the project site will attend the WEAP prior to performing any work. The WEAP will include, but not be limited to the following: results of pre-construction surveys; description of sensitive biological resources potentially present within the project site; legal protections afforded the sensitive biological resources; BMPs for protecting sensitive biological resources (i.e., restrictions, avoidance, protection, and minimization measures); individual responsibilities associated with the project; and, a training on grading to reduce impacts to biological resources. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act), the need to adhere to the provisions of the Act, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to the project site boundaries within which the project activities must be accomplished. The program will also include the reporting requirements if workers encounter a sensitive wildlife species (i.e., notifying the biological monitor or the construction foreman, who will then notify the biological monitor).

Training materials will be language-appropriate for all construction personnel. Upon completion of the WEAP, workers will sign a form stating that they attended the program, understand all protection measures, and will abide all the rules of the WEAP. A record of all trained personnel will be kept with the construction foreman at the project field construction office and will be made available to any resource agency personnel. If new construction personnel are added to the project later, the construction foreman will ensure that new personnel receive training before they start working. The biologist will provide written hard copies of the WEAP and photos of the sensitive biological resources to the construction foreman.

**MM BIO-8: Biological Monitor**

A qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.

A biological monitor shall monitor activities that result in tree or vegetation removal to minimize the likelihood of inadvertent impacts to nesting birds and special-status wildlife species, with special attention given to any protected species observed during the pre-construction breeding bird surveys. Monitoring shall also be conducted periodically during construction activities to ensure no new nests are built during any vegetation removal or building demolition activities between February 1 and August 31. The biological monitor shall ensure that all BMPs, avoidance, protection and mitigation measures described in the relevant project permits and reports are in place and are adhered to.

The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. If necessary, the biological monitor shall relocate the individual outside of the work area where it will not be harmed. Work



can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in adverse effects on the species.

The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include; location of the carcass, a photograph, cause of death (if known), and other pertinent information

**MM BIO-9: Best Management Practices**

Project work crews will be directed to use BMPs where applicable. These measures will be identified prior to construction and incorporated into the construction operations.

Implementation of this conservation measure will help to avoid, eliminate or reduce impacts to sensitive biological resources, such as special-status terrestrial wildlife species, to less than significant levels. Standard BMPs that apply to construction of this project, and that are not incorporated to other mitigation measures proposed for this project, are as follows:

- To minimize the amount of disturbance, the construction/laydown areas, parking areas, staging areas, storage areas, spoil areas, and equipment access areas will be restricted to designated areas. To the extent possible, designated areas will comprise, existing disturbed areas (parking lots, access roads, graded areas, etc.).
- Water pollution and erosion control plans shall be developed and implemented in accordance with SWRCB and RWQCB requirements.
- Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project-related spills of hazardous materials shall be reported to appropriate entities, including but not limited to applicable jurisdictional city, USFWS, CDFW, and RWQCB, and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.
- Vehicles and equipment will be free of caked mud or debris prior to entering the project site to avoid the introduction of new invasive weedy plant species
- The project proponent will ensure that construction activities will include measures to prevent accidental falls into excavated areas. The construction crew will inspect excavated areas daily to detect the presence of trapped wildlife. All deep or steep-walled excavated areas will be covered with tarp and either be furnished with escape ramps or be surrounded with exclusionary fencing in order to prevent wildlife from entering them. Wildlife found in excavation areas should be trapped and relocated out of harm's way to a suitable habitat outside of the project area, if possible.



**MM BIO-10: Vegetation and Wildlife Avoidance**

The BSA contains habitats which can support many wildlife species. The City of San Clemente will also implement the following general avoidance and protection measures to protect vegetation and wildlife, to the extent practical:

- Non-native species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible
- Cleared or trimmed non-native, invasive vegetation will be disposed of in a legal manner at an approved disposal site as soon as possible to prevent regrowth and the spread of weeds.
- The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.
- Vehicles and equipment will be free of caked mud or debris prior to entering the project site to avoid the introduction of new invasive weedy plant species.
- To minimize construction-related mortalities of nocturnally active species such as mammals and snakes, it is recommended that all work be conducted during daylight hours. Nighttime work (and use of artificial lighting) will not be permitted unless specifically authorized. If required, night lighting will be directed away from the preserved open space areas to protect species from direct night lighting. All unnecessary lights will be turned off at night to avoid attracting wildlife such as insects, migratory birds, and bats.
- Wildlife will not be disturbed, captured, harassed, or handled. Animal nests, burrows and dens will not be disturbed without prior survey and authorization from a qualified biologist.
- Contractors, subcontractors, employees, and site visitors will be prohibited from feeding wildlife and collecting plants and wildlife.
- To avoid impacts to wildlife and attracting predators of protected species, the project proponent will institute a litter control program using covered trash receptacles at each designated work site. The contents will be properly disposed at least once a week throughout project construction.
- Work within wetted areas such as ponded is prohibited until the biological monitor determines the area does not contain protected wildlife, such as amphibians and sensitive invertebrates.

**Level of Significance After Mitigation**

With implementation of mitigation measures **BIO-1** through **BIO-10**, the proposed project would have less than significant impacts, either directly or through habitat modifications, to special-status plant and wildlife species.





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

**Less Than Significant with Mitigation Incorporated**

The project site is situated on relatively level ground, somewhat of an elevated plateau, with terraced slopes surrounding the perimeter. Vegetation consists of native and non-native annual grasses and forbs, several ornamental and native trees, native coastal scrub communities, and landscaped areas with ornamental plants. The land cover types observed within the BSA are described below.

Field surveys confirmed the literature review findings of the NWI (USFWS National Wetlands Inventory) riverine feature (USFWS, 2022c) and USGS Surface Waters and Watersheds. These sources indicate that the terminus of Avenida La Pata storm drain collects surface waters from the project site (and adjacent areas) that then outflow to the east into unnamed drainage that flows east downhill into the San Onofre State Park downstream to Cristianitos Creek, which joins San Mateo Creek, terminating at the Pacific Ocean. This location is therefore the current “headwaters” of the jurisdictional waters associated with the project site. Segments of the unnamed drainage and downstream areas support riparian vegetation that could be impacted as a result of the project.

**Land Cover Type Mapping**

The fourteen land cover types that occur in the BSA are briefly described below. There are land cover types that are classified as sensitive natural communities in the California Department of Fish and Wildlife’s (CDFW’s) *California Natural Community List* (CDFW, 2022a) that occur on the project site and in offsite areas within the BSA. Therefore, there are anticipated impacts to sensitive natural communities as a result of construction of the project.



**Table 4.4-1  
MAPPED LAND COVER TYPES**

Land Cover Type	Acreage Mapped in BSA (offsite)	Acreage Mapped in Project Area	Direct Impact Acreage
Disturbed	1.39	10.45	10.45
Disturbed lemonade berry scrub	2.05	4.67	4.67
Coastal sage scrub (undifferentiated)	7.10	0	0
Arroyo willow thickets - coast live oak woodland and forest	5.10	0	0
Coast live oak – ornamental (planted)	1.56	0.16	0.16
Pepper tree groves	0	1.73	1.73
Pepper tree groves – disturbed lemonade berry scrub	0.17	3.24	3.24
Eucalyptus groves-disturbed lemonade berry scrub	0	0.85	0.85
Developed/ornamental	39.83	14.63	14.63
Coyote brush scrub	6.61	0.16	6.77
Disturbed coyote brush scrub	6.74	0	0
California buckwheat scrub	5.89	0	0
Disturbed California buckwheat scrub	14.32	1.37	1.37
Acacia patches - upland mustard fields	0	1.73	1.73

**Disturbed**

Disturbed land cover consists of areas that have undergone various disturbances including disking and mowing, resulting in significant soil compaction and consequent dominance of annual grasses, forbs, and other weedy species. Approximately 10.45 acres of this land cover were mapped within the project area, and approximately 11.84 acres were mapped in offsite areas within the BSA. Disturbed areas offer highly limited potential for the establishment of special-status plant species. This vegetation community is not considered sensitive by CDFW (CDFW, 2022a).

**Disturbed lemonade berry scrub (*Rhus integrifolia* Shrubland Alliance)**

Lemonade berry scrub is typically found on gentle to steep slopes and coastal bluffs. In the BSA, lemonade berry is dominant or co-dominant and occurs with California buckwheat (*Artemisia californica*), California sunflower (*Encelia californica*) Approximately 4.67 acres of disturbed lemonade berry scrub were mapped within the project area, and approximately 6.72 acres were mapped in offsite areas within the BSA. This natural community is considered sensitive (CDFW, 2022a).

**Coastal sage scrub (undifferentiated)**

The area in which this land cover type was mapped consists of inaccessible private property (Bella Collina Golf Club). Therefore, biologists were unable to access this area. This area consists of mixed coastal sage scrub that includes coast live oak and other species. Approximately 7.1 acres of this land cover type were mapped in offsite areas within the western segment of the BSA.



**Arroyo willow thickets - coast live oak woodland and forest (*Salix lasiolepis* Shrubland Alliance - *Quercus agrifolia* Forest & Woodland Alliance)**

This land cover type is a combination of the MCV Alliances *Salix lasiolepis* Shrubland Alliance and *Quercus agrifolia* Forest & Woodland Alliance. Approximately 5.1 acres of this land cover was mapped in offsite areas within Bella Collina Golf Club, located in the northern portion of the BSA.

**Coast live oak – ornamental (planted)**

Approximately 0.16 acre of coast live oak – ornamental (planted) occurs on the project site, and approximately 1.72 acre occurs in the offsite areas within the eastern segment of the BSA. This land cover is characterized by coast live oak that were planted for aesthetic purposes. This vegetation community is considered sensitive (CDFW, 2022a).

**Pepper tree groves (*Schinus [molle, terebinthifolius]* Forest & Woodland Semi-Natural Alliance)**

Approximately 1.73 acre of pepper tree groves (listed in MCV as *Schinus [molle, terebinthifolius]* - *Myoporum laetum* Forest & Woodland Semi-Natural Alliance [Pepper tree or *Myoporum* groves]) occur on the project site. This semi-natural alliance is characterized by the dominance of *Myoporum laetum*, *Schinus molle* or *Schinus terebinthifolius* in the tree canopy; shrubs can occur infrequently or commonly (CNPS, 2022b). In the BSA, this vegetation community is dominated by the non-native Peruvian pepper tree and Brazilian pepper tree, which are currently assigned a limited<sup>12</sup> rating on the California Invasive Plant Inventory (Cal IPC, 2006). The understory of this land cover consists of non-native vanilla-scented wattle acacia (*Acacia redolens*). This vegetation community is not considered sensitive (CDFW, 2022a).

**Pepper tree groves – disturbed lemonade berry scrub (*Schinus [molle, terebinthifolius]* Forest & Woodland Semi-Natural Alliance – disturbed *Rhus integrifolia* Shrubland Alliance)**

In the BSA, this vegetation community is dominated by the non-native Peruvian pepper tree and Brazilian pepper tree in the canopy, with a native understory of lemonade berry scrub. This land cover type is a combination of the MCV Alliances *Schinus [molle, terebinthifolius]* - *Myoporum laetum* Forest & Woodland Semi-Natural Alliance and *Rhus integrifolia* Shrubland Alliance. Approximately 3.24 acres of this land cover were mapped in the western segment of the project site. Pepper tree groves are not considered sensitive, but the understory of disturbed lemonade berry scrub is considered a sensitive natural community (CDFW, 2022a).

**Eucalyptus groves-disturbed lemonade berry scrub (*Eucalyptus* spp. Woodland Semi-Natural Alliance – disturbed *Rhus integrifolia* Shrubland Alliance)**

In the BSA, this vegetation community is dominated by the non-native red gum and blue gum in the canopy with black locust, and a native understory of lemonade berry scrub. This land cover type is a combination of the MCV Alliances *Eucalyptus* spp. - *Ailanthus altissima* - *Robinia pseudoacacia*

<sup>12</sup> Cal-IPC Limited: These species are invasive but their ecological impacts are minor on a statewide level or there was not enough information to justify a higher score. Their reproductive biology and other attributes result in low to moderate rates of invasiveness. Ecological amplitude and distribution are generally limited, but these species may be locally persistent and problematic.





Woodland Semi-Natural Alliance and *Rhus integrifolia* Shrubland Alliance (existing in a disturbed state). Approximately 0.85 acre of this land cover was mapped within the project area.

**Developed/ornamental:**

Developed areas often support man-made structures such as houses, sidewalks, buildings, parks, transportation infrastructure (bridges and culverts), and ornamental landscaping, consisting of non-native plant species, that occurs in parks, gardens and yards. Mapped developed/ornamental land cover on the project site consists of the existing baseball field, associated turf and facilities, and ornamental trees for landscaping purposes. Ornamental trees are those propagated for aesthetic purposes typically in landscape design projects. Approximately 14.63 acres of this land cover were mapped on the project site, and approximately 54.46 acres were mapped in offsite areas throughout the BSA. This land cover is not considered sensitive (CDFW, 2022a).

**Coyote brush scrub (*Baccharis pilularis* Shrubland Alliance)**

In the BSA, this natural community is characterized by the dominance of coyote brush (*Baccharis pilularis*) and also contains California sagebrush (*Artemisia californica*) and California buckwheat (*Eriogonum fasciculatum*). Approximately 6.77 acres of coyote brush scrub was mapped in offsite areas in the northeastern segment of the BSA, and approximately 0.16 acre of this land cover was mapped within northeastern project area segment.

**California buckwheat scrub (*Eriogonum fasciculatum* Shrubland Alliance)**

In the BSA, this land cover is characterized by the dominance of California buckwheat and also contains California sagebrush, coyote bush, coast live oak (*Quercus agrifolia*), and California sunflower (*Encelia californica*). Approximately 15.69 acres of California buckwheat scrub was mapped in offsite areas in the eastern segment of the BSA and along the eastern extremity of the project area.

**Disturbed California buckwheat scrub (disturbed *Eriogonum fasciculatum* Shrubland Alliance)**

In the BSA, this land cover is characterized by the dominance of California buckwheat and also contains California sagebrush, coyote bush, coast live oak, and California sunflower (*Encelia californica*). Approximately 1.37 acres of disturbed California buckwheat scrub was mapped along the eastern border of the project area.

**Acacia patches - upland mustard fields (*Acacia* spp. Shrubland Semi-natural Alliance - *Brassica nigra* Herbaceous Semi-Natural Alliance)**

In the BSA, this land cover is characterized by the co-dominance of non-native short-pod mustard, black mustard, and vanilla-scented wattle. This land cover type is a combination of the MCV Alliances *Acacia* spp. - *Grevillea* spp. - *Leptospermum laevigatum* Shrubland Semi-natural Alliance and *Brassica nigra* - *Centaurea (solstitialis, melitensis)* Herbaceous Semi-Natural Alliance. Approximately 1.73 acres of acacia patches - upland mustard fields were mapped in the eastern segment of the project area.

Several vegetation communities are anticipated to be directly impacted as a result of the project. The BSA supports lemonade berry scrub and coast live oak woodland, which are sensitive natural



communities (CDFW, 2022a). Both the literature review (CNDDDB, 2022a) and results of the reconnaissance-level field survey indicate that one sensitive natural community, lemonade berry scrub (disturbed state), occurs on the project site. Therefore, construction of the project would result in impacts to any riparian habitat, or sensitive natural communities identified in local, regional state, or federal plans, policies, or regulations. Mitigation for direct impacts to approximately 8.76 acres of disturbed lemonade berry scrub is proposed.

### **Mitigation Measures**

#### **MM-BIO 11: Avoidance, Minimization, and Replacement of Sensitive Vegetation Communities**

To avoid impacts to native vegetation communities, a qualified biologist would designate Environmentally Sensitive Areas (ESAs) to be preserved. Prior to clearing or construction, highly visible barriers (such as orange construction fencing) will be installed around coastal sage scrub, lemonade berry scrub, oak woodland, and riparian communities adjacent to the project footprint, as well as around any trees and special-status plants that can be avoided within the project footprint, if any. Limited activities, such as foot traffic, will be allowed within the ESAs, otherwise, full avoidance (i.e., no construction activity of any type) should be included within the construction specifications for these ESAs. Heavy equipment, including motor vehicles, will be prohibited within the ESAs. All construction equipment should be operated in a manner so as to prevent accidental damage to nearby preserved areas. No structure of any kind, or incidental storage of equipment or supplies, will be allowed within these protected zones.

If the ESAs cannot be avoided, then replacement for losses will be required for lemonade berry scrub, oak woodland, and coastal sage scrub. The proposed project is expected to impact all areas of lemonade berry scrub onsite. Therefore, to mitigate for the loss of approximately 8.76 acres of lemonade berry scrub, replanting of native species similar to pre-existing conditions and species assemblages at a 1:1 ratio should be performed onsite within the sloped terraced landscaping. Examples of native species of similar assemblages include: lemonade berry, California buckwheat, coyote bush, black sage (*Salvia mellifera*), white sage (*Salvia apiana*), laurel sumac (*Malosma laurina*) and California sagebrush. Avoidance is planned for the oak woodland/oak trees and coastal sage scrub onsite. However, if avoidance is not possible, then replacement for losses to coastal sage scrub and oak woodland and/or native oak trees, would occur on a 1:1 ratio, or as deemed appropriate by the City.

### **Level of Significance After Mitigation**

Implementing conservation measure **BIO-11** would reduce impacts of removal of the 8.76 acres of lemonade berry scrub to a less than significant level.

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

### **Less than Significant with Mitigation Incorporated**

An unnamed drainage occurs in the northeast section of the BSA, adjacent to the existing dog park. This drainage is fed by stormwater generated on the project site and adjacent areas, including Avenida La Pata and Calle Extremo, and discharged into a storm drain inlet located at the eastern terminus of Avenida La Pata. This storm drain runs beneath the existing dog park and discharges into



the unnamed drainage, approximately 340 feet southeast of the inlet. The outfall of the storm drain is protected by rock slope protection (RCP) at the head of the unnamed drainage, which discharges into Cristianitos Creek, approximately 0.75 mile downstream of the RCP (see **Figure 4.4-5**).

Several tributaries discharge into the unnamed drainage, including a longer drainage that originates in the Bella Collina San Clemente Golf Club, located north of the BSA. Cristianitos Creek is a tributary of San Mateo Creek, which discharges into the Pacific Ocean at San Mateo Point, near Trestles Beach. Additionally, the 2018 § 303(d) List of Impaired Water Quality Segments lists Cristianitos Creek as impaired by metals (selenium, cadmium) and pathogens (indicator bacteria), and San Mateo Creek by pathogens and invasive species (SWRCB 2018).

San Mateo Creek and Cristianitos Creek are waters of the U.S.; therefore, the unnamed drainage may be a water of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers (USACE) and the San Diego Regional Water Quality Control Board (RWQCB). The unnamed drainage is a water of the State of California (water of the State) under the jurisdiction of both the RWQCB and the California Department of Fish and Wildlife, South Coast Region (CDFW). Due to proximity of proposed project activities at the existing dog park, a jurisdictional delineation survey would be required to ascertain potential impacts, if any, to waters of the U.S. and State.

If the jurisdictional delineation determines that the proposed project may result in temporary or permanent impacts to the unnamed drainage, the project will obtain the required authorizations from relevant agencies: i.e., § 404 Clean Water Act (CWA) permit from the USACE, a § 401 CWA and/or a Waste Discharge Requirements permit (WDR) from the RWQCB, and a Lake or Streambed Alteration Agreement from CDFW.

### **Mitigation Measures**

#### **MM-BIO 12: Jurisdictional Delineation Survey and Report**

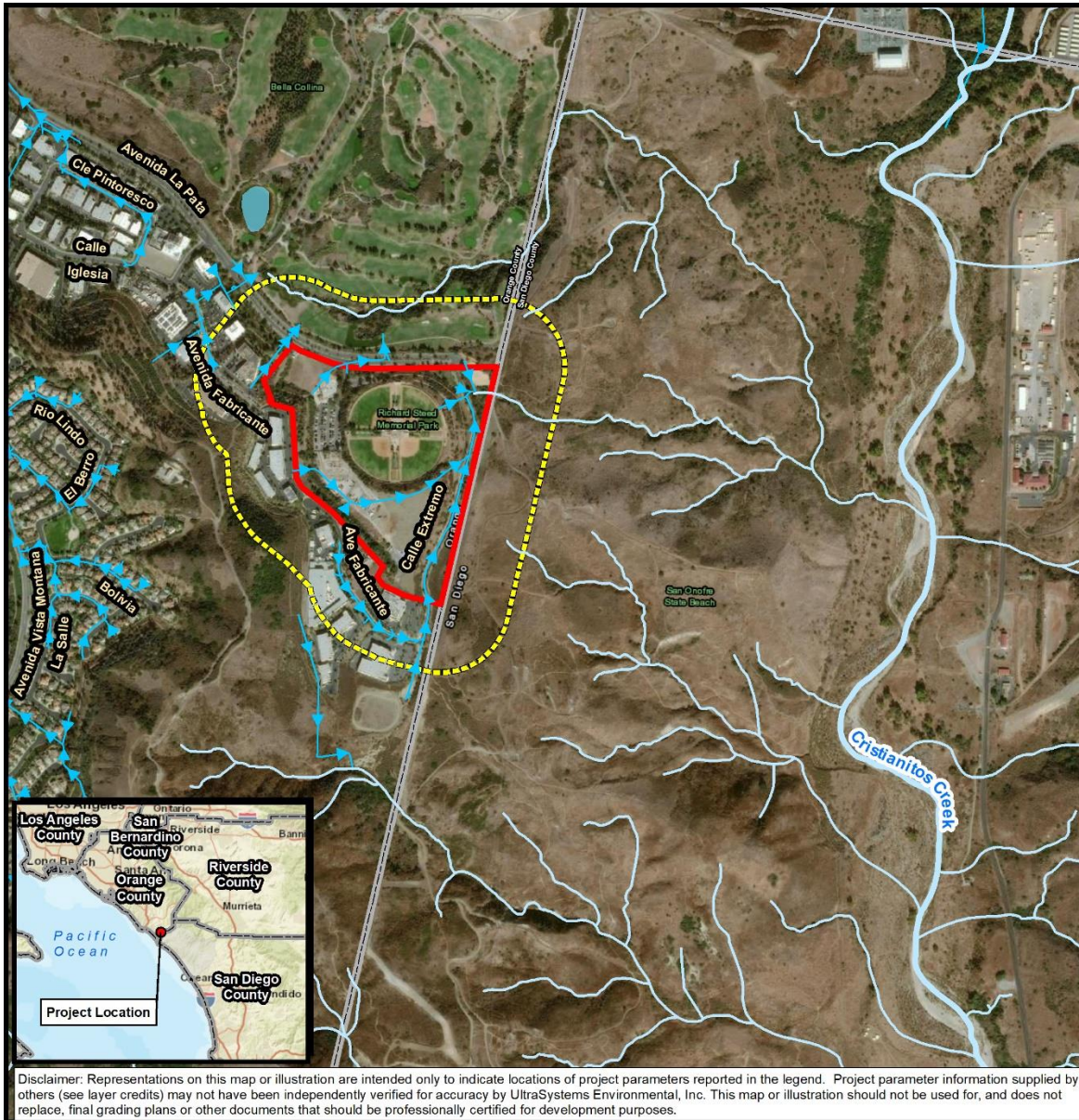
A jurisdictional delineation survey shall be conducted by a qualified biologist to determine the presence and extent of potential federal or state wetlands, waters, and habitats that are potentially subject to the jurisdictional authority of the U.S. Army Corps of Engineers (USACE), the San Diego Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife, South Coast Region (CDFW).

A jurisdictional delineation survey shall be conducted by a qualified biologist to conduct a jurisdictional delineation assessment on their property to determine the presence and extent of potential waters of the U.S. or State (including but not limited to wetlands, ephemeral and intermittent drainages, and associated vegetation communities) that would be subject to the jurisdictional authority of the U. S. Army Corps of Engineers (USACE) Los Angeles District, San Diego Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife, South Coast Region (CDFW).



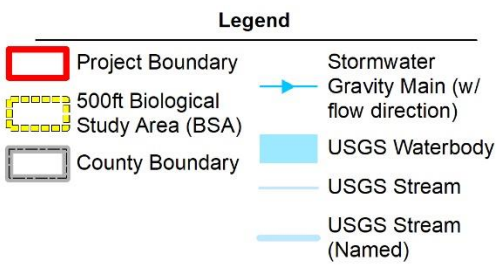
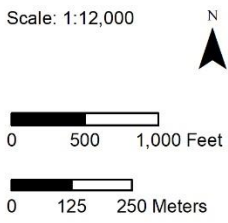


**Figure 4.4-5  
SURFACE DRAINAGE**



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 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community; USGS NHD 2020; Orange County, 2022; UltraSystems Environmental, Inc., 2022

July 19, 2022



**Richard T. Steed  
Memorial Park MPU**  
Surface Drainage





Upon completion of the survey, waters of the U.S or State, would be mapped and described in a jurisdictional delineation report that meets or exceeds the report standards of the USACE, Los Angeles District office. The report would include a determination of potential impacts to waters of the U.S. or State (including associated vegetation communities) that would result from the applicant's project, quantify the area (in acres and square feet) of impacts to waters under the jurisdiction of each agency, and provide a list of permits, authorizations, and agreements required by the applicant from each agency. The report would also recommend impact avoidance and/or minimization measures and best management practices, and compensatory mitigation, as applicable.

- d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less than Significant Impact**

The eastern segment of the BSA occurs within a CDFW Natural Landscape Block which is a large, relatively natural habitat block that supports native biodiversity. The BSA does not overlap with CDFW Essential Connectivity Areas or Small Natural Areas. See **Figure 4.4-6**.

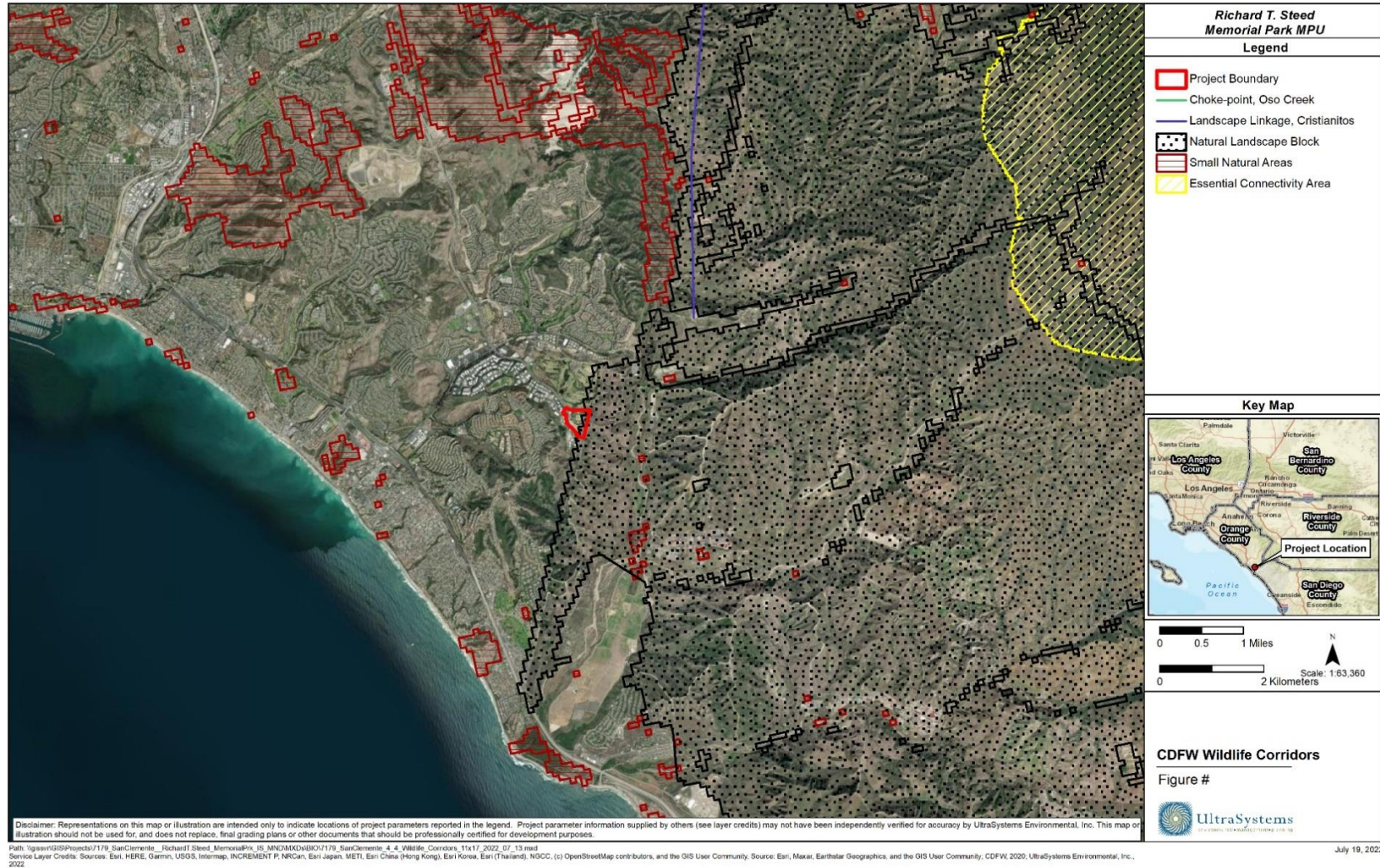
Construction and operation of the proposed project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with native resident or migratory wildlife corridors. The eastern boundary of the BSA intersects with the Natural Landscape Block at the eastern segment of the BSA. The BSA is not completely overlain with this Natural Landscape Block. In addition, this Natural Landscape Block covers expansive open space; construction of the project would only result in minimal effect to the function of this wildlife corridor due to the vast availability of other open space within this Natural Landscape Block supporting biodiversity. Less than significant impact would occur, and therefore mitigation is not proposed.

Direct impacts to native wildlife nursery sites of fossorial species are not anticipated as a result of the project. Several burrows were observed in offsite areas within the eastern segment of the BSA, but it is not anticipated that project activities will impact any potential resident populations of fossorial species that may utilize these burrows. No fossorial species were observed during the field survey.





**Figure 4.4-6**  
**CDFW WILDLIFE CORRIDORS**







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

**Less Than Significant with Mitigation Incorporated**

The City's Local Coastal Program (LCP) only applies to areas within the city's designated coastal zone. The BSA is not located within the coastal zone, and therefore no conflict with this LCP is present (California Coastal Commission, 1985). There are no protected tree species or other biologically significant resources on the Project site.

The project is required to comply with San Clemente Municipal Code in Title 17, Chapter 17.68, Section 17.68.040 *General Landscaping Requirements*. The Planning Division and the Beaches, Parks and Recreation Department should be consulted for general landscape requirements for public property (City of San Clemente, 1996). These requirements are further discussed below (**BIO-13**).

In addition, requests for removal or relocation of street and park trees may be made to the Director of Beaches, Parks, and Recreation. Tree replacement measures, as per City Ordinance 1115, are discussed below (**BIO-13**). With adherence to these City policies, the project would not conflict with local policies or ordinances.

The project does not conflict with other local policies or ordinances.

**Mitigation Measures**

**MM BIO-13: General Landscaping Requirements and Tree Replacement Measures**

The following are general landscaping requirements for new development and improvements to existing development warranting landscape improvements that would apply to the project:

- A. *“Living Plant Materials. Landscaping shall consist primarily of drought tolerant living plant material. Hardscape improvements shall not be counted toward fulfilling the required landscape.*
- B. *California Native Species. California Native plant species shall be planted in at least 60 percent of required landscaped areas.*
- C. *Irrigation Systems. All landscaping for nonresidential, mixed-use, and multi-family residential projects shall have automatic irrigation systems. Duplexes and single-family residential projects need not have automatic irrigation systems, but shall have a permanent means of irrigating landscaping. Low precipitation and drip-type systems are encouraged.*
- D. *Utilities. Utilities may occur within required landscaped areas, but only if underground utilities will not preclude appropriate planting of trees, and the utility facilities are screened from public view*



## ❖ SECTION 4.4 – BIOLOGICAL RESOURCES ❖

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*E. More Restrictive Provision Shall Apply. Should any provision of this chapter conflict with any other provisions of this title or any adopted specific or Master Plans, the more restrictive requirements shall apply."*

In addition, City Policy Number 301-2-1 "City Owned Trees: Protection and Administration" allows for the removal of City-owned trees. According to City Ordinance 1115, replacement trees must be a minimum of 15-gallon size.

### **Level of Significance After Mitigation**

With implementation of mitigation measure **BIO-13**, the proposed project would have less than significant impacts, either directly or through habitat modifications, to special-status plant and wildlife species.

**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?**

### **No Impact**

The City of San Clemente is located within the Orange County Southern Subregion Habitat Conservation Plan (HCP), established in 2007, through issuance of a Biological Opinion (BO), otherwise known as an Incidental Take Permit (ITP), administered by the USFWS (USFWS, 2007). The project site does overlap the HCP, however the City of San Clemente is not a signatory or permittee to the HCP

Redevelopment of the site would not affect, or conflict with, implementation of the Orange County Southern Subregion HCP. No other local or area-wide preservation or conservation plans or policies applicable to the subject site

Therefore, no mitigation is required.



## 4.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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 formal cemeteries?		X		

Information from UltraSystems’ Cultural Resources Inventory Report, dated October 19, 2022 (see Appendix D1), prepared for the Richard T. Sneed Memorial Park and Baron Von Willard Dog Park Project, City of San Clemente has been included within this section.

### 4.5.1 Methodology

A cultural resources inventory was conducted for the project site on October 4, 2022 by Megan Doukakis, Archaeological Technician, (**Figure 4.5-1, Topographic Map**). The inventory included a California Historic Resources Inventory System (CHRIS) records and literature search at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton. Due to COVID-19 pandemic protocols that the SCCIC staff are working under, there was a delay in processing the record search appointment. Additionally, a request was made to the Native American Heritage Commission (NAHC) to conduct a search of their Sacred Lands File (SLF) for potential traditional cultural properties as well as to provide a list of local Native American tribal organizations to contact. The NAHC request was made on June 10, 2022, and a reply was received on July 20, 2022; letters were sent on July 22, 2022 to the tribes listed by NAHC, and follow-up telephone calls were conducted following conclusion of the 30-day response period on October 17, 2022. A pedestrian field survey of the project site was conducted on September 10, 2022.

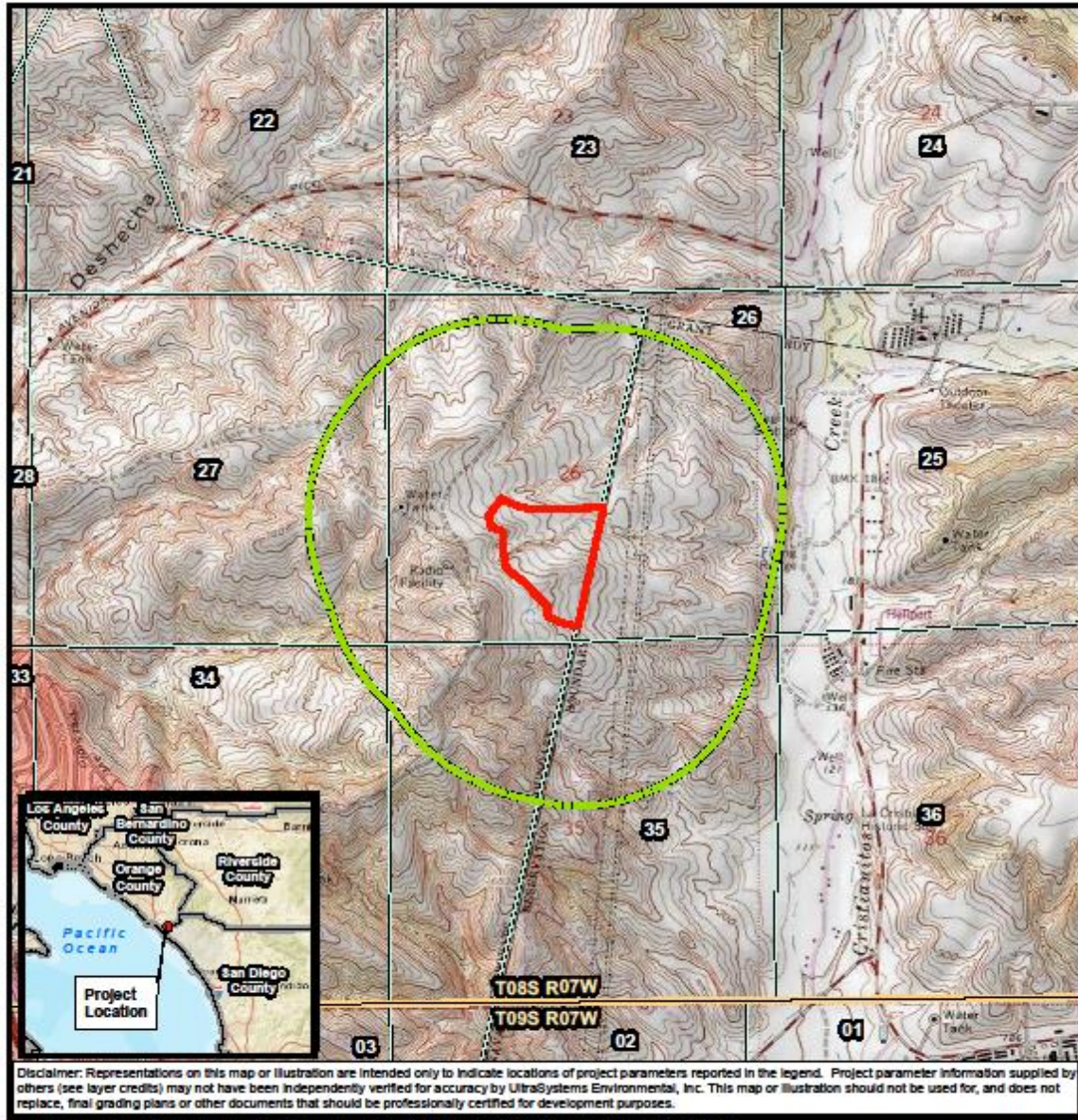
### 4.5.2 Existing Conditions

As noted, a cultural resources records search at the SCCIC, the local California Historical Resources Information System facility, was conducted October 4, 2022. No prehistoric or historic cultural resource sites have been previously recorded within the project site boundary. One prior survey included the project parcel, with negative results for the immediate area. (See Section 4.1 and Tables 4.1-1 and Table 4.1-2 in Appendix D1). The pedestrian field survey undertaken for this project was negative for prehistoric or historic cultural resources (see Section 4.3 in Appendix D1).





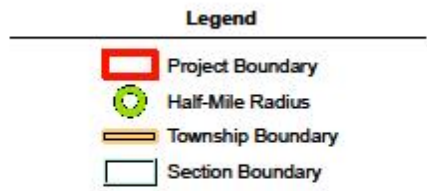
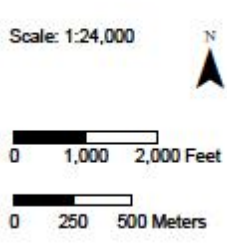
**Figure 4.5-1  
TOPOGRAPHIC MAP**



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

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 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Copyright © 2013 National Geographic Society, I-cubed, California Department of Conservation, 2019, UltraSystems Environmental, Inc., 2022

June 09, 2022



**Richard T. Steed  
Memorial Park MPU**  
 Topographic Map  
 USGS Quadrangle: San Clemente  
 Township: 8S Range: 7W  
 Section: 26





### 4.5.3 Impact Analysis

- a) **Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?**

#### **No Impact**

A historical resource is defined in § 15064.5(a)(3) of the *CEQA Guidelines* as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register, included in a local register, or identified as significant in a historic resource survey are also considered as historical resources under CEQA.

Similarly, the National Register criteria (contained in Code of Federal Regulations Title 36 § 60.4) are used to evaluate resources when complying with § 106 of the National Historic Preservation Act. Specifically, the National Register criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that (a) are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or (d) that have yielded or may be likely to yield, information important to history or prehistory.

A substantial adverse change in the significance of an historical resource, as a result of a project or development, is considered a significant impact on the environment. Substantial adverse change is defined as physical demolition, relocation, or alteration of a resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Direct impacts are those that cause substantial adverse physical change to a historic property. Indirect impacts are those that cause substantial adverse change to the immediate surroundings of a historic property, such that the significance of a historical resource would be materially impaired.

There are no historic cultural resources recorded within the project boundary. The pedestrian survey was negative for prehistoric and historic cultural resources. The extensive prior grading throughout the park would preclude the presence of any potential past cultural resources unless they were situated very deep in the ground, a type of site not found in prior surveys in the immediate area.

With this very low potential for the presence of cultural resources, there would be no impact on historical resources by this project.





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

**Less than Significant Impact with Mitigation Incorporated**

An archaeological resource is defined in § 15064.5(c) of the CEQA Guidelines as a site, area or place determined to be historically significant as defined in § 15064(a) of the CEQA Guidelines, or as a unique archaeological resource defined in § 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically-recognized important prehistoric or historic event or person.

The past singular use of the project site for cattle grazing suggests that original ground on the project site had been minimally disturbed. However, with the extensive grading of the entire park that took place during its initial development, there is no native surface soil remaining. The cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and buffer zone, a search of the SLF by the NAHC, and pedestrian field survey, suggests there is a low potential for undisturbed unique archeological resources existing on the project site.

Based on the SCCIC cultural resources records search, it was determined that there are no prehistoric or historic cultural resource previously recorded within the project site boundary. Within the half-mile buffer zone, there have been four recorded resources, all of them prehistoric. See Table 4.1-1 in **Appendix D1** for a summary of these resources.

Within the half-mile buffer zone, there have been four prehistoric cultural resource sites containing various quantities of lithic artifacts: CA-ORA-747 is an isolate consisted of a single flake and a pebble chopper located approximately 164 feet to the south of the project (Piper et al. 1978); ORA-749 consists of four flaked tools and six waste flakes, all of basalt, located approximately 787 feet to the northwest of the project boundary (Douglas and Piper 1978); ORA-777 was a small camp consisting of three basalt flake cores, 18 basalt and rhyolite flakes, one each basalt and rhyolite flake tool, and one rhyolite core tool, located approximately 2,215 feet to the southwest of the project boundary (Douglas 1979a); and ORA-788 was a small work camp consisting of a mano fragment, a hammer stone, a flake core and a flake tool both made of basalt, and 11 basalt and rhyolite flakes, located approximately 1,804 feet southwest of the project boundary (Douglas 1979b). All four of these sites have since been destroyed through residential and commercial development, and golf course landscaping,

As noted, a NAHC SLF search was conducted on and within a half-mile buffer around the project site. The NAHC letter of July 20, 2022 was negative for the presence of traditional cultural property within this area. Sixteen representatives of 11 Native American tribes were contacted requesting a reply if they have knowledge of cultural resources in the area that they wished to share and asking if they had any questions or concerns regarding the project. These tribes included:

- Juaneño Band of Mission Indians – Acjachemen Nation - Belardes
- Juaneño Band of Mission Indians (S. Johnson)
- Pechanga Band of Mission Indians
- La Jolla Band of Luiseño Indians
- Pala Band of Mission Indians
- Pauma Band of Luiseño Indians – Pauma & Yuima Reservation
- Soboba Band of Luiseño Indians





## ❖ SECTION 4.5 – CULTURAL RESOURCES ❖

- Juaneño Band of Mission Indians
- Rincon Band of Luiseño Indians
- Acjachemen Nation 84A (Lucero)
- San Luis Rey Band of Mission Indians
- Santa Rosa Band of Mission Indians

There was one response to the outreach contacts of 11 tribes. An email response was received from Deneen Pelton, Cultural Resources Department Coordinator for the Rincon Band of Luiseño Indians on July 29, 2022, indicating that the tribe has no information to provide and asked that we contact tribes closer to the project area.

Following up on the initial letter and email contacts, telephone calls were conducted on October 17, 2022, to complete the outreach process. These calls were to the 14 tribal contacts (excluding the Rincon Band of Luiseño Indians contacts) who had not already responded to UltraSystems' mailing and email. Nine telephone calls were placed with no answer and messages were left describing the project and requesting a response. These were to Sonia Johnston, Chairperson of the Juaneño Band of Mission Indians; Matias Belardes, Chairperson of the Juaneño Band of Mission Indians Acjachemen Nation; Joyce Perry, Tribal Manager of the Juaneño Band of Mission Indians Acjachemen Nation; Heidi Lucero, Chairperson of the Juaneño Band of Mission Indians Acjachemen Nation 84A; Norma Contreras, Chairperson of the La Jolla Band of Luiseno Indians; Shasta Gaughen, Tribal Historic Preservation Officer of the Pala Band of Mission Indians; Temet Aguilar, Chairperson of the Pauma Band of Luiseño Indians; Mark Macarro, Chairperson of the Pechanga Band of Mission Indians; and Lovina Redner, Tribal Chair of the Santa Rosa Band of Cahuilla Indians. In a call to the Tribal Council of the San Luis Rey Band of Mission Indians there was no answer, and no ability to leave a message.

During the telephone calls of October 17, 2022, Joseph Ontiveros of the Cultural Resource Department for the Soboba Band of Luiseño indicated that the tribe would defer to tribes closer to the project area. Paul Macarro, Cultural Resources Coordinator for the Pechanga Band of Indians indicated that they will be deferring any comments to Joyce Perry (with the Juaneño Band of Mission Indians – Acjachemen Nation). Mr. Paul Macarro of the Pechanga Band of Indians also indicated that the tribe knows of two (prehistoric) sites, one about 148 yards to the northeast and one 250 yards to the southeast of the project area; he believes that there would be a high probability that cultural material will be encountered. There have been no further responses to date (see contact record table in **Attachment C, Appendix D1**).

As noted, a pedestrian field survey of the project site was conducted on September 10, 2022. Due to the current nature of the topography of the park and the facilities there, survey of the ground surface was conducted in an opportunistic manner. Most of the flat area of the park is taken up by an asphalt parking lot (west central), a concrete skateboard facility (northwest), a secondary parking lot with a utility structure (north), a dog park covered with grass and outdoor structures (northeast), a central driveway (north), and a large circular baseball field with four diamonds covered in a well-maintained lawn and decomposed granite (DG).

USGS topographic maps show the park to be situated in what had been an area covered by ridgelines and two major ravines running to Cristianitos Canyon to the east, with elevations ranging from 660 feet to the west to 400 feet to the northeast. The park land is now graded flat through its central, northwest and southern sections, covering approximately 70 percent of the project site. The remaining surface consists of steep slopes bordering the flat graded areas along the western, eastern and southern edges of the park; these slopes have also been graded with horizontal cuts to minimize erosion. These slopes surrounding the several park facilities have been landscaped with a variety of



ornamental and California native trees and shrubs especially surrounding the central baseball field, the skateboard facility, both parking areas, and along Avenida La Pata on the northern boundary.

The gentler landscaped slopes surrounding the skateboard facility, the baseball field circle, and the lower parking area, were walked over. The slopes alongside the main driveway off of Avenida La Pata, and along Avenida La Pata itself, were observed by walking along their base. The baseball field circle was walked across and the entire surface was seen to be covered with either DG or by a well-maintained lawn; the dog park area was also seen to be covered by lawn grass, with no native soil visible. The only surface with visible ground was a flat area west and adjacent to the skateboard facility, which was walked in 10-meter transects oriented east/west.

The southern third of the park grounds is open and flat and much of it is used for equipment storage and vehicle parking; this area was walked over. The east and west boundary slopes are cut to a 45° angle and so they would be unlikely to contain cultural resources. Nonetheless several transects were conducted vertically up and down both slopes.

It is suggested that there is no original surface soil remaining on the park lands and much of the current ground surface is represented by exposed deeper geological soil stratum. Also, much of the current surface is either covered by asphalt and structures, or by landscaping.

The result of the pedestrian survey was negative for both prehistoric sites and isolates. Based on the survey results, in combination with the observed considerable disturbance to the natural topography of the project parcel and the negative findings of the CHRIS records search for cultural resources sites on the property, it is therefore determined that there is a low potential for the presence of cultural material at the project site and that prehistoric cultural resources would not be adversely affected by subsurface construction work for the project.

However, there is always the potential that further grading and trenching activities would cause new subsurface disturbance and may result in the unanticipated discovery of prehistoric and/or historic archeological resources. Thus, Mitigation Measure **CUL-1** is suggested.

### **Mitigation Measure**

**MM CUL-1** If archaeological resources are discovered during construction activities, the contractor will halt construction activities in the immediate area and notify the City of San Clemente. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology who will be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the Eastern Information Center. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place.

### **Level of Significance After Mitigation**

With implementation of Mitigation Measure **CUL-1** above, the project would result in less than significant impacts to archeological resources.



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

**Less than Significant Impact with Mitigation Incorporated**

As previously discussed in **Section 4.5.b)** above, the project would be built on considerably disturbed land that has intensively graded and is in a suburban area. No human remains have been previously identified or recorded onsite.

The project proposes grading and trenching activities for the installation of infrastructure including water, sewer, and utility lines for proposed restroom facilities, parking lots, overlooks and stairs. Grading and trenching would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unexpected discovery, implementation of mitigation measure **CUL-2** would ensure that impacts related to the accidental discovery of human remains would be less than significant.

California Health and Safety Code § 7050.5 specifies the procedures to follow during the unlikely discovery of human remains. CEQA § 15064.5 describes determining the significance of impacts on archeological and historical resources. California Public Resources Code § 5097.98 stipulates the notification process during the discovery of Native American human remains, descendants, disposition of human remains, and associated grave goods.

**Mitigation Measure**

**MM CUL-2** If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Orange County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

**Level of Significance After Mitigation**

With adherence to applicable codes and regulations protecting cultural resources and with implementation of Mitigation Measure **MM CUL-2** above, the proposed project would result in less than significant impacts to human remains.





**4.6 Energy**

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

**g) 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**

According to CEQA Guidelines § 15126.2(d), “uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement that provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.” Therefore, the purpose of this analysis is to identify any significant irreversible environmental effects of project implementation that cannot be avoided.

**Construction Impact Analysis**

The following forms and measures of energy are anticipated to be expended during project construction:

- Diesel fuel for off-road equipment (gallons).
- Electricity to deliver water for use in dust control (kilowatt-hours [kWh]).
- Motor vehicle fuel for worker commuting, materials delivery and waste disposal (gallons).

**Transportation Energy**

Project construction would consume energy in the form of petroleum-based fuels associated with the use of offroad construction vehicles and equipment on the project site, construction workers' travel to and from the project site, and delivery and haul truck trips hauling solid waste from and delivering building materials to the project site.



During project construction, trucks and construction equipment would be required to comply with the ARB's anti-idling regulations. ARB's In-Use Off-Road Diesel Fueled Fleets regulation would also apply (ARB, 2016). Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards established by the federal government. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary use of energy.

### **Electricity**

Electricity is supplied to the project site by San Diego Gas and Electric (SDG&E), which provides electricity to the City of San Clemente (City of San Clemente, 2016). SDG&E provides electricity to the project site from existing electrical service lines.

During project construction, energy would be consumed in the form of electricity associated with the conveyance and treatment of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power.

Due to the fact that electricity usage associated with lighting and construction equipment that utilizes electricity is not easily quantifiable or readily available, the estimated electricity usage during project construction is speculative.

Lighting used during project construction would comply with Title 24 standards/requirements (such as wattage limitations). This compliance would ensure that electricity use during project construction would not result in the wasteful, inefficient, or unnecessary use of energy. Lighting would be used in compliance with applicable City of San Clemente Municipal Code requirements to create enough light for safety.

### **Natural Gas**

The proposed project would be all-electric and no impacts on natural gas supplies or natural gas distribution infrastructure would occur.

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Therefore, the proposed project is not anticipated to have a demand for natural gas during project construction.

Both construction and operation of the project would lead to the consumption of limited, slowly renewable, and non-renewable resources, committing such resources to uses that future generations would be unable to reverse. The new development would require the commitment of resources that include (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the project.

### **Operational**

Energy would be consumed during project operations related to space and water heating, water conveyance, solid waste disposal, and vehicle trips of workers. Project operation energy usage, which was estimated by the California Emissions Estimator Model (CalEEMod) as part of the air quality and greenhouse gas emissions analyses (refer to **Section 4.3**), is shown in **Table 4.6-1**.



**Table 4.6-1  
ESTIMATED PROJECT OPERATIONAL ENERGY USE**

Energy Type	Units	Value	Daily
Onroad Motor Vehicle Travel (Fuel) <sup>a</sup>	Gallons gasoline/year	26,044	71
	Gallons diesel/year	49	0.13
Electricity Use	Kilowatt-hours per year	14,000	38
<sup>a</sup> Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool (ARB, 2022) and CalEEMod (2020.4.0) (BREEZE Software, 2022); see Appendix B1. Electricity Use calculated by UltraSystems with CalEEMod (2020.4.0); see Appendix B1. Source: CalEEMod (2020.4.0) (BREEZE Software, 2022).			

The proposed project would adhere to applicable federal, state, and local requirements for energy efficiency, including Title 24 standards. The project design includes one hundred additional parking spaces with solar panel overhead structures. Additionally, there would not be any inefficient, wasteful, or unnecessary energy usage in comparison to similar development projects of this nature regarding construction-related fuel consumption. Therefore, the implementation of the proposed project would result in less than significant impacts on energy resources.

Continued use of energy resources is consistent with the anticipated growth within the city and the general vicinity and would not result in energy consumption requiring a significant increase in energy production for the energy provider. Therefore, the energy demand associated with the project would be less than significant.

**h) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Less than Significant Impact**

**Title 24**

The proposed project would be in compliance with the California Green Building Standards (CAL Green) Code (California Code of Regulations, Title 24, Part 11), which includes mandatory measures for nonresidential site development, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.

**City of San Clemente Centennial General Plan**

The Beaches, Parks, and Recreation Element of the City of San Clemente Centennial General Plan focuses on creating and maintaining safe, well-designed and high-quality parks and recreation facilities and programs that meet a wide range of local recreational, fitness and enrichment needs, and that promote community health and well-being (City of San Clemente, 2016). In addition to this Element’s goals and policies, the San Clemente Beaches, Parks and Recreation Master Plan identifies priorities for park expansion, acquisition, development and funding (PROS Consulting, Inc., 2018).





### **City of San Clemente Climate Action Plan**

In February 2014, the City of San Clemente also adopted the Climate Action Plan (CAP) with the Centennial General Plan. The CAP includes a 2009 baseline greenhouse gas inventory and establishes citywide emission greenhouse gas reduction goals for 2020 and 2030. To implement these goals, the CAP includes a series of strategies designed to reduce local emissions. The CAP is linked to the City's Centennial General Plan and 2010 Sustainability Action Plan (SAP) (City of San Clemente, 2010). Both the CAP and the SAP focus on water, energy, and waste consumption as areas targeted for action, and benefit public and environmental health. All plans identify community engagement and ownership of city's environment as a key to success (Krout & Associates et al., 2014).

The proposed project would adhere to applicable federal, state, and local requirements for energy efficiency, including Title 24 standards, the General Plan, and the City of San Clemente Climate Action Plan. Therefore, impacts would be less than significant.



**4.7 Geology and Soils**

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

The information in this Section is based partly on the *Paleontological Records Search for the proposed Richard T. Steed Memorial Park/Baron Von Willard Dog Park Master Plan Update Project in the City of San Clemente, Orange County* prepared by Natural History Museum of Los Angeles County, dated July



2, 2022 (Paleontological Report). A complete copy of this report is included as **Appendix D-2** to this IS/MND.

- a) **Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**No Impact**

The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,000 years. The act requires that cities and counties withhold development permits for sites in an earthquake fault zone until geologic investigations demonstrate that the sites are not threatened by surface displacements from future faulting. Pursuant to this act, structures for human occupancy are not allowed within 50 feet of the trace of an active fault.

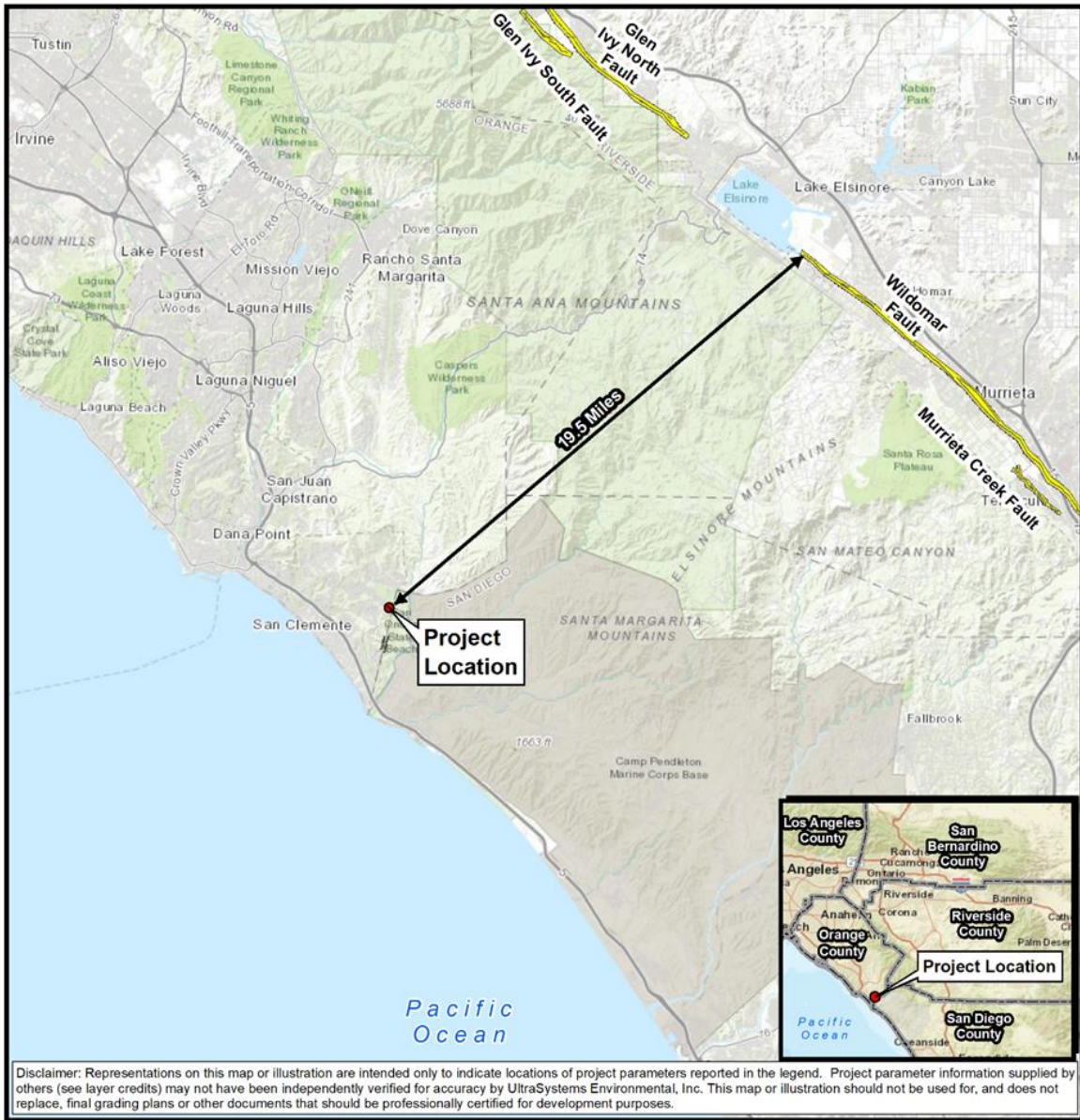
As shown in **Figure 4.7-1**, the nearest Alquist Priolo Earthquake Fault Zone to the project site is along the Wildomar Fault approximately 20 miles to the northeast (CGS, 2022). The nearest active fault to the project site mapped by the California Geological Survey (see **Figure 4.7-2**) is a trace of the Newport-Inglewood-Rose Canyon Fault Zone offshore, approximately six miles to the southwest (CGS, 2022).

The project proposes construction of one structure for human usage, a restroom building. No mapped active faults or Alquist Priolo Earthquake Fault Zones are within or near the project site. Therefore, project development would not cause substantial risks arising from the surface rupture of a known active fault. No impact would occur.





**Figure 4.7-1**  
**ALQUIST PRIOLO FAULT ZONES**



Path: I:\gis\vr\GIS\Projects\1719\_SanClemente\_RichardTSteed\_MemorialPark\_IS\_WND\MXD\1719\_SanClemente\_4.7\_Alquist\_Priolo\_2022\_06\_28.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Seismic Hazards Program, California Geological Survey, California Department of Conservation, Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, CA Dept. of Conservation, 2017; UltraSystems Environmental, Inc. 2022

**Richard T. Steed  
Memorial Park MPU**  
Alquist Priolo Earthquake  
Fault Zones

**Legend**

- Project Location
- Alquist Priolo Special Study Zone Boundary
- Alquist Priolo Potentially Active Fault

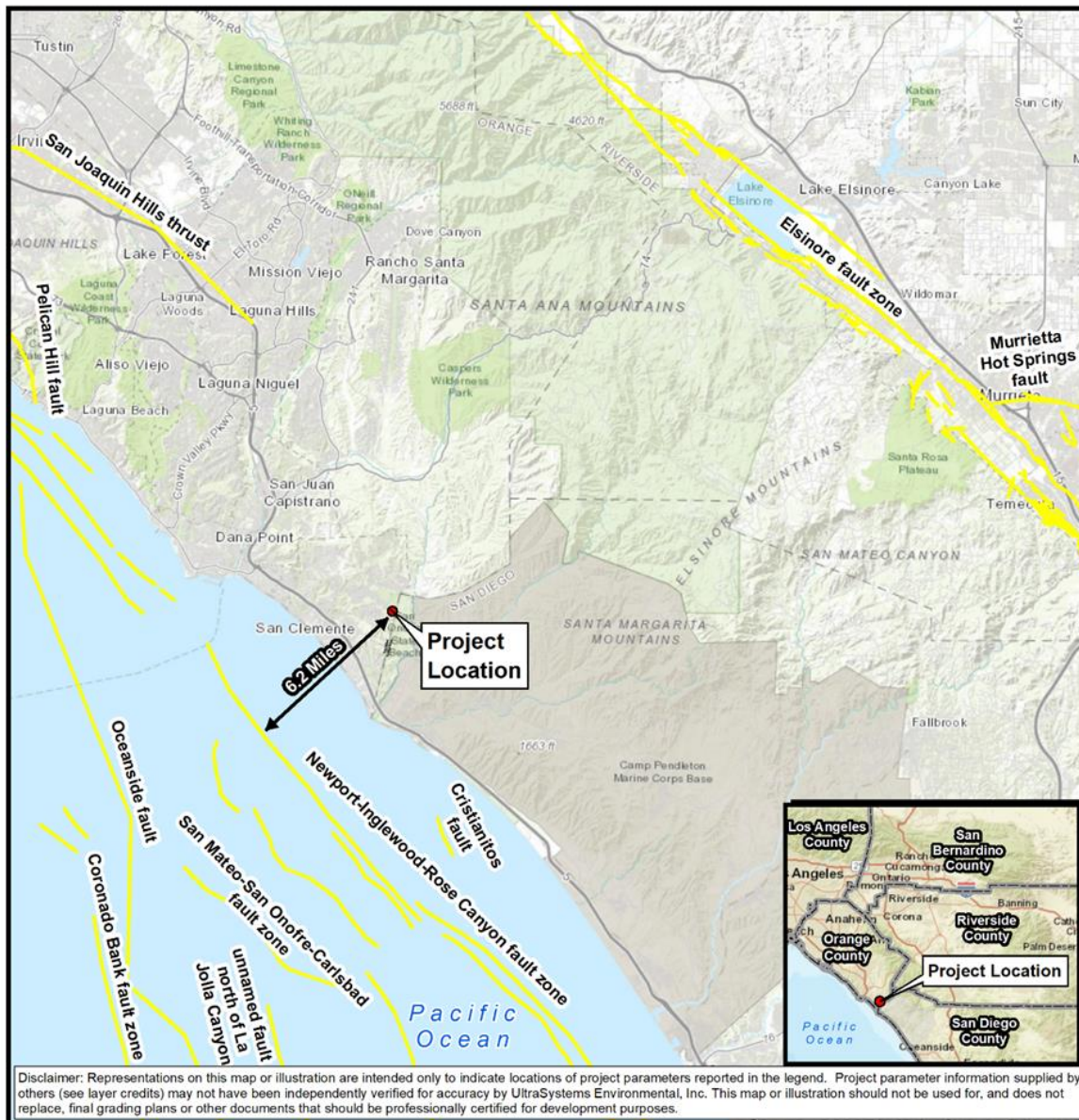
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0 2.5 5 Miles

0 5 10 Kilometers



**Figure 4.7-2  
REGIONALLY ACTIVE FAULTS**



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 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community. U.S./California Geological Survey, 2006; UltraSystems Environmental, Inc., 2022

June 30, 2022

Scale: 1:316,800

Legend

- Project Location
- Quaternary Fault

Richard T. Steed  
Memorial Park MPU  
Regionally Active Faults

0 2.5 5 Miles

0 5 10 Kilometers





**ii) Strong seismic ground shaking?**

**Less than Significant Impact**

As shown in **Figure 4.7-2**, the project is located within a seismically active region of southern California, and all structures in the region are susceptible to collapse, buckling of walls, and damage to foundations from strong seismic ground shaking. The two nearest active faults to the project site are the Newport-Inglewood-Rose Canyon fault zone, about 6.2 miles offshore to the southwest, and an unnamed offshore fault an additional two miles southwest (8.2 miles total) beyond the Newport-Inglewood fault (CGS, 2022). Strong ground shaking is likely to occur within the design lifetimes of the proposed restroom building.

The project would be constructed in accordance with the applicable 2022 California Building Code (CBC) issued by the California Building Standards Commission and used throughout the state (California Code of Regulations, Title 24). In addition, the CBC is adopted as Chapter 15.08 of the City's Municipal Code (Municode.com, 2022) and provides minimum standards to protect property and public welfare by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of ground motion with specified probability of occurring at the site.

The City of San Clemente Building Code requires a geotechnical investigation for the project. The geotechnical investigation report would estimate seismic parameters for use in design and construction of the proposed restroom building. Compliance with recommendations set forth in the geotechnical report would be a condition of the permit to be issued by the City of San Clemente. Therefore, regulatory compliance would be sufficient to minimize hazards from strong ground shaking. Impacts would be less than significant, and mitigation is not required.

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

**Less than Significant Impact**

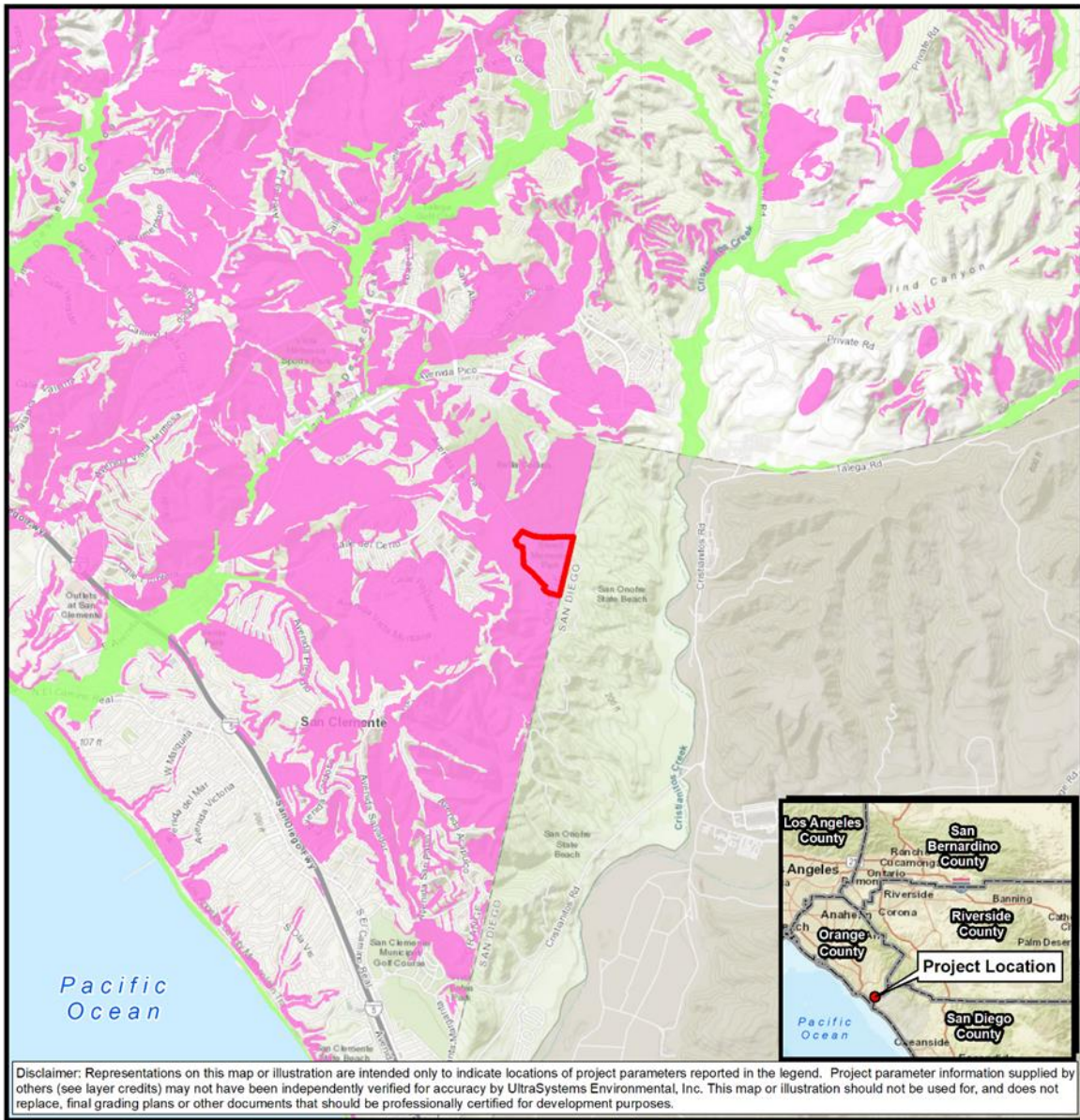
Liquefaction typically occurs when saturated or partially saturated soils behave like a liquid, as a result of losses in strength and stiffness in response to stress such as ground shaking. The project site is not in a zone of required investigation for liquefaction (see **Figure 4.7-3**). However, a geotechnical investigation for the proposed project is required under 2022 CBC Appendix J Section J104 and CBC Section 1802. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness.

A geotechnical investigation report would be prepared for the proposed project. Such report would include an assessment of liquefaction potential under the site. Project design and construction would conform with any relevant recommendations of the geotechnical report. Impacts would be less than significant after implementation of such recommendations.

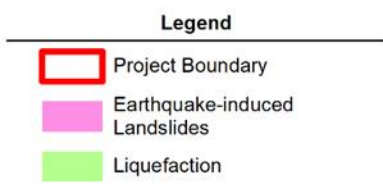
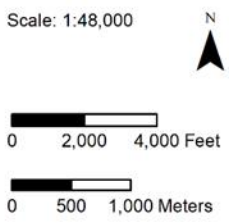




**Figure 4.7-3  
LANDSLIDES AND LIQUEFACTION**



Path: \\gis\vri\GIS\Projects\1719\_SanClemente\_RichardTSteed\_MemorialPA\_IS\_WND\MXD\1719\_SanClemente\_4.7\_Landslide\_Liquefaction\_2022\_06\_28.mxd  
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**Richard T. Steed  
Memorial Park MPU**  
Landslides and Liquefaction





**iv) Landslides?**

**Less than Significant Impact**

Landslides occur when the stability of the slope changes from a stable to an unstable condition. A change in the stability of a slope can be caused by a number of factors, acting together or alone. Natural causes of landslides include groundwater (pore water) pressure acting to destabilize the slope, loss of vegetative structure, erosion of the toe of a slope by rivers or ocean waves, earthquakes adding loads to a barely stable slope, earthquake-caused liquefaction destabilizing slopes, and volcanic eruptions.

The entire project site is within a landslide area – a dormant young rock slide – identified by the California Geological Survey (CGS, 2022). A geotechnical investigation would be required, including an assessment of stability of both existing slopes and slopes that would be constructed by project development. The geotechnical investigation, and any recommendations of the geotechnical investigation report, must comply with the 2022 California Building Code. Project design and construction would be required to comply with recommendations of the geotechnical report. Impacts in this regard would be less than significant after completion of the geotechnical investigation report and adherence with any relevant recommendations therein.

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

**Less than Significant Impact**

Portions of the project site are currently developed as Richard Steed Memorial Park; the Master Plan Update adds additional user-serving elements to the project area.

**Construction**

The project site would be most susceptible to erosion during the construction phase, when soil is exposed, and before landscaped areas have been installed. To minimize the potential for water and wind erosion, the project would adopt construction best management practices (BMPs) in accordance with the Statewide General Construction Permit, Order No. 2009-0009-DWQ, issued by the State Water Resources Control Board (SWRCB) in 2009. Projects obtain coverage by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP), estimating sediment risk from construction activities to receiving waters and specifying Best Management Practices (BMPs) that would be used by the project to minimize pollution of stormwater. Categories of BMPs used in SWPPPs are described below in Table 4.7-1.

**Table 4.7-1**  
**CONSTRUCTION BEST MANAGEMENT PRACTICES**

<b>Category</b>	<b>Purpose</b>	<b>Examples</b>
Erosion Controls	Consists of using project scheduling and planning to reduce soil or vegetation disturbance (particularly during the rainy season), preventing or reducing erosion potential by diverting or controlling	Scheduling, preservation of existing vegetation, hydraulic mulch, hydroseeding, soil binders, straw mulch, geotextile and mats, wood mulching, earth dikes and drainage swales, velocity dissipation devices, slope drains, streambank stabilization, compost blankets,



❖ SECTION 4.7 – GEOLOGY AND SOILS ❖

	drainage, as well as preparing and stabilizing disturbed soil areas.	soil preparation/roughening, and non-vegetative stabilization
Sediment Controls	Filter out soil particles that have been detached and transported in water.	Silt fence, sediment basin, sediment trap, check dam, fiber rolls, gravel bag berm, street sweeping and vacuuming, sandbag barrier, straw bale barrier, storm drain inlet protection, manufactured linear sediment controls, compost socks and berms, and biofilter bags
Wind Erosion Controls	Consists of applying water or other dust palliatives to prevent or minimize dust nuisance.	Soil binders, chemical dust suppressants, covering stockpiles, permanent vegetation, mulching, watering, synthetic covers, and minimization of disturbed area
Tracking Controls	Minimize the tracking of soil offsite by vehicles	Stabilized construction roadways and construction entrances/exits, and entrance/outlet tire wash.
Non-Storm Water Management Controls	Prohibit discharge of materials other than stormwater, such as discharges from the cleaning, maintenance, and fueling of vehicles and equipment. Conduct various construction operations, including paving, grinding, and concrete curing and finishing, in ways that minimize non-stormwater discharges and contamination of any such discharges.	Water conservation practices, temporary stream crossings, clear water diversions, potable and irrigation water management, and the proper management of the following operations: paving and grinding, dewatering, vehicle and equipment cleaning, fueling and maintenance, pile driving, concrete curing, concrete finishing, demolition adjacent to water, material over water, and temporary batch plants.
Waste Management and Controls (i.e., good housekeeping practices)	Management of materials and wastes to avoid contamination of stormwater.	Stockpile management, spill prevention and control, solid waste management, hazardous waste management, contaminated soil management, concrete waste management, sanitary/septic waste management, liquid waste management, and management of material delivery storage and use.

Source: CASQA 2012

**Operation**

As designed, the project would be developed with a mix of impervious surfaces, such as concrete and pavement, and landscaped areas including turf. This combination of impervious surfaces and landscaped areas would minimize potential soil erosion during project operations.

With the implementation of soil erosion and sedimentation BMPs during the construction phase and the proposed combination of impervious and landscaped surfaces during the operational phase, the project would have less than significant impacts related to soil erosion or loss of topsoil and mitigation is not proposed.





- c) **Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less than Significant Impact**

Impacts related to liquefaction and landslides are discussed above in **Section 4.7 a)**.

**Lateral Spreading**

Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The downslope movement is due to gravity and ground shaking combined. Lateral spreading of the ground surface during a seismic activity usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (i.e., retaining wall, slope, or channel) and to lesser extent on ground surfaces with a very gentle slope. Implementation of recommendations of the geotechnical report addressing liquefaction hazards would minimize risks from lateral spreading. Impacts due to lateral spreading would be less than significant.

**Collapsible Soils**

The geotechnical investigation report would assess the capability of site soils for supporting the proposed improvements including the proposed restroom building, parking lots, and other paved areas. The geotechnical investigation report would provide any needed recommendations for removal of soils unsuitable for supporting the proposed improvements and engineering of such soils and replacement of such soils back within and next to the footprints of proposed improvements. Adherence with such recommendations would reduce risks arising from collapsible soils to less than significant.

**Subsidence**

The major cause of ground subsidence is the excessive withdrawal of groundwater. Soils with high silt or clay content are particularly susceptible to subsidence. The project site is not in an area of subsidence mapped by the USGS (USGS, 2022). Project development would not exacerbate hazards related to ground subsidence. Impacts due to subsidence would be less than significant.

- d) **Would the project be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

**Less than Significant Impact**

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. Much of the soil underlying San Clemente is highly expansive (PlaceWorks, 2013, p. 5.5-14), and expansive soils could be present under the project site.

The project geotechnical investigation report would include testing samples of subsurface site soils for expansion index, and providing any needed recommendations for remedial grading, soil moistening, subsurface drainage systems, and/or foundation design to minimize risks from



expansive soils. Impacts would be less than significant after adherence with such recommendations and no mitigation is required.

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

**No Impact**

The project site would connect to the City of San Clemente’s existing sewer system; therefore, the project would not use septic tanks or alternative wastewater disposal systems, and thus no impacts associated with septic tanks or alternative waste water disposal systems would occur.

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

**Less than Significant Impact with Mitigation Incorporated**

As detailed in **Table 4.7-2**, the Paleontological Report found five fossil localities in the project region.

**Table 4.7-2  
FOSSIL LOCALITIES IN THE PROJECT REGION**

Locality No.	Location	Formation	Taxa	Depth
LACM VP 5051	On the north facing slope just east of Avenida Pico, near intersection with Camino Vera Cruz.	Capistrano Formation	Sperm whale ( <i>Scaldicetus</i> )	Unknown
LACM IP 16945	Plaza Pacifica; NW of Avenida Pico and La Plata	Capistrano Formation (siltstone)	Bivalve ( <i>Delectopecten peckhami</i> ), pelagic crabs (Galatheidae)	Unknown
LACM VP 4631, 5498, 5562, 5563; LACM IP 7766, 10028-10031, 17596	“Marblehead”; development bounded by Avenida Vista Hermosa, I-5, E Avenida Pico, and Camino Vera Cruz; San Clemente	Capistrano Formation (massive firm gray siltstone with some gypsum & sulfur underlain by sandstone; majority of specimens in bonebed deposit)	Walruses (Odobeninae, <i>Gomphotaria pugnax</i> ), (Cetacea), fur seal (Arctocephalinae), Sabertooth salmon ( <i>Oncorhynchus rastrosus</i> ), Several taxa of sharks; several taxa of bony fishes; two taxa of eels; eagle ray ( <i>Myliobatis</i> ); short-nosed chimaeras (Chimeridae); unspecified invertebrates	Unknown, collected during grading
LACM VP 6991 - 6992	NE side of Pacific Coast Highway (El Camino Real) 285 yards NW of	Capistrano Formation (well bedded	Deep sea smelt (Bathylagidae); Bristlemouth (Cyclothone); cod	Surface



	intersection with Camino Capistrano	diatomaceous shale)	(Eclipses); pipefish (Syngnathus)	
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Source: Los Angeles County Natural History Museum (LACM), 2022

The project site is underlain by Quaternary landslide deposits (Kennedy and Tan, 2007); the Quaternary Period extends from approximately 2.58 million years before present to the present. Several fossil localities are known from San Clemente, and fossils could be present in rock under the site. Grading and excavation during project development could damage fossils, for which mitigation is required.

**Mitigation Measure**

**MM GEO-1** Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of San Clemente Planning Division, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite for the review and approval by the City. The PRIMP shall require that the paleontologist monitor any ground disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for monitoring after 50 percent or greater of the excavations have been completed.

In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the Applicant’s expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository such as the Los Angeles County Museum of Natural History. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.

**Level of Significance After Mitigation**

With implementation of **MM GEO-1**, potential impacts to paleontological resources would be reduced to a less than significant level.





**4.8 Greenhouse Gas Emissions**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**4.8.1 Background Information on Greenhouse Gas Emissions**

Life on earth depends on energy coming from the sun. About half the light reaching Earth's atmosphere passes through the air and clouds to the surface, where it is absorbed and then radiated upward in the form of infrared heat. About 90 percent of this heat is then absorbed by carbon dioxide (CO<sub>2</sub>) and other greenhouse gases (GHG) and radiated back toward the surface, which is warmed to a life-supporting average of 59 degrees Fahrenheit (°F) (NASA, 2018).

Human activities are changing the natural greenhouse. Over the last century, the burning of fossil fuels such as coal and oil has increased the concentration of atmospheric CO<sub>2</sub>. This happens because the coal or oil burning process combines carbon in the fuel with oxygen in the air to make CO<sub>2</sub>. To a lesser extent, the clearing of land for agriculture, industry, and other human activities has increased concentrations of GHGs (NASA, 2018).

GHGs are defined under the California Global Warming Solutions Act of 2006 as CO<sub>2</sub>, methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF<sub>6</sub>) (AB 32, chapter no. 488). HFCs, PFCs, and SF<sub>6</sub> would not be emitted in significant amounts by the new activities in the proposed park project, so they will not be discussed further.

Associated with each GHG species is a “global warming potential” (GWP), which is a value used to compare the abilities of different GHGs to trap heat in the atmosphere. GWPs are based on the heat-absorbing ability of each gas relative to that of CO<sub>2</sub>, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years). The GWPs of CH<sub>4</sub> and N<sub>2</sub>O are 25 and 298, respectively (GMI, 2019). “Carbon dioxide equivalent” (CO<sub>2</sub>e) emissions are calculated by weighting each GHG compound’s emissions by its GWP and then summing the products.

**Carbon Dioxide (CO<sub>2</sub>).** Carbon dioxide is a colorless, odorless gas consisting of molecules made up of two oxygen atoms and one carbon atom. CO<sub>2</sub> is produced when an organic carbon compound (such as wood) or fossilized organic matter (such as coal, oil, or natural gas) is burned in the presence of oxygen. Since the industrial revolution began in the mid-1700s, industrial activities have increased in scale and distribution. Prior to the industrial revolution, CO<sub>2</sub> concentrations were stable at a range of 275 to 285 ppm (IPCC, 2007a). The National Oceanic and Atmospheric Administration’s Earth System Research Laboratory indicates that global concentration of CO<sub>2</sub> was 413.67 parts per million



(ppm) in March 2020 (ESRL, 2020). These concentrations of CO<sub>2</sub> exceed by far the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores.

**Methane (CH<sub>4</sub>).** Methane is a colorless, odorless non-toxic gas consisting of molecules made up of four hydrogen atoms and one carbon atom. CH<sub>4</sub> is combustible, and is the main constituent of natural gas, a fossil fuel. CH<sub>4</sub> is released when organic matter decomposes in low oxygen environments. Natural sources include wetlands, swamps and marshes, termites, and oceans. Anthropogenic sources include the mining of fossil fuels and transportation of natural gas, digestive processes in ruminant animals such as cattle, rice paddies, and the buried waste in landfills. Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH<sub>4</sub>. Other anthropogenic sources include fossil-fuel combustion and biomass burning.

**Nitrous Oxide (N<sub>2</sub>O).** Nitrous oxide is a colorless, non-flammable gas with a sweetish odor, commonly known as “laughing gas,” and sometimes used as an anesthetic. N<sub>2</sub>O is naturally produced in the oceans and in rainforests (USEPA, 2019b). Manmade sources of N<sub>2</sub>O include the use of fertilizers in agriculture, nylon and nitric acid production, cars with catalytic converters and the burning of organic matter. Concentrations of N<sub>2</sub>O also began to rise at the beginning of the industrial revolution.

#### 4.8.1.1 Regulatory Setting

GHGs are regulated at the national, state, and air basin level; each agency has a different degree of control. The United States Environmental Protection Agency (USEPA) regulates at the national level; the California Air Resources Board (ARB) regulates at the state level; and the South Coast Air Quality Management District (SCAQMD) regulates at the air basin level in the project area.

#### Federal Regulations

The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. The USEPA has been maintaining a national inventory of GHG emissions since 1990 and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

EPA is also achieving GHG reductions through partnerships and initiatives; evaluating policy options, costs, and benefits; advancing the science; partnering internationally and with states, localities, and tribes; and helping communities adapt.

#### Corporate Average Fuel Economy (CAFE) Standards

In May 2010, the USEPA finalized the first-ever national GHG emissions standards under the Clean Air Act, and the National Highway Traffic Safety Administration (NHTSA) finalized Corporate Average Fuel Economy (CAFE) standards under the Energy Policy and Conservation Act (USEPA, 2021a). The 2010 CAFE standards were for model year 2012 through 2016 light-duty vehicles. In April 2020, NHTSA and USEPA amended the CAFE and GHG emissions standards for passenger cars and light trucks and established new less stringent standards, covering model years 2021 through 2026 (USEPS, 2021b).



### **Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule**

On September 27, 2019, the USEPA and the NHTSA published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program (ARB, 2020a), revoked California’s authority to set its own GHG emissions standards and set zero emission vehicle (ZEV) mandates in California. The loss of the ZEV sales requirements will likely result in additional gasoline-fueled vehicles being sold in the State and criteria emissions increasing. On April 30, 2020, USEPA and NHTSA issued the Final SAFE Rule, (ARB, 2020b) which relaxed the federal GHG emissions and CAFE standards resulting in the probable increase of CO<sub>2</sub> emissions.

On January 20, 2021, President Biden issued Executive Order 13990 (EO 13990, 2021), which rescinded the Executive Order on Energy Independence, along with several other executive orders concerning energy, climate, and environmental protection. Among the stated goals of Executive Order 13990 are “to reduce greenhouse gas emissions” and “to bolster resilience to the impacts of climate change.” Various federal agencies are restoring prior regulations and developing new ones to further these policies.

### **State Regulations**

#### **Executive Order S 3-05**

On June 1, 2005, Governor Schwarzenegger issued EO S 3-05, which set the following GHG emission reduction targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels;
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

To meet these targets, the Climate Action Team (CAT)<sup>13</sup> prepared a report to the Governor in 2006 that contained recommendations and strategies to help ensure that the targets in EO S-3-05 are met.

#### **Assembly Bill 32 (AB 32)**

In 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as AB 32. AB 32 focuses on reducing GHG emissions in California. GHGs, as defined under AB 32, include CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>. AB 32 required that GHGs emitted in California be reduced to 1990 levels by the year 2020. The ARB is the state agency charged with monitoring and regulating sources of emissions of GHGs that cause global warming. AB 32 also required that by January 1, 2008, the ARB determine what the statewide GHG emissions level was in 1990, and that it had to approve a statewide GHG emissions limit, so it could be applied to the 2020 benchmark. The ARB approved a 1990 GHG emissions level of 427 million metric tons of CO<sub>2</sub>e (MMTCO<sub>2</sub>e), on December 6, 2007, in its Staff Report. Therefore, in 2020, emissions in California were required to be at or below 427 MMTCO<sub>2</sub>e.

<sup>13</sup> The Climate Action Team (CAT) members are state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency (Cal/EPA). They coordinate statewide efforts to implement global warming emission reduction programs and the state’s Climate Adaptation Strategy.





Under the “business as usual or (BAU)” scenario established in 2008, statewide emissions were increasing at a rate of approximately one percent per year as noted below. It was estimated that the 2020 estimated BAU of 596 MMTCO<sub>2e</sub> would have required a 28 percent reduction to reach the 1990 level of 427 MMTCO<sub>2e</sub>.

### **Climate Change Scoping Plan**

The first AB 32 Scoping Plan (ARB, 2008) contained the main strategies to achieve the 2020 emissions cap. The plan was developed by the ARB with input from the Climate Action Team and proposed a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the state's economy. The GHG reduction strategies contained in the AB 32 Scoping Plan included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap and trade system.

In August 2011, the Scoping Plan was re-approved by the Board and includes the Final Supplement to the Scoping Plan Functional Equivalent Document (ARB, 2011). This document included expanded analysis of project alternatives and updated the 2020 emission projections by considering updated economic forecasts. The updated 2020 BAU estimate of 507 MMTCO<sub>2e</sub> yielded that only a 16 percent reduction below the estimated new BAU levels would be necessary to return to 1990 levels by 2020. The 2011 Scoping Plan expanded the list of nine Early Action Measures into a list of 39 Recommended Actions contained in Appendices C and E of the Plan.

In May 2014, ARB developed, in collaboration with the CAT, the First Update to California’s Climate Change Scoping Plan (Update) (ARB, 2014), which showed that California is on track to meet the near-term 2020 GHG limit and was well positioned to maintain and continue reductions beyond 2020 as required by AB 32. In accordance with the United Nations Framework Convention on Climate Change, ARB has mostly transitioned to the use of the Intergovernmental Panel on Climate Change’s (IPCC’s) Fourth Assessment Report (AR4)’s 100-year GWP (IPCC, 2007b) in its climate change programs. ARB recalculated the 1990 GHG emissions level with the AR4 GWPs to be 431 MMTCO<sub>2e</sub>; therefore the 2020 GHG emissions limit established in response to AB 32 is now slightly higher than the 427 MMTCO<sub>2e</sub> in the initial Scoping Plan.

In November 2017, ARB published the 2017 Scoping Plan (ARB, 2017b) which builds upon the former Scoping Plan and Update by outlining priorities and recommendations for the state to achieve its target of a 40 percent reduction in GHGs by 2030, compared to 1990 levels. The major elements of the framework proposed are enhancement of the Renewables Portfolio Standard (RPS) and the Low Carbon Fuel Standard; a Mobile Source Strategy, Sustainable Freight Action Plan, Short-Lived Climate Pollutant Reduction Strategy, Sustainable Communities Strategies, and a Post-2020 Cap-and-Trade Program; a 20 percent reduction in GHG emissions from the refinery sector; and an Integrated Natural and Working Lands Action Plan.

In May 2022, the ARB circulated its Draft 2022 Scoping Plan Update (ARB, 2022a), which adds upon carbon neutrality to the former Scoping Plan. If the plan is adopted, it would identify a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier. Through the lens of carbon neutrality, the draft plan expands the scope to more meaningfully consider how our natural and working lands (NWL) contribute to our long-term climate goal. A draft environmental analysis was recirculated in July 2022 (ARB, 2022b).



### **Renewables Portfolio Standard (Scoping Action E-3)**

The California Energy Commission estimates that in 2000 about 12 percent of California’s retail electric load was met with renewable resources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. California’s current Renewables Portfolio Standard (RPS) is intended to increase that share to 33 percent by 2020. Increased use of renewables will decrease California’s reliance on fossil fuels, thus reducing emissions of GHGs from the electricity sector. In October 2015, Governor Brown signed into legislation Senate Bill (SB) 350, which requires retail sellers and publicly-owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030.

### **Senate Bill 375**

Senate Bill (SB) 375 passed the Senate on August 30, 2008, and was signed by Governor Schwarzenegger on September 30, 2008. Per SB 375, the transportation sector is the largest contributor of GHG emissions and contributes approximately 45 percent of the GHG emissions in California, with automobiles and light trucks alone contributing almost 30 percent. SB 375 indicates that GHGs from automobiles and light trucks can be reduced by new vehicle technology. However, significant reductions from changed land use patterns and improved transportation also are necessary. SB 375 states, “Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32.” SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

### **Executive Order B-30-15**

On April 29, 2015, Governor Brown issued EO B-30-15, which added an interim target of GHG emissions reductions to help ensure the State meets its 80 percent reduction by 2050, as set in EO S-3-05. The interim target is reducing GHG emissions by 40 percent by 2030. It also directs State agencies to update the Scoping Plan, update Adaptation Strategy every three years, and take climate change into account in their planning and investment strategies. Additionally, it requires the State’s Five-Year Infrastructure Plan will take current and future climate change impacts into account in all infrastructure projects.

### **Title 24**

Although not originally intended to reduce GHGs, California Code of Regulations Title 24 Part 6: California’s Building Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California’s energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. The 2016 standards have been published and became effective July 1, 2017. The requirement for when the 2008 standards must be followed is dependent on when the application for the building permit is submitted. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2019 Standards improve upon the 2016 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. Buildings whose permit applications are dated on or after January 1, 2020 must comply with the 2019 Standards. The 2019 Standards is a major step towards meeting the Zero Net Energy goal by the year 2030 and is the last of three updates to move California towards achieving that goal. The California Energy Commission



updates the standards every three years. The 2022 standard, which becomes effective January 1, 2023, encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more (CEC, 2022).

### **South Coast Air Quality Management District (SCAQMD)**

In the process of fulfilling its mandate to reduce local air pollution, the SCAQMD has promoted a few programs to combat climate change, e.g., energy conservation, low-carbon fuel technologies, renewable energy, vehicle miles traveled (VMT) reduction programs, and market incentive programs.

### **Air Quality-Related Energy Policy**

In 2011, the SCAQMD Board adopted an Air Quality-Related Energy Policy (SCAQMD, 2011) that integrates air quality, energy, and climate change issues in a coordinated and consolidated manner. The Energy Policy presents policies to guide and coordinate SCAQMD efforts and actions to support the policies.

### **Local Regulations**

The City's Centennial General Plan, Sustainability Action Plan (SAP) and Climate Action Plan (CAP) were prepared concurrently (City of San Clemente 2014a, 2010; and Krout & Associates et al., 2014, respectively). The SAP serves as an overall roadmap to increase sustainability; it includes an existing practices and opportunities assessment that illustrates the feasibility, cost, and benefit of various sustainability efforts as well as a timeline for the City to develop and implement policies or ordinances related to increased sustainability. The CAP represents further implementation of SAP goals, and includes emissions inventories, forecasts, and emissions reduction measures that can be implemented by the City. Many reduction measures from the SAP and CAP have already been implemented as well; continuing measures with an implementation timeframe beyond 2020 include:

- Incorporation of the Bike Lane Street Design from the San Clemente Bicycle and Pedestrian Master Plan;
- Continued implementation of the voluntary Energy Efficiency Conservation Policy to retrofit an additional five percent of homes and non-residential buildings to achieve 30 percent greater energy efficiency (increasing from 10 to 15 percent) by 2030;
- Promotion of solar water heating incentive programs from the California Solar Initiative; and,
- Implementation of the Waste Diversion Ordinance which requires 90 percent solid waste diversion by 2030 (up from 75 percent in 2020).

### **City of San Clemente General Plan**

The purpose of the Mobility and Complete Streets Element of the City's General Plan is to create a comprehensive, multimodal transportation system that provides all users with safe connections to homes, commercial centers, job centers, schools, community centers, open spaces, recreation areas and visitor destinations.





**GOAL:** Create a balanced transportation network that provides mobility and access for all modes of travel, including motor vehicles, transit, bicyclists, pedestrians, and rail traffic.

**Policies:**

**M-101.a Roadway System.** We require the City’s roadways to accommodate public transit, motor vehicles, bicyclists, skateboarders and pedestrians within the public right-of-way wherever feasible

**M-1.02. Transportation Infrastructure.** Traffic control devices and transportation infrastructure operate to serve the needs of all roadway users, including motorists, public transit, pedestrians and cyclists.

**M-1.04. Level of Service.** When the City determines there is a suitable tool available, we will measure and evaluate roadway performance from a multimodal, Complete Streets perspective.

**M-1.06. Intersection Improvements.** We evaluate impacts of intersection improvements on all modes of travel, including bicyclists, pedestrians, and transit.

**M-1.07. Driveway Access Points.** We require the number of driveway access points onto arterial roadways to be minimized and located to ensure the smooth and safe flow of vehicles and bicycles.

**M-1.09. Transportation Mode Choice.** We actively work to reduce automobile use and improve the efficiency of the roadways based on locally collected data and on goals set through a collaborative process involving City staff, residents and other stakeholders.

**M-1.13. Design Integration.** City supports development that is designed and/or retrofitted to incorporate, and be efficiently served by, public transit, pedestrian and bicycle facilities

**M-1.17. Alternative Paving Treatments.** We support the use of alternate paving materials for public streets, highways, rail beds and other transportation corridors where they can help achieve other General Plan goals, such as noise reduction, beautification, and improved fuel efficiency.

**M-1.19. Traffic Calming.** We design the circulation system serving new developments, and retrofit existing streets, where feasible, to control traffic speeds and maintain safety in all residential neighborhoods, in accordance with the City’s Street Design Standards and Traffic Calming Manual.

**M-1.20. Street Redesign.** We seek opportunities to redesign streets so that they are compatible with the surrounding neighborhood context and the Community’s vision of the future, and only consider street widening or intersection expansions after considering multi-modal alternative improvements to non-automotive facilities

**M-1.21. Regional Transportation Demand Management (TDM).** We support regional efforts by the South Coast Air Quality Management District (AQMD), OCTA, and other agencies to maintain and expand regional programs designed to reduce commuting by single driver automobiles.



**M-1.22. TDM Financial Incentives.** We encourage businesses to offer financial incentives to their employees, including subsidized transit, carpool/vanpool programs, bike-to-work programs, parking cash-out programs, or a combination of incentives.

**M-1.23. Telecommuting.** We support the use of private “tele-work” centers, satellite offices, or other forms of virtual work environments.

**M-1.24. TDM in Development Review.** We encourage on-site features in all new non-residential developments that support Transportation Demand Management (TDM). Potential features may include preferred rideshare parking, car sharing vehicles, on-site food service and exercise facilities.

**GOAL:** Create an interconnected network of bicycle, pedestrian, skateboard, rail and transit facilities that encourage non-automotive travel.

**Policies M-2.01 through M-2.54.** This section of the Mobility and Complete Streets Element includes a number of policies intended to support a transportation system that meets all users’ needs including bicycle, pedestrian, rail and public transit facilities.

### **Open Space and Trails**

**BPR-4.01 Open Space Preservation.** We encourage and support the preservation of open space within and adjacent to the City.

### **Health and Wellness**

**BPR-6.04 Interconnected Neighborhoods.** Neighborhoods should be interconnected with safe, well designed and maintained walking and biking trails, sidewalks, consistent with the City’s Bicycle and Pedestrian Master Plan.

**BPR-6.05 Bike Parking.** We encourage the provision of safe, secure, convenient and aesthetically pleasing bike parking to promote alternative forms of transportation wherever public parking is required.

**BPR-6.06 Compact Neighborhoods.** We support compact, neighborhood-serving development that provides healthy foods or essential services within walking or biking distance from residential neighborhoods, schools and parks.

**BPR-6.09 Streetscape Amenities.** We encourage and support local, private investment in streetscape amenities (examples include: benches, street trees, decorative sidewalks) that enhance safety, walkability, neighborhood appeal, and help commercial neighborhoods stay clean, safe and attractive.

**BPR-6.10 Urban Forest/Trees.** We support best practices in the planting and maintenance of trees in the public realm to improve air quality and reduce “heat island” effects due to reflected heat from hardscape and urban uses.

The proposed project would be required to implement and adhere to applicable City policies, codes and regulations during construction and operation phases, which would be targeted to minimizing GHG emissions.



### 4.8.1.2 GHG Emissions

#### National Emissions

The United States is the second largest emitter of GHGs globally (behind China) and emitted approximately 6.0 billion metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>e) in 2018 (WRI, 2021a), not including GHG absorbed by forests and agricultural land. The largest source of GHG in the United States (34.2 percent) comes from electrical power generation (WRI, 2021b). Burning fossil fuels for transportation accounted for the second largest portion (28.4 percent). The remaining 37.4 percent of U.S. GHG emissions were contributed by the building, manufacturing/construction, agriculture, fugitive, industrial, waste, bunker fuels, and other fuels.

#### State Emissions

In 2020, emissions from GHG emitting activities statewide were 369.2 million metric tons of carbon dioxide (CO<sub>2</sub>) equivalent (MMTCO<sub>2</sub>e), 35.3 MMTCO<sub>2</sub>e lower than 2019 levels and 61.8 MMTCO<sub>2</sub>e below the 2020 GHG Limit of 431 MMTCO<sub>2</sub>e. The 2019 to 2020 decrease in emissions is likely due in large part to the impacts of the COVID-19 pandemic. Economic recovery from the pandemic may result in emissions increases over the next few years. The transportation sector showed the largest decline in emissions of 27 MMTCO<sub>2</sub>e (16 percent) compared to 2019 (ARB, 2022c).

#### Local Emissions

The City adopted a CAP in January 2014. The CAP inventories existing GHG emissions within the City and outlines measures to reduce emissions. The CAP included a baseline 2009 GHG inventory. The results for the baseline community inventory are summarized in **Table 4.8-1**.

**Table 4.8-1**  
**Summary of Emissions Local and State Reduction Measures**

Source	2009 Baseline Emissions	
	MTCO <sub>2</sub> e	Percent
Transportation	417,740	67
Energy		
Electricity	106,871	17
Natural Gas	67,249	11
Water	16,350	3
Solid Waste	6,115	1
Wastewater	5,699	1
<b>Total Emissions</b>	<b>620,024</b>	<b>100</b>

Source: Krout and Associates, et al., 2014, p. 2-2.

### 4.8.1.3 Impact Thresholds

The following thresholds of significance are based on criteria in Appendix G of the State CEQA Guidelines. A project has the potential to create a significant environmental impact if it would:





- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of GHG.

#### 4.8.1.4 Impact Analysis

##### Methodology

Short-term construction GHG emissions and long-term operational GHG emissions were assessed using the California Environmental Emissions Estimator Model (CalEEMod) Version 2020.4.0 (CAPCOA, 2021). This analysis focused only upon emissions of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O. HFCs, PFCs, and SF<sub>6</sub> would be emitted in negligible quantities by Richard T. Steed Memorial Park project sources, so they are not discussed further.

##### a) **Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?**

###### Less than Significant Impact

California has enacted several pieces of legislation that relate to GHG emissions and climate change, many of which set aggressive goals for GHG reductions within the state. Per Senate Bill 97, the California Natural Resources Agency adopted amendments to the CEQA Guidelines, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment. However, neither a threshold of significance nor any specific mitigations are included or provided in these CEQA Guideline amendments.

##### **GHG Significance Threshold**

Neither the City of San Clemente, the SCAQMD, nor the State CEQA Guidelines Amendments has adopted quantitative thresholds of significance for addressing a project's GHG emissions. Nonetheless, § 15064.4 of the CEQA Guidelines serves to assist lead agencies in determining the significance of the impacts of GHGs. As required in § 15064.4 of the CEQA Guidelines, this analysis includes an impact determination based on the following: (1) an estimate of the amount of GHG emissions resulting from the Richard T. Steed Memorial Park project; (2) a qualitative analysis or performance based standards; (3) a quantification of the extent to which the project increases GHG emissions as compared to the existing environmental setting; and (4) the extent to which the Richard T. Steed Memorial Park project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

SCAQMD's guidance (SCAQMD, 2008) uses a tiered approach rather than a single numerical emissions threshold. If a project's GHG emissions "fail" the non-significance of a given tier, then one goes to the next tier. The threshold selected for this analysis is Tier 3, which establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate. For Tier 3, the SCAQMD estimated that at a threshold of approximately 3,000 metric tons CO<sub>2</sub>e per year emissions would capture 90 percent of the GHG emissions from new residential projects. Thus, this analysis uses 3,000 MTCO<sub>2</sub>e per year as the significance threshold under the first impact criterion in **Section 4.8.4.**



### Construction GHG Emissions

Construction is an episodic, temporary source of GHG emissions. Emissions are generally associated with the operation of construction equipment and the disposal of construction waste. To be consistent with the guidance from the SCAQMD for calculating criteria pollutants from construction activities, only GHG emissions from onsite construction activities and offsite hauling and construction worker commuting are considered as project-generated. As explained by the California Association of Air Pollution Control Officers Association (CAPCOA) in its 2008 white paper (CAPCOA, 2008), the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. CEQA does not require an evaluation of speculative impacts (CEQA Guidelines § 15145). Therefore, the construction analysis does not consider such GHG emissions, but does consider non-speculative onsite construction activities, and offsite hauling, and construction worker trips. All GHG emissions are identified on an annual basis.

Estimated GHG emissions from the project’s onsite and offsite project construction activities were calculated using CalEEMod, Version 2020.4.0. The results of this analysis are presented in **Table 4.8-2**. The project construction is expected to begin around the second or third quarter of 2023 with all construction completed by the end of 2024. The annual increase in GHG emissions from the project construction activities would be 347.34 metric tons in 2023 and 590.40 metric tons in 2024. Consistent with SCAQMD recommendations (SCAQMD, 2008, p. 3-10) and to ensure that construction emissions are assessed in a quantitative sense, construction GHG emissions have been amortized over a 30-year period. The amortized value, 31.27 MTCO<sub>2e</sub>, has been added to the project’s annual operational GHG emissions. (See below.) Modeling results can be found in **Appendix B**.

**Table 4.8-2**  
**PROJECT CONSTRUCTION-RELATED GHG EMISSIONS**

Year/Phase	Annual Emissions (MT/year)			
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2e</sub>
2023	342.57	0.0622	0.0108	347.34
2024	581.16	0.0766	0.0246	590.41
<b>Total</b>	<b>924</b>	<b>0.139</b>	<b>0.035</b>	<b>938</b>

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2022).

### Operational GHG Emissions

For a reasonable maximum emissions case, it was assumed that GHG emissions from the Richard T. Steed Memorial Park project site are currently zero. Operational GHG emissions calculated by CalEEMod are shown in **Table 4.8-3**. Total annual unmitigated emissions from the project would be **230.2 MTCO<sub>2e</sub> per year**. Energy production and mobile sources account for about 95 percent of annual operational emissions and about 82 percent of total annual emissions.<sup>14</sup>

<sup>14</sup> Calculations are provided in **Appendix B**.



**Table 4.8-3  
PROJECT OPERATIONAL GHG EMISSIONS**

<b>Emissions Source</b>	<b>Estimated Project Generated CO<sub>2</sub>e Emissions (Metric Tons per Year)</b>
Area Sources	0.00451
Energy Demand (Electricity & Natural Gas)	1.12
Mobile (Motor Vehicles)	187.59
Solid Waste Generation	0.19
Water Demand	10.03
Construction Emissions <sup>a</sup>	31.27
<b>Total</b>	<b>230.20</b>

<sup>a</sup> Total construction GHG emissions were amortized over 30 years and added to those resulting from the operation of the project.

**Source:** Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2022).

Therefore, under the first significance criterion, GHG emissions would be less than significant, and no mitigation is necessary.

**b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?**

**Less than Significant Impact**

The City of San Clemente, through its Climate Action Plan and Sustainable Action Plan, has identified measures that it can take to reduce GHG emissions from City operations and from development in its jurisdiction. The City of San Clemente selected a goal to reduce its community GHG emissions to a level that is 37.7 percent below its 2009 GHG emissions level by 2030. The city will meet and exceed this goal subject to reduction measures that are technologically feasible and cost-effective through a combination of state (~74 percent) and local (~26 percent) efforts (City of San Clemente Climate Action Plan, 2014, p. 2-5). While none of these measures is directly relevant to the project, the project does not conflict with any of them and impact would be less than significant.





**4.9 Hazards and Hazardous Materials**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			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

The analysis in this section is based in part upon the RecCheck report prepared by Environmental Record Search, dated June 15, 2022 (Environmental Records Search, 2022) (Appendix F). The RecCheck presents information based on hazards databases to determine if the project site contains potential hazardous materials.



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

**Less than Significant Impact**

Based on the RecCheck report, the project site contains no potential areas of concern/contamination (Environmental Records Search, 2022).

**Construction**

Transportation of hazardous materials/waste is regulated by *California Code of Regulations* (CCR) Title 26. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) enforce federal and state regulations and respond to hazardous materials transportation emergencies. Emergency responses are coordinated as necessary among federal, state and local governmental authorities and private persons through a state-mandated Emergency Response Plan. Due to the significant short-term risks to public health and the environment associated with hazardous waste management during transportation of wastes, specific Commercial Hazardous Waste Shipping Routes are designated with the intent of minimizing the distance that wastes are transported and the proximity to vulnerable locations.

Construction of the proposed project would involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law (California Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control); California Division of Safety and Health (DOSH); South Coast Air Quality Management District (SCAQMD); Orange County Health Care Agency’s Environmental Health Division requirements (OCHCA)<sup>15</sup>. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials, and in the event of a release of hazardous materials of quantity and/or toxicity that onsite workers could not safely contain and clean up, would notify the OCFA immediately. Therefore, compliance with applicable laws and regulations during project construction would reduce the potential for accidental releases of hazardous materials, and construction hazards impacts would be less than significant.

**Operation**

The proposed project at Richard T. Steed Memorial/Baron Von Willard Dog Park, includes 100 parking spaces with solar overhead structures, expanded skateboard park, three restroom facilities, two pump track facilities, four volleyball courts, sixteen pickleball courts, one activity meadow/multipurpose field, scenic overlook and trellis, outdoor flex classroom/event space, foul ball netting surrounding baseball fields, baseball scoreboards and a stairs connection to possible future parking lot. During operation, the park facilities may require the transport of hazardous materials for maintaining supplies onsite and for disposal of waste offsite. Transportation of hazardous materials can result in accidental spills, leaks, toxic releases, fire, or explosion.

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<sup>15</sup> The Environmental Health Division was designated as the Certified Unified Program Agency (CUPA) for the County of Orange by the State Secretary for Environmental Protection on January 1, 1997. The CUPA is the local administrative agency that coordinates the regulation of hazardous materials and hazardous wastes in Orange County (OCHCA, 2022).



## ❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

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The park is currently zoned Rancho San Clemente Specific Plan - OS (Open Space), publicly owned, with the closest residences located approximately 0.26 mile southwest of the project site (Google Earth Pro, 2022). San Onofre State Beach Park is located to the south, and the Camp Pendleton Marine Corps Base is to the east of the park. Located to the northwest of the park is the Bella Colina Golf Club. Since hazardous materials must not be transported through existing residential areas, the City would propose routes that are surrounded primarily by existing industrial land uses. Impacts to the environment or public would be less than significant.

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

### **Less than Significant Impact**

#### **Construction**

As mentioned above, the RecCheck report found no potential areas of concern/contamination on the project site (Environmental Records Search, 2022, p. 3-4). Additionally, the construction of the proposed project would adhere to applicable federal, state and local regulations in regard to the safe handling and transportation of hazardous materials during construction. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials and would train construction workers on such containment and cleanup. In the event of a release of hazardous materials of quantity and/or toxicity that onsite construction workers could not safely contain and clean up, the project proponent would notify the Orange County Health Care Agency's Environmental Health Division immediately. Therefore, impacts would be less than significant during construction.

#### **Operation**

Project operation would involve the handling and storage of materials such as commercial cleansers, solvents and other janitorial or industrial-use materials, paints, and landscape fertilizers/pesticides during project operations. However, these materials would be stored, handled, and disposed of in accordance with applicable regulations and would not be stored in amounts that would create a significant hazard to the public or the environment through accidental release. The project would have a less than significant impact in this regard.

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

### **No Impact**

No schools are located within 0.25 mile of the project site. The closest school to the project site is The Goddard School of San Clemente, located at 1351 Calle Avanzado, approximately 0.72 mile to the north of the project site (Google Earth Pro, 2022). The project would not be within 0.25 mile of an existing or a proposed school; therefore, no impacts to schools would occur and mitigation is not required.





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

**No Impact**

Government Code § 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update, at least annually, lists of the following:

- Hazardous waste and substances sites from the DTSC EnviroStor database.
- Leaking Underground Storage Tank (LUST) sites by county and fiscal year in the State Water Resources Control Board (SWRCB) GeoTracker database.
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.
- SWRCB Cease and Desist Orders (CDOs), and Cleanup and Abatement Orders (CAOs).
- Hazardous waste facilities subject to corrective action pursuant to § 25187.5 of the Health and Safety Code, identified by DTSC.

These lists are collectively referred to as the “Cortese List.” There are no Cortese List sites within 0.25 mile of the project site (refer to **Figure 4.9-1**). Therefore, there would be no impacts.

- 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?**

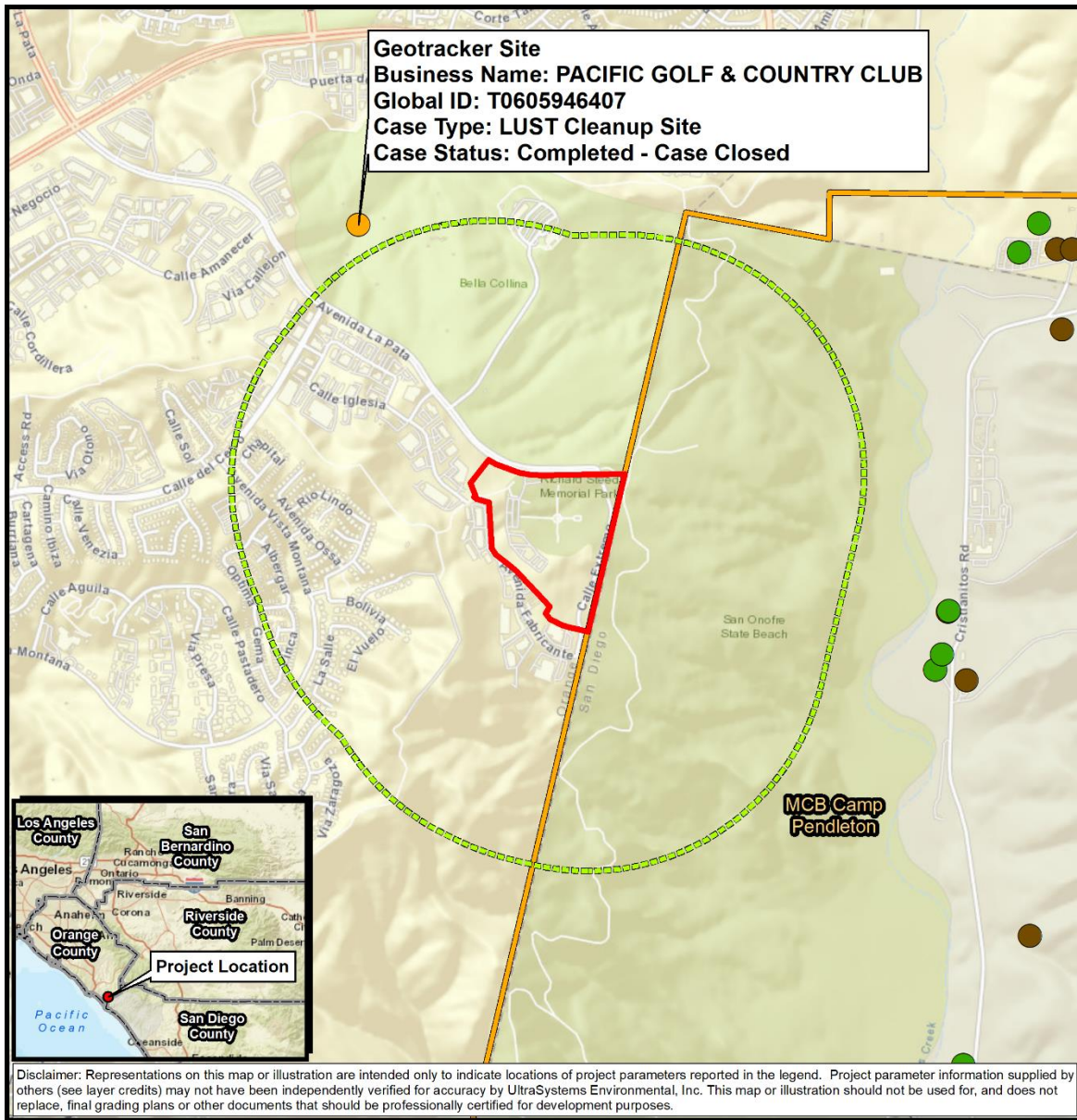
**No Impact**

The nearest public-use airport to the project site is John Wayne Airport, approximately twenty-three miles to the northwest (see **Figure 4.9-2**). The project site is outside of John Wayne Airport’s safety, runway protection, obstacle free, and noise contour zones (Orange County, 2008). Therefore, project development would not cause airport-related hazards, or excessive noise, to persons at the project site, and no impacts would occur.



❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

**Figure 4.9 1**  
**PROJECT CORTESE LIST MAP**



**Richard T. Steed Memorial Park MPU**  
Cortese Act Sites

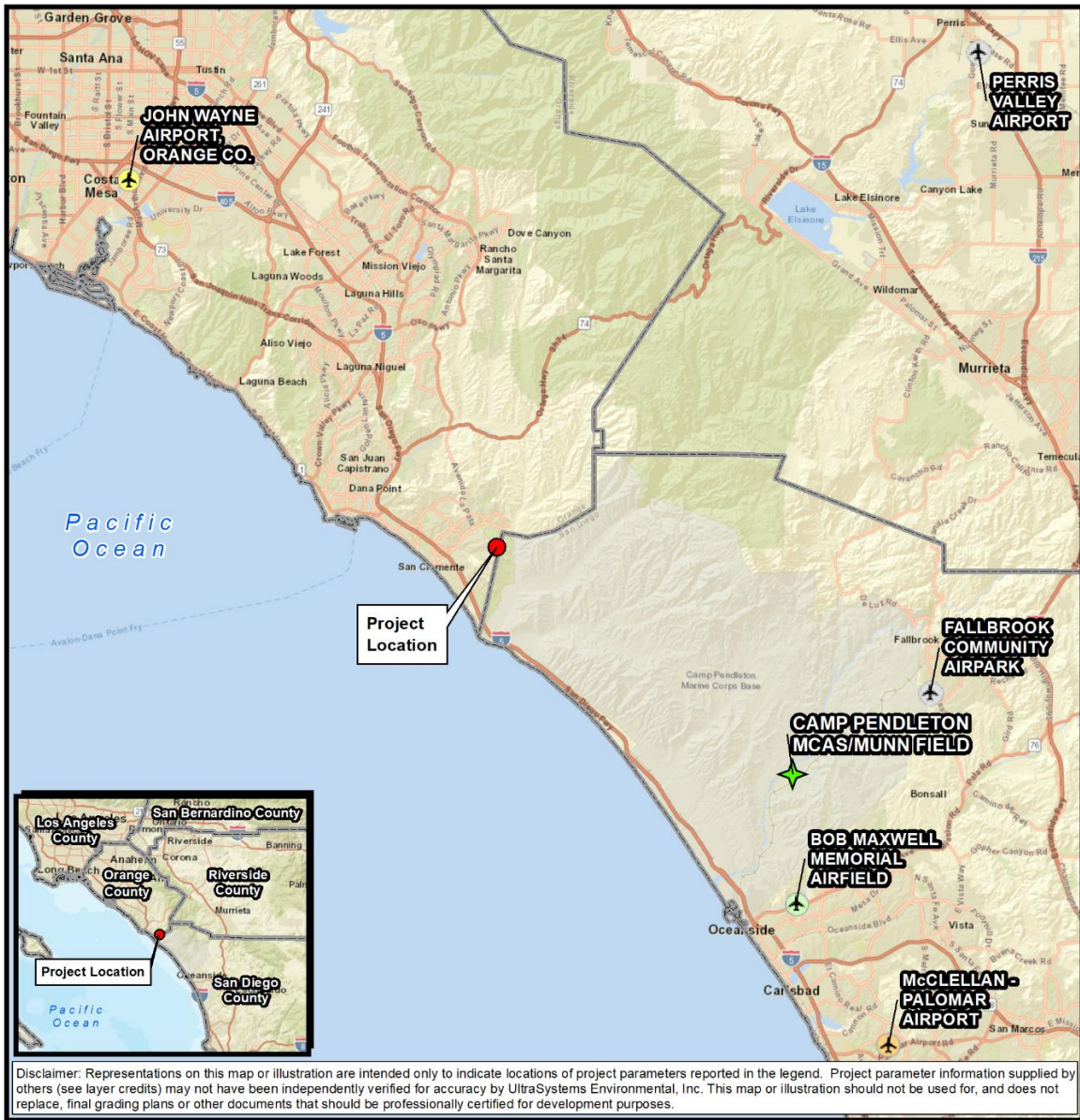






❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

**Figure 4.9-2  
AIRPORTS IN THE PROJECT REGION**



Path: \\GIS\GIS\Projects\179\_SanClemente\_RichardT.Steed\_Memorial\PK\_IS\_MND\MXDs\179\_SanClemente\_4\_9\_Airports\_2022\_09\_15.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, CA Dept. of Conservation, 2016, UltraSystems Environmental, Inc., 2022

September 15, 2022

Richard T. Steed  
 Memorial Park MPU

Scale: 1:380,160

0 3 6 Miles

0 3 6 Kilometers

**Legend**

- Project Location
- ▭ County Boundary
- ✈ Commercial/Primary
- ✈ Commercial
- ✈ Regional
- ✈ Community
- ✈ Military Airport

UltraSystems  
 environmental consulting management planning





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

**Less than Significant Impact**

**Construction**

Project construction will be within the boundaries of Richard T. Steed Memorial Park and will not involve temporary closure of any lane in Avenida La Pata. During the construction phase of the project, there will not be temporary lane closures that could increase hazards due to geometric design features or incompatible uses.

The project would comply with applicable city regulations, such as the requirement to comply with the city's fire code to provide adequate emergency access, as well as the California Building Standards Code. The City of San Clemente would review project site plans, including location of all buildings, fences, access driveways and other features that may affect emergency access. The site design includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight-distance requirements would be in accordance with all applicable design requirements. The City's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided. Therefore, the project would not result in inadequate emergency access and there would be less than significant impacts.

**Operation**

**City of San Clemente Natural Hazard Mitigation Plan**

The City of San Clemente Natural Hazard Mitigation Plan (HMP) was adopted by the City Council in 2004. The purpose of the City's HMP is to promote sound public policy designed to protect citizens, critical facilities, infrastructure, private property, and the environment from natural hazards (San Clemente, 2004). The goals of the HMP are to: protect life, property, and the environment; improve public awareness; protect the continuity of government; and improve emergency management preparedness, collaboration and outreach. The City, in cooperation with the Orange County Health Care Agency's Environmental Health Division, will enforce disclosure laws that require all users, generators and transporters of hazardous materials and wastes to clearly identify the materials they store, use or transport. Users, generators and transporters are required to notify the appropriate city, county, state and federal agencies of a change in the quantity or type of hazardous materials and any violations. Therefore, project development would have less than significant impacts on emergency and evacuation plans.

- g) **Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**No Impact**

The California Department of Forestry and Fire Protection (CAL FIRE) developed Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Local Responsibility Areas (LRA).

Very High Fire Hazard Severity Zone (VHFHSZ) designation refers to either:



## ❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

- h) wildland areas supporting high-to-extreme fire behavior resulting from climax fuels typified by well-developed surface fuel profiles (e.g., mature chaparral) or forested systems where crown fire is likely. Additional site elements include steep and mixed topography and climate/fire weather patterns that include seasonal extreme weather conditions of strong winds and dry fuel moistures. Burn frequency is typically high, and should be evidenced by numerous historical large fires in the area. Firebrands from both short- (<200 yards) and long-range sources are often abundant.

OR

- i) developed/urban areas typically with high vegetation density (>70% cover) and associated high fuel continuity, allowing for frontal flame spread over much of the area to progress impeded by only isolated non-burnable fractions. Often where tree cover is abundant, these areas look very similar to adjacent wildland areas. Developed areas may have less vegetation cover and still be in this class when in the immediate vicinity (0.25 mile) of wildland areas zoned as Very High (see above).

The California Department of Forestry and Fire Protection (CAL FIRE) published the latest Very High Fire Hazard Severity Zones (VHFHSZ) for State Responsibility Areas (SRA), on November 21, 2022 (CAL FIRE, 2022). The latest VHFHSZ for Local Responsibility Areas (LRA) was published in October, 2011 (CAL FIRE, 2011). As shown on **Figure 4.9-3** Fire Hazard Severity Zone - *State Responsibility Area* and **Figure 4.9-4**, Fire Hazard Severity Zone - *Local Responsibility Area*, the project site is located within a LRA VHFHSZ for Orange County. The nearest SRA to the project site is in unincorporated Orange County approximately 0.8 miles to the northeast.

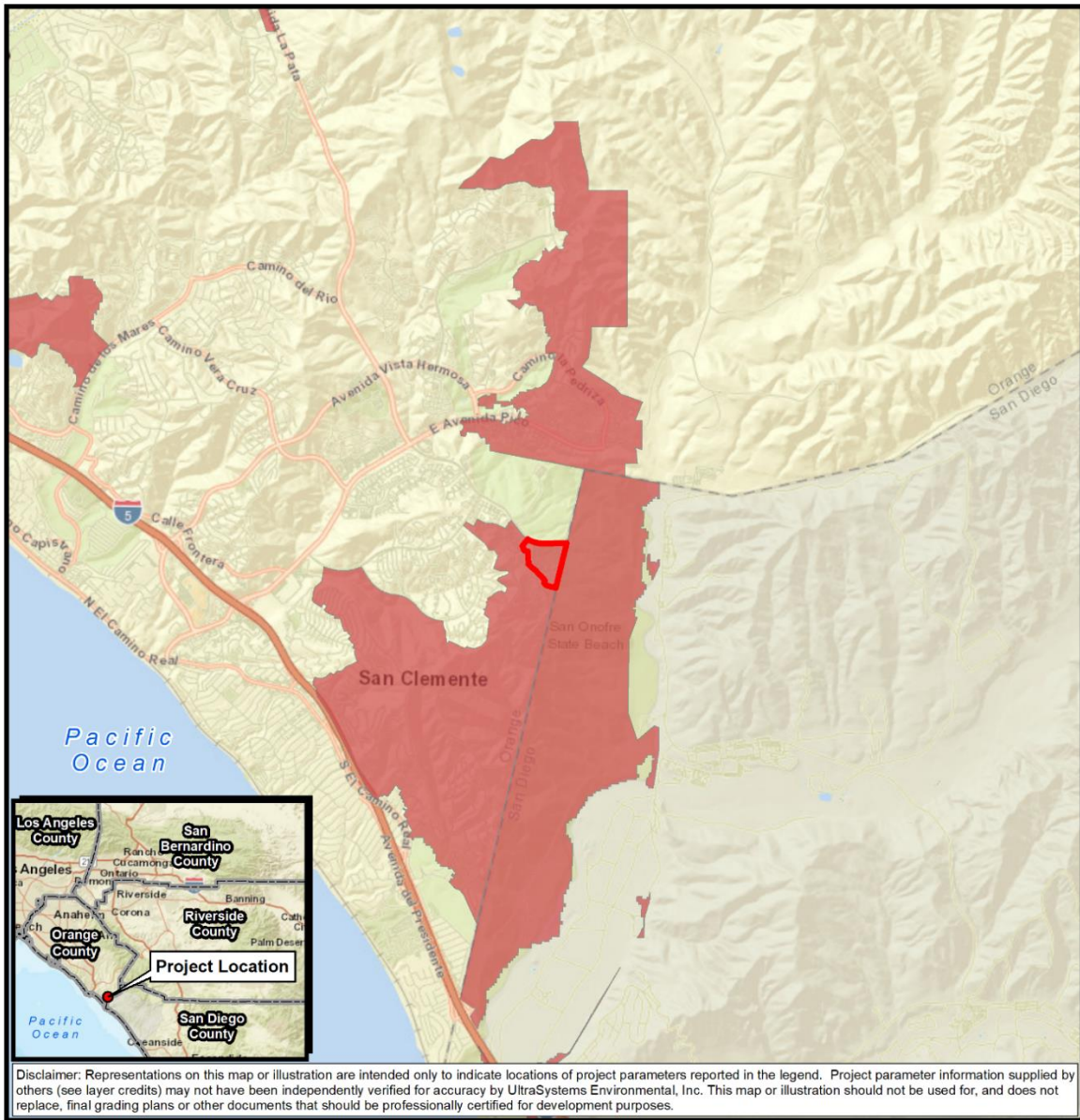
The Orange County Fire Authority (OCFA) provides Fire protection services under contract to City of San Clemente and has specialist air and ground resources to tackle wildfires. (San Clemente, 2022e).

Buildings constructed in areas identified as VHFHSZ are required to be built using fire-resistive features identified in the California Building Code, Chapter 7A - and/or the California Residential Building Code, § R327 – Materials and Construction Methods for Exterior Wildfire Exposure (Orange County Public Works, 2022). The project is an improvement of an existing park and does not add any significant wildfire risk. Thus, the project would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, the proposed project would have less than significant impact in this regard.



❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

**Figure 4.9-3**  
**FIRE HAZARD SEVERITY ZONES – LOCAL RESPONSIBILITY AREA**



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\gis\vrv\GIS\Projects\17179\_SanClemente\_RichardTSteed\_MemorialPark\_IS\_WIND\MXD\17179\_SanClemente\_4\_20\_Fire\_Hazard\_LRA\_2022\_06\_29.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Cal Fire, November 2020; UltraSystems Environmental, Inc., 2022

June 30, 2022

**Richard T. Steed Memorial Park MPU**

Fire Hazard Severity Zone  
Local Responsibility Area (LRA)

**Legend**

- Project Boundary
- Fire Hazard Severity Zones in LRA
- Very High

Scale: 1:63,360

0 0.5 1 Miles

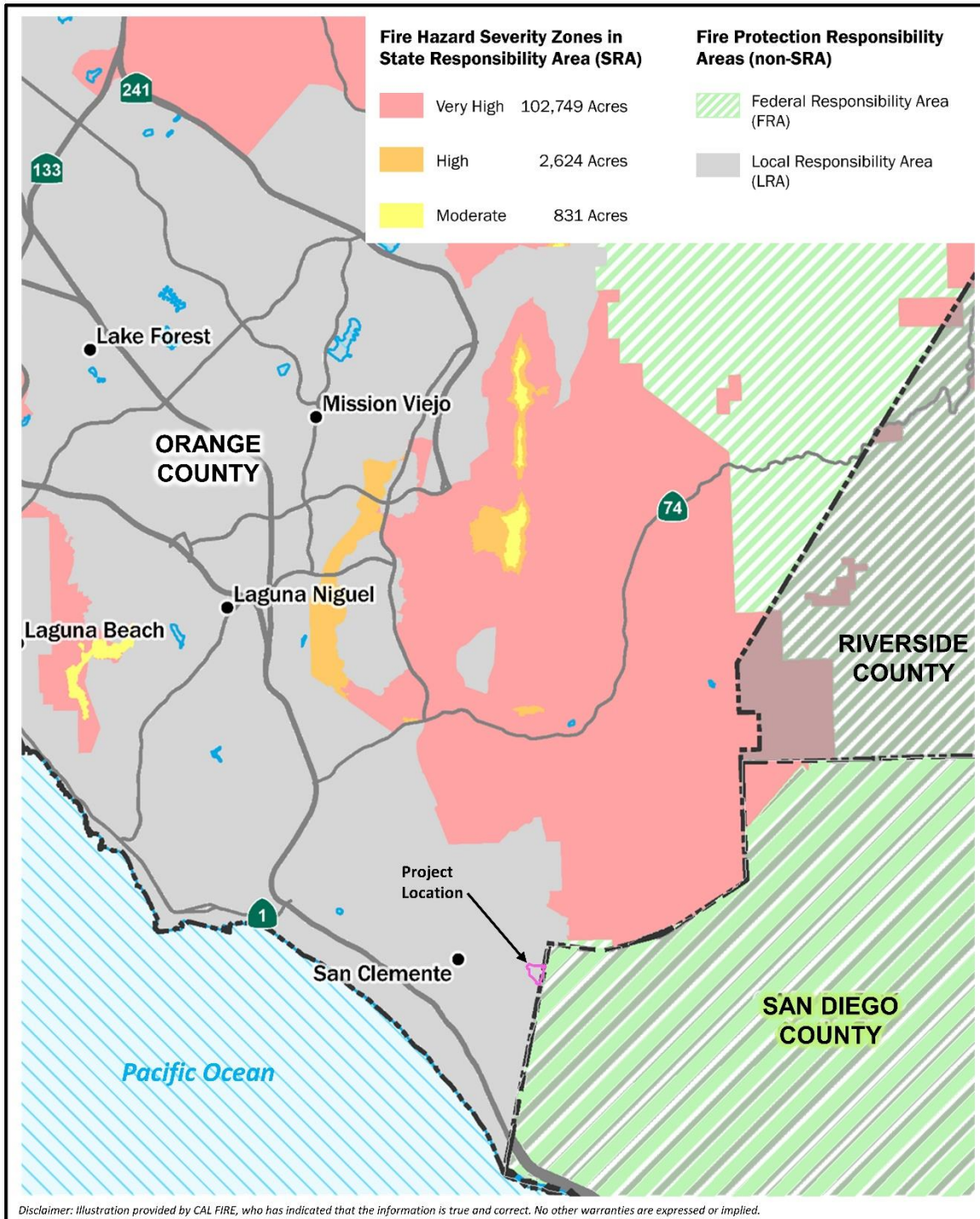
0 1 2 Kilometers





❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

**Figure 4.9-4**  
**FIRE HAZARD SEVERITY ZONES – STATE RESPONSIBILITY AREA**



Source: CAL FIRE, November 22, 2022.

**Richard T. Steed**  
**Memorial Park MPU**  
Fire Hazard Severity Zone  
State Responsibility Area (SRA)





**4.10 Hydrology and Water Quality**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable 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:			X	
i) result in substantial erosion or siltation on or offsite;			X	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) impede or redirect flood flows?				X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

**Methodology**

UltraSystems biologists researched readily available information including relevant literature, databases, agency web sites, various previously completed reports and management plans, GIS data, maps, aerial imagery from public domain sources, and in-house record. The following resources were consulted by UltraSystems for synthesis of data within this report:



## ❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

- United States Geological Survey (USGS) 7.5-Minute Topographic Map *San Clemente* Quadrangle (USGS, 2013) and current aerial imagery (Google Earth, 2022).
- California Department of Water Resources. Division of Safety of Dams, California Dam Breach Inundation Maps (DWR, 2022).
- The Web Soil Survey, provided by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (Soil Survey Staff, 2022)
- California Statewide Groundwater Elevation Monitoring Program (CASGEM, 2022).
- National Wetlands Inventory (NWI), provided by the United States Fish and Wildlife Service (USFWS, 2022c).
- National Hydrography Dataset, provided by the USGS (USGS, 2022).
- EPA Waters GeoViewer, provided by United States Environmental Protection Agency (USEPA, 2022)

**i) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

### **Less than Significant Impact**

The California State Water Resources Control Board requires its nine Regional Water Quality Control Boards (RWQCBs) to develop water quality control plans (Basin Plans) designed to preserve and enhance water quality and protect the beneficial uses of all Regional waters. Specifically, Basin Plans designate beneficial uses for surface waters and groundwater, set narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State antidegradation policy, and describe implementation programs to protect all waters in the Regions. In addition, Basin Plans incorporate by reference all applicable State and Regional Board plans and policies, and other pertinent water quality policies and regulations. The proposed project is under the jurisdiction of the San Diego (Region 9) RWQCB.

As shown in **Figure 10.4-1, *USGS Surface Waters and Watersheds***, the project site is located within the Lower San Mateo Creek hydrologic unit (HU; HU Code 180703010203). The San Mateo Creek HU drains approximately 53 square miles of relatively undeveloped terrain southeast of the Cleveland National Forest. The Lower San Mateo Creek HU is contained within the larger San Mateo Creek HU (HU Code 1807030102) which drains approximately 134 square miles (USEPA 2022). San Mateo Creek discharges into the Pacific Ocean at Trestles Beach, approximately four air miles south of the project site.

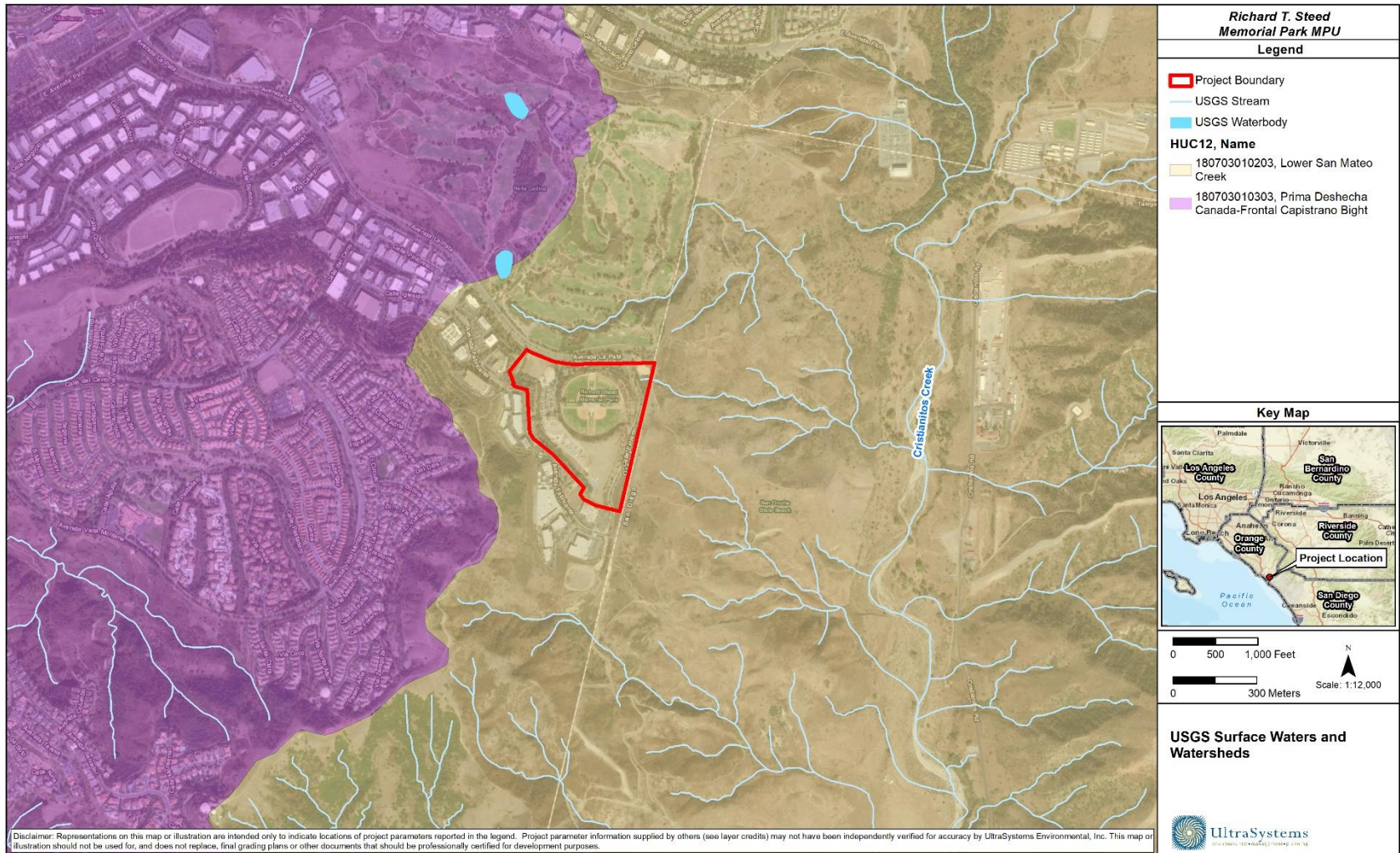
Under existing conditions, stormwater generated on the project site drains to the north and east/northeast and enters an existing storm drain inlet in the cul-de-sac at the eastern termination of Avenida La Pata. This storm drain feeds into an unnamed drainage that heads east from the northeast corner of the Biological Study Area (BSA) and discharges into Cristianitos Creek, which is approximately 0.7 mile east from the BSA. Cristianitos Creek is a tributary of San Mateo Creek (USEPA 2022; Google Earth Pro, 2022a).

Development of the project has the potential to result in two types of water quality impacts: (1) short-term impacts due to construction-related discharges; and (2) long-term impacts from operation. Temporary soil disturbance would occur during project construction, due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils are susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project area. Erosion and





**Figure 4.10-1  
USGS SURFACE WATERS AND WATERSHEDS**





## ❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

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sedimentation affect water quality of receiving waters through interference with photosynthesis, oxygen exchange and respiration, and growth and reproduction of aquatic species. Runoff from construction sites may include sediments and contaminants such as oils, fuels, paints, and solvents. Additionally, other pollutants such as nutrients, trace metals, and hydrocarbons can attach to sediment and be carried by stormwater into storm drains which discharge eventually to the Pacific Ocean.

Spills and mishandling of construction materials and waste may also potentially leave the project site and negatively impact water quality. The use of construction equipment and machinery may potentially result in contamination from petroleum products, hydraulic fluids, and heavy metals. Contamination from building preparation materials such as paints and solvents, and landscaping materials such as fertilizers, pesticides, and herbicides may also potentially degrade water quality during project construction. Trash and demolition debris may also be carried into storm drains and discharged into receiving waters.

### **Construction Pollutants Control**

The project proponent is required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ, as authorized by § 402 CWA, NPDES for projects which will disturb one or more acres of soil during construction). The Construction General Permit requires potential dischargers of pollutants into waters of the U.S. (WOUS) to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP), which establishes enforceable limits on discharges, requires effluent monitoring, designates reporting requirements, and requires construction best management practices (BMPs) to reduce or eliminate point and non-point source discharges of pollutants. Additionally, BMPs must be maintained, inspected before and after each precipitation event, and repaired or replaced as necessary. Because the project is required by the SWRCB to comply with all applicable conditions of Construction General Permit Order 2009-0009-DWQ, potential violations of water quality standards or waste discharge requirements during project construction would be less than significant.

### **Operational Pollutant Controls**

The *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region* (Order No. R9-2013-0001, as Amended by Order Nos. R9-2015-0001 and R9-2015-0100; NPDES No. CAS0109266), to which the City is a signatory, regulates the discharge of pollutants into WOUS by way of stormwater and urban runoff conveyance systems, including flood control facilities (RWQCB, 2015). These conveyance systems are commonly referred to as MS4s, or storm drains. In this context, the NPDES Permit is also referred to as an MS4 permit.

Pursuant to the MS4 permit, Principal Permittees and Co Permittees must regulate discharges of pollutants in urban runoff from man-made sources into storm water conveyance systems within their jurisdiction.

New development and redevelopment can significantly increase pollutant loads in stormwater and urban runoff because increased population density results in proportionately higher levels of vehicle emissions, municipal sewage wastes, and general hazardous wastes including, fertilizers, pet waste, trash, and other pollutants. The MS4 permit requires all new development projects, regardless of size, to incorporate post construction water quality BMPs and low-impact development (LID) into





## ❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

project design in compliance with the City’s Model Water Quality Management Plan to maximize stormwater infiltration, provide stormwater retention, slow stormwater runoff, and reduce pollutants at their sources.

Pursuant to the Model Water Quality Management Plan, a project-specific preliminary Water Quality Management Plan (WQMP) will be prepared for the proposed project. The MS4 and the Model Water Quality Management Plan require the implementation of LID features to ensure that most stormwater runoff is treated and retained onsite.

The project WQMP will include structural BMPs, such as stenciling and signage for the storm drain system; design and construct trash and waste storage areas to reduce pollution introduction; use efficient irrigation systems and landscape design, water conservation, smart controllers, and source control; and finish grade of landscaped areas at a minimum of one to two inches below top of curb, sidewalk, or pavement. Additionally, the proposed project would include LID BMPs such as minimizing impervious areas, maximizing infiltration capacity, preserving the existing drainage patterns, and installation of infiltration basins to mitigate the impacts of runoff and stormwater pollution as close to the source as possible. LID facilities are highly effective at removing water pollutants such as sediment, nutrients, trash, metals, bacteria, oil and grease, and organic compounds while reducing the volume and intensity of stormwater flow leaving a site.

The WQMP may also include non-structural source control BMPs including BMP maintenance, adherence to local water quality ordinances, a hazardous spill contingency plan, litter/debris control program, employee training, catch basin inspection program, vacuum sweeping of private streets and parking lots, and complying with all applicable NPDES permits.

With implementation of construction and operational BMPs, potential impacts to water quality would be less than significant and mitigation is not proposed.

**j) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

### **Less than Significant Impact**

The project site is approximately 0.4 mile west of a portion of the San Mateo Valley Groundwater Basin (basin; Basin ID 9-002). The basin covers approximately 4.7 square miles and underlies San Mateo Valley and Cristianitos Canyon in northwestern San Diego County and southeastern Orange County. The basin is bounded by the Pacific Ocean on the west and elsewhere by permeable tertiary marine sedimentary rock. Valleys are drained westward to the Pacific Ocean via San Mateo and Cristianitos Creeks. A weather station operated by the California Irrigation Management Information System (CIMIS) measured mean precipitation of 1.18 inches (minimum 0.00 inches, maximum 8.08 inches) between January 2016 and January 2022 (DWR 2003; DWR 2018; Google Earth Pro, 2022b; CIMIS, 2022).

The proposed project is within the service area of the Metropolitan Water District of Southern California (MWDSC). Water from the Colorado River Basin at Lake Havasu delivered through the Colorado River Aqueduct and water from the State Water Project comprises the majority of the water supply for the MWDSC service area. A small fraction of the water supply comes from two local wells that produce between 400 to 600 acre-feet of groundwater per year that is added to the total potable water supply of the service area. In 2017, the City began to receive water from the Irvine Ranch Water





## ❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

District (IRWD) processed through the Baker Water Treatment Plant as an additional water source (City of San Clemente, 2021).

The City projects that full water use demands will be met through year 2045 (City of San Clemente, 2020). The project would not substantially deplete groundwater supplies or result in a substantial net deficit in the aquifer volume or lowering of the local groundwater table. The project would have a less than significant impact in this regard and mitigation is not required.

**k) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i) Result in substantial erosion or siltation on- or offsite;**

### **Less Than Significant Impact**

The project site is relatively flat, with elevations ranging from approximately 381 to 768 feet above mean sea level (amsl; Google Earth, 2022a). There is evidence of ephemeral, intermittent, or perennial streams or rivers occur in the BSA. As detailed in Section 4.10 a), the project owner would be required to develop a SWPPP by a certified qualified SWPPP developer. The required SWPPP would be project-specific and would prescribe site-specific stormwater BMPs which would be intended to minimize or avoid having soil leave the project site, through either stormwater or wind, and thus minimize or avoid soil erosion onsite and siltation in receiving waters.

With implementation of a project-specific SWPPP and proper maintenance and replacement of required stormwater BMPs (as necessary), potential impacts resulting in substantial erosion or siltation on- or offsite would be minimized or avoided, and impacts would be less than significant. No mitigation is proposed.

### **Construction**

As described in Section 4.10 a), temporary soil disturbance would occur during project construction, due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils are susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project area.

Implementation of the required SWPPP and applicable BMPs, including installation, maintenance, and replacement of BMPs as discussed in Section 4.10 a), would minimize or avoid potential impacts resulting from on- or offsite erosion and siltation to a level that is less than significant.

### **Operation**

As detailed in Section 4.10 a), the LID BMPs proposed as part of project design would minimize or avoid on- or offsite erosion and siltation by a combination of maintaining drainage patterns, installation of landscaping, and installation of LID BMPs which would prevent erosion and prevent siltation-laden stormwater from leaving the site. Applicable regulations (e.g., the MS4 permit, and installation of LID BMPs, including site design, infiltration and pre-treatment BMPs, etc.), would limit pollutant discharges from development of the project. The project's adherence to existing



## ❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

requirements would reduce erosion and siltation during operation; therefore, impacts resulting from operation of the project would be less than significant.

- ii) **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**
- iii) **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

### **Less than Significant Impact**

The project Preliminary Hydrology Report will provide calculations and exhibits to estimate the values for the existing and proposed condition stormwater flows.

The drainage plan that will be proposed in the Preliminary WQMP will maintain consistency with the historical drainage patterns for the proposed project site. The LID BMPs that will be proposed by the Preliminary WQMP would mitigate the post-construction increase in peak flow of runoff from the site for the 2-, 5-, and 10-year storm events.

As will be discussed in the project's preliminary WQMP, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

Operational LID BMPs in compliance with the City (placeholder) permit requirements will be detailed in the proposed project's WQMP and are described in **Section 4.10 a)** above. The proposed project would incorporate operational LID BMPs in compliance with City permit requirements.

The MS4 and the project WQMP would require the implementation of water quality features to ensure that runoff is treated prior to discharge into native soils (infiltration), storm drains or other regional conveyance facilities, as described above. Therefore, upon adherence to existing state water quality requirements, including MS4 requirements, the proposed project would minimize or avoid causing a substantial increase in the rate or amount of surface runoff in a manner which would: (1) result in flooding on- or offsite; (2) would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff; or (3) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant, and no mitigation is proposed.

- iv) **Impede or redirect flood flows?**

### **No Impact**

The project site is located on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Orange County, California and Incorporated Areas (Map Number 06059C0529J, effective December 3, 2009); the project site is located in Flood Hazard Zone X, defined on this FIRM as *Areas of minimal flood hazard* (FEMA, 2008). The areas of minimal flood hazard, such as Zone X, are outside of the Special Flood Hazard Area (SFHA) and higher than the elevation of the 0.2-percent-



## ❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

annual-chance flood areas. The floodplain (i.e., flood hazard zone) nearest to the project site is located approximately 1.2 miles west from the BSA. The project site is located outside the nearest floodplain and the proposed project would not impede or redirect flood flows. No impact would occur, and mitigation is not required.

**l) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?**

**No Impact**

Two dams or reservoirs are within a five-mile radius of the project site: Palisades Reservoir and Trampas Canyon. The project is not located within the dam breach inundation areas of the dams or reservoirs (DWR, 2022) and would not be at risk of flood hazards due to dam breaches. As discussed previously, the project site is located outside the 500-year floodplain and would not be at risk of inundation by flood hazards.

The tsunami inundation area nearest to the project site is in the City of San Clemente, located approximately 2.7-miles southwest of the BSA (Google Earth Pro, 2022; CEMA, CGS, and USC, 2009). Due to the elevation of the project area and its location outside of the nearest tsunami inundation area, there would be no risk of inundation by tsunami.

A seiche is an oscillating wave, formed by earthquakes or winds, in an enclosed or partially enclosed waterbody. The nearest enclosed or partially enclosed waterbody in which a seiche could form is Dana Point Harbor, approximately 6.5 miles northwest from the project. The project site is not within the dam breach inundation areas mapped for these waterbodies (DWR, 2022), and the project would not be at risk of inundation by seiche.

The proposed project would not be at risk of inundation by flood hazards, tsunami, or seiche, and would therefore not be at risk of release of pollutants due to inundation. No impact would occur, and mitigation is not required.

**m) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**No Impact**

The nearest water well (State Well Number 08S07W36E001S) is located approximately one mile southwest of the project. This use of this active, voluntary well is listed as “unknown” designated for residential use and is drilled to an unknown depth (CASGEM 2022).

As discussed in **Section 4.10 a)**, the proposed project would comply with the Construction General Permit by developing and implementing a site-specific SWPPP and construction stormwater BMPs throughout the construction phase. The proposed project would also comply with the MS4 Permit by incorporating LID BMPs into project design, which would avoid or minimize the amount and type of pollutants leaving the project, entering receiving waters, and impacting water quality and beneficial uses defined for these waters by the Basin Plan (RWQCB, 1994). In addition, the LID BMPs would allow stormwater infiltration into the local aquifer, similar to existing conditions, and minimize or avoid impacts to groundwater quality and beneficial uses of the San Mateo Valley Groundwater Basin. The proposed project would not conflict with or obstruct implementation of a water quality control





## ❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

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plan or sustainable groundwater management plan; no impact would occur, and mitigation is not required.



**4.11 Land Use and Planning**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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 an environmental effect?				X

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

**No Impact**

The 46.9-acre partially developed Richard T. Steed Memorial Park (formerly Softball Park [Planning Area 9] in the Rancho San Clemente Specific Plan) is located at the easterly terminus of Avenida La Pata. The location of this facility away from residential areas is anticipated to avoid potential conflicts such as glare from night lighting in the residential areas and noise conflicts from organized sporting activities (RSCSP, 2002). The project site is surrounded by Bella Collina San Clemente private golf club to the north; San Onofre State Beach Park to the east; and various commercial and industrial uses to the south and west. The nearest established community is approximately 1,000 feet to the southwest with no direct accessibility or line of sight visibility from the proposed project site. The project would have no impact on an established community.

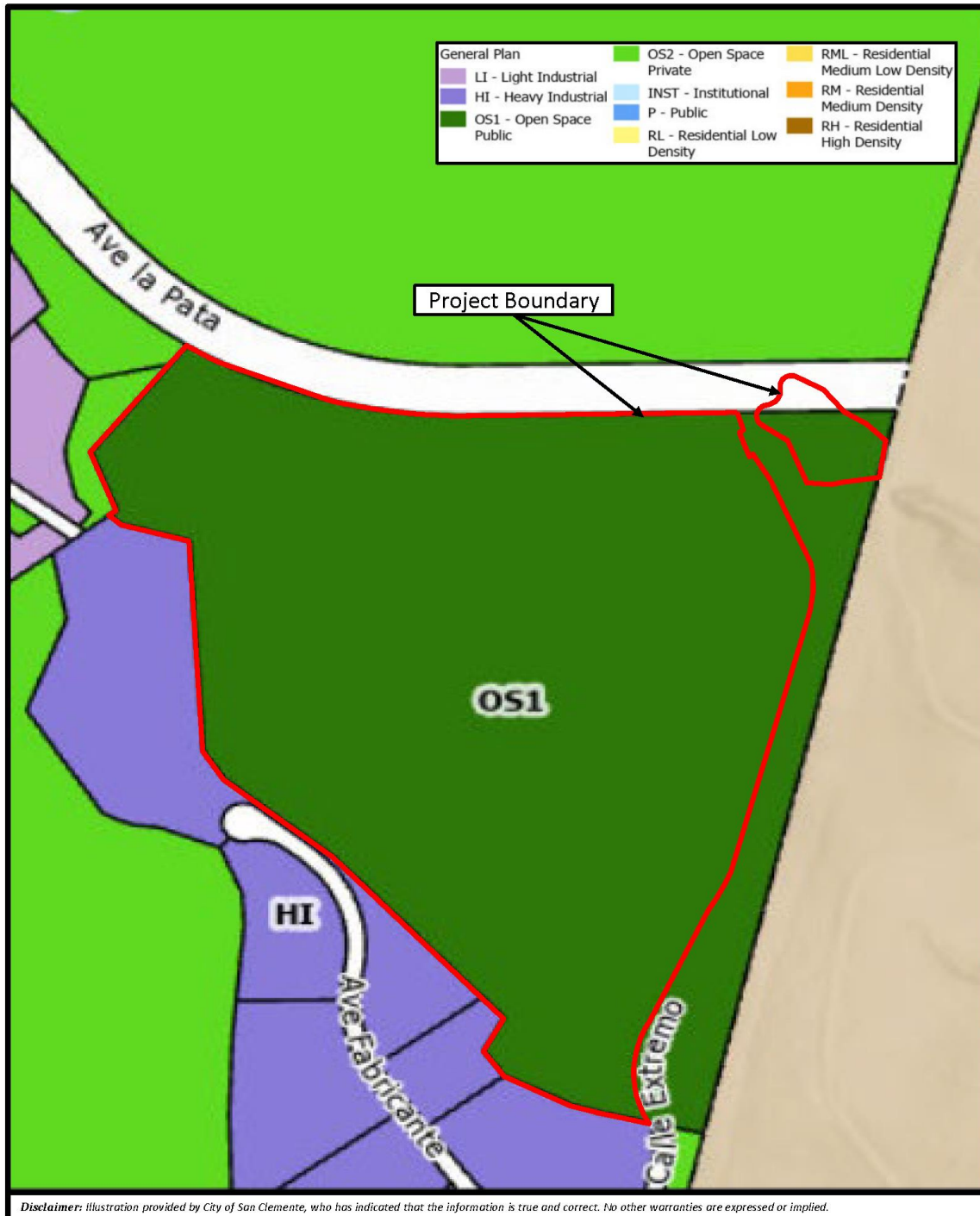
**b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**No Impact**

The project site is zoned and regulated by the Rancho San Clemente Specific Plan which is both a planning and a regulatory document to implement the goals, policies, and objectives of San Clemente’s Centennial General Plan (RSCSP, 2002). The project site has a General Plan land use designation of Open Space Public (OS1) (see **Figure 4.11-1**) which is intended for publicly owned existing and dedicated parklands, passive open space areas, recreational facilities, and golf courses (SCCGP, 2016). As previously stated, the project site is zoned within the Rancho San Clemente Specific Plan (SCGPM, 2017). Consistency analysis of the proposed project respecting the San Clemente Centennial General Plan Land Use and the Rancho San Clemente Specific Plan goals and policies is provided below in **Table 4.11-1**. No adverse impacts would occur.



**Figure 4.11-1**  
**GENERAL PLAN LAND USE DESIGNATION**



Source: City of San Clemente. Revision date: October 18, 2022

**Richard T. Steed  
Memorial Park**

General Plan  
Land Use Designation







**Table 4.11-1**

**CONSISTENCY ANALYSIS: THE PROPOSED PROJECT COMPARED TO THE RELEVANT CITY OF SAN CLEMENTE CENTENNIAL GENERAL PLAN LAND USE AND RANCHO SAN CLEMENTE SPECIFIC PLAN.**

<b>Public and Institutional Land Uses</b>	
<b>Goals and Policies</b>	<b>Consistency Analysis</b>
<p><b>GOAL:</b> Provide a variety of public and institutional uses, such as governmental, administrative, recreation, cultural, religious, social services, and educational uses that help meet the broader community’s needs and that are designed to be compatible with surrounding neighborhoods, and with the architectural character of the areas in which they are located.</p>	
<p><b>Policy LU-6.01.</b> Existing and New Uses. We allow the continuation of public recreational, cultural (libraries, museums, etc.), educational, institutional (governmental, police, fire, etc.), and health and social service use at their locations as of the date of adoption of this General Plan. We also allow the development of new Public and Institutional uses in areas designated as Institutional and in other land use zones where they complement and are compatible with adjacent land uses.</p>	<p><b>Consistent:</b> The project proposed not only the continuation of public recreational uses at Richard T. Steed Memorial Park, but significantly expanding the facilities making way for volleyball courts, pickleball courts, a football/soccer field, relocated dog parks, expanded skate park, a new mountain bike hub, and related supporting facilities.</p>
<b>Beaches, Parks, and Recreation Element</b>	
<b>Park and Recreation Planning, Acquisition, and Development</b>	
<b>Goals and Policies</b>	<b>Consistency Analysis</b>
<p><b>Goal:</b> Provide and maintain parks and recreation facilities with adequate spaces and amenities to meet the recreational and relaxation needs of existing and future residents.</p>	
<p><b>Policy BPR-2.01.</b> Parkland and Beaches Standard. We apply a standard of at least five acres of improved parkland and beaches per 1,000 residents and seek to meet residents’ needs in underserved areas.</p>	<p><b>Consistent:</b> The project site is currently 46.9 acres. While no additional land is proposed to be added, the expansion into undeveloped areas of the park will serve the residents’ recreational needs in a more diverse manner.</p>
<p><b>Policy BPR-2.05.</b> Master Plan Maintenance. We maintain and update the Beaches, Parks, and Recreation Master Plan at least every 10 years to strategically plan for future park and recreation needs. City of San Clemente Centennial General Plan</p>	<p><b>Consistent:</b> The project is an official update to the Richard T. Steed Memorial Park Master Plan, directly fulfilling this policy.</p>
<p><b>Policy BPR-2.11.</b> Structured and Unstructured Recreation Opportunities. We plan, acquire, and develop recreational facilities to provide a balanced range of structured and unstructured recreation opportunities.</p>	<p><b>Consistent:</b> The maintenance of existing and expanded development of recreational facilities will provide a balanced and more diversified range of facilities for both structured and unstructured recreation opportunities for the community. Proposed facilities include the addition of volleyball courts, pickleball courts, a football/soccer field, a mountain bike hub, and support provisions.</p>



Open Space and Trails	
<p><b>Goal:</b> Provide a safe, environmentally sustainable, and attractive open space and trails network, including walking, bicycling, hiking, and equestrian trails, that connect key open space areas and recreational amenities.</p>	
<p><b>Policy BPR-4.02.</b> Trails and Staging Areas. We support the development, maintenance, and enhancement of local trails and staging areas using best sustainable practices.</p>	<p><b>Consistent:</b> Richard T. Steed Memorial Park will continue to maintain the Rancho San Clemente Ridgeline Trail access while creating a mountain bike hub that will serve the San Clemente Single Tracks, a trail network at the inland-most portion of the San Onofre Beach State Park.</p>
<p><b>Policy BPR-4.04.</b> Trail Connections. We collaborate with other public agencies and private parties to establish connections between trails.</p>	<p><b>Consistent:</b> The project will continue to require collaboration between the City of San Clemente and San Onofre Beach State Park to ensure the connectivity of the proposed mountain bike hub to the San Clemente Single Track trail network.</p>

Sources: SCCGP, 2016



**4.12 Mineral Resources**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				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

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

**and**

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

**No Impact**

The project site is mapped in Mineral Resource Zone 1 (MRZ-1) by the California Geological Survey (CGS), as shown on **Figure 4.12-1**, meaning that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence (Miller, R.V., , 1994,19954)

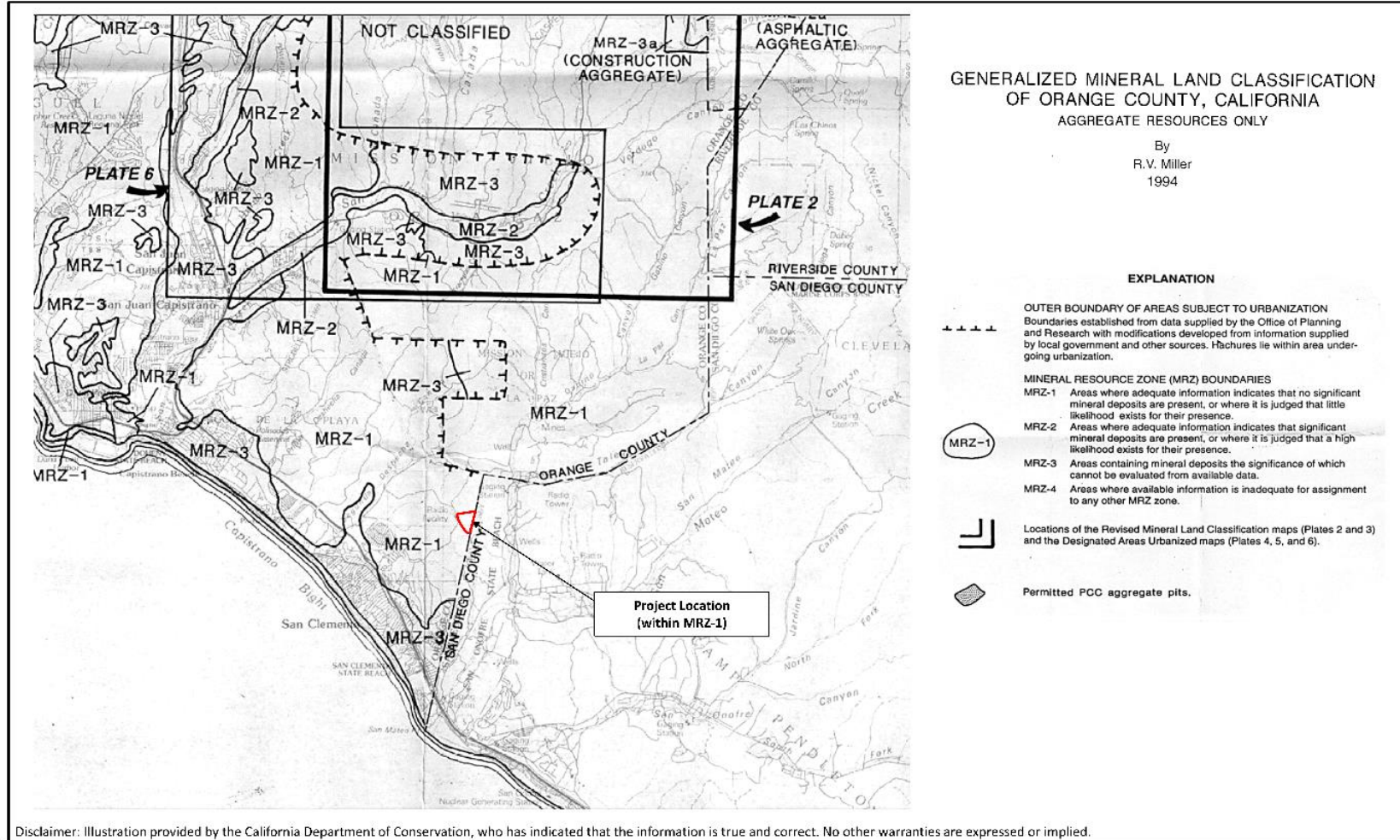
The nearest oil or gas well to the project site is a plugged well approximately 0.4 mile to the south (CalGEM, 2022; see **Figure 4.12-2**).

Project development would not cause a loss of availability of known mineral resources valuable to the region, and no impact would occur.





**Figure 4.12-1  
DESIGNATED MINERAL RESOURCE ZONE**



Disclaimer: Illustration provided by the California Department of Conservation, who has indicated that the information is true and correct. No other warranties are expressed or implied.

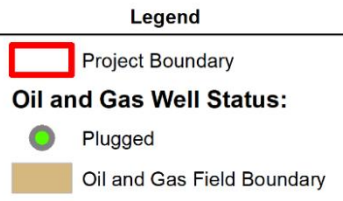
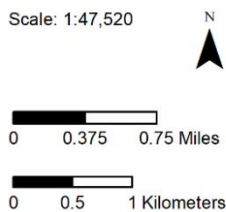
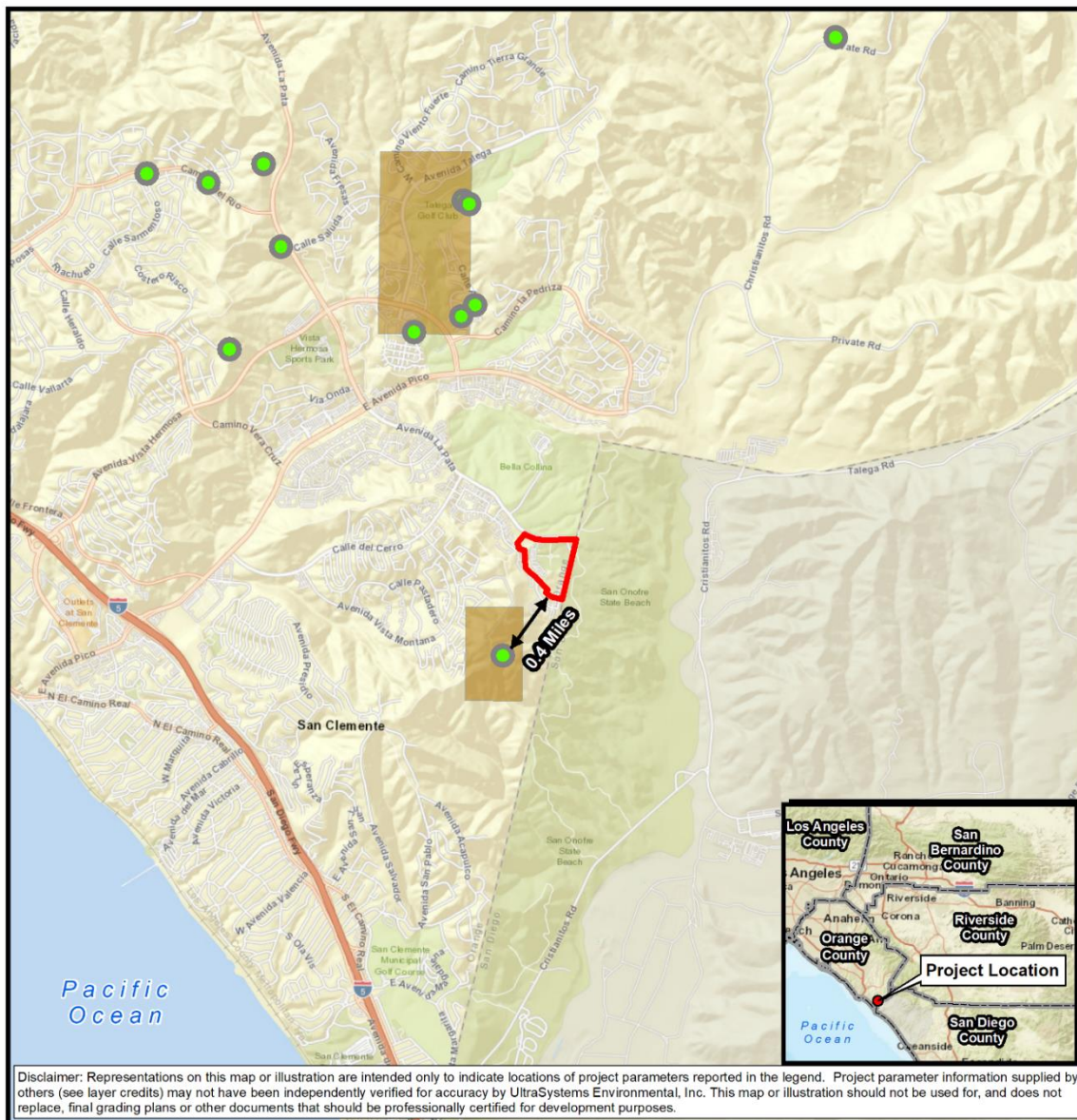
Source: Miller, Russel V. 1994.



Richard T. Steed  
Memorial Park MPU  
Mineral Land Classification



**Figure 4.12-2  
OIL, GAS AND GEOTHERMAL WELLS**



**Richard T. Steed  
Memorial Park MPU**

Oil and Gas  
Wells and Fields







**4.13 Noise**

Would the project result in:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		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

**4.13.1 Characteristics of Sound**

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in hertz or cycles per second), and duration (measured in seconds or minutes). The decibel (dB) scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Because the human ear is not equally sensitive to all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale is based on a reference pressure level of 20 micro pascals (zero dBA). The scale ranges from zero (for the average least perceptible sound) to about 130 (for the average human pain level).

**4.13.2 Noise Measurement Scales**

Several rating scales have been developed to analyze adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people depends largely upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

- $L_{eq}$ , the equivalent noise level, is an average of sound level over a defined time period (such as 1 minute, 15 minutes, 1 hour or 24 hours). Thus, the  $L_{eq}$  of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.
- $L_{90}$  is a noise level that is exceeded 90 percent of the time at a given location; it is often used as a measure of “background” noise.





- $L_{max}$  is the root mean square (RMS) maximum noise level during the measurement interval. This measurement is calculated by taking the RMS of all peak noise levels within the sampling interval.  $L_{max}$  is distinct from the peak noise level, which only includes the single highest measurement within a measurement interval.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average  $L_{eq}$  with a 4.77-dBA “penalty” added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime (Hendriks, 2013). The logarithmic effect of these additions is that a 60-dBA 24-hour  $L_{eq}$  would result in a calculation of 66.7 dBA CNEL.
- $L_{dn}$ , the day-night average noise, is a 24-hour average  $L_{eq}$  with an additional 10-dBA “penalty” added to noise that occurs between 10:00 p.m. and 7:00 a.m. The  $L_{dn}$  metric yields values within 1 dBA of the CNEL metric. As a matter of practice,  $L_{dn}$  and CNEL values are considered to be equivalent and are treated as such in this assessment.

### 4.13.3 Sensitive Land Uses

The City of San Clemente General Plan defines excessive noise as noise that can adversely affect human health and well-being, economic productivity, and property values, especially in areas where sensitive land uses such as senior housing, schools, child care, and hospitals are located (San Clemente General Plan 2014). The closest sensitive receivers to the project site include The Shoreline Church to the northwest of the project site and the single-family neighborhood located west of the project site (Google Maps 2022). **Table 4.13-1** summarizes information about the sensitive receivers and **Figure 4.13-1** shows their locations.

**Table 4.13-1**  
**SENSITIVE RECEIVERS IN THE PROJECT AREA**

Description	Location	Distance from Site Boundary (feet) <sup>a</sup>	Nearest Ambient Sampling Point <sup>b</sup>
Bella Collina San Clemente (Golf)	278 Avenida La Pata	120	1
The Shoreline Church	211 Avenida Fabricante	83	2
Branches Church	216 Avenida Fabricante	69	4
Single-Family Residential	615 Del Dios	970	3

<sup>a</sup>These distances were not used in the construction noise evaluation; see Section 4.13.7.

<sup>b</sup>See **Figure 4.13-2** for locations of ambient noise sampling points.

### 4.13.4 Existing Noise

UltraSystems Environmental Inc. conducted ambient noise sampling at four locations near the project site, as shown in **Figure 4.13-2**. **Table 4.13-2** describes the locations. Details of the ambient sampling methods and results are provided in **Appendix E**.



**Figure 4.13-1  
SENSITIVE RECEIVERS NEAR THE PROJECT SITE**



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\GIS\SVR\gis\Projects\7179\_SanClemente\_RichardT.Steed\_MemorialPrk\_IS\_MND\MXDs\7179\_SanClemente\_4\_13\_Sensitive\_Receivers\_2022\_11\_24.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, UltraSystems Environmental, Inc., 2022

November 24, 2022

Scale: 1:10,800

**Legend**

Project Boundary

Sensitive Noise Receiver

**Richard T. Steed  
Memorial Park MPU**

Sensitive Noise Receivers

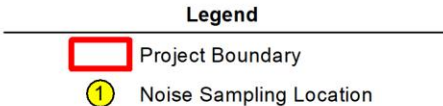
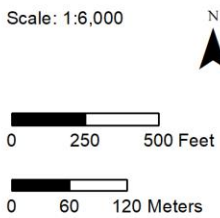




**Figure 4.13-2  
AMBIENT NOISE MEASUREMENT LOCATIONS**



Path: \\GIS\SVR\gis\Projects\7179\_SanClemente\_RichardT.Steed\_MemorialPrk\_IS\_MND\MXD\7179\_SanClemente\_4\_13\_Noise\_Sampling\_2022\_11\_24.mxd  
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community; UltraSystems Environmental, Inc., 2022



**Richard T. Steed  
Memorial Park MPU**  
 Ambient Noise  
Measurement Location







**Table 4.13-2  
AMBIENT NOISE MEASUREMENT RESULTS**

Point	Data Set	Sampling Time	Address	Sound Level (dBA)			Notes
				L <sub>eq</sub>	L <sub>max</sub>	L <sub>90</sub>	
1	S091	1103-1118	278 Avenida La Pata	58.3	81.2	38.7	Next to Bella Collina San Clemente golf course
2	S089	0928-0943	211 Avenida Fabricante	44.7	63.3	39.0	In front of the Shoreline Church
3	S088	0828-0843	612 Del Dios	39.0	60.2	26.6	Adjacent to single-family residential neighborhood
4	S090	1034-1049	216 Avenida Fabricante	41.6	56.1	37.6	In front of Branches Church

Source: UltraSystems, 2022.

Noise samples were taken between 8:28 a.m. and 11:18 a.m. on Thursday, July 28, 2022. The 15-minute L<sub>eq</sub> values ranged from 39.0 to 58.3 dBA. The lowest of these values was measured at Point 3, which is located in front of a single-family residence along Del Dios, and west of the project site. The maximum ambient noise level recorded was at Point 1, which is located in front of Bella Collina Golf Course, north of the project site.

#### 4.13.5 Regulatory Setting

##### State of California

The California Department of Health Services (DHS) Office of Noise Control<sup>16</sup> has studied the correlation of noise levels with effects on various land uses. The most current guidelines prepared by the state noise officer are contained in the “General Plan Guidelines” issued by the Governor’s Office of Planning and Research in 2003 and reissued in 2017 (Governor’s Office of Planning and Research, 2017). These guidelines establish four categories for judging the severity of noise intrusion on specified land uses:

- **Normally Acceptable:** Is generally acceptable, with no mitigation necessary.
- **Conditionally Acceptable:** May require some mitigation, as established through a noise study.
- **Normally Unacceptable:** Requires substantial mitigation.
- **Clearly Unacceptable:** Probably cannot be mitigated to a less-than-significant level.

The types of land uses addressed by the state standards, and the acceptable noise categories for each, are presented in **Table 4.13-3**. There is some overlap between categories, which indicates that some judgment is required in determining the applicability of the numbers in a given situation.

<sup>16</sup> The Office of Noise Control no longer exists.



Title 24 of the California Code of Regulations requires performing acoustical studies before constructing dwelling units in areas that exceed 60 dBA L<sub>dn</sub>. In addition, the California Noise Insulation Standards identify an interior noise standard of 45 dBA CNEL for new multi-family residential units. Local governments frequently extend this requirement to single-family housing.

**Table 4.13-3  
CALIFORNIA LAND USE COMPATIBILITY FOR COMMUNITY NOISE SOURCES**

Land Use Category	Noise Exposure (dBA, CNEL)					
	55	60	65	70	75	80
Residential – Low-Density Single-Family, Duplex, Mobile Homes	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Residential – Multiple Family	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Transient Lodging – Motel, Hotels	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Schools, Libraries, Churches, Hospitals, Nursing Homes	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Auditoriums, Concert Halls, Amphitheaters	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Sports Arena, Outdoor Spectator Sports	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Playgrounds, Neighborhood Parks	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Office Buildings, Business Commercial and Professional	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
Industrial, Manufacturing, Utilities, Agriculture	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable
	<b>Normally Acceptable:</b> Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.					
	<b>Conditionally Acceptable:</b> New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice.					



Land Use Category	Noise Exposure (dBA, CNEL)
	<b>Normally Unacceptable:</b> New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
	<b>Clearly Unacceptable:</b> New construction or development should generally not be undertaken.

Source: Governor’s Office of Planning and Research, 2017.

### City of San Clemente General Plan Safety Element

The General Plan Safety Element (San Clemente, 2014) includes one goal and associated policies to minimize excessive noise throughout the city. The following are relevant to the proposed project.

**GOAL:** *Minimize exposure to excessive noise levels by taking appropriate actions to avoid or mitigate the detrimental effects of exposure to excessive noise levels on humans and animals and in particular, on sensitive land uses.*

**POLICIES:**

**S-4.01.** *Noise Control. We effectively control ambient and stationary noise conditions by maintaining baseline information, monitoring conditions, following State guidelines, and enforcing locally adopted ordinances and building codes.*

**S-4.02.** *Street Design. We consider noise impacts when designing new streets.*

**S-4.03.** *Interagency Collaboration. We encourage and collaborate with local, regional, and statewide transportation agencies to minimize transportation related noise impacts and provide appropriate mitigation measures that also consider impacts to community character and on natural resources (e.g., views).*

**S-4.04.** *Balance Between Noise Control and View Protection. We will continue to work with local, State, and Federal agencies to reduce highway- and railroad generated noise levels to within acceptable levels identified in the General Plan, while seeking to re-establish ocean views blocked by noise barriers on Interstate 5.*

**S-4.06.** *Truck Routes. To minimize truck traffic noise impacts to sensitive land uses, we designate areas where truck traffic is prohibited. [link to Freight Movement section in the Mobility and Complete Streets Element]*

**S-4.08.** *Live Entertainment. We control live entertainment noise conditions by requiring best management practices that minimize impacts on residential and other sensitive uses and ensure compliance with the City’s adopted Noise Ordinance.*

To the extent that the foregoing applies to the proposed project, the project design and operational characteristics are compatible with the Noise Element’s goal, objectives and policies.





## City of San Clemente Municipal Code

The following provisions of the San Clemente Municipal Code are relevant to the proposed project.

### **8.48.040 - General noise regulations.**

It shall be unlawful for any person to willfully or negligently make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace and quiet of any neighborhood or which causes any discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

The factors which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

- A. The sound level of the objectionable noise.
- B. The sound level of the ambient noise.
- C. The proximity of the noise to residential sleeping facilities.
- D. The nature and zoning of the area within which the noise emanates.
- E. The number of persons affected by the noise source.
- F. The time of day or night the noise occurs.
- G. The duration of the noise and its tonal, informational or musical content.
- H. Whether the noise is continuous, recurrent, or intermittent.
- I. Whether the noise is produced by a commercial or non-commercial activity.
- J. Whether the noise can be heard from a distance of 20 feet or more from the noise source, or from a distance determined to be reasonable by the Officer (as defined in § 9.16.010 G. of the Code).

Where a noise source is operated in compliance with a permit or exception as described in this chapter, it shall be considered to comply with the general noise regulations of this section, provided said use is in compliance with any and all conditions imposed by the relevant permit or exception. (Ord. 1450 § 1 (part), 2007; Ord. No. 1617, § 5, 2-16-2016)

### **8.48.050 - Exterior noise standards.**

The following exterior noise standards, unless otherwise specifically indicated, shall apply to all property within the City. The Land Use category refers to the affected receiver property:



Land Use	Allowable Exterior Noise Level	
	7 a.m.-10 p.m.	10 p.m.-7 a.m.
Residential	55 dB(A)	50 dB (A)
Residential portions of mixed-use, or residences located on property zoned for commercial, industrial or manufacturing land use	60 dB(A)	50 dB(A)
Commercial	65 dB (A)	60 dB(A)*
Industrial or Manufacturing	70 dB(A)	70 dB(A)*

\* Standard only applies if commercial, industrial or manufacturing buildings are occupied during these hours.

A. It shall be unlawful for any person at any location within the City to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other property to exceed:

- 1.The noise standard for a cumulative period of more than thirty (30) minutes in any hour; or
- 2.The noise standard plus five (5) dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or
- 3.The noise standard plus ten (10) dB(A) for a cumulative period of more than five (5) minutes in any hour; or
- 4.The noise standard plus fifteen (15) dB(A) for a cumulative period of more than one (1) minute in any hour; or
- 5.The noise standard plus twenty (20) dB(A) for any period of time.

B. In the event the ambient noise level exceeds any of the five (5) noise limit categories above, the allowable noise level under said category shall be increased to reflect the ambient noise level.

C. If possible, the ambient noise shall be measured at the same location as the noise source measurement, with the alleged offending noise source inoperative. If for any reason the alleged offending noise source cannot be shut down, the ambient noise must be estimated by performing a measurement in the same general area of the source but at a sufficient distance such that the noise from the source is at least ten (10) dB below the ambient in order that only the ambient level be measured. If the difference between the ambient and the noise source is five (5) to ten (10) dB, then the level of the ambient itself can be reasonably determined by subtracting a one (1) decibel correction to account for the contribution of the source. (Ord. 1450 § 1 (part), 2007: prior code § 16-22.3).



Construction activities are exempt from the foregoing noise limits, as long as they take place only between 7:00 a.m. and 6:00 p.m. on Monday through Friday, between 8:00 a.m. and 6:00 p.m. on Saturday, and at no time on a Sunday or a City-recognized holiday.<sup>17</sup> The exemption applies to grading activities within 0.5 mile of a structure for human habitation, as long as they do not occur between 5:30 p.m. and 7:30 a.m. or on Saturdays, Sundays or City-recognized holidays.<sup>18</sup>

**8.48.060 - Interior noise standards.**

The following interior noise standards, unless otherwise specifically indicated, shall apply to all residential property within the City. The Land Use category refers to the affected receiver property:

Land Use	Allowable Interior Noise Level	
	7 a.m.–10 p.m.	10 p.m.–7 a.m.
Residential, including residential portions of mixed-use.	50 dB (A)	40 dB (A)

A. It shall be unlawful for any person at any location within the incorporated area of the City to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level when measured within any residential dwelling unit to exceed:

- 1.The interior ambient noise level plus five (5) dB(A) for a cumulative period of more than five (5) minutes in any hour; or
- 2.The interior ambient noise level plus ten (10) dB(A) for a cumulative period of more than one (1) minute in any hour; or
- 3.The interior ambient noise level plus fifteen (15) dB(A) for any period of time.

B. In the event the ambient noise level exceeds any of the three (3) noise limit categories above, the allowable noise level under said category shall be increased to reflect the ambient noise level. (Ord. 1450 § 1 (part), 2007; prior code § 16-22.4)

**4.13.6 Significance Thresholds**

Two criteria were used for judging noise impacts. First, noise levels generated by the proposed project must comply with all applicable relevant federal, state, and local standards and regulations. Noise impacts on the surrounding community are limited by local noise ordinances, which are implemented through investigations in response to nuisance complaints. It is assumed that all existing regulations for the construction and operation of the proposed project will be enforced. In

17 City of San Clemente Municipal Code § 8.48.090(F).

18 Ibid., § 15.36.190. Grading or equipment operations may be allowed during the times prohibited by this section if the City Engineer determines that such operations are not detrimental to the health, safety or welfare of the inhabitants of such a structure.





addition, the proposed project should not produce noise levels that are incompatible with adjacent noise-sensitive land uses.

The second measure of impact used in this analysis is a significant increase in noise levels above existing ambient noise levels as a result of the introduction of a new noise source. An increase in noise level due to a new noise source has a potential to adversely impact people. Given that the City of San Clemente Municipal Code exempts construction activities from its noise standards as long as they occur during allowable times of day, this analysis uses the Federal Transit Administration's construction noise limit of 80 dBA  $L_{eq}$  for residential exposure (FTA, 2018, p. 179).

The proposed project would have a significant noise impact if it would:

- Except during construction, expose persons to or generate noise levels in excess of standards prescribed by the San Clemente Municipal Code.
- During construction, exposure residential receivers to 80 dBA  $L_{eq}$  or more.
- Include construction activities within the hours prohibited by the Municipal Code, without a permit.
- Increase long-term noise exposures at sensitive receivers during construction by 5 dBA CNEL or more.
- Contribute, with other local construction projects, to a significant cumulative noise impact.
- Increase operational exposures at sensitive receivers (mainly because of an increase in traffic flow) by 5 dBA  $L_{eq}$  or more.

#### 4.13.7 Impact Analysis

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

#### **Less than Significant Impact with Mitigation Incorporated**

Both short-term and long-term impacts are associated with park renovation projects. Construction activities, especially heavy equipment operation, would create noise effects on and adjacent to the construction site. Long-term noise impacts include project-generated onsite and offsite operational noise sources. Onsite (stationary) noise sources from the park would include operation of mechanical equipment such as landscape and building maintenance equipment and noise as a result of the increased volume of people using the park and its new amenities. Offsite noise would be attributable to project-induced traffic, which would cause an incremental increase in noise levels within and near the project vicinity.

#### **Construction**

Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and onroad delivery and worker commuter vehicles, the location of



equipment, and the timing and duration of the noise-generating activities. For the purpose of this analysis, it was estimated that the proposed project would be built in five phases. Construction is anticipated to run 1.5 years, from early July 2023 to December 2024.

The types and numbers of pieces of equipment to be deployed during each construction phase were determined as part of the air quality and greenhouse gas emissions analyses for this project.<sup>19</sup> For each equipment type, **Table 4.13-4** shows an average noise emission level (in dBA at 50 feet, unless otherwise specified) and a “usage factor,” which is an estimated percentage of operating time that the equipment would be producing noise at the stated level.

**Table 4.13-4  
CONSTRUCTION EQUIPMENT CHARACTERISTICS**

Construction Phase	Equipment Type	Number of Pieces	Maximum Sound Level (dBA @ 50 feet)	Usage Factor	Composite Noise (dBA @ 50 feet)
Site Preparation	Rubber Tired Dozers	3	79	0.40	<b>87.51</b>
	Tractors/Loaders/Backhoes	4	85	0.37	
Grading	Excavators	2	80	0.38	<b>89.47</b>
	Graders	1	85	0.41	
	Rubber-Tired Dozer	1	79	0.40	
	Scrapers	2	88	0.48	
	Tractors/Loaders/Backhoes	2	85	0.37	
Building Construction	Cranes	1	83	0.29	<b>85.94</b>
	Forklifts	3	67	0.20	
	Generator Sets	1	73	0.74	
	Tractors/Loaders/Backhoes	3	85	0.37	
	Welders	1	74	0.45	
Paving	Pavers	2	77	0.42	<b>85.70</b>
	Paving Equipment	2	85	0.36	
	Rollers	2	74	0.38	
Architectural Coating	Air Compressors	1	81	0.48	<b>77.81</b>

Using calculation methods published by the Federal Transit Administration (FTA, 2018), UltraSystems estimated the average hourly exposures at the nearest sensitive receiver for each construction subphase. The receivers evaluated included two churches on the west side of the project boundary (Branches and the Shoreline Church), single-family residences along the west side of the project site and the Bella Collina golf course north of the project site (see **Figure 4.13-1**). The distances used for the calculation were measured from the receivers to the approximate center of

<sup>19</sup> See **Section 4.3** and **Section 4.8**.



activity of each construction phase, since that would be the average location of construction equipment most of the time.

During each construction phase the line of sight between sensitive receiver #1 and construction noise sources will be substantially blocked by existing buildings. The effects of the shielding were taken into account according to Caltrans guidance (Caltrans, 2013, p. 2-35). The noise attenuation from intervening buildings ranged from 3.5 to 6.5 dBA  $L_{eq}$ . These values were used in determining the net exposures for that receiver.

In addition, for all of the sensitive receivers, intervening terrain acts as a transmission barrier from at least one construction noise source. Terrain high points cannot reflect or absorb all of the construction noise, since sound waves diffract as they pass over them and move downward towards the residences on the other side. Also, given certain site geometries, terrain can provide little or no attenuation.

The Fresnel number method (Foss, 1978) was used to estimate noise attenuation by terrain. The Fresnel number ( $N_o$ ) is a dimensionless parameter calculated from the following formula:

$$N_o = \pm 2f\delta_o/c$$

where

$f$  = Frequency of the sound radiated by the source (hertz).

$\delta_o$  = Path length difference determined from site geometry (feet).

$C$  = Speed of sound (feet/second).

$N_o$  is positive when the line of sight between the source and receiver is lower than the high point of the terrain. It was assumed that  $f = 1,000$  hertz (representative of heavy construction equipment) (Vardhan, 2005) and that  $c = 1115.49$  feet per second. For  $N_o \geq 0.01$ , attenuation is determined from a graph (Engineering Toolbox, 2019) of attenuation as a function of  $N_o$ . For  $N_o < 0.01$ , attenuation is calculated with a formula from Tandon (2000). According to our calculations, the terrain will provide from zero to about 20.8 dBA of attenuation for seven combinations of construction phase and sensitive receiver.

Results of the construction noise calculations are shown in **Table 4.13-5**. Hourly total noise exposures (ambient plus construction-related) would range from 39.1 to 65.3 dBA  $L_{eq}$ . None of these exposures would exceed the significance criterion of 80 dBA  $L_{eq}$ .





**Table 4.13-5  
MAXIMUM ESTIMATED CONSTRUCTION NOISE EXPOSURES AT NEAREST SENSITIVE  
RECEIVERS**

Site Preparation	Distance (feet)	15-minute L <sub>eq</sub> (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	958	58.3	60.1	1.8
2 – 211 Avenida Fabricante	684	44.7	59.3	<b>14.6</b>
3 – 612 Del Dios	1,376	39.0	48.5	<b>9.5</b>
4 – 216 Avenida Fabricante	410	41.6	64.7	<b>23.1</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

Grading – Mountain Bike Park	Distance (feet)	15-minute L <sub>eq</sub> (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	638	58.3	59.0	0.7
2 – 211 Avenida Fabricante	1,679	44.7	51.1	<b>6.4</b>
3 – 612 Del Dios	2,502	39.0	42.9	3.9
4 – 216 Avenida Fabricante	1,556	41.6	51.3	<b>9.7</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

Grading - Parking	Distance (feet)	15-minute L <sub>eq</sub> (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	958	58.3	60.3	2.0
2 – 211 Avenida Fabricante	684	44.7	59.8	<b>15.1</b>
3 – 612 Del Dios	1,376	39.0	49.1	<b>10.1</b>
4 – 216 Avenida Fabricante	410	41.6	65.3	<b>23.7</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

Grading - Skatepark	Distance (feet)	15-minute L <sub>eq</sub> (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	864	58.3	60.8	2.5
2 – 211 Avenida Fabricante	379	44.7	61.1	<b>16.4</b>
3 – 612 Del Dios	1,519	39.0	45.7	<b>6.7</b>
4 – 216 Avenida Fabricante	655	41.6	60.3	<b>18.7</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.



❖ SECTION 4.13 – NOISE ❖

Building Construction – Bathroom / Pickleball Structures	Distance (feet)	15-minute Leq (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	1,657	58.3	58.7	0.4
2 – 211 Avenida Fabricante	1,740	44.7	49.3	4.6
3 – 612 Del Dios	1,754	39.0	39.1	0.1
4 – 216 Avenida Fabricante	1,217	41.6	51.7	<b>10.1</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

Building Construction – Dog Park and Structures	Distance (feet)	15-minute Leq (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	1,222	58.3	59.1	0.8
2 – 211 Avenida Fabricante	993	44.7	54.0	<b>9.3</b>
3 – 612 Del Dios	1,293	39.0	39.2	0.2
4 – 216 Avenida Fabricante	465	41.6	61.7	<b>20.1</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

Paving - Parking	Distance (feet)	15-minute Leq (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	958	58.3	59.6	1.3
2 – 211 Avenida Fabricante	684	44.7	57.5	<b>12.8</b>
3 – 612 Del Dios	1,376	39.0	47.0	<b>8.0</b>
4 – 216 Avenida Fabricante	410	41.6	57.9	<b>16.3</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

Paving - Skatepark	Distance (feet)	15-minute Leq (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	864	58.3	59.9	1.6
2 – 211 Avenida Fabricante	379	44.7	58.8	<b>14.1</b>
3 – 612 Del Dios	1,519	39.0	44.9	<b>5.9</b>
4 – 216 Avenida Fabricante	655	41.6	53.0	<b>11.4</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

Architectural Coating – Bathroom / Pickleball Structures	Distance (feet)	15-minute Leq (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	1,657	58.3	58.4	0.1
2 – 211 Avenida Fabricante	1,740	44.7	45.8	1.1
3 – 612 Del Dios	1,754	39.0	40.2	1.2
4 – 216 Avenida Fabricante	1,217	41.6	45.5	3.9

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.



Architectural Coating – Dog Park and Structures	Distance (feet)	15-minute Leq (dBA)		
		Existing	Projected <sup>a</sup>	Change
1 – 278 Avenida La Pata	1,222	58.3	58.4	0.1
2 – 211 Avenida Fabricante	993	44.7	48.1	3.4
3 – 612 Del Dios	1,293	39.0	41.3	2.3
4 – 216 Avenida Fabricante	465	41.6	53.9	<b>12.3</b>

<sup>a</sup>Existing plus construction-related; adjusted for intervening buildings and/or terrain between source and receiver.

### Mitigation Measures

Given that ambient noise levels in some of the surrounding neighborhoods are quite low, increases in exposure would be noticeable for some sensitive receivers during some construction phases. To ensure that exposures are minimized, the following mitigation measures will be implemented.

- MM N-1** Schedule construction so that the minimum number of pieces of equipment would be operating within the same vicinity simultaneously.
- MM N-2** Stockpiling and vehicle-staging areas shall be located as far as practical from noise-sensitive receptors during construction activities.
- MM N-3** Where practical, design construction site access such that delivery and dump trucks move through the site in a forward direction, without the need to back up (and activate back-up alarms).
- MM N-4** Where practical, replace proposed equipment with newer, and presumably quieter, models.
- MM N-5** Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with an intact and operational muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without the muffler.
- MM N-6** Ensure that all equipment items have the manufacturers' recommended noise abatement features, including but not limited to mufflers, engine enclosures, and engine vibration isolators; and that these noise-reducing features are intact and operational.
- MM N-7** Turn off idling equipment after no more than five minutes.
- MM N-8** Operate all equipment at the minimum power level needed to get the job done.
- MM N-9** Operate equipment so as to minimize banging, clattering, and buzzing.

### Level of Significance After Mitigation

With implementation of Mitigation Measures **N-1** through **N-9**, project construction would result in less than significant impacts to sensitive receivers.





## Operational Noise

### Onsite

Onsite noise sources from the proposed park renovation project would include operation of mechanical equipment such as lawnmowers, leaf blowers, building maintenance equipment, landscape construction equipment, and motor vehicles accessing, driving on, and exiting the parking lot.

Of particular concern would be the introduction of a new type of sports activity to the park: pickleball courts. Pickleball court play tends to be noisier than tennis because a group of 16 pickleballers talking and cheering can occupy the same amount of court space as one tennis court with two to four players, and pickleball paddles and balls are made of plastic, which make more noise on contact than tennis rackets and tennis balls (Levy, 2022). This has led to complaints from residents near pickleball courts. For example, the board of directors of a homeowners association in Bend, Oregon recently passed a resolution to discontinue pickleball play at a community facility because of noise complaints from nearby homeowners. (River Canyon Estates, 2022).

Because there are no widely used “standard” noise emissions values for pickleball court activity, we reviewed previous studies for useful information. A comprehensive study of pickleball noise was prepared by Woo (2012). The Woo (2012) study conducted ambient and operations noise level measurements of pickleball operations, different paddle types, and a noise barrier system for the Cimarron Pickleball Courts in Surprise, Arizona. Noise measurements were conducted with 32 players playing pickleball simultaneously and also with four players playing with various paddle types, and were repeated after installing a noise barrier system. A few months later additional noise measurements were conducted using eight different pickleball paddles, but without the noise barrier system. From the Woo (2012) study data, we developed a baseline noise exposure at a distance of 10 feet for a certain number of pickleball players. We then used this information to estimate exposures at certain distances, with a greater number of pickleball players. Ambient noise measurements were made near an existing pickleball facility under the following conditions:

- No pickleball activity.
- Play with typical equipment in use at that time, and no noise barriers.
- Play with typical equipment and a 10-foot-high acoustical barrier.
- Play with “lower noise” equipment and no noise barriers.
- Play with “lower noise” equipment and a 10-foot-high acoustical barrier.

Measurements were made ten feet from the edge of the pickleball courts while 32 people were playing. Under maximum noise conditions (conventional paddles, no barriers), the exposure was 66.9 dBA  $L_{eq}$ . The barrier reduced this noise by 15.8 dBA to 58.1 dBA. The results of the tests of eight conventional paddles and eight “lower noise” paddles showed that the latter had an average noise emission that was 11.5 dBA  $L_{eq}$  than the former. Using quieter paddles reduced the noise by about 93 percent.

The proposed project will have 16 pickleball courts. Assuming a maximum of four players per court, as many as 64 players would be active at any given time. The study by Woo (2012) included 32 players. It is reasonable to assume that the noise from 64 players would be about double for the project. The noise emissions would therefore be 72.9 dBA  $L_{eq}$  at 10 feet. Using the same methodology



as was used for the construction noise, but assuming a utilization factor of 1 and a hard ground surface results in an estimated exposure of 28.0 to 31.2 dBA  $L_{eq}$  at the nearest sensitive receivers. This noise is far below ambient levels and would not be noticed. Therefore, impacts from pickleball playing would not be significant, and no mitigation is necessary.

### **Mobile Sources**

A City-commissioned traffic survey on December 20, 2018 measured 5,426 vehicles per day on Avenida La Pata south of Calle del Cerro (City of San Clemente, 2019, Data File 19101050). The traffic study supporting the EIR for the Centennial General Plan (REF) contains ADT estimates for a segment of Avenida La Pata just north of Calle del Cerro. The 2010 and 2035 ADT estimates were 8,573 and 12,000, respectively. The corresponding annual growth rate would be 1.354 percent. Assuming that this rate to the road segment south of Calle del Cerro, the ADT in 2022 would be  $(1.0354)^4 = 5,725$ . The VMT analysis prepared for this project (CWE, 2022, p. 5) estimates that the development will generate a maximum of 827 ADT. This would constitute an increase of about 14 percent. Given the logarithmic nature of the decibel, traffic volume needs to be doubled in order for the noise level to increase by 3 dBA (ICF Jones & Stokes, 2009), the minimum level perceived by the average human ear. A doubling is equivalent to a 100% increase. Because the maximum increase in traffic on any road segment would be far below 100%, the increase in roadway noise experienced at sensitive receivers would not be perceptible to the human ear. Therefore, roadway noise associated with project operation would not expose a land use to noise levels that are considered incompatible with or in excess of adopted standards, and impacts would be less than significant.

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

### **Less than Significant Impact**

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., subway operations, vehicles, machinery equipment, etc.) causing the adjacent ground to move, thereby creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is referred to as groundborne vibration. The peak particle velocity (PPV) or the RMS velocity is usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level, while RMS is defined as the square root of the average of the squared amplitude of the level. PPV is typically used for evaluating potential building damage, while RMS velocity in dB is typically more suitable for evaluating human response.

The background vibration velocity level in residential areas is usually around 50 vibration decibels (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for most people. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.



**Construction Vibration**

Construction activities for the project have the potential to generate low levels of groundborne vibration. The operation of construction equipment generates vibrations that propagate through the ground and diminish in intensity with distance from the source. Vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance).

Pile drivers or other major vibration sources will not be used for the renovation of the Richard T. Steed Memorial Park. The question is whether the equipment that will be deployed will have significant vibration impacts. The FTA (2018) has published standard vibration levels for construction equipment operations, at a distance of 25 feet. The construction related vibration levels for the nearest sensitive receivers for major construction phases are shown in **Table 4.13-9**. These calculations were based on the distances from the construction activity to the closest sensitive receivers. The smallest distance from construction activity to a sensitive receiver is 101 feet. For loaded trucks, this distance is 314 feet.

**Table 4.13-9  
VIBRATION LEVELS OF TYPICAL CONSTRUCTION EQUIPMENT**

Equipment	PPV at 25 feet (in/sec)	Vibration Decibels at 25 feet (VdB)	PPV at 101 feet (in/sec) <sup>a</sup>	Vibration Decibels at 101 feet (VdB) <sup>a</sup>	PPV at 314 feet (in/sec) <sup>a</sup>	Vibration Decibels at 314 feet (VdB) <sup>a</sup>
Loaded trucks	0.076	86			0.0047	53
Large bulldozer	0.089	87	0.01916	69		
Small bulldozer	0.003	58	0.00065	40		

Source: FTA, 2018 and UltraSystems, 2022.

<sup>a</sup>Distance for loaded trucks is 314 feet.

As shown in **Table 4.13-9**, the PPV of construction equipment at the nearest sensitive receiver (101 feet) is at most 0.01916 inch per second, which is less than the FTA damage threshold of 0.12 inch per second PPV for fragile historic buildings. The maximum VdB are 69 VdB, which are below the FTA threshold for human annoyance of 80 VdB. Unmitigated vibration impacts would therefore be less than significant.

**Operational Vibration**

The project involves the operation of a park and would not involve the use of stationary equipment that would result in high vibration levels, which are more typical for large manufacturing and industrial projects. Groundborne vibrations at the project site and immediate vicinity currently result from heavy-duty vehicular travel (e.g., refuse trucks and transit buses) on the nearby local roadways, and the project would not result in a substantive increase of these heavy-duty vehicles on the public roadways. Therefore, vibration impacts associated with operation of the project would be less than significant.





- j) 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?

**No Impact**

The closest active public airport is the John Wayne Airport, located approximately 21.8 miles north of the project site (Google Earth Pro, 2021). The project site is located outside of the airport's influence area boundary and noise contours (OC Air, 2021). Therefore, no impact related to the exposure of people residing or working in the proposed project area to excessive airport-related noise levels is anticipated.



**4.14 Population and Housing**

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

**a) Would the project induce substantial unplanned growth in an area either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?**

**No Impact**

Existing and forecasted demographic data for the City of San Clemente for 2016 and 2045 are shown below in **Table 4.14-1**. The population in the city is forecast to increase by approximately 9.18 percent and the number of households by 9.53 percent, and employment is forecast to increase by 9.20 percent during that period.

**Table 4.14-1  
CITY OF SAN CLEMENTE DEMOGRAPHIC GROWTH FORECAST**

	2016	2045	Difference (2045 - 2016)	Percent Difference (2045 - 2016)
Population	65,900	69,600	5,704	9.18%
Households	24,200	25,400	1,200	9.53%
Employment	28,600	31,100	2,500	9.20%

Sources: (SCAG-DGF, 2020)

The proposed project would not induce any direct population growth, given that the project is an update to the Richard T. Steed Memorial Park Master Plan. The project would not directly or indirectly impact unplanned growth in an area because it does not propose any new homes or businesses and does not create or extend any roads or other infrastructure. The project would have no impact on unplanned population growth in the area.

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

**No Impact**

No housing exists onsite and no persons reside on the project site. Therefore, the project would not displace any existing housing or people, and the project would not necessitate the construction of replacement housing elsewhere. The project would have no impact on existing housing.



**4.15 Public Services**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, 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	

**a) Fire protection?**

**Less than Significant Impact**

Existing fire protection and emergency medical services are available to the project, and would be provided by the Orange County Fire Authority (OCFA). The OCFA provides rescue, fire prevention, fire investigation, hazardous materials response, public information/education, paramedic and ambulance transport services. There are three OCFA fire stations in the City. Station #59, located at 59 Avenida La Pata is nearest the project site, approximately 2 miles northwest and a four-minute drive time from the project. The OCFA San Clemente 2021 Fourth Quarter update indicates 5,409 incident responses throughout 2021 for the City of San Clemente service population of 65,975 (San Clemente, 2022c, d, e) (Google Earth Pro, 2022a). While not strictly population driven, this would indicate an OCFA incident response-to-population ratio of approximately 0.08, or approximately one incident per 12.1 persons. The project does not propose development of new housing or commercial properties and would not increase the resident population and therefore would not affect the population-based OCFA response demands.

Further, the subject site would be redeveloped with contemporary recreational and fitness facilities. Development of the project would therefore not result in or cause substantively different or increased demands on fire protection services than have historically occurred. Nonetheless, implementation of the project could incrementally increase demands for fire protection services and would contribute cumulatively to demands for fire protection services within the City and region. As means of offsetting these increased demands for services, the project would be designed and constructed consistent with applicable City and OCFA requirements. The project would be required to comply with agency-specific criteria outlined in the Project Conditions of Approval. Compliance with these Conditions of Approval and subsequent OCFA requirements is identified through the City's final site plan and plan check/building permit review processes. Compliance with these requirements would further reduce potential demands for, and impacts upon, fire department and emergency response services. Based on the preceding, the potential for the project to result in the





need or requirement for new physical facilities for fire protection services, the construction of which would result in potentially significant environmental impacts, is less than significant.

**b) Police protection?**

**Less than Significant Impact**

Police protection services for the project site and vicinity properties are currently provided under contract by the Orange County Sheriff's Department (OCSD). The City of San Clemente Police Station (located at 910 Calle Negocio, San Clemente) is approximately 1.8 miles east and a five-minute drive time from the project site (Google Earth Pro, 2022b). The OCSD provides the following Sheriff staffing to the City of San Clemente to provide police protection services:

- Patrol Services: Five Sergeants, 30 Patrol Deputies, two Traffic Deputies, one School Resource Deputy, three Community Services Officers.
- Investigative Services: Four General Investigators.
- Support Services: Two Office Specialists, one Crime Prevention Specialist.

The OCSD provides law enforcement services that include patrol, investigations, traffic enforcement, community support, drug education, parking control, and crime prevention. For a resident population of 65,975, this would translate to a service ratio of 0.73 police personnel per 1,000 residents. The project does not propose development of new housing or commercial properties and would not increase the resident population and therefore would not affect sworn personnel/population service ratios. (City of San Clemente, 2022c, f). The OCSD San Clemente operations are funded mostly through the general fund (City of San Clemente, 2020b, p 119).

Further, the subject site would be redeveloped with compatible recreational and fitness facilities that would enhance the existing facilities. Development of the project would therefore not result in or cause substantively different or increased police protection services than have historically occurred. Nonetheless, implementation of the project could incrementally increase demands for police protection services and would contribute cumulatively to demands for police protection services within the City of San Clemente and region. For recreational/fitness facilities such as those proposed by the project, provision and maintenance of adequate police protection services is realized through a combination of project site and facility designs that incorporate appropriate safety and security elements and adequate law enforcement funding.

The project would be required to comply with agency-specific criteria outlined in the project Conditions of Approval. Compliance with these Conditions of Approval and subsequent OCSD requirements is identified through the City's final site plan and plan check/building permit review processes. Compliance with these requirements would further reduce potential demands for, and impacts upon, police protection services. Based on the preceding, the potential for the Project to result in the need or requirement for new physical facilities for police protection services, the construction of which would result in potentially significant environmental impacts, is less-than-significant.



c) **Schools?**

**No Impact**

The project site is in the Capistrano Unified School District (CUSD), which serves all of the City of San Clemente. The CUSD operates thirty-three elementary schools (K-5), three K-8 schools, ten middle schools (6-8), six comprehensive high schools, five charter schools and eight alternative education schools/programs (CUSD, 2022a). **Demand for school facilities is generated by the number of residential and commercial properties in the schools' attendance boundaries. The project does not propose development of new housing. Therefore, no impact on schools would occur.**

d) **Parks?**

**No Impact**

The City of San Clemente Beaches, Parks and Recreation Department oversees the use of 324 acres of recreational space including 23 parks, 25.9 miles of hiking trails and two miles of public beaches, as well as a 133-acre golf course (San Clemente, 2022a). Demand for park & recreation facilities is generated by the number of residential and commercial properties within the City of San Clemente boundaries. The project does not propose development of new residential or commercial properties. Therefore, no impact on parks would occur.

e) **Other Public Facilities?**

**Less Than Significant Impact**

**Library**

Library services for San Clemente residents are provided by Orange County Public Libraries (OCPL). OCPL is a dependent special district governed by the Orange County Board of Supervisors, with thirty-four libraries and support facilities distributed throughout the County. A professional-technical library staff operates the libraries under the direction of a unified management team. Library Advisory Board members represent the jurisdictions that are a part of the system, and various "friends" organizations and volunteers support specific libraries within individual communities. Property tax is the primary funding source for OCPL, with approximately 86 percent of all OCPL revenue derived from this source. (City of San Clemente, 2022b)

Demand for library facilities is generated by the number of residential properties within the City of San Clemente boundaries. The project does not propose development of new residential or commercial properties. Therefore, no impact on libraries would occur.

**Hospitals**

The nearest hospital to the project site is Providence Mission Hospital Mission Viejo at 27700 Medical Center Rd, Mission Viejo, about 14 miles northwest of project site, a 504-bed facility that includes an emergency department (Providence, 2022). The project is located in and serves a mixed commercial and residential area away from any tourist attractions such as the beach, so additional demand on hospitals is unlikely to occur. Adequate hospital facilities are present in the project region for project residents, and project development would not require construction of new or expanded hospitals. Impacts would be less than significant.



**4.16 Recreation**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				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	

**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?**

**No Impact**

The City of San Clemente Beaches, Parks and Recreation Department oversees the use of 324 acres of recreational space including 23 parks, 25.9 miles of hiking trails and two miles of public beaches, as well as a 133-acre golf course (San Clemente, 2022a). The city’s park acreage standard is 10.55 acres (ac) of developed public park land per 1,000 residents, which is further defined as Mini Parks at 0.05 ac/1,000, Neighborhood Parks at 2.0 ac/1,000, Community Parks at 5.0 ac/1,000 and Regional Parks at 3.5 ac/1,000.

The project is itself a public community park (larger than 10 acres) operated by the City of San Clemente. Other existing parks within one mile of the project site are:

- **Talega Park** at 179 Corte Cristianitos, San Clemente, which spans 5.35 acres. Facilities include baseball/softball field, basketball court, BBQ/fire ring, children's play area, drinking fountain, multi-purpose/soccer field, picnic tables and restrooms. (San Clemente, 2018a p61, San Clemente, 2022g)
- **Rancho San Clemente Park** at 150 Calle Aguila, San Clemente, which spans 6.46 acres. Facilities include Basketball Court, BBQ/Fire Ring, Children's Play Area, Drinking Fountain, Picnic Tables, Restrooms, Volleyball Court. (San Clemente, 2018a p61, San Clemente, 2022g)

Demand for parks is generated by the population in the parks’ service areas. The project would consist of: (1) improvements to existing park feature improvements; (2) construction of various new park structures and features, including the relocation onsite of various park features (i.e., dog park); (3) utilities improvements; and (4) project site amenities (including structures, trellis, stairs) and onsite landscaping. The project does not add population; hence citywide demand for parks is not





increased. Therefore, there would be no adverse impact on the use of existing neighborhood and regional parks or other recreational facilities.

- 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?**

**Less than Significant Impact**

As detailed in the discussion above, the project consists of a series of improvements to the existing park. These improvements are not anticipated to have an adverse physical effect on the environment, even though they include construction of the park/recreational facilities. Therefore, the project would have a less than significant impact.



**4.17 Transportation and Traffic**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			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	

The following analysis is based upon the **Traffic Study** conducted by CWE, dated August 2022, for the proposed project. A complete copy of the study can be found in **Appendix H** of this IS/MND.

**a) Would the project conflict with a program plan, ordinance or policy addressing circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less than Significant Impact**

The main access to the Richard T. Steed Memorial Park is off Avenida La Pata, via a road which is oriented in a north-south direction. At the entrance there is a gate with a 40-foot driveway, which is stop controlled and closed during non-operational hours. Avenida La Pata dead-ends with a U-turn provided to go back on Avenida La Pata at Calle Extremo Road, approximately 800 feet to the east of the park entrance. Calle Extremo Road, which runs below the grade of the park along its eastern edge, is not accessible from Avenida La Pata.

The Rancho San Clemente Bike Trail, a 3.5-mile moderate to difficult path, is directly accessible from Richard T. Steed Memorial Park, and Avenida La Pata provides a Class 2 bike facility (bike lane) near the project site. Orange County Transit Authority (OCTA) provides public transit services in San Clemente; the nearest OCTA Route, #1, connects between San Clemente and Cal State Long Beach, running along Pacific Coast Highway in San Clemente, about three miles from the project site.

**Applicable Plans, Ordinances, and Policies**

**Statewide Transportation Improvement Program (STIP)**

The Statewide Transportation Improvement Program (STIP) is a multi-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from



the State Highway Account and other funding sources. The proposed project development is not a transportation project and would not conflict with the STIP.

Orange County Long-Range Transportation Plan

The Long-Range Transportation Plan (LRTP) is a 20-year blueprint for transportation improvements in Orange County. It helps Orange County Transit Authority (OCTA) look ahead and identify the projects to improve countywide mobility based on increased population, housing and employment. The LRTP acts as local input for the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) developed by the Southern California Association of Governments (SCAG). The LRTP is developed every four years, with the most recent plan having been completed and adopted in 2018. The 2022 plan is currently in development. The proposed project would not conflict with the LRTP.

Orange County Measure M (OC Go)

Originally passed by voters as Measure M and rebranded as OC Go in 2017, OC Go authorizes a half-cent sales tax to fund a variety of transportation projects in the County. The measure created transportation improvement projects in regard to freeways, streets and roads, transit, and environmental programs. The proposed project would not impede any OC Go projects and would not conflict with OC Go.

City of San Clemente General Plan – Mobility and Complete Streets Element

On February 4, 2014, the City updated its General Plan, titled as the "Centennial General Plan" to recognize San Clemente’s centennial celebration in 2028. The General Plan provides goals and policies to guide the City towards its vision through this milestone year.

The Mobility and Complete Streets Element has several goals and policies that are applicable to the proposed project. Refer to **Table 4.17-1** below, which lists the applicable policies and how the proposed project would comply.

**Table 4.17-1**

**PROJECT COMPLIANCE WITH CITY OF SAN CLEMENTE GENERAL PLAN POLICIES REGARDING MOBILITY AND COMPLETE STREETS**

General Plan Element	Project Compliance
<b>Primary Goal</b> <b>Create a comprehensive, multimodal transportation system that provides all users with safe connections to homes, commercial centers, job centers, schools, community centers, open spaces, recreation areas and visitor destinations.</b>	
<b>Policy M-1.05. Development project impacts.</b> We require development projects to analyze potential off-site traffic impacts and related environmental impacts through the CEQA process and to mitigate adverse impacts to less-than-significant levels.	Per CEQA, this IS/MND analyzes potential off-site traffic impacts and related environmental impact and mitigates adverse impacts to less-than-significant levels.





General Plan Element	Project Compliance
<p><b>Policy M-1.26 Major and Minor Scenic Corridors.</b> We require that Avenida La Pata [the access roadway to the project site] be maintained and preserved as major or minor scenic corridor with key entry points.</p>	<p>The proposed project would maintain Avenida La Pata as a scenic corridor.</p>
<p><b>Policy M-1.30. Protection of Scenic Corridors.</b> We ensure that development is sited and designed to protect scenic corridors and open space/landscape areas by blending man-made and man-introduced features with the natural environment.</p>	<p>The project protects the scenic corridor and open space/landscape area by blending man-made and man-introduced features with the natural environment.</p>

Source: City of San Clemente General Plan

As detailed above, the proposed project would not conflict with any applicable policies from the city’s General Plan addressing circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, the project would have a less than significant impact in this regard.

**Project Trip Generation**

Future trip generation has been estimated based on the number of employees provided by the City for weekdays and weekend (Saturday only). After addition of the proposed improvements, project operation is estimated to generate 489 to 734 trips on Saturday, 551 to 827 trips on Sunday, and 119 trips during weekdays.

**Vehicle Miles Traveled (VMT)**

As stated in the Traffic Report, the project has less than significant VMT as it is deemed an essential land use in accordance with the set criteria and screening. It is assumed to have negligible impact upon the city VMT per CEQA guidelines for non-retail uses. The public park expansion is necessary as a local in-person community service and assists to reduce the VMT, given that the trips are from residents and the trips will be made irrespective of the distance, considering the need for recreational activities.

Therefore, the project VMT impact will be less than significant. No mitigation is needed.

**b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)**

**Less than Significant Impact**

CEQA Guidelines section 15064.3(b) pertains to the use of Vehicle Miles Traveled (VMT) as a method of determining the significance of transportation impacts. The VMT analysis in the Traffic Report as summarized above in **Section 4.17.a** satisfies requirements under CEQA Guidelines section 15064.3(b). As described above, project trip generation would be deemed an essential land use in accordance with the set criteria and screening. It is assumed to have negligible impact upon the city



VMT per CEQA guidelines for non-retail uses. Therefore, the project VMT impact will be less than significant. No mitigation is needed.

- c) Would the project 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 proposed project would not alter the surrounding roadways. Vehicular access to the project would be provided by the existing access roadway off Avenida La Pata. The intersection of the access road with Avenida La Pata is perpendicular and would not cause hazards due to a geometric design feature. The project's circulation system, including driveways and parking areas, would be designed to meet the development standards of the city and would not result in uses or design features that would create traffic hazards. Therefore, impacts regarding increases in hazards due to geometric design features or incompatible uses would be less than significant.

- d) Would the project result in inadequate emergency access?**

Less than Significant Impacts

**Construction**

Project construction will be within the boundaries of Richard T. Steed Memorial Park and will not involve temporary closure of any lane in Avenida La Pata. Thus, such construction will not impede emergency response to the project site or nearby properties, nor will it create traffic hazards. Impacts would be less than significant.

**Operation**

The project would comply with applicable city regulations, such as the requirement to comply with the city's fire code to provide adequate emergency access, as well as the California Building Standards Code. The City of San Clemente would review project site plans, including location of all buildings, fences, access driveways and other features that may affect emergency access. The site design includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight-distance requirements would be in accordance with all applicable design requirements. The city's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided. Therefore, the project would not result in inadequate emergency access and there would be less than significant impacts.



**4.18 Tribal Cultural Resources**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource 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 § 5020.1(k)?				X
b) Cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?		X		

Information from UltraSystems Phase I Cultural Resources Inventory, dated October 19, 2022, for the proposed Richard T. Steed Memorial Park/Baron Von Willard Dog Park project (refer to **Appendix D1**) is included in the analysis below.

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource 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 § 5020.1(k)?**

**No Impact**

No traditional cultural sites are documented within a 0.5-mile buffer of the project boundary in the Native American Heritage Commission’s (NAHC) Sacred Lands File (SLF) search. No resources as defined by Public Resources Code § 21074 have been identified (refer to Attachment C: “Native American Heritage Commission Records Search and Native American Contacts” in **Appendix D1** to this IS/MND). Additionally, the project site has not been recommended for historic designation for prehistoric and tribal cultural resources (TCRs). No specific tribal resources have been identified by local tribes responding to inquiries for the Cultural Resources Inventory.

No prehistoric archaeological resources were observed during the archaeological field survey conducted September 10, 2022 by Stephen O’Neil, M.A., RPA as part of the cultural resources investigation (see **Section 4.3, Appendix D1**). The results of the pedestrian assessment indicate that it is unlikely that prehistoric resources will be adversely affected by construction of the project given the heavily disturbed condition of the ground surface. The cultural resource records search at the SCCIC (the local California Historic Resources Information System facility) on October 4, 2022 indicated that there are no prehistoric or historic sites on the project parcel (Section 4.1 in **Appendix D1**).



No tribal cultural resources onsite are 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 § 5020.1(k). Therefore, the project would have no impact in this regard.

- b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?**

**Less than Significant Impact with Mitigation Incorporated**

Assembly Bill 52 (AB 52) requires meaningful consultation with California Native American Tribes on potential impacts on TCRs, as defined in Public Resources Code § 21074. TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources (CNRA, 2007).

As part of the AB 52 process, Native American tribes must submit a written request to the lead agency to be notified of projects within their traditionally and culturally affiliated area. The lead agency must provide written, formal notification to those tribes within 14 days of deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receiving this notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe’s request. Consultation concludes when either (1) the parties agree to mitigation measures to avoid a significant effect on a tribal cultural resource, or (2) a party, acting in good faith and after reasonable effort, concludes mutual agreement cannot be reached.

The City of San Clemente’s Department of Beaches, Parks & Recreation (the Lead Agency) has initiated AB 52 outreach to local tribes for the project (Personal communication, S. Wylie, 2022.). The Lead Agency prepared and sent letters the week of August 6, 2022 from Samantha Wylie, Beaches, Parks & Recreation Director, to the several tribes on their list for AB 52 contact, informing them of the project (see below).

- Juaneño Band of Mission Indians – Acjachemen Nation - Belardes
- Juaneño Band of Mission Indians (S. Johnson)
- Pechanga Band of Mission Indians
- Juaneño Band of Mission Indians Acjachemen Nation 84A (Lucero)
- Santa Rosa Band of Mission Indians
- La Jolla Band of Luiseño Indians
- Pala Band of Mission Indians
- Pauma Band of Luiseño Indians – Pauma & Yuima Reservation
- Soboba Band of Luiseño Indians
- Rincon Band of Luiseño Indians
- San Luis Rey Band of Mission Indians

The letters were sent via certified mail and via email. The letters conveyed that the recipient has 30 days from the receipt of the letter to request AB 52 consultation regarding the project. Within the 30-day noticing period for AB 52 consultation, there was a response from the Juaneño Band of Mission Indians – Belardes, from Joyce Perry requesting consultation. There were no other requests for consultation. (Personal communication, S. Wylie, 2022a.)

The Juaneño Band requested to be informed of potential cultural resource mitigation measures and a copy of the cultural resources inventory report when completed (Personal communication, S. Wylie,





## ❖ SECTION 4.18 – TRIBAL CULTURAL RESOURCES ❖

2022b.). A copy of the cultural resources report was sent to Ms. Wylie on November 1, 2022 to provide to the Band for review. A meeting with the Juaneño Band is pending. Consultation with the Juaneño Band was conducted .... resulting in .... [this paragraph is a place holder and will be revised with information from the BP&R department].

The Native American Heritage Commission’s SLF search was negative for traditional sites in the surrounding area. No resources as defined by Public Resources Code § 21074 have been identified (refer to Attachment C: “Native American Heritage Commission Records Search and Native American Contacts” in **Appendix D1** to this IS/MND). Additionally, the project site has not been recommended for historic designation for prehistoric and TCRs. No specific tribal resources have been identified by contacted local tribes.

No prehistoric or archaeological resources were observed during the field survey. Results of a records search at the SCCIC regarding results of previous cultural resources surveys were negative for the project parcel.

The past singular use of the project site for cattle grazing into the late 20<sup>th</sup> century suggests that original ground on the project site had been minimally disturbed through that time. However, with the extensive grading of the entire park that took place during its initial development, there is no native surface soil remaining. The cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and buffer zone, a search of the SLF by the NAHC, and pedestrian field survey, suggests there is a low potential for undisturbed unique archeological resources existing on the project site.

[A potential **TCR-1** will be prepared pending outcome of tribal consultation recommendations. The following **TCR-2** and **TCR 3** are standard mitigation measures requested by local tribes, but may be revised following the results of consultation.] The project proposes grading and trenching. Such activities associated with development of the project would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unexpected discovery, implementation of mitigation measures **TCR-2** dealing with associated funerary objects and **TCR-3** dealing with human remains are recommended to ensure that impacts related to the accidental discovery of human remains would be less than significant.

### Mitigation Measures

- MM TCR-1:** [To Be Determined.] Mitigation measure **TCR 1** is yet to be determined, and if needed will be added following AB 52 consultation.
- MM TCR-2:** Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. If funerary objects are discovered during grading or archeological excavations, they shall be treated in the same manner as bone fragments that remain intact and the construction contractor and/or qualified archeologist shall consult with the local requesting tribe(s).



## ❖ SECTION 4.18 – TRIBAL CULTURAL RESOURCES ❖

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**MM TCR-3:** As specified by California Health and Safety Code § 7050.5, if human remains are found on the project site during construction or during archaeological work, the Orange County Coroner’s office shall be immediately notified and no further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. The Coroner would determine within two working days of being notified, if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent.

### **Level of Significance After Mitigation**

With implementation of **MM TCR-1**, potential project impacts on TCRs would be less than significant. With implementation of Mitigation Measures **MM TCR-2** and **MM TCR-3**, the proposed project would result in less than significant impacts to human remains and associated funerary objects.



**4.19 Utilities and Service Systems**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			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	

**a) Would the project require or result in the Utilities and Service Systems of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

**Wastewater Treatment and Conveyance** – The City of San Clemente owns and operates its water treatment plant, located within the city. The wastewater service area tributary to the San Clemente Water Reclamation Plant (San Clemente WRP) is approximately 14.3 square miles. This service area represents approximately 84 percent of the total 17.1 square miles incorporated area of the City of San Clemente (San Clemente, 2019c. p. 2-1). Wastewater service within the remaining portions of the



## ❖ SECTION 4.19 - UTILITIES AND SERVICE SYSTEMS ❖

City of San Clemente is provided by the South Coast Water District (SCWD) and Santa Margarita Water District (SMWD)(San Clemente, 2022a. p. PS-7).

The sewer service area tributary to the San Clemente WRP consists of seven topographic drainage areas. Wastewater collected from the seven drainage regions is transported via gravity and force mains to two central pump stations where the wastewater is lifted to the San Clemente WRP for treatment. A portion of the San Clemente WRP wastewater receives tertiary treatment. Tertiary-treated recycled water from the San Clemente WRP is transported to irrigation reuse sites within the City via a force main network under requirements established in Regional Water Quality Control Board (RWQCB) Order No. R9-2003-0123, as modified by Order No. R9-2012-0026. The remaining portion of the San Clemente WRP wastewater receives secondary treatment and is discharged via a land outfall to the South Orange Coast Wastewater Authority (SOCWA) ocean outfall for ocean disposal under requirements established in RWQCB Order No. 2012-0012 (NPDES CA0107417) (San Clemente, 2019c. p. 2-1). There is sufficient capacity to treat wastewater and any impacts in regard to water treatment and conveyance would be less than significant.

**Domestic Water** - San Clemente's domestic water is a blend of surface water imported by the Metropolitan Water District of Southern California (MWDSC) and local groundwater. MWDSC sources for imported water are the State Water Project (SWP), which draws water from the Sacramento-San Joaquin Delta, and the Colorado River. Typically 82 percent of the total water supply for San Clemente is imported. Drinking water (potable water) is purchased from the MWDSC and travels hundreds of miles to Southern California from two sources. First is water from the Colorado River Basin at Lake Havasu is delivered through the Colorado River Aqueduct (CRA), and second is water from the State Water Project (SWP) is delivered from Northern California through the California Aqueduct (San Clemente, 2021b).

Additionally, nearly 16 percent of the total water supply comes from the city's water reclamation plant that treats wastewater while also producing recycled water for irrigation. It delivers approximately 1,400 acre-feet of recycled water per year for irrigation to 53 sites in the city that might otherwise rely on potable water. These customers are primarily homeowner associations and business parks, city parks, schools, and traffic medians. Recycled water provides a new source of supply and reduces the City's reliability on imported water from the Metropolitan Water District (San Clemente, 2021b).

In 2021, the City's groundwater treatment plant was taken offline to complete a rehabilitation project to improve system reliability and performance. Groundwater was not a source of supply in 2021. Beginning in 2017, the city began to receive water from the Irvine Ranch Water District (IRWD) processed through the Baker Water Treatment Plant as an additional source of water to further ensure a constant water supply to its customers (San Clemente, 2021). With sufficient capacity to supply the needs of residents and park users, any impacts in regard to domestic water services would be less than significant.

**Fire Water** - The city adopted the California Fire Code, with some amendments and modifications, as part of the San Clemente Municipal Code known as the San Clemente Fire Code (San Clemente, 2019a). Fire Code requirements specify that all fire service features for buildings, structures, and premises shall comply with the San Clemente Fire Code. (San Clemente, 2019a).

San Clemente Fire Code 2808.12 mandates that facilities with over 2,500 cubic feet shall provide a fire water supply. The minimum fire flow shall be no less than 500 GPM @ 20 psi for a minimum of 1-hour duration for pile heights up to six feet and 2-hour duration for pile heights over six feet. If





## ❖ SECTION 4.19 - UTILITIES AND SERVICE SYSTEMS ❖

there is no water purveyor, an alternate water supply with a storage tank(s) shall be provided for fire suppression. The water supply tank(s) shall provide a minimum capacity of 2,500 gallons per pile (maximum 30,000 gallons) for piles not exceeding six feet in height and 5,000 gallons per pile (maximum 60,000) for piles exceeding six feet in height. Water tank(s) shall not be used for any other purpose unless the required fire flow is left in reserve within the tank at all times. An approved method shall be provided to maintain the required amount of water within the tank(s) (San Clemente, 2019a. p. 68). Therefore, any impacts in regard to fire water flow would be less than significant.

**Water Treatment** – As discussed in **Section 4.10 b)**, the proposed project is within the service area of the Metropolitan Water District of Southern California (MWDSC). Water from the Colorado River Basin at Lake Havasu is delivered through the Colorado River Aqueduct and water from the State Water Project comprises the majority of the water supply for the MWDSC service area. A small fraction of the water supply comes from two local wells and is added to the total potable water supply of the service area. In 2017, the city began to receive water from the Irvine Ranch Water District (IRWD) processed through the Baker Water Treatment Plant as an additional water source (San Clemente, 2021b).

In San Clemente, all of the water used that goes down the drains or into the sewage collection system is considered wastewater. Wastewater in the City of San Clemente's service area is treated through five different processes:

1. Preliminary Treatment – Removes grit, rags, and other inorganic heavy debris.
2. Primary Settling – Settles the heavier organic solids.
3. Aeration (Activated Sludge) – Aerobic bacteria consume smaller organics called suspended solids (SS) or biological oxygen demand (BOD).
4. Secondary Settling – Settles out microorganisms in the activated sludge that consumed the suspended solids.
5. Tertiary Filtration – Filters out remaining waste particles through sand filtration.

Through these five treatment processes, the city is capable of producing approximately 5.0 million gallons of reclaimed water to be used for irrigation and treatment plant processes (San Clemente, 2022i). Therefore, any impacts in regard to waste treatment would be less than significant.

**Stormwater** – As discussed in **Section 4.10 a)**, under existing conditions, stormwater generated on the project site drains to the north and east/northeast and enters an existing storm drain inlet in the cul-de-sac at the eastern termination of Avenida La Pata. This storm drain feeds into an unnamed drainage that heads east from the northeast corner of the Biological Study Area (BSA) and discharges into Cristianitos Creek, which is approximately 0.7 miles east of the BSA. Cristianitos Creek is a tributary of San Mateo Creek (USEPA, 2022c).

Pursuant to the Model Water Quality Management Plan, a project-specific preliminary Water Quality Management Plan (WQMP) will be prepared for the proposed project. The MS4 and the Model Water Quality Management Plan require the implementation of Low Impact Development (LID) features to ensure that most stormwater runoff is treated and retained onsite. The project WQMP will include structural and non-structural BMPs (Orange County Public Works, 2011). Therefore, any impacts in regard to stormwater would be less than significant.

**Electric Power:** Electric power for the City of San Clemente is provided by San Diego Gas and Electric (SDG&E). The proposed project is in a developed area, and the infrastructure for providing electric



## ❖ SECTION 4.19 - UTILITIES AND SERVICE SYSTEMS ❖

power to the area and the project site is well established. San Diego Gas and Electric provides electricity to and maintains a distribution network for San Clemente (San Clemente, 2022a. p. PS-15). Lighting used during project construction would comply with Title 24 standards/requirements (such as wattage limitations). This compliance would ensure that electricity use during project construction would not result in the wasteful, inefficient, or unnecessary use of energy. Lighting during project operations would comply with applicable federal, state, and local requirements for energy efficiency, including Title 24 standards, the General Plan, and the City of San Clemente Climate Action Plan. Therefore, any impacts in regard to electric power would be less than significant.

**Natural Gas:** The proposed development would be all-electric and no impacts on natural gas supplies or natural gas distribution infrastructure would occur. Therefore, there are no impacts with regard to natural gas.

**Telecommunications Facilities:** Telephone, television, and internet services are offered by a variety of providers in San Clemente, including Xfinity, Cox Communications, Spectrum, and others. These services are privately operated and offered to each location in San Clemente for a fee defined by the provider (Smartmove, 2022). The project would not interfere with the operation of telecommunications facilities. Therefore, any impacts in regard to telecommunications facilities would be less than significant.

**b) Would the project 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 City meets its demands with a combination of imported water, local groundwater, and recycled water. The city works together with three primary agencies, the Metropolitan Water District of Southern California (MWD), Municipal Water District of Orange County (MWDOC), and Joint Regional Water Supply System (JRWSS) to ensure a safe and reliable water supply that will continue to serve the community in periods of drought and shortage. The sources of imported water supplies include water from the Colorado River and the State Water Project (SWP) provided by MWD and administered through MWDOC.

It is projected that by 2045, the City's water supply portfolio will change to approximately 66 percent imported water from MWD/MWDOC, 15 percent recycled water, 14 percent purchased water from TCWD, and 6 percent groundwater. Due to rounding, the percentages total slightly more than 100 percent. Note that these representations of supply match the projected demand. However, the city can purchase more MWD water through MWDOC, should the need arise. (San Clemente, 2021b. p. 6-1). Therefore, any impacts in regard to water supply and demands would be less than significant.

**c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

### **Less than Significant Impact**

The Baker Treatment Plant is a 28.1 MGD drinking water treatment plant at the site of the former Baker Filtration Plant in Lake Forest. The facility is operated by IRWD and is a joint regional project by five South Orange County water districts: ETWD, IRWD, MNWD, SMWD, and TCWD, which have



**❖ SECTION 4.19 - UTILITIES AND SERVICE SYSTEMS ❖**

capacity rights of 3.2 MGD, 6.8 MGD, 8.4 MGD, 8.4 MGD, and 1.3 MGD, respectively. In 2017, TCWD entered into a 20-year agreement with the City to sell and deliver a minimum of 1,200 AFY of water treated from the Baker Treatment Plant to the City, with the option to extend the agreement for another 10 years. The plant has multiple water supply sources that increase water supply reliability, including imported untreated water from MWD through the Santiago Lateral and local surface water from Irvine Lake. It provides a reliable local drinking water supply during emergencies or extended facility shutdowns on the MWD delivery system and increases operational flexibility by creating redundancy within the water conveyance system. The facility has supplied South Orange County with high-quality water since it was placed into operation in January 2017. The city began receiving water from Baker Treatment Plant in December 2017 (San Clemente, 2021b. p. 6-11). There would be sufficient capacity available in San Clemente’s water treatment plant to meet the wastewater treatment demands of the project. The existing wastewater treatment facility could accommodate the additional wastewater estimated to be generated by the proposed project. Therefore, the project would have a less than significant impact.

- d) Would the project 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 city contracts with the County of Orange for the collection and disposal of the city’s solid waste (San Clemente, 2016). According to the San Clemente Centennial General Plan Draft EIR, two solid waste facilities accept the vast majority of solid waste from San Clemente. About 85 percent of the solid waste from San Clemente disposed of at landfills was sent to the Prima Deshecha Sanitary Landfill in the City of San Juan Capistrano. The remainder was sent to the Frank R. Bowerman Sanitary Landfill in the City of Irvine. Both facilities are operated by OC Waste & Recycling. Information about the two landfills is summarized in **Table 4.19-3** (The Planning Center/DC&E, 2013).

**Table 4.19-3  
LANDFILL ACTIVITY DETAILS**

<b>Facility &amp; Nearest City/Community</b>	<b>Maximum Permit Capacity<sup>1</sup></b>	<b>Remaining Capacity<sup>1</sup></b>	<b>Maximum Permitted Throughput<sup>2</sup></b>	<b>Estimated Closing Date</b>	<b>Total Acres</b>	<b>Disposal Acreage</b>
Prima Deshecha Landfill	172,100,000	134,300,000	4,000	12/31/2102	1,530	690.60
Frank R. Bowerman	266,000,000	205,500,000	11,500	12/31/2053	725	534
<b>Totals</b>	<b>438,100,000</b>	<b>339,800,000</b>	<b>14,500</b>		<b>2,225</b>	<b>1,224.6</b>

<sup>1</sup>Cubic Yards, <sup>2</sup>Tons per day (2,000 lbs.)

**Sources:** CalRecycle, 2022(a)(b)



## Construction

Project construction would generate solid waste requiring disposal at local landfills. Materials generated during the construction of the project would include paper, cardboard, metal, plastics, glass, concrete, lumber scraps, and other materials. § 4.408 of the 2022 California Green Building Standards Code (CALGreen; California Code of Regulations, Title 24, Part 11) requires that at least 65 percent of the nonhazardous construction and demolition waste from residential construction operations be recycled and/or salvaged for reuse. Project construction would include recycling and/or salvaging at least 65 percent of construction and demolition waste in accordance with the 2022 CALGreen<sup>20</sup> (CALGreen, 2022).

## Operation

The Orange County landfill system has a capacity of over 15 years. The Orange County IWMB has also prepared Regional Landfill Options for Orange County, a 40-year strategic plan to evaluate options for waste disposal for Orange County (Orange County Landfills, 2016). It may be assumed that adequate capacity for the project is available for the foreseeable future. Furthermore, the City of San Clemente has actively pursued programs to comply with federal, state, and local regulations related to solid waste and facilities to minimize impacts from project-generated solid waste (Krout & Associates, 2014). Therefore, impacts are considered less than significant.

**e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

### Less Than Significant Impact

In 1989, the California Legislature enacted the California Integrated Waste Management Act (AB 939), in an effort to address solid waste problems and capacities comprehensively. The law required each city and county to divert 50 percent of its waste from landfills by the year 2000. The city developed a Source Reduction and Recycling Element (SRRE) in 1997 that aims at recycling, composting, special waste disposal, and education and public information programs. (San Clemente, 2022)

Although the City contracts for solid waste and recycling collection services with a private company, the City's contracts, practices, and codes affect solid waste and recycling throughout the community. The City can influence the community to help reduce the creation of solid waste and divert more solid waste away from landfills. Proper management of solid waste and recycling has environmental and economic benefits. Reducing solid waste benefits the environment by decreasing pressure on the landfills serving the region and by decreasing costs associated with the transport, disposal, and recycling of solid waste (San Clemente, 2022a. p PS-13)

Assembly Bill 341 (AB 341; Chapter 476, Statutes of 2011) increases the statewide waste diversion goal to 75 percent by 2020, and mandates recycling for commercial and multi-family residential land uses. The project would include storage areas for recyclable materials in accordance with AB 341.

The proposed project would comply with applicable local, state, and federal solid waste disposal standards; therefore, impacts would be less than significant.

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<sup>20</sup> CALGreen 2022 (2022 California Green Building Standards Code, Title 24, Part 11) will become effective January 1, 2023.





**4.20 Wildfire**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			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 temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

a) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

**Less than Significant Impact**

The project site is not located in a State Responsibility Area (SRA), i.e., where the State is responsible for the costs of wildfire prevention and suppression. The nearest SRA to the project site is in unincorporated Orange County, approximately 0.8 miles to the northeast (see **Figure 4.9-3 in Section 4.9 of this IS/MND**; CAL FIRE, 2020). As shown in **Figure 4.9-2 in Section 4.9**, the project site is located entirely in a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area (LRA), that is, where cities or counties are responsible for the costs of wildfire prevention and suppression.

The City of San Clemente has developed an Emergency Plan for large scale emergencies and disasters which includes wildfires. (San Clemente, 2012) In addition, the Orange County Fire Authority (OCFA) provides Fire protection services under contract to City of San Clemente and has specialist air and ground resources to tackle wildfires. (San Clemente, 2022e)



Project implementation would not block emergency access or hinder emergency evacuation because the project is not on a disaster route (San Clemente, 2012 p68). Therefore, the project would have less than significant Impact in this regard.

- b) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

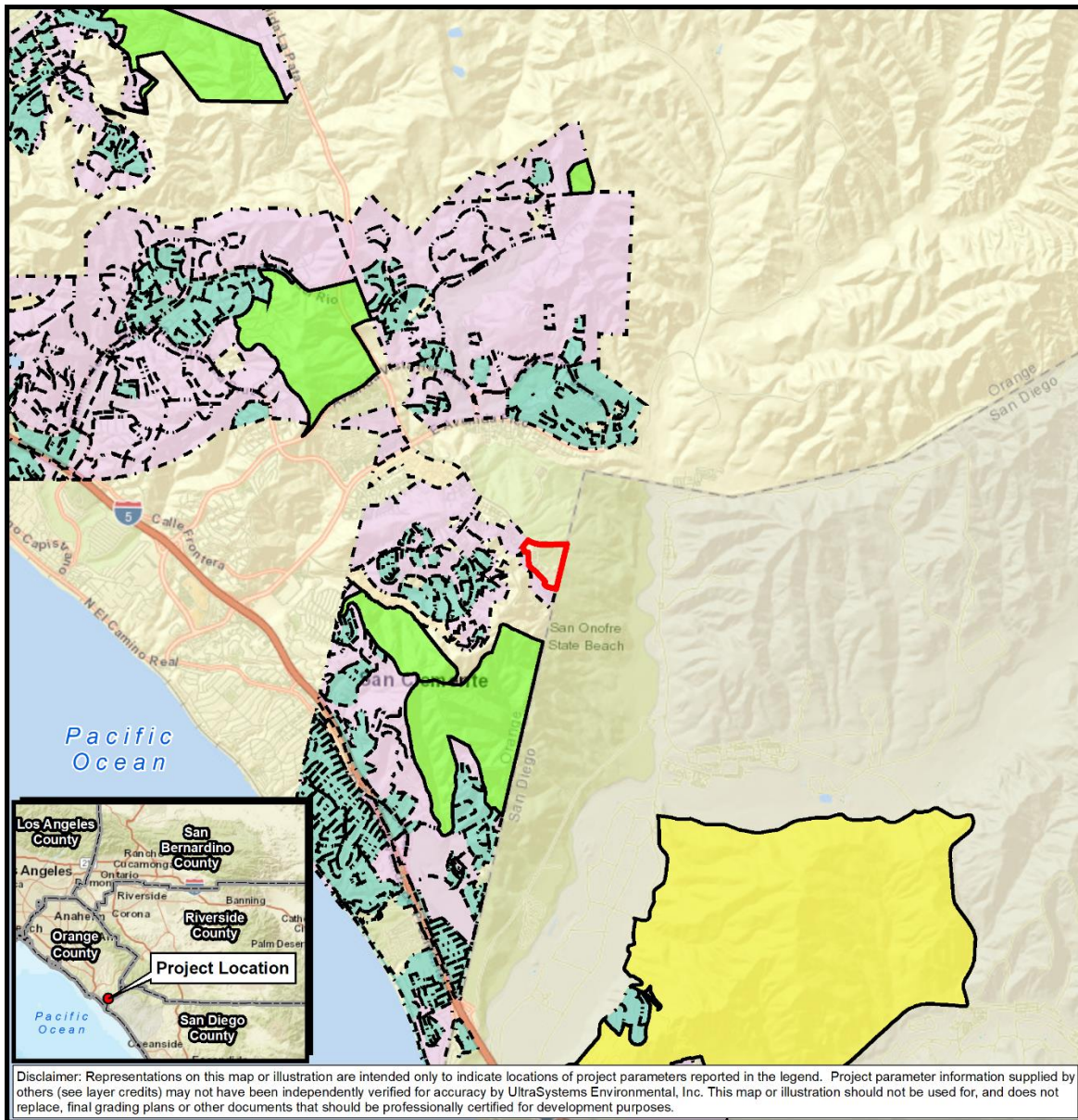
**Less Than Significant Impact**

As indicated in item a) above, the project site is located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project would consist of: (1) improvements to existing park feature improvements; (2) construction of various new park structures and features, including the relocation onsite of various park features (i.e., dog park); (3) utilities improvements; and (4) project site amenities (including structures, trellis, stairs) and onsite landscaping. No significant slopes which could exacerbate wildfire risks are on or near the project site. The most severe fire protection problem in the unincorporated areas is wild-land fire during Santa Ana wind conditions. (City of San Clemente, 2012 p35).

As shown in **Figure 4.20-1** the project is not located in a wildland-urban interface (WUI), but the southwestern border is adjacent to a Wildland Urban Interface (WUI) classified as a medium density/interface. The eastern border of the park is adjacent to Camp Pendleton Marine Corps Base. However, as a public park, the area can be closed as a part of the fire prevention programs undertaken by the City of San Clemente (San Clemente, 2012 p35). The project is an improvement of an existing park and does not add any significant wildfire risk. Thus, the project would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, the proposed project would have less than significant impact in this regard.



**Figure 4.20-1  
WILDLAND URBAN INTERFACE**



July 26, 2022

Scale: 1:63,360



0 0.5 1 Miles

0 1 2 Kilometers

**Legend**

- Project Boundary
- 2010 WUI Flag**
- WUI (1=intermix)
- WUI (2=interface)
- 2010 WUI (Housing/Vegetation)**
- High Density/Interface
- Low Density/Interface
- Low Density/Intermix
- Med Density/Interface
- Med Density/Intermix

**Richard T. Steed  
Memorial Park MPU**  
Wildland-urban interface





- c) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**Less than Significant Impact**

As indicated in item a) above, the project site is located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The OCFA provides fire protection services to the City of San Clemente. Adherence to the California Building Code and Fire Code would reduce impact to less than significant.

- d) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**Less Than Significant Impact**

As indicated in item a) above, the project site is located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The OCFA provides fire protection services to the City of San Clemente. As discussed in **Section 4.7 a) iv**, the risk of landslides is less than significant and **Section 4.10 d)** indicates that the project site is not in a dam inundation area. Additionally, as part of any proposed future project that requires permits for grading, the city will be required to submit a registered civil engineer's report for soils and geology and a structural engineering report for any proposed retaining wall. Therefore, the project site has low potential for landslides and any potential future development of the proposed project would be in compliance with governing City grading and building codes, which would reduce potential project impacts related to potential slope failure to a less than significant impact.





**4.21 Mandatory Findings of Significance**

Would the project have:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		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		

**a) Would 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?**

**Less Than Significant Impact with Mitigation Incorporated**

The project site is located in a relatively-developed area, but the Biological Study Area (BSA) is situated in a general geographic vicinity that supports high levels of native biodiversity, and therefore provides valuable habitat for special-status plant and wildlife species. The project site itself has a sloping topography; elevations in the BSA range from approximately 381 feet to 768 feet above mean sea level (AMSL). The majority of the project site is currently developed with the existing Richard T. Steed Memorial Park (Steed Park) and the Baron Von Willard Dog Park. The project area also contains a parking lot in the western segment of the project area, and some areas of bare or very sparsely



## ❖ SECTION 4.21 – MANDATORY FINDINGS OF SIGNIFICANCE ❖

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vegetated disturbed areas with some landscaped areas containing primarily ornamental vegetation. There are commercial developments and associated paved areas to the west and south, and landscaped areas to the north of the project site, within the BSA. The city has recently completed the conceptual design phase of a site-specific park master plan update for Steed Park.

The project site is currently developed with the existing facilities. The project area includes Richard Steed Memorial Park, associated parking areas, disturbed areas, and ornamental vegetation. There is coastal sage scrub existing within the eastern segment of the 500-foot buffer (BSA). Plant and wildlife species were recorded during the habitat assessment survey and other surveys and these species lists can be viewed in **Appendix C**, *Biological Resources Evaluation*.

As discussed in detail in **Section 4.4**, project construction could cause several potential direct and indirect impacts on the nesting and foraging behavior of birds, including those addressed by the MBTA. Tree removal of all but one of the existing onsite trees would directly impact birds by destroying any nests within those trees. Another potential direct impact would be the conversion of onsite vegetated areas to developed areas; vegetated areas support habitat for foraging and cover. However, impacts due to foraging habitat loss would be less than significant because many alternative foraging areas could be utilized within the general vicinity of the BSA; the BSA is surrounded primarily by undeveloped space containing native vegetation. In addition, the handling of nests or wildlife by work crews while on the project site could cause a direct impact. Noise and dust generated by construction activities and contact with toxic liquids such as oil or gas that leak from machinery which could contaminate soil surfaces or temporary onsite water sources would also indirectly impact the foraging and nesting behavior of birds and other wildlife. Wildlife could come into contact with these contaminated soils or waters either through direct contact or by consumption of prey species that have contacted contaminated soils or waters.

The project site contains numerous trees and shrubs that could potentially provide suitable foraging, nesting, and cover habitats to support a diverse assortment of bird species (year-round residents, seasonal residents, and migrants), including special-status species. In addition, a majority of the birds observed during the field surveys are protected by the Migratory Bird Treaty Act (MBTA) and Fish and Game Code § 3503, § 3503.5, and § 3513. Recommended mitigation measures **BIO-1** through **BIO-13** would reduce potential project impacts on biological resources.

With the implementation of mitigation measures **BIO-1** through **BIO-13**, the proposed project would have less than significant impacts, either directly or through habitat modifications, on special-status plant and wildlife species.

As discussed in detail in **Section 4.5**, the past singular use of the project site for cattle grazing suggests that the original ground on the project site had been minimally disturbed. However, with the extensive grading of the entire park that took place during its initial development, there is no native surface soil remaining. The cultural resources investigation conducted by UltraSystems, which included a California Historical Resources Information System (CHRIS) records search of the project site and buffer zone, a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC), and a pedestrian field survey, suggests there is a low potential for undisturbed unique archeological resources existing on the project site.

The result of the pedestrian survey was negative for both prehistoric sites and isolates. Based on the survey results, in combination with the observed considerable disturbance to the natural topography of the project parcel and the negative findings of the CHRIS records search for cultural resources sites on the property, it is, therefore, determined that there is a low potential for the presence of cultural



## ❖ SECTION 4.21 – MANDATORY FINDINGS OF SIGNIFICANCE ❖

material at the project site and that prehistoric cultural resources would not be adversely affected by subsurface construction work for the project.

However, there is always the potential that further grading and trenching activities would cause new subsurface disturbance and may result in the unanticipated discovery of prehistoric and/or historic archeological resources. Impacts on archaeological resources that may be buried in site soils were determined to be significant without mitigation. Such impacts would be less than significant after the implementation of mitigation measure **CUL-1**. Impacts on human remains that may be buried in site soils were determined to be significant without mitigation. Implementation of mitigation measure **CUL-2** would reduce that impact to less than significant.

- b) Would 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**

In the short term, there would be a potential for cumulative effects on traffic, air quality, and noise if other development projects were implemented concurrently with the project. However, there are no development projects within 0.5 miles of the project site shown on the City of San Clemente Online Development Project Map dated March 31, 2022 (San Clemente, 2022h).

In accordance with CEQA Guidelines §15183, this environmental analysis was conducted to determine if any project-specific effects are peculiar to the project or its site. No project-specific significant effects peculiar to the project or its site were identified that could not be mitigated to a less than significant level. The project would not be growth-inducing and would not generate an increase in population levels or traffic volumes. Mitigation measures incorporated herein, however, mitigate any potential contribution to cumulative impacts associated with these environmental issues. Cumulative projects would be required to prepare the appropriate CEQA and NEPA environmental documentation. Therefore, the proposed project does not have impacts that are individually limited, but cumulatively considerable.

- c) Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

### **Less than Significant Impact with Mitigation Incorporated**

Previous sections of this Initial Study/Mitigated Negative Declaration reviewed the proposed project's potential impacts related to aesthetics, air pollution, noise, public health and safety, traffic, and other issues. As concluded in these previous discussions, the proposed project would result in less than significant environmental impact with the implementation of the recommended mitigation measures. Therefore, the proposed project would not result in environmental impacts that would cause substantial adverse effects on human beings.

Project site clearance, grading, and construction would have potentially significant impacts on sensitive vegetation and wildlife. Implementation of mitigation measures **BIO-1** through **BIO-11** would reduce these impacts to less than significant.

Archaeological resources may be buried in site soils and could be damaged by project ground-disturbing activities. This impact would be significant without mitigation. Implementation of



## ❖ SECTION 4.21 – MANDATORY FINDINGS OF SIGNIFICANCE ❖

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mitigation measure **CUL-1** would reduce this impact to less than significant. Impacts on human remains that may be buried in site soils were determined to be significant without mitigation. Implementation of mitigation measure **CUL-2** would reduce that impact to less than significant.

Fossils could be buried in site soils. Project ground-disturbing activities could damage fossils. Implementation of mitigation measure **GEO-1** would reduce this impact to less than significant.

Project construction would generate noise at nearby residences exceeding the City of San Clemente limits. Given that ambient noise levels in some of the surrounding neighborhoods are quite low, increases in exposure would be noticeable for some sensitive receivers during some construction phases. To ensure that exposures are minimized the implementation of mitigation measures **N-1** through **N-9**, project construction would result in less than significant impacts to sensitive receivers.

Tribal cultural resources could be buried in site soils. Project site grading and project construction could damage such resources. Implementation of mitigation measures **TCR-1** through **TCR-3** would reduce these impacts to less than significant. **ADD IN ADDITIONAL MMS HERE DEPENDING ON THE OUTCOME OF THE CITY'S AB 52 PROCESS WITH THE NATIVE AMERICAN TRIBES. AS OF THE TIME AT WHICH THIS SECTION WAS WRITTEN, THE AB 52 PROCESS WAS STILL IN PROGRESS.**





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## ❖ SECTION 4.21 – MANDATORY FINDINGS OF SIGNIFICANCE ❖

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## 7.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon an MND or an EIR. The MMRP ensures the implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those MM that are within the responsibility of the City and/or Applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of San Clemente in connection with the approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.





❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

**Table 7.0-1  
MITIGATION MONITORING AND REPORTING PROGRAM**

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
<b>4.4 Biological Resources</b>				
<p><b>Threshold 4.4a):</b> Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p> <p><b>Threshold 4.4b):</b> Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<p><b>MM BIO-1: Focused Botanical Surveys</b> To avoid impacts on special-status plant species, a qualified biologist will survey the project site for the presence of special-status plant species with the potential to occur within the direct and indirect impact areas of the project. The focused plant surveys will be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special-status Native Plant Populations and Sensitive Natural Communities (CDFW, 2018). A minimum of two surveys would be conducted at appropriate times of the year to coincide with the optimum conditions and bloom periods, during different seasons of the same year, to adequately capture the floristic diversity of a site. Every plant taxon that occurs on site will be identified to the taxonomic level necessary to determine rarity and listing status, as feasible. Plant species will be identified using plant field and taxonomical guides. when optimum conditions for identification are present (generally blooms, fruits, and/or leaves). Special-status plant species will be identified, recorded in field notes, counted or estimated, and mapped on an aerial map or with a GPS unit. Following completion of the focused botanical surveys, a focused botanical survey report will be prepared in accordance with agency guidelines. The report will: 1) summarize information regarding the habitat of the survey area and the habitat’s suitability for special-status plants; 2) assess the potential presence of special-status plants onsite; 3) analyze the potential impacts to special-status plants from project development; and 4) recommend, as appropriate, BMPs, avoidance and protection measures, and mitigation measures to reduce or avoid potential impacts to special-status plants. The report will include: 1) methods and results of the</p>	Project Applicant and Qualified Biologist	Field Verification	1. & 2. City of San Clemente 3. Before construction



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>literature review and field surveys; 2) figures depicting the location of special-status plants; 3) a complete flora compendium; and 4) site photographs.</p> <p>CDFW generally considers botanical surveys to be valid for a period of one to three years, with variation attributed to seasonal factors, such as during drought years or post-fire recovery. Some aspects of the proposed project may warrant periodically updated surveys for certain sensitive taxa, particularly if the project is proposed to occur over a protracted time, in phases, or if surveys are completed during periods of drought.</p>			
	<p><b>MM BIO-2: Focused Burrowing Owl Surveys</b></p> <p>The BSA contains suitable habitats to potentially support BUOW in the future. Therefore, a series of focused BUOW surveys is required. A qualified biologist will conduct the focused surveys in accordance with the Staff Report Burrowing Owl Mitigation (Staff Report; CDFG, 2012). A total of four breeding surveys should be conducted: one site visit should take place between February 15 and April 15, and a minimum of three site visits at least three weeks apart should take place between April 15 and July 15. In addition, a total of four surveys shall take place during the non-breeding season (July 16-February 14); these site visits should be spaced at relatively even intervals.</p> <p>Following the completion of the focused surveys, the biologist would prepare a letter report in accordance with the Staff Report summarizing the results of the survey. The report would be submitted to the City and CDFW prior to initiating any ground-disturbing activities.</p> <p>If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from CDFW, project activities may commence and no further mitigation would be required.</p> <p>If BUOW or signs of BUOW are observed during the survey, the site would be considered occupied. The biologist would then prepare a Burrowing Owl Mitigation, Monitoring, and Exclusion Plan and contact the City and CDFW to assist in the development of avoidance,</p>	<p>Project Applicant and Qualified Biologist</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente 3. Before construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>minimization, and mitigation measures, prior to commencing project activities.</p>			
	<p><b>MM-BIO-3: Focused Coastal California Gnatcatcher Surveys</b>            The BSA is located in the known distributional range of the coastal California gnatcatcher (CAGN) and contains suitable coastal sage scrub habitat to potentially support this bird; therefore, focused surveys in accordance with the Coastal California Gnatcatcher Presence/Absence Survey Protocol (USFWS, 1997; survey protocol) would be performed. The City or its designee will be responsible for retaining a qualified biologist authorized under a Section 10(a)(1)(A) recovery permit to conduct focused surveys for CAGN. The Recovery Permit Coordinator at the Carlsbad USFWS Office should be notified by the qualified biologist of the intent to conduct CAGN surveys at least 10 working days prior to the anticipated start date of the survey effort. The qualified biologist shall follow the conditions within their recovery permit and the CAGN survey protocol should be adhered to unless an exception is otherwise granted by USFWS. Protocol surveys are valid for a period of one year. (USFWS, 1997).            A minimum of six surveys shall be conducted at least one week apart, between March 15 and June 30. A minimum of nine surveys shall be conducted at least two weeks apart between July 1 and March 14. Surveys should be conducted between the hours of 6:00 a.m. and 12:00 p.m. and shall avoid periods of inclement conditions. No more than 80 acres of suitable CAGN habitat should be surveyed per biologist per day. No attempts to examine or closely approach CAGN nests are approved unless authorization is obtained through service permits.            A survey report should then be prepared and submitted within 45 days from survey effort completion to the Carlsbad USFWS Office and the CDFW South Coast (Region 5) Office. The survey report should include written and mapped qualitative descriptions of plant communities in the survey area and areas adjacent, number, age, sex,</p>	<p>Project Applicant and Qualified Biologist</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente            3. Before construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>and applicable color band information, the names and permit numbers of all surveyors, and survey area location.</p> <p>If CAGN or their territories are located within direct or indirect impact areas, then consultation will occur with the USFWS to initiate informal consultation for the preparation of a CAGN mitigation and monitoring plan, or a formal consultation for preparation of a Biological Assessment (“will affect letter”) for review and potential issuance of a Biological Opinion (“Incidental Take Permit”) from the USFWS.</p> <p>Incidental observations of non-listed avian species shall be recorded during the CAGN surveys; incidental species include but are not limited to Cooper’s hawk, loggerhead shrike, rufous hummingbird, Allen’s hummingbird, Costa’s hummingbird, Cooper’s hawk, California thrasher, and southern California rufous-crowned sparrow.</p>			
	<p><b>MM BIO-4: Coastal California Gnatcatcher Noise Attenuation</b></p> <p>Impacts on CAGN would be considered permanent if pickleball noise levels cannot be attenuated below the significance limit of 60 dBA at the locations of mapped CAGN territories, determined during the focused surveys.</p> <p>If impacts cannot be avoided, then noise attenuating BMPs are required, such as the installation of a 10-foot acoustifence, or similar would reduce the noise originating from the proposed pickleball courts by approximately 15 Leq. If the installation of the acoustifence is not practicable or does not reduce the noise levels to less than 60 dBA at the locations of mapped CAGN territories, it is recommended that the design engineers provide alternate noise attenuating BMPs and/or move the proposed pickleball courts are to an alternate location or consultation with the USFWS and CDFW is recommended.</p> <p>If the aforementioned mitigation options are not possible and the project will have permanent impacts on occupied CAGN habitat, either during Project activities or over the duration of the Project, the City will contribute to an appropriate state-approved mitigation</p>	Project Applicant and Qualified Biologist	Field Verification	1. & 2. City of San Clemente 3. Before and during construction





❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>bank with CAGN credits. Mitigation bank credits should be purchased, approved, or otherwise fully executed prior to implementing Project related ground-disturbing activities. All mitigation strategies will be approved by the USFWS and City prior to implementation.</p>			
	<p><b>MM BIO-5: Pre-Construction General Wildlife Survey</b>            The following measures will be implemented to minimize impacts to non-listed sensitive species which include but are not limited to coast horned lizard, silvery legless lizard, red-diamond rattlesnake, Nuttall’s woodpecker, pallid San Diego pocket mouse, San Diego kangaroo rat, and Dulzura pocket mouse. The measures below will help to reduce direct and indirect impacts caused by construction on various sensitive species, if present, to less than significant levels.            A qualified biologist will conduct a pre-construction general wildlife survey for sensitive wildlife and potential nesting sites such as open ground, shrubs, and burrows within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.            If sensitive species and/or active nesting sites are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.            If any sensitive wildlife species are identified within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency.            If no sensitive species and/or active nesting sites are observed during the pre-construction survey or they are observed and will not</p>	<p>Project Applicant and Qualified Biologist</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente            3. Before construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>be impacted, project activities may commence and no further mitigation will be required. Sensitive wildlife species and/or potential nesting sites will not be disturbed, captured, handled, or moved.</p> <p><b>MM BIO-6: Pre-Construction Breeding Bird Survey</b> To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potentially significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15 but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and construction activities. If project activities cannot be avoided from February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted,</p>	Project Applicant and Qualified Biologist	Field Verification	1. & 2. City of San Clemente 3. Before construction



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>project activities may begin and no further mitigation will be required.</p> <p>If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no-activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone.</p> <p>If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency.</p> <p>Birds or their active nests will not be disturbed, captured, handled, or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.</p>			
	<p><b>MM BIO-7: Worker Environmental Awareness Program (WEAP) and Biological Monitor</b></p> <p>Prior to project construction activities, a qualified biologist will prepare and conduct a Worker Environmental Awareness Program</p>	Project Applicant and Qualified Biologist	Field Verification	1. & 2. City of San Clemente



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	<b>1. ENFORCEMENT AGENCY</b> <b>2. MONITORING AGENCY</b> <b>3. MONITORING PHASE</b>
	<p>(WEAP) that will describe the biological constraints of the project. All personnel who will work within the project site will attend the WEAP prior to performing any work. The WEAP will include, but not be limited to the following: results of pre-construction surveys; description of sensitive biological resources potentially present within the project site; legal protections afforded the sensitive biological resources; BMPs for protecting sensitive biological resources (i.e., restrictions, avoidance, protection, and minimization measures); individual responsibilities associated with the project; and, training on grading to reduce impacts to biological resources. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act), the need to adhere to the provisions of the Act, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to the project site boundaries within which the project activities must be accomplished. The program will also include reporting requirements if workers encounter a sensitive wildlife species (i.e., notifying the biological monitor or the construction foreman, who will then notify the biological monitor).</p> <p>Training materials will be language-appropriate for all construction personnel. Upon completion of the WEAP, workers will sign a form stating that they attended the program, understand all protection measures, and will abide by all the rules of the WEAP. A record of all trained personnel will be kept with the construction foreman at the project field construction office and will be made available to any resource agency personnel. If new construction personnel is added to the project later, the construction foreman will ensure that new personnel receives training before they start working. The biologist will provide written hard copies of the WEAP and photos of the sensitive biological resources to the construction foreman.</p>			3. Before and during construction





❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

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	<p><b>MM BIO-8: Biological Monitor</b>            A qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.            A biological monitor shall monitor activities that result in tree or vegetation removal to minimize the likelihood of inadvertent impacts on nesting birds and special-status wildlife species, with special attention given to any protected species observed during the pre-construction breeding bird surveys. Monitoring shall also be conducted periodically during construction activities to ensure no new nests are built during any vegetation removal or building demolition activities between February 1 and August 31. The biological monitor shall ensure that all BMPs, avoidance, protection, and mitigation measures described in the relevant project permits and reports are in place and are adhered to.            The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. If necessary, the biological monitor shall relocate the individual outside of the work area where they will not be harmed. Work can continue at the location of the applicant and the consulted resource agency determine that the activity will not result in adverse effects on the species.            The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include; the location of the carcass, a photograph, cause of death (if known), and other pertinent information.</p>	Project Applicant and Construction Contractor	Field Verification	1. & 2. City of San Clemente 3. During construction
	<p><b>MM BIO-9: Best Management Practices</b></p>	Project Applicant, Qualified	Field Verification	1. & 2. City of San Clemente



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>Project work crews will be directed to use BMPs where applicable. These measures will be identified prior to construction and incorporated into the construction operations.</p> <p>Implementation of this conservation measure will help to avoid, eliminate or reduce impacts to sensitive biological resources, such as special-status terrestrial wildlife species, to less than significant levels. Standard BMPs that apply to the construction of this project, and that are not incorporated into other mitigation measures proposed for this project, are as follows:</p> <p>To minimize the amount of disturbance, the construction/laydown areas, parking areas, staging areas, storage areas, spoil areas, and equipment access areas will be restricted to designated areas. To the extent possible, designated areas will comprise, existing disturbed areas (parking lots, access roads, graded areas, etc.).</p> <p>Water pollution and erosion control plans shall be developed and implemented in accordance with SWRCB and RWQCB requirements. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitats. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project-related spills of hazardous materials shall be reported to appropriate entities, including but not limited to the applicable jurisdictional city, USFWS, CDFW, and RWQCB, and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.</p> <p>Vehicles and equipment will be free of caked mud or debris prior to entering the project site to avoid the introduction of new invasive weedy plant species.</p> <p>The project proponent will ensure that construction activities will include measures to prevent accidental falls into excavated areas. The construction crew will inspect excavated areas daily to detect the presence of trapped wildlife. All deep or steep-walled excavated areas will be covered with a tarp and either be furnished with escape</p>	<p>Biologist, and Construction Contractor</p>		<p>3. Before and during construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>ramps or surrounded with exclusionary fencing in order to prevent wildlife from entering them. Wildlife found in excavation areas should be trapped and relocated out of harm's way to a suitable habitat outside of the project area, if possible.</p> <p><b>MM BIO-10: General Vegetation and Wildlife Avoidance and Protection Measures</b>            The BSA contains habitats that can support many wildlife species. The City of San Clemente will also implement the following general avoidance and protection measures to protect vegetation and wildlife, to the extent practical:            Cleared or trimmed vegetation and woody debris will be disposed of in a legal manner at an approved disposal site. Cleared or trimmed non-native, invasive vegetation will be disposed of in a legal manner at an approved disposal site as soon as possible to prevent regrowth and the spread of weeds.            The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.            Non-native species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.            Vehicles and equipment will be free of caked mud or debris prior to entering the project site to avoid the introduction of new invasive weedy plant species.            To minimize construction-related mortalities of nocturnally active species such as mammals and snakes, it is recommended that all work be conducted during daylight hours. Nighttime work (and use of artificial lighting) will not be permitted unless specifically authorized. If required, night lighting will be directed away from the preserved open space areas to protect species from direct night lighting. All unnecessary lights will be turned off at night to avoid attracting wildlife such as insects, migratory birds, and bats.</p>	<p>Project Applicant, Qualified Biologist, and Construction Contractor</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente 3. Before and during construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>If any wildlife is encountered during the course of project activities, said wildlife will be allowed to freely leave the area unharmed. Wildlife will not be disturbed, captured, harassed, or handled. Animal nests, burrows, and dens will not be disturbed without prior surveys and authorization from a qualified biologist. Active nests of special-status or otherwise protected bird species cannot be removed or disturbed. Nests can be removed or disturbed if determined inactive by a qualified biologist.</p> <p>To avoid impacts on wildlife and attracting predators of protected species, the project proponent will comply with all litter and pollution laws and will institute a litter control program throughout project construction. All contractors, subcontractors, and employees will also obey these laws. These covered trash receptacles will be placed at each designated work site and the contents will be properly disposed of at least once a week. Trash removal will reduce the attractiveness of the area to opportunistic predators such as common ravens, coyotes, northern raccoons, and Virginia opossums. Contractors, subcontractors, employees, and site visitors will be prohibited from feeding wildlife and collecting plants and wildlife. Disturbance near pond water will be limited during the rainy season. It could serve as potential habitat for amphibians and sensitive invertebrates.</p>			
	<p><b>MM BIO-10: Vegetation and Wildlife Avoidance</b></p> <p>The BSA contains habitats that can support many wildlife species. The City of San Clemente will also implement the following general avoidance and protection measures to protect vegetation and wildlife, to the extent practical:</p> <p>Non-native species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible</p> <p>Cleared or trimmed non-native, invasive vegetation will be disposed of in a legal manner at an approved disposal site as soon as possible to prevent regrowth and the spread of weeds.</p>	Project Applicant and Landscaping Contractor	Field Verification	1. & 2. City of San Clemente 3. During and after construction





❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.</p> <p>Vehicles and equipment will be free of caked mud or debris prior to entering the project site to avoid the introduction of new invasive weedy plant species.</p> <p>To minimize construction-related mortalities of nocturnally active species such as mammals and snakes, it is recommended that all work be conducted during daylight hours. Nighttime work (and use of artificial lighting) will not be permitted unless specifically authorized. If required, night lighting will be directed away from the preserved open space areas to protect species from direct night lighting. All unnecessary lights will be turned off at night to avoid attracting wildlife such as insects, migratory birds, and bats.</p> <p>Wildlife will not be disturbed, captured, harassed, or handled. Animal nests, burrows, and dens will not be disturbed without prior surveys and authorization from a qualified biologist.</p> <p>Contractors, subcontractors, employees, and site visitors will be prohibited from feeding wildlife and collecting plants and wildlife.</p> <p>To avoid impacts on wildlife and attracting predators of protected species, the project proponent will institute a litter control program using covered trash receptacles at each designated work site. The contents will be properly disposed of at least once a week throughout project construction.</p> <p>Work within wet areas such as ponds is prohibited until the biological monitor determines the area does not contain protected wildlife, such as amphibians and sensitive invertebrates.</p>			
<p><b>Threshold 4.4b):</b> Would the project have a substantial adverse effect on any riparian habitat or other sensitive</p>	<p><b>MM-BIO 11: Avoidance, Minimization, and Replacement of Sensitive Vegetation Communities</b> To avoid impacts on native vegetation communities, a qualified biologist would designate Environmentally Sensitive Areas (ESAs) to be preserved. Prior to clearing or construction, highly visible barriers (such as orange construction fencing) will be installed</p>	<p>Project Applicant and Landscaping Contractor</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente 3. During and after construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
<p>natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<p>around coastal sage scrub, lemonade berry scrub, oak woodland, and riparian communities adjacent to the project footprint, as well as around any trees and special-status plants that can be avoided within the project footprint, if any. Limited activities, such as foot traffic, will be allowed within the ESAs, otherwise, full avoidance (i.e., no construction activity of any type) should be included within the construction specifications for these ESAs. Heavy equipment, including motor vehicles, will be prohibited within the ESAs. All construction equipment should be operated in a manner to prevent accidental damage to nearby preserved areas. No structure of any kind, or incidental storage of equipment or supplies, will be allowed within these protected zones.</p> <p>If the ESAs cannot be avoided, then a replacement for losses will be required for lemonade berry scrub, oak woodland, and coastal sage scrub. The proposed project is expected to impact all areas of lemonade berry scrub onsite. Therefore, to mitigate the loss of approximately 8.76 acres of lemonade berry scrub, replanting of native species similar to pre-existing conditions and species assemblages at a 1:1 ratio should be performed onsite within the sloped terraced landscaping. Examples of native species of similar assemblages include lemonade berry, California buckwheat, coyote bush, black sage (<i>Salvia mellifera</i>), white sage (<i>Salvia apiana</i>), laurel sumac (<i>Malosma laurina</i>), and California sagebrush. Avoidance is planned for the oak woodland/oak trees and coastal sage scrub onsite. However, if avoidance is not possible, then a replacement for losses to coastal sage scrub and oak woodland and/or native oak trees, would occur on a 1:1 ratio, or as deemed appropriate by the City.</p>			
<p><b>Threshold 4.4c):</b> Would the project have a substantial adverse effect on state or federally protected wetlands</p>	<p><b>MM-BIO 12: Jurisdictional Delineation Survey and Report</b> A jurisdictional delineation survey shall be conducted by a qualified biologist to determine the presence and extent of potential federal or state wetlands, waters, and habitats that are potentially subject to the jurisdictional authority of the U.S. Army Corps of Engineers (USACE), the San Diego Regional Water Quality Control Board</p>	<p>Project Applicant and Landscaping Contractor</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente 3. Before construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
(including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	(RWQCB), and the California Department of Fish and Wildlife, South Coast Region (CDFW). A jurisdictional delineation survey shall be conducted by a qualified biologist to conduct a jurisdictional delineation assessment on their property to determine the presence and extent of potential waters of the U.S. or State (including but not limited to wetlands, ephemeral and intermittent drainages, and associated vegetation communities) that would be subject to the jurisdictional authority of the U. S. Army Corps of Engineers (USACE) Los Angeles District, San Diego Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife, South Coast Region (CDFW).			
<b>Threshold 4.4e):</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<b>MM BIO-13: General Landscaping Requirements and Tree Replacement Measures</b> The following are general landscaping requirements for new development and improvements to existing development warranting landscape improvements that would apply to the project: “Living Plant Materials. Landscaping shall consist primarily of drought-tolerant living plant material. Hardscape improvements shall not be counted toward fulfilling the required landscape. California Native Species. California Native plant species shall be planted in at least 60 percent of required landscaped areas. Irrigation Systems. All landscaping for nonresidential, mixed-use and multi-family residential projects shall have automatic irrigation systems. Duplexes and single-family residential projects need not have automatic irrigation systems but shall have a permanent means of irrigating landscaping. Low precipitation and drip-type systems are encouraged. Utilities. Utilities may occur within required landscaped areas, but only if underground utilities will not preclude appropriate planting of trees, and the utility facilities are screened from public view. More Restrictive Provision Shall Apply. Should any provision of this chapter conflict with any other provisions of this title or any adopted	Project Applicant and Landscaping Contractor	Field Verification	1. & 2. City of San Clemente 3. During and after construction



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>specific or Master Plans, the more restrictive requirements shall apply.”            In addition, City Policy Number 301-2-1 “City Owned Trees: Protection and Administration” allows for the removal of City-owned trees. According to City Ordinance 1115, replacement trees must be a minimum of 15 gallons in size.</p>			
<b>4.5 Cultural Resources</b>				
<p><b>Threshold 4.5b):</b>            Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.</p>	<p><b>MM CUL 1:</b>            If archaeological resources are discovered during construction activities, the contractor will halt construction activities in the immediate area and notify the City of San Clemente. The project applicant shall retain an archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for Archaeology and who will be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A L) form and filed with the Eastern Information Center. Construction activities may continue on other parts of the project site while the evaluation and treatment of prehistoric archaeological resources take place.</p>	<p>Qualified Archaeologist and Project Contractor</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente            2. During construction activities</p>
<p><b>Threshold 4.5c):</b>            Would the project disturb any human remains, including those interred outside of formal cemeteries.</p>	<p><b>MM CUL 2:</b>            If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Riverside County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are of recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate</p>	<p>Project Construction Contractor</p>	<p>Field Verification</p>	<p>1. &amp; 2. City of San Clemente            3. During project construction activities</p>





❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).			
<b>4.7 Geology and Soils</b>				
<b>Threshold 4.7f):</b> Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<b>MM GEO-1:</b> Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of San Clemente Planning Division, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist on site for review and approval by the City. The PRIMP shall require that the paleontologist monitor any ground-disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for monitoring after 50 percent or greater of the excavations have been completed. In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discarding specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts on a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a	Project Applicant, Qualified Paleontologist, and Construction Contractor	Monitoring, Assessment, Recovery, and Curation	1. & 2. City of San Clemente 3. During project construction activities



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

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	<p>significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage, and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository such as the Los Angeles County Museum of Natural History. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.</p>			
<b>4.12 Noise</b>				
<p><b>Threshold 4.12a):</b> Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p><b>MM N-1:</b> Schedule construction so that the minimum number of pieces of equipment would be operating within the same vicinity simultaneously.</p> <p><b>MM N-2:</b> Stockpiling and vehicle-staging areas shall be located as far as practical from noise-sensitive receptors during construction activities.</p> <p><b>MM N-3:</b> Where practical, design construction site access such that delivery and dump trucks move through the site in a forward direction, without the need to back up (and activate backup alarms).</p> <p><b>MM N-4:</b> Where practical, replace proposed equipment with newer, and presumably quieter, models.</p> <p><b>MM N-5:</b> Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with an intact and operational muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without the muffler.</p>	<p>Project Applicant and Project Construction Contractor</p>	<p>Contract Specifications</p>	<p>1. &amp; 2. City of San Clemente 3. During construction</p>



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

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	<b>MM N-6:</b> Ensure that all equipment items have the manufacturers' recommended noise abatement features, including but not limited to mufflers, engine enclosures, and engine vibration isolators; and that these noise-reducing features are intact and operational.			
	<b>MM N-7:</b> Turn off idling equipment after no more than five minutes.			
	<b>MM N-8:</b> Operate all equipment at the minimum power level needed to get the job done.			
	<b>MM N-9:</b> Operate equipment to minimize banging, clattering, and buzzing.			
<b>4.18 Tribal Cultural Resources</b>				
<b>Threshold 4.18b):</b> Cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?	<b>MM TCR-1:</b> [To Be Determined.] Mitigation measure TCR 1 is yet to be determined, and if needed will be added following AB 52 consultation.			
	<b>MM TCR-2:</b> Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. If funerary objects are discovered during grading or archeological excavations, they shall be treated in the same manner as bone fragments that remain intact, and the construction contractor and/or qualified archeologist shall consult with the local requesting tribe(s).	Qualified Archaeologist and Project Construction Contractor	Field Verification	1. & 2. City of San Clemente 3. During construction
	<b>MM TCR 3:</b> As specified by California Health and Safety Code § 7050.5, if human remains are found on the project site during construction or during	Project Construction Contractor	Field Verification	1. & 2. City of San Clemente 3. During



❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

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	<p>archaeological work, the Orange County Coroner’s office shall be immediately notified and no further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains shall occur until the coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. The coroner would determine within two working days of being notified if the remains are subject to their authority. If the Coroner recognizes the remains to be Native American, they shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent.</p>			<p>construction</p>





## ❖ SECTION 7.0 - MITIGATION MONITORING AND REPORTING PROGRAM ❖

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The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon an MND or an EIR. The MMRP ensures the implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those MM that are within the responsibility of the City and/or Applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of San Clemente in connection with the approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.