DRAFT

Initial Study/ Mitigated Negative Declaration

Pico Avenue Residential Project

July 2023

Prepared for:

City of San Marcos
1 Civic Center Drive
San Marcos, California 92069

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Acronyms and Abbreviations

ADA	Americans with Disabilities Act
APN	Assessor's Parcel Number
BMP	best management practice
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CEQA	California Environmental Quality Act
CFD	Community Facility District
CFGC	California Fish and Game Code
cfs	cubic feet per second
City	City of San Marcos
CO	carbon monoxide
CO_2e	carbon dioxide equivalent
dB	decibel
dBA	A-weighted decibel
DPM	diesel particulate matter
EDCO	Escondido Disposal Corporation
EIR	environmental impact report
FEMA	Federal Emergency Management Agency
GHG	greenhouse gas
HVAC	heating, ventilation, and air conditioning
IS	initial study
KBTU	kilo British thermal unit
kg	kilogram
kWh	kilowatt-hour
L_{eq}	equivalent continuous sound level
LOS	level of service
MBTA	Migratory Bird Treaty Act
MHCP	Multiple Habitat Conservation Program
MND	mitigated negative declaration
MT	metric ton
North County	northern San Diego County
NO_x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NWI	National Wetlands Inventory
O_3	ozone
PM_{10}	particulate matter measuring no more than 10 microns in diameter
$PM_{2.5}$	fine particulate matter measuring no more than 2.5 microns in diameter
project	Pico Avenue Residential Project
RAQS	Regional Air Quality Strategy
RWQCB	Regional Water Quality Control Board
SDAB	San Diego Air Basin

SDAPCD	San Diego County Air Pollution Control District
SDCWA	San Diego County Water Authority
SIP	State Implementation Plan
SO_2	sulfur dioxide
SO_x	sulfur oxides
SR-	State Route
SWPPP	stormwater pollutant prevention plan
TAC	toxic air contaminant
USFWS	U.S. Fish and Wildlife Service
VdB	vibration decibel
VMT	vehicle miles traveled
VOC	volatile organic compound
VWD	Vallecitos Water District
yr	year

Document Overview

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared in accordance with California Environmental Quality Act (CEQA) and the CEQA Guidelines for the proposed Pico Avenue Residential Project No. GPA22-0005 (project). The primary intent of this document is to (1) determine whether project implementation would result in potentially significant impacts on the environment, and (2) incorporate mitigation measures into the project design, as necessary, to eliminate or reduce the project's potentially significant impacts to a less than significant level.

In accordance with CEQA, projects that have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment must undergo analysis to disclose potential significant effects. The provisions of CEQA apply to California governmental agencies at all levels, including local agencies, regional agencies, state agencies, boards, commissions, and special districts. CEQA requires preparation of an IS for a discretionary project to determine the range of potential environmental impacts of that project and to define the scope of the environmental review document. As specified in Section 15064(f) of the CEQA Guidelines, the lead agency may prepare an MND if, in the course of the IS analysis, it is recognized that the project may have a significant impact on the environment, but that implementation of specific mitigation measures would reduce potentially significant impacts to a less than significant level. As the lead agency for the proposed project, the City of San Marcos (City) has the principal responsibility for conducting the CEQA environmental review to analyze the potential environmental effects associated with project implementation. During the review process, it was determined that potential impacts would be reduced to less than significant with the implementation of mitigation measures. The City has incorporated mitigation measures to reduce or eliminate any potentially significant project-related impacts. Therefore, an IS/MND has been prepared for the proposed project.

Note: The project has not been approved or denied. It is being reviewed for environmental impacts only. Approval of the project can take place only after the MND has been adopted.

This IS/MND is organized as follows:

- **Section 1: Project Description.** This section introduces the document and discusses the project description, including location, setting, and specifics of the lead agency and contacts.
- **Section 2: Initial Study Checklist.** This section discusses the CEQA environmental topics and checklist questions, identifies the potential for impacts, and proposes mitigation measures to avoid these impacts.

- **Section 3: List of Preparers.** This section lists the organizations and individuals who were consulted and/or prepared this IS/MND.
- **Section 4: References.** This section presents a list of reference materials consulted during preparation of this IS/MND.

Public Review

The IS/MND will be circulated for a 30-day public review period from July 24, 2023, to August 22, 2023.

Comments regarding this IS/MND must be made in writing and submitted to Sean del Solar, Senior Planner, City of San Marcos, 1 Civic Center Drive, San Marcos, California 92069, or by email to sdelsolar@san-marcos.net.

Comments should focus on the proposed finding that the project would not have a significant effect on the environment because revisions or mitigation measures have been made or agreed to by the project proponent. If the commenter believes that the project may have a significant environmental effect, it would be helpful for the commenter to identify the specific effect and explain why the effect would occur and why it would be significant.

Section 1 Project Description

1.1 Project Overview

The proposed Pico Avenue Residential Project (project) involves the approval of a General Plan Amendment and zoning change to develop a 16-unit multi-family residential condominium complex on 0.68 acre in the City of San Marcos (City), San Diego County, California, within the Richmar neighborhood of the City. Amenities would include a dog run, playground, and landscaped open space common areas, such as picnic and barbeque grill area. The site consists of two lots with three parcel numbers and is mostly undeveloped with two unoccupied structures on one of the parcels. Commercial properties surround the parcels in all directions.

1.2 Project Location

City of San Marcos

The City is in the central portion of northern San Diego County (North County), California, approximately 40 miles north of Downtown San Diego (Figure 1, Regional Location). The City is bounded by the Cities of Vista and Carlsbad to the west, the City of Escondido to the east, and unincorporated areas of the County of San Diego to the north and south. The incorporated City limits currently encompass approximately 24 square miles. The City's land uses range from distinct residential neighborhoods and supporting businesses, industrial employment, and commercial services to open, undeveloped lands within its sphere of influence. Its varied topography includes Diegan coastal sage scrub and southern mixed chaparral in the surrounding hillsides; San Marcos Creek, areas around Lake San Marcos, Buena Creek, Agua Hedionda Creek, Las Posas Creek, Twin Oaks Valley Creek, Buena Creek, and their tributaries; isolated vernal pools within the City center; and State Route (SR-) 78 extending north–south through the center of the City.

Project Site

The 0.68-acre project site is located at 236–244 Pico Avenue in the City of San Marcos. The site includes three legal lots with Assessor's Parcel Numbers (APNs) 220-140-05-00, 220-140-06-00, and 220-140-16-00. The project site is bounded by the Boys and Girls Club and City Gym to the north, San Marcos Unified School District Offices to the east, the commercial enterprise Tasty Pizza and San Marcos Boulevard to the south, and a daycare center and existing parking lot to the west (Figure 2, Project Site). Regional access is provided via SR-78, approximately 0.3 miles to the south of the project. The project site is also approximately 0.25 mile west from the Civic Center Transit Station, which is served by the SPRINTER, the City's light-rail system.

One parcel on the project site is currently zoned as Medium High Density Residential (MHDR), which allows multi-family residential development at a maximum of 30 dwelling units per acre.

The second parcel on the project site is currently zoned as Commercial (C), which does not allow for residential development. Therefore, the project proposes a change in the San Marcos General Plan land use designation and a corresponding zoning change for one of the two parcels to allow for the multi-family residential development. The proposed changes are shown in Table 1, Proposed General Plan Designation and Zoning Change.

Table 1. Proposed General Plan Designation and Zoning Change

APN	Area (acre)	Current		Proposed	
		General Plan Designation	Zoning	General Plan Designation	Zoning
220-140-05-00 220-140-16-00	0.35	Medium High Density Residential (MHDR)	R-3-6 (Residential)	Medium High Density Residential (MHDR)	R-3-6 (Residential)
220-140-06-00	0.33	Commercial (C)	Commercial (C)	Medium High Density Residential (MHDR)	R-3-6 (Residential)

Notes: APN = Assessor's Parcel Number

1.3 Overall Site Plan

The project would consist of 16 two-bedroom units in four buildings on 0.68 acres, with each building composed of three floors with two-car garages on the first floor (Figure 3, Site Plan). The height of the four buildings would be 37.25 feet. The footprint of each building would comprise 0.2 acres of the project site, the parking and driveways would comprise 0.22 acres, and the remaining 0.26 acres would be landscaping. The total square footage of the four buildings would be 18,656 square-feet, including the area of all three floors in each two-bedroom unit. The project would provide 38 parking spaces, including 32 covered garage parking spaces and six guest parking spaces. The 32 covered garage parking spaces would be on the first floor of the units (two per unit), and the six guest parking spaces would be uncovered and include one Americans with Disabilities Act (ADA) parking space. The project would provide 8,527 square-feet of common open space and 2,824 square-feet of private open space in six units with private courtyards and balconies. A dog run would be along the northern edge of the project site, which would be accessible to the public and consist of turf to reduce water use on site. The common open space along the northern edge of the project site would also include an area with children's play equipment. A 4-foot-tall decorative block wall (consisting of a 2-foot retaining and 2-foot freestanding wall) with a 4-foot-tall tubular steel fence would be constructed along the eastern and portions of the northern perimeter of the property, and a 6-foot-tall block wall would be constructed along the western perimeter and portions of the southern perimeter of the property. Sidewalk improvements would be made along the southern perimeter of the property.

The project proposes that runoff from the project site would be drained to one receiving multi-purpose water quality/HMP/Q100 detention vault. Detained flows would be drained from a best management practice (BMP) facility (detention vault) and discharged to the existing storm drain

system within the adjacent Pico Avenue. Runoff from the existing off-site daycare center site would be intercepted by an on-site storm drain that would convey these flows through the project site such that they would not commingle with on-site flows. Because these runoff flows are generated by a neighboring site, these on-site flows are not required to be treated or detained on the proposed project site.

The project would make improvements to the sidewalk along Pico Avenue frontage to improve pedestrian access to nearby sites. Further improvements would include native or drought-tolerant landscaping consisting of various street trees along the project frontage, as well as parking lot trees, accent flowers, and shrubs throughout the common areas.

1.4 Project Construction

Construction is expected to start in spring 2023 and be approximately 12 months. Construction would include demolition of approximately 10,000 square feet of structures and a net import of 460 cubic yards of material.

1.5 Regulatory Requirements, Permits, and Approvals

In accordance with Sections 15050 and 15367 of the CEQA Guidelines, the City is the designated lead agency for the project and has principal authority and jurisdiction for CEQA actions and project approval. Responsible agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation.

Trustee agencies are state agencies that have jurisdiction by law over natural resources affected by a project. The project would require approval of several discretionary actions by the City, which are listed in Table 2, Discretionary Actions.

Table 2. Discretionary Actions

Discretionary Action	Approving Agency
General Plan Amendment	City
Rezone	City
Development Plan Permit	City

Notes: City = City of San Marcos

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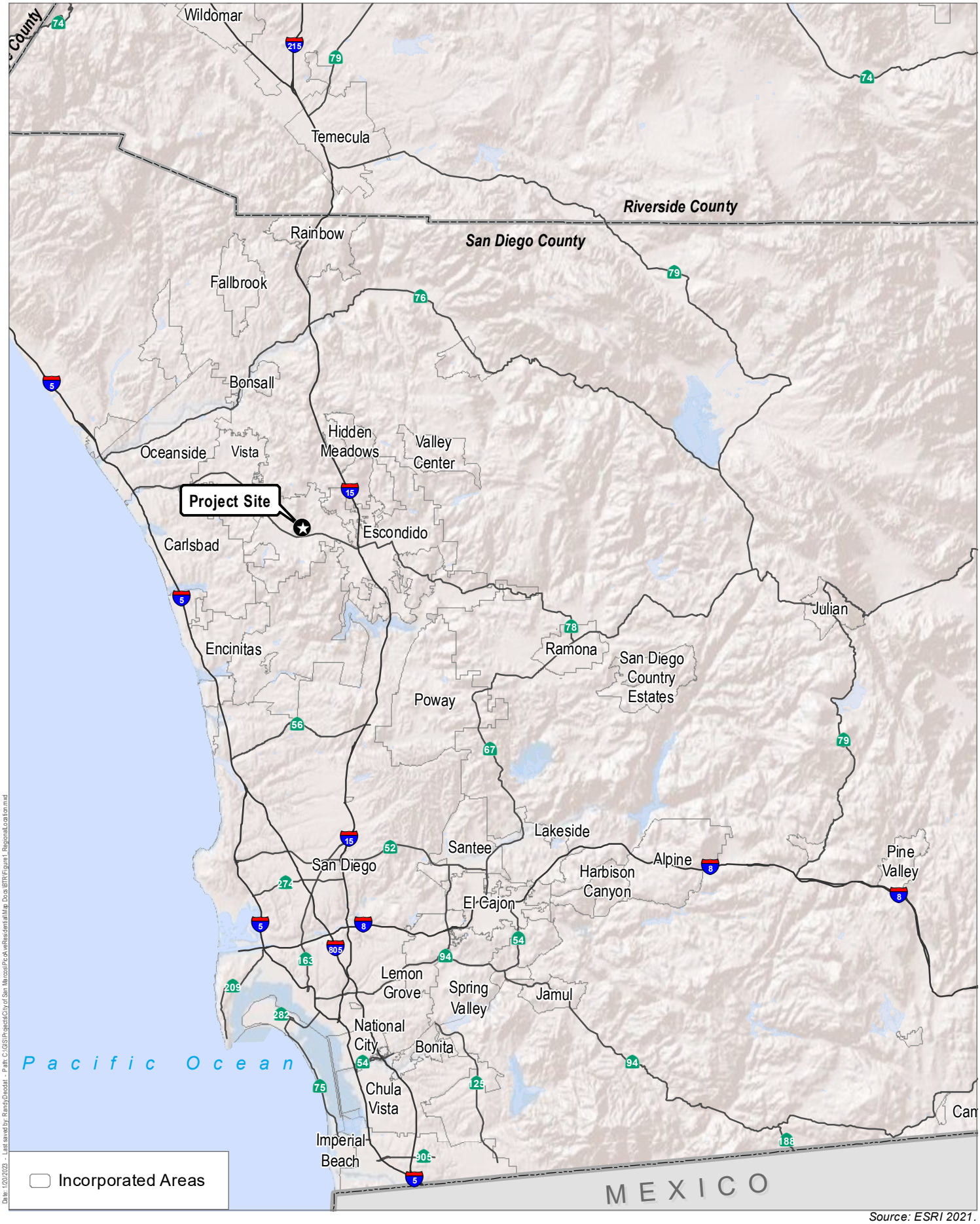

Source: ESRI 2021.

Harris & Associates

Figure 1

Regional Location

Pico Avenue Residential Project

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Source: SanGIS Imagery 2017.

Harris & Associates

N

0 250 500

Feet

Figure 2

Project Site

Pico Avenue Residential Project

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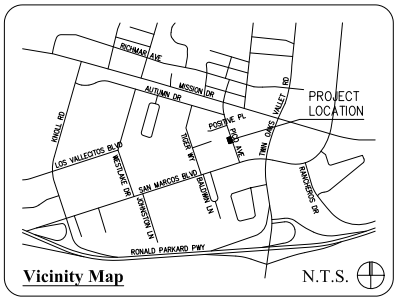


Vicinity Map N.T.S.

Site Summary

Address:	236 & 244 Pico Avenue San Marcos, CA
APN:	220-140-05-00 220-140-06-00 220-140-16-00
Existing Zoning:	C (Commercial) & R-3-6 (Residential)
Proposed Zoning:	R-3-6 (Residential)
Area:	0.68 Acres
Unit Count:	16 Units
Gross Density:	23.5 DU/Acre
Max. Density:	30 DU/Acre

Required Parking

2+ Bedroom Unit (2 spaces/unit) (1 covered minimum)	32 Spaces
Guest Parking (1 space/3 units)	6 Spaces
Total Required Parking	38 Spaces

Proposed Parking

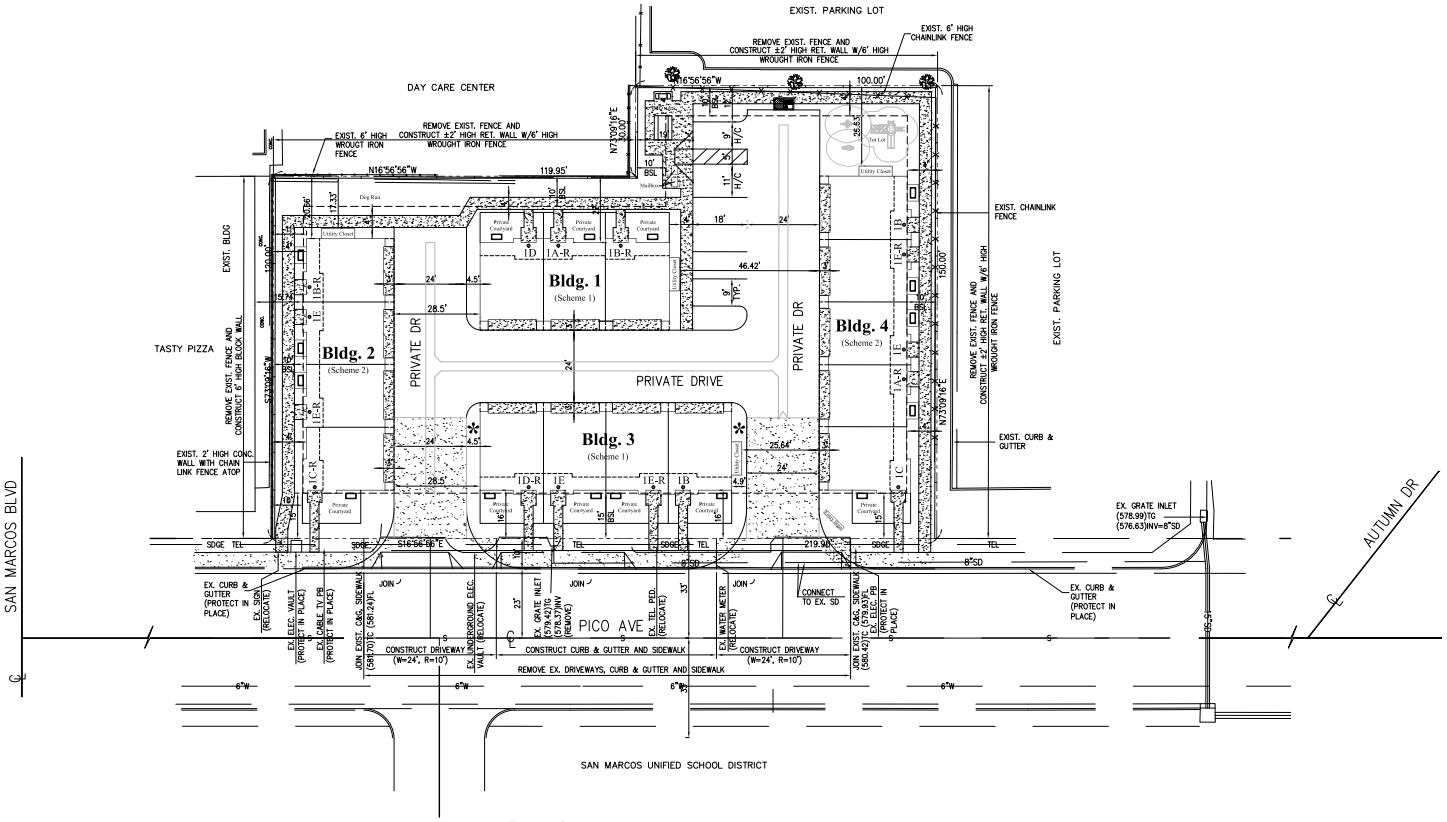
Covered Garage Parking	32 Spaces
Guest Parking (including 1 ADA)	6 Spaces
Total Required Parking	38 Spaces

Required Open Space

Private O.S. - Ground Floor Units	N/A
Private O.S. - 2nd Floor Units	50 Sq. Ft./Unit
Common Open Space (30% of ground/2nd floor area of all units)	2,384 Sq. Ft.

Provided Open Space

Private O.S. - Ground Floor Units	±200 Sq. Ft./9 Units
Private O.S. - 2nd Floor Units	64 Sq. Ft. Min./16 Units
Common Open Space	8,527 Sq. Ft.



Legend

✲ = Directory Map

Notes

- Site lighting shall be located at each unit's front door and garage door, controlled by photo cell and on the H.O.A. house meter.
- Fire Lane shall be posted and/or curbs painted in accordance with CA. Vehicle Code, Section 22500.L, 22658(A) and San Marcos Fire Department standards. The number, wording and placement of all Fire Lane signs shall be approved by the Fire Dept. prior to installation.
- A lighted directory map, meeting current Fire Department standards, shall be installed at each driveway entrance.

Source: D33 Design & Planning. 2023.

Harris & Associates

0 20 40 Feet

Figure 3

Site Plan

Pico Avenue Residential Project

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Section 2 Initial Study Checklist

The following discussion of potential environmental effects was completed in accordance with Section 15063 of the CEQA Guidelines to determine if the proposed project may have a significant effect on the environment.

2.1 Project Information

1. Project title:	Pico Avenue Residential Project
2. Lead agency name and address:	City of San Marcos Planning Department 1 Civic Center Drive San Marcos, California 92069
3. Contact person name, address, and phone number:	Sean del Solar, Senior Planner City of San Marcos, Planning Department 1 Civic Center Drive San Marcos, California 92069 760-744-1050, ext. 3223 sdelsolar@san-marcos.net
4. Project location:	236−244 Pico Avenue, San Marcos, California Assessor's Parcel Number 220-140-05-00, 220-140-06-00, 220-140-16-00
5 Project sponsor's name and address:	Tony Sfreddo Pico Investments, LLC 29250 Paseo Sedano San Juan Capistrano, California 92675
6. General Plan designation:	Medium High Density Residential (MHDR) and Commercial (C)
7. Zoning:	Residential and Commercial
8. Description of project:	Refer to Section 1, Project Description, of this IS/MND.
9. Surrounding land uses and setting:	Refer to Section 1 of this IS/MND.

10. Other public agencies whose approval is required:	Refer to Section 1.5, Regulatory Requirements, Permits, and Approvals, of this IS/MND.
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?	Refer to Section 2.4.18, Tribal Cultural Resources, of this IS/MND for details.

2.2 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

2.3 Lead Agency Determination

On the basis of this initial evaluation:

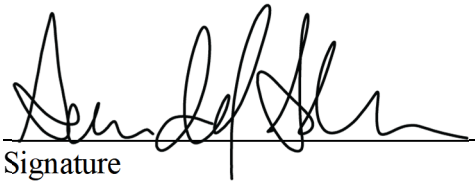
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent (state), including implementation of the mitigation measures identified herein. 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

July 20, 2023
Date

Sean del Solar, Senior Planner, City of San Marcos

2.4 Evaluation of Environmental Impacts

This section documents the screening process used to identify and focus on environmental impacts that could result from the project. The checklist portion of the IS begins below and includes explanations of each CEQA issue topic. CEQA requires that an explanation of all answers be provided along with this checklist, including a discussion of ways to mitigate any significant effects identified. The following terminology is used to describe the potential level of significance of impacts:

- **No Impact.** The analysis concludes that the project would not affect the particular resource in any way.
- **Less than Significant.** The analysis concludes that the project would not cause substantial adverse change to the environment without the incorporation of mitigation.
- **Less than Significant with Mitigation Incorporated**. The analysis concludes that it would not cause substantial adverse change to the environment with the inclusion of mitigation agreed upon by the applicant.
- **Potentially Significant.** The analysis concludes that the project could result a substantial adverse effect or significant effect on the environment, even if mitigation is incorporated. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

2.4.1 Aesthetics

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

Environmental Setting

The Conservation and Open Space Element of the San Marcos General Plan (City of San Marcos 2012) identifies undeveloped hillsides; prominent landforms such as the San Marcos Mountains, Merriam Mountains, Mount Whitney, Cerro de las Posas, Double Peak, Owens Peak, and Franks Peak; creek corridors; eucalyptus stands; rock outcroppings; landmarks or historic buildings; and ocean views within the City as scenic vistas. The San Marcos General Plan also identified scenic vistas from Twin Oaks Valley Road of the San Marcos Mountains, and Merriam Mountains to the north and Double Peak and Mount Whitney to the south. SR-78 is designated by the City as a view corridor. This highway corridor provides views of the Merriam Mountains, Mount Whitney, Double Peak, California State University San Marcos, and Palomar Community College. Pacific Ocean views can be enjoyed from Double Peak Park and from roads and pathways in the San Elijo Hills.

The City has a Ridgeline Protection and Management Overlay Zone to protect natural viewsheds and unique natural resources, minimize physical impacts on ridgelines, and establish innovative sensitive architectural standards. It also has restrictions on nighttime lighting in commercial areas to limit the amount of light that spills onto adjacent properties or reflects into the sky (City of San Marcos 2012).

Impact Analysis

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

Less Than Significant Impact. The Conservation and Open Space Element of the San Marcos General Plan identifies views of undeveloped hillsides, historic landmarks and buildings, eucalyptus stands, creek corridors, rock outcroppings, mountain ranges, and ocean views in the City as scenic vistas. This includes views of the San Marcos Mountains, Merriam Mountains, Double Peak, and Mount Whitney from Twin Oaks Valley Road (City of San Marcos 2012). The project site is not within any of the above-identified significant vistas. The project site is relatively flat and does not contain undeveloped hillsides. The project would redevelop the currently vacant urban infill site with four three-story buildings. The height of the project buildings would be consistent with other buildings in the surrounding area. Therefore, the project would not obstruct scenic vistas, such as the San Marcos Mountains, Merriam Mountains, Double Peak, or Mount Whitney. Further, the project would not be visible from scenic public viewpoints or be within the City's Ridgeline Protection and Management Overlay Zone. Therefore, the impact 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. No officially designated or eligible state scenic highways are on or near the project site. The closest state scenic highway is the state scenic eligible Interstate 5, approximately 9 miles away from the project site. No impact would occur, and no further analysis is required.

c. Would the project, 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?

Less Than Significant Impact. The project would alter but not substantially degrade the existing visual character or quality of the project site or surroundings. The visual character of the existing project site is characterized by vacant land and two unoccupied structures. The visual character of the surrounding area is commercial uses and nearby residential uses. The project would enhance the visual quality of the project site by introducing an aesthetically cohesive development with associated landscaping on a currently underused piece of land. Existing site character would be improved by implementation of the project because the functionality and visual quality of the site would increase. Implementation of the project would change the landscape of the site from an abandoned lot in the middle of the City to a new aesthetically appealing residential development complex. The architectural characteristics of the proposed residential buildings would include a grayish-beige base with darker brown trim, country stone, and gray roofing. The project would include native or drought-tolerant landscaping consisting of various street trees along the project frontage, as well as parking lot trees, accent flowers, and shrubs

throughout the common areas. A 2-foot-tall retaining wall and 6-foot-tall wrought iron fence would be constructed along the eastern and northern perimeter of the property, and a 6-foot-tall block wall would be constructed along the western perimeter of the property. Sidewalk improvements would be made along the southern perimeter of the property. Therefore, given the visual character of the existing site, development of the project would have a less than significant impact on the visual character of the site and its surroundings.

d. Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Sensitive receptors that could be affected by lighting and glare include nearby residents, motorists, and pedestrians. Glare can emanate from many different sources, some of which include direct sunlight, sunlight reflecting from cars or buildings, and bright outdoor lighting. Potential sources of nighttime lighting and/or glare on the project site include glare from existing windows on the two unoccupied structures on the project site.

Construction of the project would include the installation of coach lights by the front door of each residential unit. However, new lights would be required to match City standards for exterior lighting as stated in the San Marcos Municipal Code (SMMC), Site Planning and General Development Section 20.300.080, Light and Glare Standards (e.g., approximate minimum height of 12 feet, shielded and deflected to minimally intrude on dwelling units) (City of San Marcos 2023a). As a result, the installation of the new exterior lights would not create a significant, substantial source of light or glare. In addition, architectural plans for the buildings would be reviewed by the City's Building and Code Compliance Division prior to each lot owner obtaining building permits, including whether the exterior building materials or exterior lights would produce substantial glare. Conformance with the SMMC, permit plan checks, and reviews by City staff would ensure that a substantial lighting and glare impact from future building and site development would not be created. Therefore, the project would not create a substantial source of light or glare, and the impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.2 Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Environmental Setting

The project site is mostly undeveloped with two unoccupied structures on one of the parcels. Commercial properties surround the project site in all directions, and the project site is within the Commercial (C) zone and Medium High Density Residential (MHDR) zone, which allows multi-family residential development at a maximum of 30 dwelling units per acre.

Impact Analysis

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 would redevelop an infill site that is currently vacant with unoccupied structures in the City. According to the California Department of Conservation Important Farmland Finder, this vacant lot is categorized as Urban and Built-Up Land (DOC 2023). The project site does not contain prime farmland, unique farmland, or farmland of statewide importance. Therefore, no impact on farmland would occur.

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

No Impact. According to the Conservation Element of the San Marcos General Plan, approximately 11 acres of Williamson Act-encumbered properties are within the City's sphere of influence in the Twin Oaks Valley neighborhood, approximately 3.3 miles north of the project site (City of San Marcos 2012). However, the project site is not zoned for agricultural use because it is zoned for Medium High Density Residential (MHDR) and Commercial (C) uses and is not within Williamson Act contract land. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. 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 section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The project site is not within forest land, timberland, or timberland zoned for Timberland Production. Therefore, the project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in California Public Resources Code, Section 12220[g]), timberland (as defined by California Public Resources Code, Section 4526), or timberland zoned Timberland Production (as defined by California Government Code, Section 51104[g]). 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 is not within forest land and has no commercial forest trees on the property; therefore, the project would not result in the loss of forest land or conversion of forest land to non-forest production use. 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 would not involve changes in the existing environment that would result in conversion of Farmland to non-agricultural use or forest land to non-forest use. As discussed previously, the project site is not zoned for agricultural use and is not within or surrounded by forest land. Therefore, no impact would occur.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard)?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Environmental Setting

The project site is in the San Diego Air Basin (SDAB), which is a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean to the west and high mountain ranges to the east. The topography in the SDAB region varies greatly, from beaches on the west, to mountains, and then desert to the east. The climate in the SDAB is largely dominated by the strength and position of the semi-permanent high-pressure system over the Pacific Ocean, known as the Pacific High. This high-pressure ridge over the West Coast often creates a pattern of late night and early morning low clouds, hazy afternoon sunshine, daytime onshore breezes, and little temperature variation year-round.

Air quality laws and regulations have divided air pollutants into two broad categories: criteria air pollutants and toxic air contaminants (TACs). Criteria air pollutants are a group of common air pollutants regulated by the federal and state governments by means of ambient standards based on criteria regarding public health and environmental effects of pollution (USEPA 2022). The U.S. Environmental Protection Agency (USEPA) and California Air Resources Board (CARB) have identified six air pollutants of concern at nationwide and statewide levels: carbon monoxide (CO), oxides of nitrogen (NO_x), ozone (O_3), particulate matter, sulfur dioxide (SO_2), and lead. TACs are pollutants with the potential to cause significant adverse health effects. TACs can be separated into carcinogens and noncarcinogens based on the nature of the effects associated with exposure to the pollutant.

Impact Analysis

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The San Diego County Air Pollution Control District (SDAPCD) is the designated air quality control agency for the SDAB. The SDAPCD monitors air pollution, implementation of the County's portion of the State Implementation Plan (SIP), and application of SDAPCD rules and regulations. The SIP and the San Diego Regional Air Quality Strategy (RAQS) contain strategies and tactics to be applied to attain and maintain acceptable air quality in the County. The 2022 RAQS (SDAPCD 2023) and the Ozone Attainment Plan (SDAPCD 2020a) are the applicable air quality plans for the project.

The SDAPCD relies on information from CARB and San Diego Association of Governments (SANDAG), including projected growth in the region and resulting mobile emissions, area emissions, and other source emissions, to project future emissions and to develop appropriate strategies for the reduction of source emissions through regulatory controls. A project that proposes growth that exceeds growth assumptions would potentially conflict with the RAQS and SIP because it would potentially result in mobile source emissions that would exceed the projected emissions inventory. Projects that are consistent with the existing San Marcos General Plan and subsequent SANDAG population projections, which are used to develop air emissions budgets for air quality planning and attainment demonstrations, would be consistent with the SDAB air quality plans, including the RAQS and SIP.

The project includes the construction of 16 residential units on two lots in the City. The project would include a General Plan Amendment to change the land use designation for one of the parcels from Commercial (C) to Medium High Density Residential (MHDR), which would allow up to 30 dwelling units per acre. Approximately 0.33 acre of the project site would be converted to Medium High Density Residential (MHDR). The remaining 0.35 acre is already designated as Medium High Density Residential (MDHR) and would allow up 10 dwelling units. Therefore, to allow six additional dwelling units, the project would require a General Plan Amendment. The City of San Marcos Climate Action Plan (CAP) includes screening thresholds for CAP consistency, which normalize various land uses to a single-family dwelling unit equivalency for comparison of typical emissions potential (City of San Marcos 2022b). Six multi-family dwelling units have a single-family dwelling unit equivalency of 4.2 units. Based on the maximum allowable floor to area ratio of 0.7 for areas with the C zoning designation, the 0.33 acre to be rezoned currently allows up to 10,000 square feet of commercial space, which amounts to 18 single-family dwelling unit equivalents. As such, the project proposes development that is less intense than the originally planned development and would be within projected emissions for parcel development. Additionally, the combination of parcels would allow greater opportunity to build up to the planned densities in the San Marcos General Plan and greater flexibility in site design to accommodate 16 residential units, parking, access and circulation, and common open space areas.

Therefore, the project would implement planned residential development and would be consistent with the growth assumptions in the San Marcos General Plan and also be consistent with the RAQS and SIP. Impact would be less than significant.

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

The SDAPCD significance thresholds for air quality impacts are shown in Table 3, Screening Level Criteria Thresholds for Air Quality Impacts. These thresholds are designed to identify those projects that would result in significant levels of air pollution and to assist the region in attaining the applicable state and federal ambient air quality standards and, as such, are cumulative in nature. Projects that would not exceed the standards of significance would not contribute a considerable amount of criteria air pollutant emissions to the region's emissions profile and would not impede attainment and maintenance of ambient air quality standards. However, if the region is in non-attainment status for a particular criteria pollutant and a project's individual emissions exceed the threshold levels, its incremental contribution could be considered cumulatively considerable. The SDAB is listed as non-attainment for O_3, particulate matter measuring no more than 10 microns in diameter (PM_{10}), and fine particulate matter measuring no more than 2.5 microns in diameter ($PM_{2.5}$). Therefore, there is a significant cumulative impact on air quality resulting from air quality violations of PM_{10}, $PM_{2.5}$, and O_3 precursor (volatile organic compounds [VOCs] and NO_x) emissions.

Table 3. Screening Level Criteria Thresholds for Air Quality Impacts

Pollutant	Screening Level (pounds/day)
CO	550
NO_X	250
PM_{10}	100
$PM_{2.5}$	55
SO_X	250
VOC	75

Sources: SDAPCD 2020b; County of San Diego 2007.

Notes: CO = carbon monoxide; NO_X = oxides of nitrogen; PM_{10} = particulate matter measuring no more than 10 microns; $PM_{2.5}$ = particulate matter measuring no more than 2.5 microns; SO_X = oxides of sulfur oxides; VOC = volatile organic compound

Construction of the project would result in temporary air pollutants associated with soil disturbance, dust emissions, vehicle exhaust, off-gassing from paving and coating activities, and

combustion pollutants from off-road construction equipment. Construction-related air pollution emissions can vary from day to day, depending on the level of activity, the type of activity, and the prevailing weather conditions. The primary air pollutants of concern from construction activities are particulate matter (including both PM_{10} and $PM_{2.5}$), CO, and O_3 precursors (including VOCs and NO_x).

Maximum daily emissions were estimated using the California Emissions Estimator Model (CalEEMod) Version 2020.4.0 using information provided by the applicant (CAPCOA 2021). Construction would start in November 2023 and take approximately 12 months. Construction would require approximately 10,000 square feet of demolition and 460 cubic yards of net import. The project would comply with SDAPCD Rule 67 for architectural coatings. Refer to Appendix A, CalEEMod Outputs, for full modeling details.

Construction maximum daily emissions are shown in Table 4, Estimated Construction Daily Maximum Air Pollutant Emissions (pounds/day).

Table 4. Estimated Construction Daily Maximum Air Pollutant Emissions (pounds/day)

Construction Phase	VOC	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Demolition	1.5	15.1	14.2	<0.1	2.5	0.9
Site Preparation	0.5	6.2	4.0	<0.1	0.3	0.2
Grading	1.7	19.2	12.1	<0.1	5.6	3.3
Building Construction	0.6	6.6	7.5	<0.1	0.5	0.3
Architectural Coating	4.0	1.2	1.8	<0.1	0.1	0.1
Paving	0.7	5.2	7.4	<0.1	0.3	0.2
Maximum Daily Emissions	4.0	19.2	14.2	<0.1	5.6	3.3
Maximum Daily Emissions (Overlapping Site Preparation and Grading)	*2.2*	*25.4*	*16.1*	*<0.1*	*5.9*	*3.5*
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Significant Impact?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Appendix A.

Notes: CO = carbon monoxide; NO_X = oxides of nitrogen; PM_{10} = particulate matter measuring no more than 10 microns; $PM_{2.5}$ = particulate matter measuring no more than 2.5 microns; SDAPCD = San Diego County Air Pollution Control District SO_2 = sulfur dioxide; VOC = volatile organic compound

As shown in Table 4, estimated maximum daily construction emissions would not exceed the SDAPCD thresholds for any criteria pollutants. Therefore, direct and cumulative impacts from criteria pollutants generated during construction would be less than significant.

Operation

Operation of the project would generate criteria air pollutants from mobile sources (vehicles), area sources (consumer product use, architectural coatings, and landscape maintenance equipment), and energy (natural gas). Operational emissions were also estimated in CalEEMod using

CalEEMod defaults, project-specific information from the client for landscaping water use, and traffic information from the Transportation Assessment prepared by Linscott, Law & Greenspan, Engineers (Appendix B, Transportation Assessment). CARB's emissions factors derived from the implementation of the EPA and National Highway and Safety Transportation Administration's Safer Affordable Fuel Economy (SAFE) Rule was applied to the CalEEMod fun to generate more conservative emissions estimates from mobile source activity.

Table 5, Estimated Maximum Daily Operational Criteria Air Pollutant Emissions, shows the estimated maximum daily operational emissions for the project.

Table 5. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Emissions Source	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Area Sources	0.3	<0.1	1.3	<0.1	<0.1	<0.1
Energy Sources	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Mobile Sources	0.3	0.2	2.2	<0.1	0.5	0.1
Emissions Total	**0.6**	**0.2**	**3.5**	**<0.1**	**0.5**	**0.1**
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Appendix A.

Notes: CO = carbon monoxide; NO_X = oxides of nitrogen; PM_{10} = particulate matter measuring no more than 10 microns; $PM_{2.5}$ = particulate matter measuring no more than 2.5 microns; SDAPCD = San Diego County Air Pollution Control District SO_2 = sulfur dioxide; VOC = volatile organic compound

As shown in Table 5, estimated maximum daily operational emissions would not exceed the SDAPCD thresholds for any criteria pollutants. Therefore, the project's direct and cumulative operational criteria air pollutant impact would be less than significant.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The County of San Diego defines sensitive receptors for air quality impacts as residences, schools, hospitals, residential care facilities, daycare centers, or other facilities that may house individuals with health conditions that would be adversely affected by changes in air quality. Impacts on sensitive receptors are typically analyzed for CO hotspots and exposure to TACs. Nearby sensitive receptors include the Intellichildren Infant Care and Preschool located to the west, at the Boys and Girls Club. An analysis of the project's potential to expose sensitive receptors to these pollutants is provided below.

Carbon Monoxide Hotspots

Vehicle exhaust is the primary source of CO. In an urban setting, the highest CO concentrations are generally found within proximity to congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as distance from the emissions source (i.e., congested intersection) increase. Project-generated traffic has the potential of contributing to

localized hotspots of CO off site. A CO hotspot is a localized concentration of CO that is above the state or national 1-hour or 8-hour CO ambient air standards.

To verify that the project would not cause or contribute to a violation of the 1-hour and 8-hour CO standards either on a project or cumulative level, an evaluation of the potential for CO hotspots at nearby intersections was conducted using County screening criteria (County of San Diego 2007). The Transportation Assessment (Appendix B) evaluated whether there would be a decrease in the level of service (LOS) at the intersections affected by the proposed project. Per County criteria, a CO hotspot analysis would be required if the project would:

- Place sensitive receptors within 500 feet of a signalized intersection with an LOS of E or F, with peak-hour trips exceeding 3,000 vehicles; or
- Cause intersections to operate at LOS E or F, with peak-hour trips exceeding 3,000 vehicles

According to the Transportation Assessment (Appendix B), all studied intersections with the addition of project traffic would continue to operate at LOS B. Therefore, further evaluation of potential CO hotspots would not be required, and eth impact on sensitive receptors by CO hotspots would be less than significant.

Toxic Air Contaminants

Construction

Construction activities would result in short-term, project-generated emissions of diesel particulate matter (DPM) from the exhaust of off-road, heavy-duty diesel equipment. CARB identified DPM as a TAC in 1998. The dose to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment, Health Risk Assessments, which determine the exposure of sensitive receptors to TAC emissions, should be based on a 30-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the project.

Relatively few pieces of off-road, heavy-duty diesel equipment would be used during construction, and the construction period would be relatively short (approximately 12 months), especially compared to 30 years. Combined with the highly dispersive properties of DPM and additional reductions in exhaust emissions from improved equipment, construction-related emissions would not expose sensitive receptors to substantial emissions of DPM. Therefore, the impact from construction emissions of TACs would be less than significant.

Operation

Health Risk Assessments are typically conducted for substantial sources of diesel particulate emissions (e.g., truck stops, bus stations, and warehouse distribution facilities). In addition, typical sources of acutely and chronically hazardous TACs include industrial manufacturing processes, automotive repair facilities, and dry-cleaning facilities. The project consists of new residences that are not a typical source of TACs and do not warrant a Health Risk Assessment. As such, the proposed residential uses would not generate substantial TACs, and the impact would be less than significant.

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. The project could produce localized odors during proposed construction activities resulting from heavy diesel equipment exhaust; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short term, and intermittent in nature and would cease upon the completion of the respective phase of construction. Therefore, the odor impact from construction of the project would be less than significant due to the duration of exposure.

CARB's Air Quality and Land Use Handbook (CARB 2005) includes a list of the most common sources of odor complaints received by local air districts. Typical sources of odor complaints include facilities such as sewage treatment plants, landfills, recycling facilities, petroleum refineries, and livestock operations. The project, a residential development, would not include these uses. Therefore, the operational odor impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.4 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?	☐	☒	☐	☐
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?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e. Conflict with any applicable policies protecting biological resources?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan?	☐	☐	☐	☒

Environmental Setting

The biological resources analysis in this section includes a database review and a field reconnaissance survey to document the existing biological conditions of the project site. The results of this analysis provide information on the potential impacts from project development due to the presence of special-status biological resources. No focused wildlife, plant, or other surveys were conducted as part of this analysis.

Harris biologists conducted a biological resources field reconnaissance survey of the project site on January 19, 2023. The survey included walking meandering transects throughout the project site, mapping vegetation communities and land cover types, and recording observed wildlife and plant species. Plants and wildlife were identified by direct observation, vocalizations, or other observance, including tracks, scat, and other signs. Therefore, lists of observed species are not necessarily comprehensive because species can be outside their blooming periods and/or in

senescence, nocturnal, secretive, or within the region seasonally or during migration only and, therefore, may not have been observed. It should be noted that the timing of this survey is not optimal for many plant species, especially mid- to late-season blooming plants.

A review of online databases, including the California Department of Fish and Wildlife California Natural Diversity Database (CDFW 2023a), California Department of Fish and Wildlife Biogeographic Information and Observation System (CDFW 2023b), SanGIS SanBIOS database (SanGIS 2023), U.S. Fish and Wildlife (USFWS) Information for Planning and Consultation (USFWS 2023a), USFWS National Wetlands Inventory (NWI) Wetlands Mapper (USFWS 2023b), California Native Plant Society Inventory of Rare and Endangered Plants of California (CNPS 2023), Consortium of California Herbaria database (CCH 2023), and Calflora database (Calflora 2023), was conducted for the project.

No sensitive plant or wildlife species were observed on the project site. Distributions of historical sensitive species observations within 1 mile of the project site were reviewed prior to the field survey. Based on the database review, five sensitive plant species and 10 sensitive wildlife species were considered for potential to occur on the project site (Figure 4, Sensitive Species Potential to Occur). None of these sensitive species were determined to have a high potential to occur on the project site based on several different factors, including absence of suitable habitat within and immediately surrounding the project site, lack of occurrences within proximity, and/or lack of recent documentation in the surrounding area (i.e., records prior to 1970).

The potential presence of critical habitat on the project site was also analyzed. No critical habitat for sensitive plant or wildlife species occurs on the project site. The closest critical habitat is located between 1 and 1.5 miles away to the west, southwest, and south, for coastal California gnatcatcher (*Polioptila californica californica*), San Diego fairy shrimp (Branchinecta sandiegonensis), spreading navarretia (*Navarretia fossalis*), and thread-leaved brodiaea (*Brodiaea filifolia*) (Figure 5, Critical Habitat).

Two vegetation communities and land cover types, disturbed habitat and urban/developed land, were observed on the project site (Figure 6, Vegetation Communities and Land Cover Types). Disturbed habitat and urban/developed land are not considered sensitive vegetation communities. The northern half of the project site is characterized as disturbed habitat that is vegetated with low-growing weeds and grasses. Ornamental trees occur around the northern and western edges of the project site. The southern half of the project site, mapped as urban/developed land, contains two unoccupied structures and a paved development pad. Ornamental shrubs, weeds, and grasses were observed growing along the edges and around the structures in this portion of the project site.

Consistent with the NWI Wetlands Mapper results, no aquatic resources were observed or documented to occur on the project site (Figure 7, Aquatic Resources). The closest documented aquatic resources are San Marcos Creek and an unnamed tributary to the creek, approximately 0.3 mile south and east,

respectively. These aquatic resources are designated as Freshwater Emergent Wetland, Freshwater Forested/Shrub Wetland, and Riverine in the NWI Wetlands Mapper (Figure 7).

The California Essential Habitat Connectivity Project has not identified any wildlife movement corridors occurring on or in the vicinity of the project site (CDFW 2023c). The nearest identified wildlife movement corridor is over 9 miles to the northeast.

Impact Analysis

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. Potential impacts on sensitive plant and wildlife species are discussed in the following subsections.

Sensitive Plant Species

As discussed previously, no sensitive plant species were observed on the project site or determined to have a high potential to occur. Surveys were not conducted during the blooming period for the five sensitive species with potential to occur on the project site: Orcutt's brodiaea (*Brodiaea orcuttii*), Parry's tetracoccus (*Tetracoccus dioicus*), San Diego button-celery (*Eryngium aristulatum* var. *parishii*), southern tarplant (*Centromadia parryi* ssp. *australis*), and spreading navarretia (Figure 4). Although the field reconnaissance survey was not a focused rare plant survey, the project site consists of disturbed habitat and urban/developed land surrounded by urban development and does not contain suitable habitat that would support these sensitive plant species (Figure 6). Therefore, implementation of the project would not result in a potentially significant impact on sensitive plant species, and the impact would be less than significant.

Sensitive Wildlife Species

As discussed previously, no sensitive wildlife species were observed on the project site or determined to have a high potential to occur. Although the field reconnaissance survey was not a focused sensitive wildlife survey, the project site was evaluated for availability of habitats that could support the 10 sensitive species with potential to occur: coastal California gnatcatcher, least Bell's vireo (*Vireo bellii pusillus*), American badger (*Taxidea taxus*), San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), Townsend's big-eared bat (*Corynorhinus townsendii*), Blainville's horned lizard (*Phrynosoma blainvillii*), Coronado skink (*Plestiodon skiltonianus interparietalis*), red-diamond rattlesnake (*Crotalus ruber*), ringneck snake (*Diadophis punctatus*), and San Diego banded gecko (*Coleonyx variegatus abbotti*) (Figure 4). As previously discussed, the project site consists of disturbed habitat and urban/developed land surrounded by urban development and does not contain suitable habitat that would support these sensitive wildlife

species (Figure 6). Therefore, implementation of the project would not result in a potentially significant impact on sensitive wildlife species, and the impact would be less than significant.

Nesting Birds

A nesting bird survey was not conducted as part of the field reconnaissance survey. Although no active nests were observed on the project site, the survey was conducted on January 19, 2023, early in the general bird breeding season, which starts on January 15, and nesting behaviors may not have been observed.

Ornamental trees and shrubs, which provide potentially suitable habitat for some nesting birds and raptors protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC), Section 3504, occur along the northern and western edges of the project site. If construction is conducted during the general bird breeding season (January 15 through August 31), project implementation would have the potential to impact bird and raptor species that are protected under the MBTA and CFGC. Therefore, temporary impacts from disturbance and displacement of nesting birds during construction, including noise and vibration, could result in significant impacts on bird species protected under the MBTA and CFGC, and mitigation would be required.

Roosting Bats

The survey area contains suitable roosting and foraging habitat for both common and sensitive bat species. While no bats were observed using the survey area for roosting or foraging during the survey, no nighttime focused acoustic surveys were conducted. As previously discussed, database search results identified known historical locations for Townsend's big-eared bat, a California species of special concern, within 1 mile of the project site (Figure 4). Potentially suitable roosting habitat (i.e., buildings and crevices) and suitable foraging habitat (i.e., open grassy areas, ornamental plantings) for this structure-dwelling species are available on the project site. However, Townsend's big-eared bat avoids areas heavily used by humans and, therefore, is unlikely to occur on the project site. The buildings in the developed land in the southern portion of the survey area provide suitable roosting habitat for other structure-dwelling species like Mexican long-tongued bat (*Choeronycteris mexicana*; CDFW Species of Special Concern) and big brown bat (*Eptesicus fuscus*). Further, the ornamental trees along the northern edge of the disturbed habitat in the northern portion of the survey area could provide suitable roosting habitat for tree-roosting bats, such as the hoary bat (*Lasiurus cinereus*) and western red bat (*Lasiurus blossevillii*). Western red bat and western yellow bat are both CDFW Species of Special Concern.

Demolition and construction in the survey area, particularly removal of any ornamental trees or structures, could result in direct impacts to bats in the form of roosting habitat loss. Potential impacts to roosting bat species during construction and tree removal are considered potentially significant without mitigation.

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 US Fish and Wildlife Service?

No Impact. As discussed previously, no sensitive vegetation communities occur on the project site. Two non-sensitive vegetation communities and land cover types, disturbed habitat and urban/developed land, occur in the northern and southern portions of the project site, respectively. Impacts on disturbed habitat and urban/developed land from project implementation are not considered significant. Therefore, implementation of the project would not result in a potentially significant impact on riparian habitat or other sensitive natural community No impact would occur.

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?

No Impact. As discussed previously, no aquatic resources were observed on the project site, and the NWI mapping results did not identify documented aquatic features on the project site (Figure 7). Therefore, implementation of the project would not result in a potentially significant impact on jurisdictional aquatic resources. No impact would occur.

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 project site contains disturbed habitat and urban/developed land and is surrounded by commercial urban development (Figures 2 and 6). Due to the presence of the surrounding urban development, the project site is unlikely to provide major movement and dispersal areas for wildlife species or connections to open space areas. However, as discussed in Section 2.4.4(a), the small number of trees and shrubs on the project site have the potential to provide habitat for birds and raptors for migration connectivity both locally and regionally.

While some areas on the project site have the potential to provide live-in habitat for sensitive bird and raptor species, the project site does not support regional wildlife corridors or linkages. Therefore, implementation of the project would result in a less than significant impact on wildlife corridors or nursery sites.

e. Would the project conflict with any applicable policies protecting biological resources?

No Impact. The project would be required to comply with the local policies and ordinances protecting biological resources identified in the San Marcos General Plan as a condition of approval (City of San Marcos 2012). Therefore, no impact would occur from conflicts with local policies or ordinances.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan?

No Impact. The San Marcos Draft Subarea Plan was submitted for approval concurrent with the Multiple Habitat Conservation Program (MHCP) and has not yet been approved (SANDAG 2003). The San Marcos Draft Subarea Plan includes Focused Planning Areas designated as Hardline (90 percent conservation) and Softline (less than 90 percent conservation). The project site is not within the Hardline or Softline Focused Planning Areas under the San Marcos Draft Subarea Plan (City of San Marcos 2001).

The project would be required to comply with the requirements of the MHCP and Draft San Marcos Subarea Plan as a condition of approval. Therefore, no impact on local and regional conservation plans would occur from the implementation of the project.

Mitigation Measures

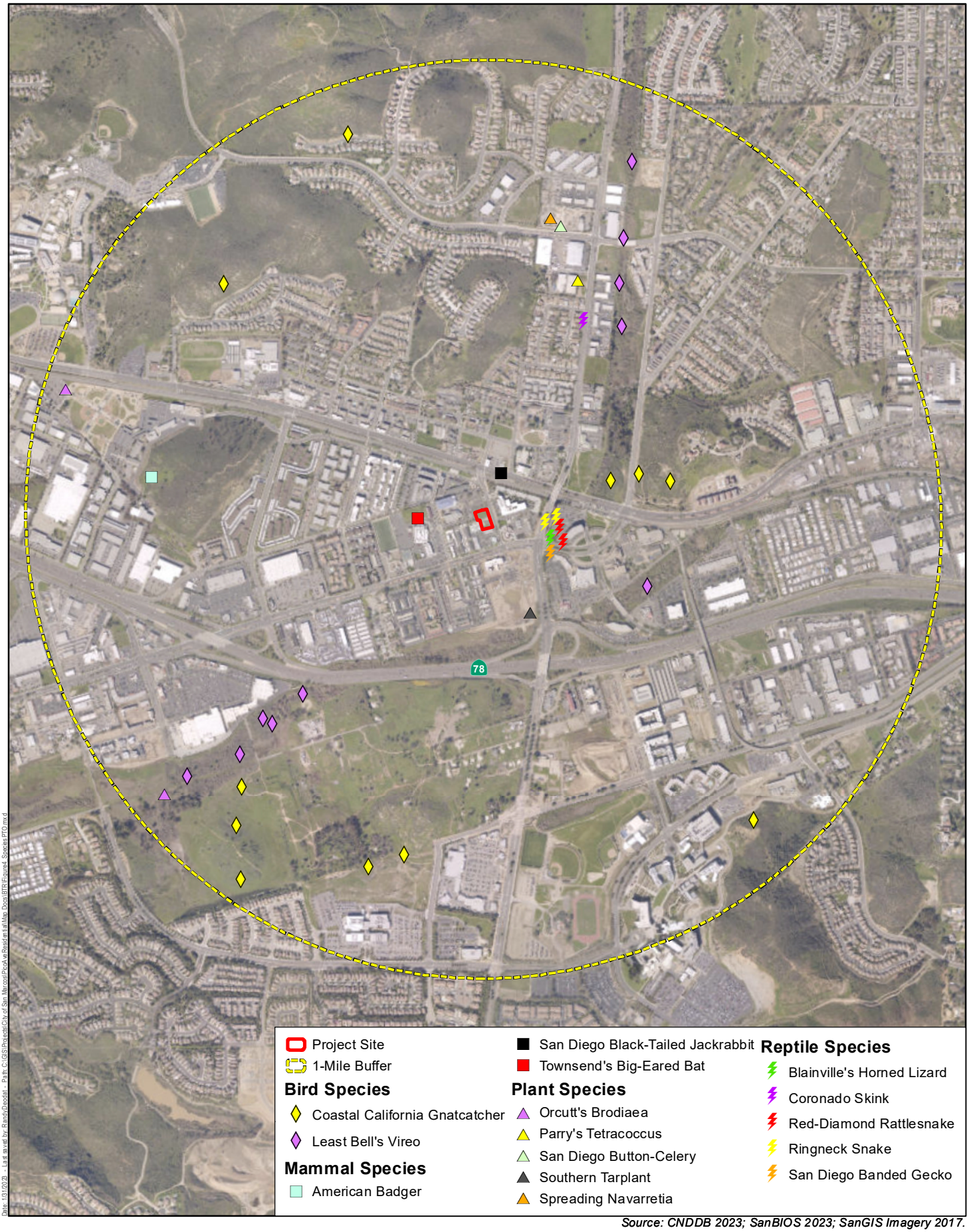
The following mitigation is required as part of the project to ensure that potential impacts on nesting birds and roosting bats are mitigated to a less than significant level:

BIO-1: **General Nest Surveys.** No grubbing, trimming, or clearing of vegetation from the project site shall occur during the general bird breeding season (February 1 to September 15) to prevent potential impacts to nesting birds, including raptors. If grubbing, trimming, or clearing of vegetation cannot feasibly occur outside the general bird breeding season, a qualified biologist, as approved by the City of San Marcos, shall perform a pre-construction nesting bird survey no more than 72 hours before the start of vegetation grubbing, trimming, or clearing to determine if active bird nests are present in the affected areas and must be submitted to the Planning Division to verify there are no active nests on the subject property. If one or more active nests are found during the pre-construction survey, the area shall be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum buffer of 300 feet for raptors, or as determined by the project biologist, and shall be avoided until the nesting cycle is complete. If no nesting birds (including nest building or other breeding or nesting behavior) are on the project site, grubbing, trimming, or clearing shall proceed.

When construction occurs during the bird breeding season, a qualified biologist shall conduct a weekly nest survey of the area within 100 feet of construction to survey for nesting migratory birds and raptors.

BIO-2: **Structure Clearance.** Prior to the issuance of any permit to allow for the removal or demolition of trees and existing structures within the survey area, a qualified monitoring biologist shall conduct clearance surveys to flush out any wildlife species nesting, roosting, or otherwise occupying the trees or structures. If wildlife species are

encountered within any of the trees or structures (outside the general bird nesting season), the qualified monitoring biologist shall remove them, if possible, or provide them with a means of escape and allow the species to disperse. If tree-roosting bats are suspected, slow removal by gently pushing the tree over with heavy equipment is required.



Source: CNDDB 2023; SanBIOS 2023; SanGIS Imagery 2017.

Harris & Associates

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0 750 1,500

Feet

Figure 4

Sensitive Species Potential to Occur

Pico Avenue Residential Project

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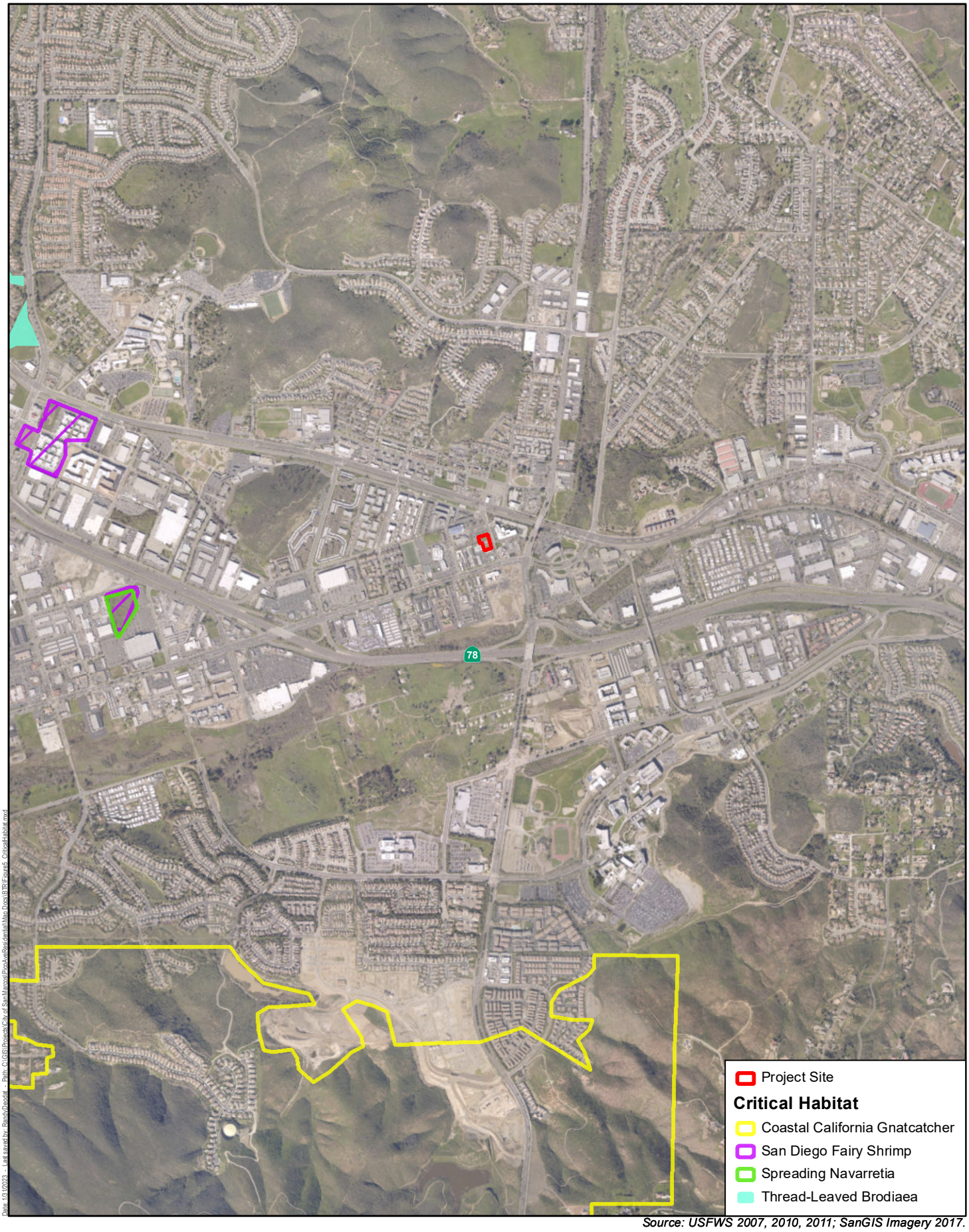

Date: 10/1/2023 - Last saved by: RandyDoodt - Path: O:\GIS\Projects\City of San Marcos\Pico Ave Residential\Map Docs\IBR\Figure5_CriticalHabitat.mxd

Source: USFWS 2007, 2010, 2011; SanGIS Imagery 2017.

Harris & Associates

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Figure 5

Critical Habitat

Pico Avenue Residential Project

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Source: USDA 1973; SanGIS Imagery 2017.

Harris & Associates

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Figure 6

Vegetation Communities and Land Cover Types

Pico Avenue Residential Project

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Source: USFWS 2022; SanGIS Imagery 2017.

Harris & Associates

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Figure 7

Aquatic Resources

Pico Avenue Residential Project

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2.4.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☒	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Environmental Setting

Harris archaeologists conducted a records search of the surrounding area using the California Historical Resources Inventory System. Six studies have been conducted within a 0.5-mile radius and 17 sites were identified (Appendix C, Archaeological and Historic Resources Survey Report – Positive Findings). Of the previously recorded sites, eight are prehistoric (P-37-005632/CA-SDI-5632, P-37-008720/CA-SDI-8720, P-37-012095/CA-SDI-12095, P-37-012098/CA-SDI-12098, P-37-030656/CA-SDI-19475, P-37-030745/CA-SDI-19524, P-37-039597/CA-SDI-23151, and P-37-039617/CA-SDI-23161), three are historic (P-37-014081, P-37-033557, and P-37-036140), two are multi-component (P 37-014081 and P-37-036141), and four are prehistoric isolates (P-37-12210, P-37-015578, P-37-015579, and P-37-030657). The nearest archaeological resources (lithic scatter) are approximately 0.25 mile west (P-37-012098) and north (P-37-012210) of the project site. One historic resource, the San Marcos Forest Fire Station Gas & Oil House, is present on site.

In addition to the South Coastal Information Center records search, Harris archaeologists conducted an online review of historic aerial photographs of the project site and general vicinity to identify the historic development of the project site. The historic aerial from 1938 indicates no development for the project site; however, by 1947 structures and a circular driveway are present. In 1953 adjacent properties were in agricultural use, and by 1964 development in the surrounding area is present. By the mid-1980s, major roadways and additional development are extant. The early 1990s illustrate commercial development around the project site. The area remains essentially the same until 2009, when civic uses are introduced east of the project.

Harris archeologists also conducted a pedestrian site survey on April 4, 2023. No new cultural resources were located during a detailed survey of the area. Historical Resource P-37-014081, consisting of two buildings associated with the San Marcos Forest Fire Station Gas & Oil House, was re-evaluated to assess the current historical value of the buildings.

Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Less Than Significant Impact. One previously known historic resource, the San Marcos Forest Fire Station Gas & Oil House, was identified on the project site. This resource was originally documented in 1994 by Mark Thornton. It was identified as a 1939 combination of a barracks and a two-bay truck garage. The structure is described as a single-story wood-frame building that was constructed in an "L" floor plan in a Craftsman Bungalow architectural style. The structure has been remodeled and enlarged since its original construction.

According to the Archaeological and Historic Resources Survey Report – Positive Findings (Appendix C), the structures have modern additions, modifications, and damage that have impacted the historic integrity.

The site consists of two buildings, a garage and a barracks, both originally built in 1939, that serviced the San Marcos Forest Fire Station. Both buildings have been boarded up and been without necessary maintenance and upkeep. Both structures were in noticeable disrepair, extensively damaged by vandalism and the elements, and have undergone significant modernization prior to abandonment that changed the outward appearance and historical character of the resource.

Both buildings show significant dilapidation, with severely peeling paint throughout, modern spray paint graffiti, the asphalt roof disintegrating on the south-facing sides, the flashing and fascia of the eaves being mostly missing, multiple locations of exterior cladding either damaged or completely removed, and the in-ground sign and mailbox area having been destroyed. In addition, the rear porch roof of the barracks is collapsing due to a now-missing vertical support beam. In addition, numerous examples of modern additions, added before disuse of the property, also impact the historic character of the structures.

The project would result in demolition of the on-site structures. The combination of visible damage (including spray paint graffiti, missing or damaged exterior cladding and fascia, a collapsing rear porch roof, and a destroyed entrance sign/mailbox area) and obvious modern upgrades (including a plastic eyewash station, surface-mounted polyvinyl chloride water lines, modern lighting, modern electrical and sprinkler control systems, modern radio antenna, and modern garage door) were found to significantly decrease the historical importance of the resource. Therefore, this site was determined to not be a significant historic resource pursuant to CEQA Guidelines, Section 15064.5. Therefore, impacts would be less than significant.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant with Mitigation Incorporated. Impacts to archaeological resources most often occur as the result of excavation or grading. Archaeological resources may also incur indirect impacts as the result of project activity that increases erosion or the accessibility of a surface resource, and thus increases the potential for vandalism or illicit collection. The Archaeological and Historic Resources Survey Report – Positive Findings (Appendix C) concluded that no previously unrecorded resources were located within the survey area; however, based on the very poor visibility in the northern parcels and the possibility of additional subsurface historic resources in the southern parcel, there is still potential for known or unknown prehistoric or historic resources. Therefore, the potential to disturb unknown or known archaeological resources during construction would be potentially significant and mitigation would be required.

c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant with Mitigation Incorporated. Based on the Archaeological and Historic Resources Survey Report – Positive Findings (Appendix C), no human remains have been identified on the project site or in the immediate project area. Although unlikely, unidentified human remains, whether as part of a prehistoric cemetery, an archaeological site, or an isolated occurrence, could be present below the ground surface in any location. Therefore, project impacts to unknown human remains during construction would be potentially significant and mitigation would be required.

Mitigation Measures

The following mitigation is required as part of the project to ensure that potential cultural resources impacts are mitigated to levels that are less than significant:

CUL-1: **Pre-Excavation Agreement**. Prior to the issuance of a Grading Permit or ground-disturbing activities, the applicant/owner shall enter into a Tribal Cultural Resources Treatment and Repatriation Agreement (Pre-Excavation Agreement) with a Traditionally and Culturally Affiliated Native American Tribe, identified in consultation with the City of San Marcos. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the applicant/owner and the Traditionally and Culturally Affiliated Tribe for the protection, treatment, and repatriation of Native American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas, and other Tribal Cultural Resources. Such resources may be located within and/or discovered during ground-disturbing and/or construction activities for the proposed project, including any additional culturally appropriate

archaeological studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and other ground-disturbing activities. Any project-specific Monitoring Plans and/or excavation plans prepared by the project archaeologist shall include the Traditionally and Culturally Affiliated Tribe requirements for protocols and protection of Tribal Cultural Resources that were agreed to during the Tribal consultation.

The landowner shall relinquish ownership of all non-burial related Tribal Cultural Resources collected during construction monitoring and from any previous archaeological studies or excavations on the project site to the Traditionally and Culturally Affiliated Tribe for proper treatment and disposition per the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The requirement and timing of such release of ownership, and the recipient thereof, shall be reflected in the Pre-Excavation Agreement. If the Traditionally and Culturally Affiliated Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.

CUL-2: **Construction Monitoring.** Prior to the issuance of a Grading Permit or ground-disturbing activities, the applicant/owner or grading contractor shall provide written documentation (either as signed letters, contracts, or emails) to the City of San Marcos Planning Division stating that a qualified archaeologist and Traditionally and Culturally Affiliated Native American monitor have been retained at the applicant/owner or grading contractor's expense to implement the construction monitoring program, as described in the Pre-Excavation Agreement.

The qualified archaeologist and Traditionally and Culturally Affiliated Native American monitor shall be invited to attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to present the construction monitoring program. The qualified archaeologist and Traditionally and Culturally Affiliated Native American monitor shall be present on site during grubbing, grading, trenching, and/or other ground-disturbing activities that occur in areas of native soil or other permeable natural surfaces that have the potential to unearth any evidence of potential archaeological resources or Tribal Cultural Resources. In areas of artificial paving, the qualified archaeologist and Traditionally and Culturally Affiliated Native American monitor shall be present on site during grubbing, grading, trenching, and/or other ground-disturbing activities that have the potential to disturb more than 6 inches below the original pre-project ground surface to identify any evidence of potential archaeological or Tribal Cultural Resources. No monitoring of fill material, existing or imported, will

be required if the General Contractor or developer can provide documentation to the satisfaction of the City that all fill materials being used at the site are either (1) from existing commercial (previously permitted) sources of materials or (2) from private or other non-commercial sources that have been determined to be absent of Tribal Cultural Resources by the qualified archaeologist and Traditionally and Culturally Affiliated Native American monitor.

The qualified archaeologist and Traditionally and Culturally Affiliated Native American monitor shall maintain ongoing collaborative coordination with one another during all ground-disturbing activities. The requirement for the construction monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The applicant/owner or grading contractor shall provide written notice to the Planning Division and the Traditionally and Culturally Affiliated Tribe, preferably through email, of the start and end of all ground-disturbing activities.

Prior to the release of any grading bonds, or prior to the issuance of any project Certificate of Occupancy, an Archaeological Monitoring Report, which describes the results, analysis, and conclusions of the construction monitoring, shall be submitted by the qualified archaeologist, along with any Traditionally and Culturally Affiliated Native American monitor's notes and comments received by the qualified archaeologist, to the Planning Division manager for approval. Once approved, a final copy of the Archaeological Monitoring Report shall be retained in a confidential City project file and may be released, as a formal condition of Assembly Bill 52 consultation, to consulting Tribes or any parties involved in the project-specific monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, shall also be submitted to the South Coastal Information Center after approval by the City.

CUL-3: **Unanticipated Discovery Procedures.** Both the qualified archaeologist and the Traditionally and Culturally Affiliated Native American monitor may temporarily halt or divert ground-disturbing activities if potential archaeological resources or Tribal Cultural Resources are discovered during construction activities. Ground-disturbing activities shall be temporarily directed away from the area of discovery for a reasonable amount of time to allow a determination of the resource's potential significance. Isolates and clearly non-significant archaeological resources (as determined by the qualified archaeologist, in consultation with the Traditionally and Culturally Affiliated Native American monitor) shall be minimally documented in the field. All unearthed archaeological resources or Tribal Cultural Resources shall be collected, temporarily stored in a secure location (or as

otherwise agreed upon by the qualified archaeologist and the Traditionally and Culturally Affiliated Tribe), and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction.

If a determination is made that the archaeological resources or Tribal Cultural Resources are considered potentially significant by the qualified archaeologist, the Traditionally and Culturally Affiliated Tribe, and the Traditionally and Culturally Affiliated Native American monitor, then the City and the Traditionally and Culturally Affiliated Tribe shall determine, in consultation with the applicant/owner and the qualified archaeologist, the culturally appropriate treatment of those resources.

If the qualified archaeologist, the Traditionally and Culturally Affiliated Tribe, and the Traditionally and Culturally Affiliated Native American monitor cannot agree on the significance or mitigation for such resources, these issues shall be presented to the Planning Division manager for decision. The Planning Division manager shall make a determination based upon the provisions of CEQA and California Public Resources Code, Section 21083.2(b), with respect to archaeological resources and California Public Resources Code, Sections 21704 and 21084.3, with respect to Tribal Cultural Resources, and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the Traditionally and Culturally Affiliated Tribe.

All sacred sites, significant Tribal Cultural Resources, and/or unique archaeological resources encountered on the project site shall be avoided and preserved as the preferred mitigation. If avoidance of the resource is determined to be infeasible by the City as the lead agency, then the City shall require additional culturally appropriate mitigation to address the negative impact to the resource, such as, but not limited to, the funding of an ethnographic study and/or a data recovery plan, as determined by the City in consultation with the qualified archaeologist and the Traditionally and Culturally Affiliated Tribe. The Traditionally and Culturally Affiliated Tribe shall be notified and consulted regarding the determination and implementation of culturally appropriate mitigation and the drafting and finalization of any ethnographic study and/or data recovery plan, and/or other culturally appropriate mitigation. Any archaeological isolates or other cultural materials that cannot be avoided or preserved in place as the preferred mitigation shall be temporarily stored in a secure location on site (or as otherwise agreed upon by the qualified archaeologist and Traditionally and Culturally Affiliated Tribe) and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered

to do otherwise by responsible agency or court of competent jurisdiction. The removal of any artifacts from the project site will be inventoried with oversight by the Traditionally and Culturally Affiliated Native American monitor.

If a Data Recovery Plan is authorized as indicated above and the Traditionally and Culturally Affiliated Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area shall be collected using professional archaeological collection methods. If the qualified archaeologist collects such resources, the Traditionally and Culturally Affiliated Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Traditionally and Culturally Affiliated Native American monitor may, at their discretion, collect said resources for later reburial or storage at a local curation facility, as described in the Pre-Excavation Agreement.

In the event that curation of archaeological resources or Tribal Cultural Resources is required by a superseding regulatory agency, curation shall be conducted by an approved local facility within San Diego County and guided by California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections. The City shall provide the applicant/owner final curation language and guidance on the project grading plans prior to issuance of the Grading Permit, if applicable, during project construction. The applicant/owner shall be responsible for all repatriation and curation costs and provide to the City written documentation from the Traditionally and Culturally Affiliated Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.

CUL-4: **Human Remains.** As specified by California Health and Safety Code, Section 7050.5, if human remains, or remains that are potentially human, are found on the project site during ground-disturbing activities or during archaeological work, the person responsible for the excavation, or their authorized representative, shall immediately notify the San Diego County Medical Examiner's Office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the qualified archaeologist and/or the Traditionally and Culturally Affiliated Native American monitor) shall occur until the medical examiner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code, Section 5097.98.

If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the qualified archaeologist and/or the Traditionally and Culturally Affiliated Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by state law, the medical examiner shall determine within 2 working days of being notified if the remains are subject to their authority. If the medical examiner recognizes the remains to be Native American, and not under their jurisdiction, then the medical examiner shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission shall make a determination as to the most likely descendent, who shall be afforded 48 hours from the time access is granted to the discovery site to make recommendations regarding culturally appropriate treatment.

If suspected Native American remains are discovered, the remains shall be kept in situ (in place) until after the medical examiner makes their determination and notifications and until after the most likely descendent is identified, at which time the archaeological examination of the remains shall only occur on site in the presence of the most likely descendent. The specific locations of Native American burials and reburials shall be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the applicant/owner and the most likely descendant are in disagreement regarding the disposition of the remains, state law shall apply, and the mediation process shall occur with the Native American Heritage Commission. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code, Sections 5097.98[e] and 5097.94[k]).

2.4.6 Energy

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

Environmental Setting

San Diego Gas & Electric (SDG&E) provides electricity and natural gas to the project site.

Impact Analysis

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

Less Than Significant Impact. Energy use from construction and operation are discussed separately below.

Construction-Related Energy Impacts

The project, like all development, would be responsible for an incremental increase in the consumption of energy resources during construction due to on-site use of construction equipment and vehicle and truck trips. Total estimated diesel fuel use and motor gasoline consumption from operation of construction equipment, haul truck trips, vendor truck trips, and worker vehicle trips are provided in Table 6, Construction Diesel Fuel and Gasoline Use. Fuel use is estimated based on the results of CalEEMod modeling and conversion factors from the U.S. Environmental Protection Agency (USEPA 2023). Natural gas is not anticipated to be used during construction.

Table 6. Construction Diesel Fuel and Gasoline Use

Fuel Type[1]	GHG Emissions (MT CO_2e)	Gallons
Diesel Fuel	159.2	15,593
Motor Gasoline	13	1,526

Sources: Appendix A; USEPA 2023 (conversion factors).

Notes: GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent

[1] Includes fuel use from construction equipment, haul truck trips, vendor truck trips, and worker vehicle trips. Assumes a conversion factor of 10.21 kilograms of carbon dioxide equivalent (kg/CO_2) for diesel fuel and 8.78 kg/CO_2 for motor gasoline. Detailed calculations are provided in Appendix A.

When not in use, equipment would be off to avoid unnecessary energy consumption. Construction equipment would be required to comply with CARB emissions requirements for construction equipment, which include measures to reduce fuel-consumption, such as imposing limits on idling and requiring older engines and equipment to be retired, replaced, or repowered. The project would comply with applicable regulations for energy use during construction and is considered a one-time energy expenditure to facilitate the project's capacity to operate. Energy use would not be wasteful, inefficient, or unnecessary. Therefore, the impact during construction would be less than significant.

Operation-Related Energy Impacts

The project would construct 16 residential units. Implementation of the project would increase the demand for electricity and natural gas on the project site relative to the existing vacant site. Operational emissions from energy sources would include the on-site combustion of natural gas for heating and hot water and indirect energy use from the generation of electricity at the power plant supplying the project. As discussed in Section 2.4.3, Air Quality, energy source emissions were modeled using CalEEMod, which conservatively assumes compliance with 2019 Title 24 standards. Table 7, Operational Energy and Fuel Use, shows the total annual energy and fuel use anticipated with operation of the project.

Table 7. Operational Energy and Fuel Use

Energy Type	Energy/Fuel Use
Electricity (kWh/yr)	68,949
Natural Gas (KBTU/yr)	116,417
Motor Gasoline (Gallons)	8,485

Source: Appendix A.

Notes: kWh/yr = kilowatt-hour per year; KBTU/yr = kilo British thermal unit per year

Although electricity and natural gas consumption would increase due to the construction of the 16 residential units compared to the currently vacant site, the project would be highly energy efficient due to more stringent Title 24 requirements. The project would comply with all applicable energy efficiency requirements. Additionally, as discussed in Section 2.4.3(a), the project proposes development that is less intensive than a planned commercial development for the site. Therefore,

the project's energy consumption would not be considered wasteful, unnecessary, or inefficient. As a result, the impact would be less than significant.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. Natural gas is supplied to the project site by SDG&E. Energy is provided to San Marcos by Clean Energy Alliance, which provides 50 to 75 percent of energy from renewable sources in San Marcos (City of San Marcos 2023c). Although the project would result in a net increase in total square footage and in total electricity and natural gas consumption compared to existing conditions, implementation of the project would provide energy efficient residential development that meets the most recent applicable Title 24 standards, which include energy efficiency measures, sustainable design measures, incorporation of best practices for water conservation, and implementation of green construction methods. Furthermore, the project would not require new or expanded energy generation or infrastructure facilities. As discussed in Section 2.4.3(a), the project proposes development that is less intensive than a planned commercial development for the site. As a result, the project would not have an adverse effect on state or local plans for renewable energy or energy efficiency, and the impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.7 Geology and Soils

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

Environmental Setting

The Geotechnical Investigation prepared by DMS Consulting, Inc. (Appendix D, Geotechnical Investigation), evaluated the subsurface soil and geologic conditions on the project site in August 2022, including a review of published geologic information and aerial photographs, public subsurface utility location, subsurface exploration and sample collection, laboratory testing, and engineering analyses. The project site is located within the Peninsular Ranges Geomorphic Province of California. The Peninsular Ranges consist of a series of mountain ranges separated by longitudinal valleys. The ranges trend northwest–southeast and are subparallel to faults branching

from the San Andreas Fault. In general, the project site area is underlain by Recent- to Older-aged alluvial deposits that overlie granite bedrock.

The closest known active fault is the Elsinore Fault, located 16.3 miles northeast of the project site. Other nearby active or potentially active faults include Rose Canyon Fault and San Jacinto Fault located 20.8 and 40.8 miles from the project site. Groundwater was encountered in the deeper boring, at a depth of 24 feet below ground surface.

Impact Analysis

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 purpose of the Alquist-Priolo Earthquake Fault Zoning Act (1972) is to mitigate the hazard of surface faulting by preventing the construction of buildings used for human occupancy over an area with known faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the grounds surface. According to the San Marcos General Plan Safety Element, no Alquist-Priolo Fault Zones are present in the City (City of San Marcos 2012). No known active seismic faults traverse the City. Therefore, an impact from fault rupture is not expected to occur on the project site, and no impact would occur.

ii. Strong seismic ground shaking?

Less Than Significant Impact. The intensity of earthquake ground shaking varies from one area to another depending primarily upon the distance to the fault, magnitude of the earthquake, and the local geology. Like all of Southern California, the project site has the potential to experience strong seismic ground shaking because it is in a seismically active region. The design and construction of the project are required to be in compliance with the seismic safety standards set forth in the most current California Building Code (CBC) in effect at the time grading and building permits are obtained. In general, compliance with the CBC would include the incorporation of (1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; (2) proper building footings and foundations; and (3) construction of the building structure so that it would withstand the effects of strong ground shaking. Proper engineering and design, along with mandatory compliance with the Uniform Building Code and CBC guidelines would minimize the risk of structural collapse and the risk to life and property from potential ground motion on the project site. The impact would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction refers to the loss of soil strength during a seismic event. The phenomenon is observed in geologically "young" soils that include a shallow water table and coarse grained (i.e., "sandy") soils of loose to medium density and consistency. Earthquake ground motions increase soil water pressures, decreasing grain-to-grain contact among the soil particles and causing the soil mass to lose strength. Liquefaction resistance increases with increasing soil density, plasticity (associated with clay-sized particles), geologic age, cementation, and stress history. The project site is underlain by dense soil layers overlying Tonalite bedrock; therefore, the potential for liquefication is low. With compliance with the seismic safety standards set forth in the most current CBC, the SMMC, and proper engineering and design, the impact would be less than significant.

iv. Landslides?

Less Than Significant Impact. The site topography is relatively level, with no significant slopes on or adjacent to the site; therefore, landslides and rock falls are not likely to occur. The impact would be less than significant.

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

Less Than Significant Impact. During project construction, erosion (including loss of topsoil) can occur or be accelerated by site preparation activities. Vegetation removal throughout the site could reduce soil cohesion, as well as the buffer provided by vegetation from wind, water, and surface disturbance, which could render the exposed soils more susceptible to erosive forces. Additionally, newly exposed soils from excavation or grading activities may also be vulnerable to erosion. Earth-disturbing activities associated with construction would be temporary and erosion effects would depend largely on the areas disturbed, the quantity of disturbance, and the length of time soils are subject to conditions that would be affected by erosion processes. Construction activities would comply with Chapter 29 of the CBC, which regulates excavation activities and the construction of foundations and retaining walls, and Chapter 70 of the CBC, which regulates grading activities, including drainage and erosion control. In addition, the project must comply with the City's Grading Permit regulations that include compliance with erosion control measures, including grading and dust control measures as defined in Title 17, Chapter 17.32, of the SMMC.

In addition, the project would prepare an Erosion Control Plan as required by Section 17.32.130 of the San Marcos Building, Construction, and Related Activities Ordinance and the current state General Permit to Discharge Stormwater Associated with Construction Activities, which would include several BMPs for erosion control. The BMPs may include but not be limited to silt fences, fiber rolls, gravel bags, temporary desilting basins, velocity check dams, temporary ditches or swales, stormwater inlet protection, or soil stabilization measures, such as erosion control mats. The BMPs would help minimize erosion and the loss of topsoil from the site during construction.

After construction, site drainage would be designed to minimize soil erosion and the loss of topsoil on the project site. Therefore, with incorporation and implementation of proposed BMPs and compliance with state and local regulations, the project would not result in substantial soil erosion or the loss of topsoil. The impact would be less than significant.

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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. The site topography is relatively level with no significant slopes on or adjacent to the site; therefore, landslides and rock falls are not design considerations. The project site is underlain by dense soil layers overlying granite bedrock, and the risk for liquefaction is considered very low. With compliance with the remedial grading requirements and other geotechnical recommendations that are required in the Geotechnical Investigation (Appendix D) and the required implementation of standard erosion control measures and stormwater construction BMPs, as well as the seismic safety standards set forth in the most current CBC, the less than significant impact would occur regarding unstable soils and geology.

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 are characteristically clayey and can undergo significant volume changes (shrinking or swelling) due to variations in soil moisture content (drying or wetting) that can be damaging to structures. Visual observation of the on-site soils determined the soil to have "medium" expansion potential, and therefore, it is recommended that any imported material, doubtful exposed material during grading, and subgrade soils should be tested for their expansion potential during the final stages of grading. Following the recommendations in the Geotechnical Investigation (Appendix D), the impact would be less than significant.

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 would tie into existing sewers, avoiding the need to use septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.

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

Less Than Significant Impact. Based on site exploration undertaken as part of the Geotechnical Investigation (Appendix D), the project site is underlain by Recent- to Older-aged alluvial deposits that overlie granite bedrock classified as Tonalite. The alluvium was encountered at depths of 20 feet and below, and the Tonalite was encountered at a depth of 37 feet. The Society of Vertebrate Paleontology has developed a system for assessing paleontological sensitivity and describes rock

units as having high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources (Society of Vertebrate Paleontology 2010). Alluvial deposits have low paleontological sensitivity, increasing with depth. The project does not propose to excavate the site at a depth that would disturb alluvial deposits that would have moderate paleontological potential. Therefore, the impact would be less than significant. Mesozoic metamorphic rocks, such as Tonalite, have no paleontological sensitivity because their formation is not conducive to the preservation of paleontological resources.

The project site is in an area with low paleontological potential. Therefore, grading and other ground-disturbing activities associated with construction of the project would not directly or indirectly destroy a unique paleontological resource or site. The impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.8 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant 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?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Environmental Setting

The City adopted an updated CAP in December 2020. The CAP outlines strategies and measures that the City will undertake to achieve its proportional share of state greenhouse gas (GHG) emissions reduction targets. The CAP was adopted to align with the emissions targets set through Senate Bill 32, which codified into statute the GHG reduction target of 40 percent below 1990 levels by 2030, established by Executive Order (EO) B-30-15. This 2030 target places California on a trajectory toward meeting its longer-term goal to bring emissions down to 80 percent below 1990 levels by 2050. The San Marcos CAP is a qualified GHG emissions reduction plan in accordance with CEQA Guidelines, Section 15183.5. The purpose of the CAP Consistency Checklist (CAP Checklist), in conjunction with the CAP, is to provide a streamlined review process for proposed development projects that are subject to discretionary review and/or trigger environmental review pursuant to CEQA. In addition, California passed Assembly Bill 1279 in September 2022, which requires the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter. The bill also requires California to reduce statewide GHG emissions by 85 percent compared to 1990 levels.

This section evaluates the project's impacts on GHG in accordance with the City's 2020 CAP Checklist. A completed CAP Checklist is included as Appendix E, Project Climate Action Plan Consistency Review Checklist.

Impact Analysis

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. The San Marcos CAP includes Guidance to Demonstrating Consistency with the City of San Marcos CAP: For Discretionary Projects Subject to CEQA (City of San Marcos 2022b). The San Marcos CAP was prepared in consideration of the state's long-term 2030 reduction target established in SB 32 (i.e., reducing statewide emissions by 40 percent

below a 1990 inventory). The 2030 SB 32 target was considered an interim target to meet the goal of reducing GHGs by 80 percent below 1990 levels by 2050 and directed by Executive Order S-3-05. Since the CAP was adopted, the state has passed more stringent targets, which are codified in Assembly Bill 1279. These targets include reducing emissions by 85 percent below 1990 levels and achieving carbon neutrality by no later than 2045. The CARB has released and adopted the 2022 Scoping Plan, which outlines the trajectory for the state to achieve carbon neutrality by 2045.

The 2022 Scoping Plan provides the framework for achieving aggressive targets and revises the goal for 2030 to 48 percent reduction from 1990 levels (CARB 2022: 71). The goals established in the CAP in 2020 were designed to adhere to the, then, most current GHG reduction target mandated by SB 32 (i.e., 40 percent reduction from 1990 levels by 2030). It is therefore foreseeable that the CAP's existing targets are not up to date with the state's current long-term GHG reduction goals for 2030 (i.e., 48 percent below 1990 levels by 2030) and 2045 (i.e., 85 percent reduction from 1990 levels and carbon neutrality).

Nevertheless, the project would be fully operational before 2030 and would be below the CAP's screening level of 500 metric tons of carbon dioxide equivalent (MT CO_2e) annually, as demonstrated below. A target adjusted proportionally to the 20 percent increase in the 2030 reduction target would be approximately 400 MT CO_2e annually, and the project would also be well below the adjusted target. Additionally, the CAP is structured to be monitored and updated on an annual basis to evaluate the effectiveness of its strategies and to track progress into the future. To be a qualified CAP for CEQA purposes, the CAP updates would allow for the City to adjust the CAP's GHG reduction targets to account for the state's most recently adopted statewide targets legislated by Assembly Bill 1279. Additionally, the use of CAP consistency for CEQA determinations is still supported by CARB in Appendix D of the 2022 Scoping Plan (CARB 2022: 7−10). The 2022 Scoping Plan does not explicitly state that the new reduction goals of Assembly Bill 1279 disqualify existing CAPs that align with the state's previous target of reducing emissions by 40 percent from the 1990 inventory.

Consistency is determined through preparation of the CAP Checklist. The first step of the checklist is comparison to a screening level threshold. New discretionary development projects subject to CEQA review that emit less than 500 MT CO_2e annually would not contribute considerably to cumulative climate change impacts as stated in the City's guidance document and, therefore, would be considered consistent with the San Marcos CAP and associated emissions projections. According to the CAP Checklist, the 500 MT CO_2e threshold would potentially be exceeded if a project consisted of 55 or more multi-family dwelling units. The project includes the construction of 16 multi-family dwelling units and would, therefore, not exceed the 500 MT CO_2e threshold. Additionally, GHG emissions were modeled for the project consistent with the assumptions of the air quality analysis in Section 2.4.3, Air Quality, and summarized in Table 8, Estimated Annual Greenhouse Gas Emissions. To represent the impact of construction emissions on the project's

annual GHG contribution, construction emissions were amortized over a 30-year project lifetime, based on guidance from South Coast Air Quality Management District (SCAQMD 2008). As shown in Table 8, GHG emissions from project operation would be below 500 MT CO_2e.

Refer to Appendix A, CalEEMod Outputs, for full modeling details.

Table 8. Estimated Annual Greenhouse Gas Emissions

Emissions Source	CO_2e Emissions (metric tons)
Vehicle Emissions	74.5
Electricity	17
Natural Gas	6.2
Solid Waste	3.7
Water Use	5
Area Sources	0.2
Amortized Construction Emissions	5.8
Total Annual Emissions	**112.4**

Source: Appendix A.
Notes: CO_2e = carbon dioxide equivalent

The project would be consistent with the San Marcos CAP (Appendix E). The impact would be less than significant.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. As described in Section 2.4.8(a), the project would be consistent with the San Marcos CAP, which is the applicable plan for reducing GHG emissions. The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and the potential impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.9 Hazards and Hazardous Materials

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

Environmental Setting

The California Health and Safety Code defines a hazardous material as "any material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment." Thus, the term "hazardous material" is a broad term for all substances that may be hazardous, specifically including hazardous substances and hazardous waste. Substances that are flammable, corrosive, reactive, oxidizers, radioactive, combustible, or toxic are considered hazardous.

Impact Analysis

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. Typically, residential uses do not generate, store, dispose of, or transport quantities of hazardous substances. Therefore, operation of the project would not expose on-site users or the surrounding community to any health hazards from hazardous materials. However, construction equipment that would be used during construction has the potential to release oils, greases, solvents, and other finishing materials through accidental spills. Spill or upset of these materials could have the potential to impact surrounding land uses; however, federal, state, and local controls have been enacted to reduce the effects of such potential hazardous materials spills. Compliance with these requirements is mandatory as standard permitting conditions and would minimize the potential for the accidental release or upset of hazardous materials, thus ensuring public safety. Therefore, construction-related activities would not result in the release of hazardous materials into the environment. The impact 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 With Mitigation Incorporated. The project is not anticipated to result in a release of hazardous materials into the environment. During the temporary, short-term construction period, there is the possibility of accidental release of hazardous substances, such as spilling of hydraulic fluid or diesel fuel associated with construction equipment maintenance. The level of risk associated with the accidental release of these hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials. Storage, handling, and disposal of hazardous materials during project construction and operation would comply with applicable standards and regulations established by the California Department of Toxic Substances Control, the U.S. Environmental Protection Agency, and the federal Occupational Safety and Health Administration. To that end, the potential for hazardous materials, such as lead and/or asbestos, to be present in the existing structures should be evaluated prior to demolition of the existing structures. Therefore, the potential impact of the project with respect to exposing the public or the environment to hazardous materials through upset and accident conditions would be potentially significant and mitigation would be required.

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?

Less Than Significant Impact. The closest existing public school to the project site is North Coastal Consortium for Special Education approximately 180 feet to the northeast at 255 Pico Avenue. As stated previously, neither construction nor operation of the project would result in a release of any significant

amounts of hazardous substances that could cause an off-site public health hazard at this local public school. As a result, no significant impact on nearby schools would occur. Once constructed, the project would not support uses that would emit hazardous emissions or handle hazardous or acutely hazardous substances or waste. Therefore, the impact would be less than significant.

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. Pursuant to California Government Code, Section 65962.5 (Cortese List), requirements, the California Department of Toxic Substances Control EnviroStor database (DTSC 2023) was searched for hazardous materials sites on the project site. According to these databases, no listed hazardous materials sites are on or adjacent to the project site. Therefore, no impact would occur.

e. Would the project 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, result in a safety hazard or excessive noise for people residing or working in the project area?

Less Than Significant Impact. The nearest airport is the McClellan-Palomar Airport approximately 6.7 miles west of the project site. The property is within the Review Area 2 Airport Influence Area of the airport. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight notification in some areas. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2 (City of San Marcos 2012). However, the project is beyond the Airport Overflight Notification Area and beyond the Federal Aviation Administration Height Notification Boundary. The project is not on high terrain, and it is sufficiently distanced so that it would not affect the safe operation of the airport or be affected by noise from airport operations. Moreover, there are no private airstrips within the vicinity of the project site. Therefore, the development of the project would not result in a safety hazard for people residing or working on the project site. The impact would be less than significant.

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

Less Than Significant Impact. The project does not include any characteristics (e.g., permanent road closures or long-term blocking of road access) that would physically impair or otherwise conflict with an Emergency Response Plan or Emergency Evacuation Plan. During short-term construction activities, the project is not anticipated to result in any substantial traffic queuing on nearby streets, and all construction equipment would be staged on or directly adjacent to the project site.

The project does not include any permanent changes to any public or private roadways that would interfere with the San Marcos Emergency Operations Plan (City of San Marcos 2009). In addition, the project would not obstruct or alter any transportation routes that could be used as evacuation routes

during emergency events. Access to and from the project site for emergency vehicles would be reviewed and approved by the San Marcos Fire Department as part of the project approval process to ensure that the project is compliant with applicable codes and ordinances for emergency vehicle access. The impact related to interference with an Emergency Response Plan would be less than significant.

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

Less Than Significant Impact. According to California Office of the State Fire Marshal, the project site is designated a Local Responsibility Area and is not within or near a Fire Hazard Severity Zone (CAL FIRE 2023a). According to the San Marcos General Plan Safety Element, the project is not within a Very High, High or Moderate Fire Hazard Severity Zone (City of San Marcos 2012). The project would also design the driveways to accommodate firetrucks and emergency vehicles and install sprinkler systems throughout the development in compliance with the Uniform Fire Code. Furthermore, the San Marcos Fire Department would be the primary provider responsible for fire suppression, disaster preparedness coordination, hazard mitigation, and fire prevention for the project site. Implementation of the San Marcos General Plan Safety Element Goal Policy S-3.1, requiring development to consider hazards, provide adequate defensibility from wildland fires, and install overhead fire sprinklers, would ensure the reduced risk of injury or death during wildland fires (City of San Marcos 2012). Therefore, the impact would be less than significant.

Mitigation Measures

The following mitigation is required as part of the project to ensure that potential hazardous materials impacts are mitigated to levels that are less than significant:

HAZ-1: **Hazardous Materials Evaluation.** Prior to demolition of the existing structures on the project site, a hazardous materials evaluation shall be conducted. If hazardous materials, such as lead and/or asbestos, are found to be present in the structures, the applicant shall ensure the proper handling and disposal of hazardous materials occurs prior to demolition of the structures.

2.4.10 Hydrology and Water Quality

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

Environmental Setting

The discussion below is based on the Hydromodification Technical Memorandum (Appendix F, Hydromodification Technical Memorandum) prepared by REC Consultants, Inc. (2022), the Stormwater Quality Management Plan (SWQMP) (Appendix G, Stormwater Quality Management Plan) prepared by REC Consultants, Inc., and the Drainage Study prepared by REC Consultants, Inc. (Appendix H, Drainage Study).

The project site is on a vacant lot with two unoccupied structures consisting of approximately 0.68 acre of land. The project site is in the Carlsbad Watershed Management Area in the San Marcos Hydrologic Area (904.5) in the Richland Hydrologic Subarea (904.52). The project site is a partially developed residential lot featuring two unoccupied structures with an adjoining undeveloped lot to the north that is sparsely vegetated. A daycare center is west of the project site that discharges run-on to the project

site in a west–east pattern. Runoff from the overall site drains to a single point of discharge, an existing storm drain system within the adjacent Pico Avenue to the east of the project site, from the project site. The project site is outside any Federal Emergency Management Agency 100-year floodplain zones.

Impact Analysis

a. 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.

Construction

Construction of the project would require grading and excavation of soils, which would loosen sediment and then have the potential to mix with surface water runoff and degrade water quality. Additionally, construction would require the use of heavy equipment and construction-related chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. These potentially harmful materials could be accidentally spilled or improperly disposed of during construction and, if mixed with surface water runoff, could wash into and pollute receiving waters.

These types of water quality impacts during construction of the project would be prevented through implementation of an Erosion Control Plan required by Section 17.32.130 the San Marcos Building, Construction, and Related Activities Ordinance and the current state General Permit to Discharge Stormwater Associated with Construction Activities. The Erosion Control Plan is required prior to provision of permits for the project. The Erosion Control Plan would include construction BMPs such as the following:

- Silt fence, fiber roll, or gravel bag
- Street sweeping and vacuuming
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseeding
- Material delivery and storage
- Stockpile management
- Silt prevention and control
- Solid waste management
- Concrete waste management

In addition, in accordance with the requirements of the most recent NPDES General Construction Activities Permit, a Notice of Intent filed with the State Water Resources Control Board would also

be required before project construction begins. The project would also be required to submit three sets of erosion control plans along with the grading plans per SMMC Section 17.32.13, Permanent Erosion Control. The project would also meet the minimum BMP requirements for the City that are detailed in the San Marcos BMP Design Manual for Permanent Site Design, Storm Water Treatment, and Hydromodification Management. These would reduce potential construction impacts on water quality and discharge to a less than significant level. Adherence to the existing requirements and implementation of the appropriate BMPs per the permitting process would ensure that potential water quality degradation associated with construction activities would be minimized, and the impact would be less than significant.

Operation

The project would develop residential uses on the project site, which would introduce the potential for pollutants such as chemicals from household cleaners, pathogens from pet wastes, nutrients from fertilizer, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. These pollutants could potentially discharge into surface waters and result in degradation of water quality.

Low-impact development site design BMPs are intended to minimize impervious surfaces and promote infiltration and evaporation of runoff before it can leave the location of origination by mimicking the natural hydrologic function of the site. Integrated management practices would be used in conjunction with low-impact development BMPs because they provide small-scale treatment, retention, and/or detention that is integrated into site layout, landscaping, and drainage design. Source control BMPs are intended to minimize, to the maximum extent practicable, the introduction of pollutants and conditions of concern that may result in significant impacts generated from site runoff to off-site drain systems. The project proposes the use the following source control BMPs to minimize the introduction of pollutants to the drain system: storm drain stenciling or signage; protection of outdoor storage materials and trash from rainfall, run-on, runoff, and wind dispersal; and prevention of illicit discharges into the storm drain. Treatment control BMPs are intended to treat stormwater runoff before it discharges off site. The project proposes the installation of a BMP, one multiple purpose water quality/HMP/Q100 detention vault, to filter runoff from the site before discharging into the existing storm drain on the eastern boundary of the site. Runoff from the existing off-site daycare center would be intercepted by an on-site storm drain that would convey these flows through the project site such that they do not commingle with on-site flows. A proposed 12-inch reinforced concrete pipe would be constructed within the adjacent Pico Avenue conveying the project and off-site flows in a northerly direction, ultimately converging with an existing 15-inch reinforced concrete pipe storm drain. Prior to discharging from the project site, first flush runoff would be treated via an on-site filtration BMP in accordance with standards set forth by the Regional Water Quality Control Board (RWQCB)

and the San Marcos BMP Design Manual for Permanent Site Design, Storm Water Treatment, and Hydromodification Management.

Post-construction and operation of the project would comply with Chapter 14.15 of the SMMC, which requires development of land to prevent, to the maximum extent possible, pollutants from entering the stormwater conveyance system in the City. The project would also comply with requirements of the San Diego RWQCB Municipal Separate Stormwater Permit, Order No. R9-2013-0001. The City developed a Jurisdictional Urban Runoff Management Program to comply with this order and to reduce pollution in urban runoff in the City. Under Order R9-2013-0001, the project would require treatment control BMPs under Provision E.3 (City of San Marcos 2008). The project would comply with the necessary provisions and BMPs. With compliance with applicable regulations and measures, the project would not violate water quality standards or waste discharge requirements. The impact would be less than significant.

b. 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 City's water supply is provided primarily by Vallecitos Water District (VWD), which receives its supply from the San Diego County Water Authority (SDCWA). The SDCWA obtains most of its water from the State Water Project and from the Colorado River via the Colorado River Aqueduct. The project site and surrounding area are in the San Marcos Valley Groundwater Basin. Currently, the VWD does not obtain water from the groundwater basin because it receives its water from the SDCWA, which is not reliant on imported water sources. The VWD conducted a groundwater feasibility analysis in 1996, which concluded the storage capacity would not produce groundwater at an economically viable rate even in the short term (VWD 2021). Therefore, no impact on groundwater depletion would occur because the project would not use the groundwater as a potable water source.

The project is in the San Marcos Valley Groundwater Basin on a vacant lot with two unoccupied structures. Groundwater was only encountered in the deeper borings (at a depth of 24 feet below the ground surface) drilled for the Geotechnical Investigation (Appendix D). Static water levels were measured at a depth of 23.5 feet below ground surface. Groundwater elevations depend on seasonal precipitation, irrigation, and land use, among other factors, and vary as a result.

Under post-development conditions, the impervious surface from the project would consist of 0.42 acre (18,295 square feet). As a result, the project site would consist of approximately 62 percent of impervious surfaces. The project would be required to implement BMPs and submit the required NPDES permit, which would reduce the impact of increased impervious surfaces. The project would comply with applicable regulations and policies and would not use groundwater for construction or operation; therefore, the impact on groundwater would be less than significant.

c. 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 off-site?

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?

iv. Impede or redirect flood flows?

Less Than Significant Impact. The project's potential to substantially alter the existing drainage pattern of the site or area on or off site during construction and operation is discussed below. The site does not include and is not adjacent to a stream or river. Thus, the impact related to alteration of the course of a stream or river would not occur.

Construction

Construction of the project would require a net import of 460 cubic yards of soil, which could result in erosion or siltation. However, construction of the project would require an Erosion Control Plan in accordance with the San Marcos Building, Construction and Related Activities Ordinance and the current NPDES General Construction Activities Permit. Typical BMPs for erosion or siltation are discussed in Section 2.4.10(a). Adherence to the existing requirements and implementation of the required BMPs per the permitting process would ensure that erosion and siltation associated with construction activities would be minimized. Therefore, the impact would be less than significant.

Operation

Existing runoff flows to two points of discharge; POC-1, an existing reinforced concrete pipe storm drain located at the eastern boundary of the project site within Pico Avenue and POC-2, the westerly boundary of the site. Post construction, the drainage from the site would be altered as runoff from the site would be directed to one receiving multiple purpose water quality/HMP/Q100 detention vault and runoff would no longer discharge at POC-2. Detained flows would be drained from the BMP facility and discharged to the existing storm drain system within the adjacent Pico Avenue. Runoff from the existing off-site daycare center would be intercepted by an on-site storm drain and meet with the aforementioned detained flows prior to draining to the existing storm drain.

Prior to discharging from the project site, first flush runoff would be treated via an on-site filtration BMP in accordance with standards set forth by the RWQCB and the San Marcos BMP Design Manual for Permanent Site Design, Storm Water Treatment, and Hydromodification Management.

Peak developed flows from the project site would be conveyed to one on-site detention facility prior to discharging to the existing storm drain system. The vault system would be approximately 9 feet deep with a width of 8 feet and length of 45 feet. Due to the limited grade on the project site and utility constraints, the vault would be several feet below the existing storm drain invert in Pico Avenue such that the vault would only be drained via the use of pumps. Two separate pumps would be employed on the project site. A low-flow pump outlet would be located at 3 feet from the bottom of the basin invert, while a peak Q100 flow pump would be located at 7.25 feet from the basin invert. In an extreme event, flows would outlet via the surface private drive to Pico Avenue without risk of flooding the residential structures and also providing a single-vehicular lane access.

As shown in Table 9, Summary of Peak Flows, the project site would result in a net decrease of peak flows discharged from the project site by approximately 0.07 cubic feet per second at POC-1 while fully removing flows tributary to the western boundary location (POC-2).

Table 9. Summary of Peak Flows

Discharge Location	Area (acre)			100 Year Peak Flow (cfs)		
	Existing	Developed	Difference	Existing	Developed	Difference
Pico Avenue (POC-1)	0.234	0.674	+0.44	1.57	1.50	−0.07
Western Boundary (POC-2)	0.44	0.0	−0.44	0.67	0.00	−0.67

Source: Appendix H.
Notes: cfs = cubic feet per second

Therefore, the project would have no net impact to downstream facilities or on the receiving watershed. Post-development runoff would receive water quality treatment in accordance with the site-specific SWQMP. Therefore, the impact would be less than significant.

d. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. According to the San Marcos General Plan Safety Element, four dams and 10 reservoirs are in the City. The project site is not within an inundation zone from the dams or reservoirs in the City. The closest bodies of water are South Lake and Discovery Lake, both approximately 2 miles southwest of the project site. The project site does not lie within their inundation zones and any seiche related to Discovery Lake or South Lake would not impact the project site. In addition, the City is approximately 9.5 miles east of the Pacific Ocean and would not be at risk for tsunami inundation. The project site is outside any Federal Emergency Management Agency 100-year floodplain zones and would not place any structures within a 100-year floodplain zone. Therefore, the potential to expose people or structures to a significant risk of flood hazard, tsunami, or seiche would be minimal. The impact would be less than significant.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The project site is in the Carlsbad Watershed Management Area in the San Marcos Hydrologic Area (904.5) in the Richland Hydrologic Subarea (904.52). The project site ultimately drains into the San Marcos Creek and subsequently discharges into Lake San Marcos. The project site is in the San Marcos Valley Groundwater Basin, a "very low" basin priority under the California Department of Water Resources' Final 2019 Basin Prioritization (DWR 2019). Therefore, a Groundwater Sustainability Plan under the Sustainable Groundwater Management Act would not be required for the project. As discussed in Section 2.4.10(a), construction and operation activities associated with the project could result in an increase in potential discharge of pollutants to receiving waters, including waters designated as impaired for certain contaminates of concern. However, the proposed underground infiltration BMP vault would provide pollutant control for pollutants and environmental stressors of concern to the San Marcos Creek and Lake San Marcos, including nutrients, dichlorodiphenyldichloroethylene, phosphorous, sediment toxicity, selenium, triazabicyclodecene, turbidity and ammonia as nitrogen. In addition, the project does not propose the use of groundwater. The project would comply with the applicable regulations and measures to reduce potential water quality impacts during construction and operations of the project.

Therefore, the project would not conflict with the implementation of San Diego RWQCB Basin Plan, which establishes water quality objectives and implementation measures. The project would not impact a Sustainable Groundwater Management Plan or propose the use of groundwater. The impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.11 Land Use and Planning

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

Environmental Setting

The proposed project is located at 236–244 Pico Avenue within the Richmar neighborhood of the City. The Richmar neighborhood consists of residential, commercial, light industrial, and public/institutional land uses. The project site currently consists of vacant land designated for Medium High Density Residential (MHDR) and two unoccupied structures on land designated Commercial (C). Commercial properties surround the project site in all directions. Several multi-family residential complexes are on the same block as the project site.

Impact Analysis

a. Would the project physically divide an established community?

No Impact. The project would redevelop an infill site that is currently vacant with unoccupied structures. The project would provide housing for residents that would support businesses and contribute to the employment base in the City, further enriching the Richmar neighborhood community and the greater City. In this way, the project would further connect the existing community and be consistent with nearby residential development. The project would result in a residential development that would be consistent with the established community. As a result, no impact would occur.

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?

Less Than Significant Impact. The project proposes a change in San Marcos General Plan land use designation and corresponding zoning for one parcel (APN 220-140-06-00), from Commercial (C) designation to Medium High Density Residential (MHDR) designation and Commercial (C) zoning to R-3-6 Residential zoning. The project would be new infill development in an area that is active with retail commercial uses, community services, educational facilities, and employment. The proposed San Marcos General Plan designation would make this parcel consistent with the other two parcels and expand the area in which the housing development can be built. The combination of the parcels allows greater opportunity to build to the densities allowed in the San

Marcos General Plan and greater flexibility in site design to accommodate 16 residential units, parking, access and circulation, and common open space areas. The existing San Marcos General Plan land use designation would not accommodate the same type and amount of development. Moreover, current retail market trends indicate higher demand for big box "essential" retail and "experiential" retail, which would require larger sites.

The City aims to enhance community connections by locating mixed uses and medium to higher density development in appropriate locations along corridors that can be served efficiently by public transit and alternative transportation modes.

The project would locate medium-high density residential development within proximity to transit, including the SPRINTER, and within walking and biking distance to retail services, educational institutions, community facilities, and employment. In this way, the project would support the following goal and policy for connecting people to places:

- **Goal LU-3:** Develop land use patterns that are compatible with and support a variety of mobility opportunities and choices.
  - **Policy LU-3.3:** Where feasible, consolidate inadequately sized land into parcels suitable for integrated development with improved pedestrian and vehicular circulation.

Furthermore, the project would support the following goal from the San Marcos General Plan Land Use and Community Design Element for land use compatibility.

- **Goal LU 1:** Achieve a balanced distribution and compatible mix of land uses to meet the present and future needs of all residents and the business community.
- **Policy LU 1.3**. Diversify land uses by providing mixed use land uses in strategic locations within the City that place housing adjacent to employment.

The two guiding themes of Sustaining Environmental Quality and Building a Greener Community from the San Marcos General Plan emphasize efforts to improve the sustainability of communities, including reducing GHG emissions, improving the aesthetics of areas in need of revitalization, and incorporating environmentally friendly building practices. The City encourages new development near transit and in areas with existing transportation infrastructure to activate the public realm and reduce the need for residents and employees to travel by automobile to access daily needs.

The project would be of a compact development pattern and building design contributing toward fostering distinctive, attractive communities with a strong sense of place. The project would provide housing within proximity to transit, including the SPRINTER, and within walking and biking distance to retail services, educational institutions, community facilities, and employment. As new development, the project would adhere to building energy efficiency standards per the California Green Building Standards Code. The project would provide landscaping throughout the

site, including the installation of trees. In this way, the project would support the following goal and policies for sustaining environmental quality and building a greener community:

- **Goal LU-2:** Promote development standards and land use patterns that encourage long-term environmental sustainability.
  - **Policy LU-2.1:** Promote compact development patterns that reduce air pollution and automobile dependence.
  - **Policy LU-2.3:** Require the incorporation of green building practices, technologies, and strategies into development projects per code standards.
  - **Policy LU-2.7:** Promote the instillation of trees to reduce the urban heat-island effect and green infrastructure to reduce storm water runoff.

The project would improve the infrastructure on site and contribute to other public facilities and services improvements through its development fees, including the City's Public Facilities Fee. As infill development, the project would optimize City investments in infrastructure and community facilities, support increased transit use, promote more walking and biking, reduce vehicle trips and resulting air pollution, and increase housing diversity and retail viability. In this way, the project would support the following goal and policy for a healthy and safe community:

- **Goal LU-8:** Ensure that existing and future development is adequately serviced by infrastructure and public services.
  - **Policy LU-8.1:** New development shall pay its fair share of required improvements to public facilities and services.

Overall, the project and proposed land use designation and zoning change would be in alignment with the City's guiding themes of Sustaining Environmental Quality and Building a Greener Community. The project would provide much needed housing within proximity to public transportation and improve pedestrian access to community amenities, such as retail services, educational institutions, community facilities, and employment. Furthermore, the project could be implemented without significant effects on the circulation system since all infrastructure exists at or can be extended to the site to support the 16 multi-family units. The project could meet the City's urban design objectives and support a safe and sustainable transportation system in the City and could be developed with no conflicts with the San Marcos General Plan Conservation Element issues (natural environment, watershed, cultural resources, and energy demands) because it would provide the City with additional facilities to support human resident recreation needs. It would not generate significant air emissions or GHG emissions, would meet noise design requirements, and could meet all San Marcos General Plan Safety Element requirements. The project would implement the San Marcos General Plan Housing Element, specifically Goal 1, Policy 1.1, which strives to provide a broad range of housing with a higher density option within proximity to transit and employment opportunities. Therefore, the implementation of the project would not conflict with any applicable land use plan, policy, or

regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. The project includes a General Plan Amendment and rezone to create consistency with the General Plan and Zoning policies. As a result, no mitigation measures are required.

2.4.12 Mineral Resources

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

Environmental Setting

The project site is in the central portion of the City and is surrounded by commercial properties in all directions.

Impact Analysis

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. According to the San Marcos General Plan, the project is not on a site that contains known mineral resources of any type. Areas north of SR-78 are designated MRZ-1, areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. Therefore, development of the project would not cause any loss of mineral resource values to the region or residents of the state, nor would it result in the loss of any locally important mineral resources identified on the San Marcos General Plan. No impact would occur under.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.13 Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Environmental Setting

Noise- and vibration-sensitive land uses are typically considered locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, and hospitals are usual examples, with others depending on what the local jurisdiction may have defined or established. Based on context from the San Marcos General Plan Noise Element (City of San Marcos 2012), sensitive receptors include schools, libraries, hospitals, parks, and residential neighborhoods. Residential uses and a daycare center are the nearest noise-sensitive land uses in the vicinity of the project site. The daycare center is adjacent to the western boundary of the project site. Multi-family residences exist north of the parking lot adjacent to the northern site boundary and west of the shopping center adjacent to the southern site boundary.

Impact Analysis

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

Less Than Significant with Mitigation Incorporated. Noise is unwanted sound that disturbs human activity. Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to account for this variability. Noise level measurements include intensity, frequency, and duration, as well as time of occurrence. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). Because of the way the human ear works, a sound must be about 10 dBA greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1–2 dBA changes

generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40–50 dBA, while arterial streets are in the 50–60+ dBA range. Normal conversational levels are in the 60–65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

The San Marcos General Plan Noise Element provides a description of existing noise levels and sources and incorporates comprehensive goals and policies. The San Marcos General Plan Noise Element includes several policies on noise and acceptable noise levels. To implement the City's noise policies, the City adopted a Noise Ordinance. The San Marcos Noise Ordinance (SMMC Chapter 10.24.010) states that it is the City's policy to regulate and control annoying noise levels from all sources and prohibits loud, unnecessary, or unusual noise that unreasonably disturbs the peace and quiet of any residential neighborhood or that causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. SMMC Chapter 10.24.020 limits use of heavy equipment such as dump trucks and graders and the use of jack hammers Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m. and on Saturdays 8:00 a.m. to 5:00 p.m. Additionally, SMMC Chapter 17.32.180 states that grading, extraction, and construction activities are allowed between 7:00 a.m. to 4:30 p.m., Monday through Friday. Grading, extraction, or construction activities are not permitted in the City on weekends or holidays. The SMMC does not set noise limits on construction activities, though the City has commonly used the County's Noise Ordinance construction noise threshold of 75 dBA.

The operational impact would be significant if the project would regularly expose sensitive receptors uses to exterior noise levels that violate the City's Noise Ordinance. The project site is in a developed area that currently experiences ambient noise from heavily traveled roadways, and intermittent noise from existing parking lots and activity at existing commercial, recreational, and residential development. The project would be significant if it would result in new sources of noise clearly audible above existing noise contributors.

For traffic-related noise, the San Marcos General Plan Noise Element land use compatibility guidelines indicate that multi-family residential and commercial land uses are considered normally acceptable with noise levels of 65 dBA community noise equivalent level (CNEL) or less and conditionally acceptable with noise levels up to 75 dB(A) CNEL. The project would result in an impact if it would cause traffic noise levels to exceed normally compatible noise standards or result in a more than 3 dBA increase in noise levels compared to conditions without the project.

Construction activity would be considered significant for nearby residences if it exceeds 75 dBA hourly equivalent continuous sound level (Leq) at multi-family residences during allowable construction activity hours or require construction outside the hours allowed in the SMMC.

Construction

Construction of the project would last approximately 12 months and would not take place outside the hours allowed in the SMMC. The types of construction equipment that would be used to construct the project include standard equipment that would be employed for any routine construction project of this scale, such as graders, tractors, loaders, cranes, rubber-tired bulldozers, generators, and paving equipment. No blasting, on-site rock crushing or pile driving would be necessary. Noise levels from construction on the project site were determined based on typical equipment noise levels established by the Roadway Construction Noise Model (FHWA 2008) (refer to Appendix I, RCNM Results, FHWA Traffic Noise Modeling Results, and Distance Attenuation Calculations). The five noisiest pieces of construction equipment (excavator, industrial saw, crane, dozer, and scraper) that could be required for the project were assumed to operate simultaneously in the same location and would have the potential to generate average noise levels up to 86 dBA at 50 feet from the construction site. Noise levels would potentially exceed 75 dBA up to 180 feet from the construction area. These estimates are conservative because construction equipment for a single construction activity would be spread out across the project site.

The closest residences to the site are approximately 230 feet southwest of the project site along San Marcos Boulevard. At this distance, the worst-case construction noise level would be approximately 73 dBA. Therefore, noise levels from construction would not exceed the daytime construction noise level threshold of 75 dBA. However, an existing daycare center is adjacent to the western boundary of the project site. Noise levels would have the potential to exceed 75 dBA during daycare center operation, and a potentially significant impact would occur. Mitigation measures would be required to ensure that noise does not exceed the allowable threshold.

Operation

During operation of the project, periodic or intermittent noise typical of residential communities would be produced such as amplified music, barking dogs, raised voices, and landscape maintenance equipment. Such noise would be similar to that produced by the existing nearby residential neighborhoods and retail areas. Other noise produced by the project would include noise from vehicular traffic or proposed mechanical equipment such as residential heating, ventilation, and air conditioning (HVAC) units, as described below.

Vehicular Traffic Noise

The project would result in the creation of additional vehicle trips on local roadways, which could result in increased traffic noise levels at adjacent noise-sensitive land uses. Existing and future vehicle noise levels were calculated using standard modeling equations from the Federal Highway Administration and traffic volumes from the project Transportation Assessment (Appendix B). Roadway noise levels are summarized in Table 10, Off-Site Traffic Noise.

Table 10. Off-Site Traffic Noise

Roadway Segment	Existing Noise Level (dBA CNEL)	Existing Plus Project Noise Level (dBA CNEL)	Noise Level Increase (dB)
Mission Road – Knoll Road to Pico Avenue	70	70	0
San Marcos Boulevard – Pico Avenue to Twin Oaks Valley Road	65	65	0
Pico Avenue – Mission Road to San Marcos Boulevard	67	67	0

Source: Appendix I.
Notes: CNEL = Community noise equivalent level; dB = decibel; dBA = A-weighted decibel

As shown in Table 10, the project would not result in an increase in noise levels on any roadway compared to conditions without the project. The off-site traffic noise impact would be less than significant.

Heating, Ventilation, and Air Conditioning Systems

Mechanical HVAC equipment on the ground or on rooftops of new buildings would have the potential to generate noise levels continuously during the day and night. The location and specification of new units is currently unknown. Therefore, for the purposes of this analysis, it is assumed that the HVAC systems of a mixed-use commercial and residential project would be typical of a community-serving retail and office building (ABC Acoustics 2018). HVAC units not installed within an enclosure would have the potential to generate a noise level of up to 79 dBA Leq at the unit (approximately 3 feet) (ABC Acoustics 2018). A single HVAC unit could have the potential to generate noise that may exceed typical conversation noise levels of 65 dBA up to 15 feet from the unit (Appendix I). The nearest existing sensitive receptor to the project site is the existing daycare center. Landscaping would likely provide at least a 15-foot buffer between HVAC units on the ground floor of residential buildings and the daycare center. Additionally, the HVAC units would be enclosed as necessary for noise compatibility with proposed residences, which would reduce noise exposure at the daycare center as well. The noise impact from HVAC systems would be less than significant.

Therefore, the project would not result in generation of a substantial permanent increase in ambient noise levels within the project vicinity in excess of standards established in the San Marcos General Plan or Noise Ordinance, or applicable standards of other agencies. The impact would be less than significant during operation.

b. Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant with Mitigation Incorporated. Vibration is a unique form of noise because its energy is carried through buildings, structures, and the ground, whereas noise is simply carried

through the air. Thus, vibration is generally felt rather than heard. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB) in the United States. The City has not yet adopted any thresholds or regulations addressing vibration. The Federal Transit Administration provides criteria for acceptable levels of groundborne vibration for various types of special buildings that are sensitive to vibration. Vibration from construction and operation are discussed separately below.

Construction

The Federal Transit Administration groundborne vibration impact criteria are used in this analysis to determine whether the vibration impact would be significant (FTA 2018). Construction vibration is subject to the Federal Transit Administration's infrequent event criteria because operation of vibration-generating equipment is anticipated to be intermittent throughout the day in the vicinity of an individual receptor. The project site includes residences where people normally sleep; however, construction would not occur during nighttime hours. Therefore, the project is subject to the criteria for land uses with primarily daytime land uses. Therefore, an impact would occur if construction would generate vibration levels greater than 83 VdB at nearby receptors.

Typical vibration levels for construction equipment required for the project are provided in Table 11, Vibration Source Levels for Construction Equipment. As shown in Table 11, vibration levels from construction equipment would be reduced to 83 VdB or below beyond 60 feet from the project site. The daycare center and commercial uses are within 60 feet of the project construction area. Therefore, construction activities would have the potential to exceed the vibration impact criteria and result in a significant impact.

Table 11. Vibration Source Levels for Construction Equipment

Construction Equipment	Approximate VdB at 25 Feet	Approximate VdB at 60 Feet[1]
Large bulldozer	87	76
Loaded truck	86	75
Jackhammer	79	68
Small bulldozer	58	47
Vibratory roller	94	83

Source: FTA 2018.

Notes: VdB = vibration decibel

[1] Based on formula provided by the Federal Transit Administration (FTA 2018).

Operation

During operation, no major sources of groundborne vibration are anticipated because residences are not a typical source of vibration. Therefore, a less than significant impact related to groundborne vibration would occur from operation of the project. Therefore, the project would not result in the generation of excessive groundborne vibration or groundborne noise levels. The impact would be less than significant.

c. Would the project, 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, expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not near an airport or airstrip. The nearest airport to the project site is the McClellan-Palomar Airport, which is approximately 6.5 miles west of the project site in the City of Carlsbad. According to the McClellan-Palomar Airport Land Use Compatibility Plan, the site is outside the 60 dBA noise contour from airport activities (SDCRAA 2011). Therefore, the project would not expose people residing or working within the vicinity of the project site to excessive noise levels from a nearby airport. No impact would occur.

Mitigation Measures

The following mitigation is required as part of construction of the project to ensure that potential noise and vibration impacts are mitigated to levels that are less than significant. Mitigation Measure NOI-1 would be implemented to reduce construction noise to a less than significant level by limiting construction equipment usage within a certain distance from nearby sensitive receptors.

NOI-1: Construction Noise Best Management Practices. For construction activities within 180 feet of sensitive receptors, the construction contractor shall implement the following measures:

- The construction contractor shall provide written notification to the daycare center at least 3 weeks prior to the start of construction activities, informing them of the estimated start date and duration of construction activities. This notification shall include information warning the potential for impacts related to vibration-sensitive equipment. The City shall provide a phone number for the affected businesses to call if they have vibration-sensitive equipment on their sites.
- Construction activities that could generate high noise levels within 180 feet of the daycare center (such as simultaneous use of multiple pieces of equipment in one area) or high vibration levels within 60 feet (such as use of a vibratory roller) shall be scheduled during times that would have the least impact on learning. This could include restricting construction activities in the areas of potential impact, such as limiting activity during typical quiet time hours at the daycare center.
- Stationary construction noise sources, such as temporary generators, shall be placed more than 180 feet from nearby noise-sensitive receptors, whenever feasible.
- Trucks shall be prohibited from idling along streets serving the construction site where noise-sensitive residences are.
- Construction equipment shall be outfitted with properly maintained, manufacturer-approved, or recommended sound abatement means on air intakes, combustion exhausts, heat dissipation vents, and interior surfaces of engine hoods and power train enclosures.

- Construction laydown and vehicle staging areas shall be positioned (to the extent practical) as far from noise-sensitive land uses as feasible.
- Simultaneous operation of construction equipment shall be limited, or construction time shall be limited to within an hour to reduce the hourly average noise level.
- Temporary noise barriers shall be installed around the southern and western perimeters of the construction area to minimize construction noise.

2.4.14 Population and Housing

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

Environmental Setting

The project is in the Richmar neighborhood in the City. The Richmar neighborhood consists of residential, commercial, light industrial, and public/institutional land uses and has a population of 94,926 based on the U.S. Census Bureau's 2021 estimate (U.S. Census Bureau 2021).

Impact Analysis

a. Would the project 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)?

Less Than Significant Impact. The project does not include the extension of infrastructure that would indirectly induce population growth. However, the project would potentially introduce a new population to the area through development of 16 new residential dwelling units. Based on the U.S. Census Bureau's Quick Facts for the City, which indicates that the average household size is 3.08 people, the project would introduce approximately 49 residents to the area. Because the current population of the City is estimated at 94,926 as of 2021, the potential for an additional 49 residents does not represent a significant increase in population (U.S. Census Bureau 2021). Therefore, the project would not induce population growth beyond that which has been planned for in the San Marcos General Plan or that can be accommodated by the project and the City. The impact would be less than significant.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The project site is currently vacant disturbed land with unoccupied structures. No existing occupied residential uses are on the project site. Therefore, the project would not displace any existing housing or people. No impact would occur.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.15 Public Services

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☒	☐	☐
Police protection?	☐	☒	☐	☐
Schools?	☐	☒	☐	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☒	☐	☐

Environmental Setting

The project site is served by the San Marcos Fire Department and the San Diego County Sheriff's Department. The project is within the San Marcos Unified School District.

Impact Analysis

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

Fire protection?

Less Than Significant with Mitigation Incorporated. Fire protection services for the project would be available from San Marcos Fire Station at 180 West Mission Road, San Marcos, California 92069, approximately 535 feet north of the project site. The project would be constructed in accordance with all applicable fire codes set forth by the State Fire Marshal, the San Marcos Fire Department, and the San Marcos Building Code. Development of the project may result in an incremental increase in the demand for emergency services. This represents a significant impact, and mitigation is required.

Cumulative impacts are mitigated through the payment of the Fire Permit Fee if deemed necessary during the permitting process. There is no identified near-term need to expand facilities in a manner

that could have adverse impacts on the environment. The San Marcos General Fund covers operational expenses, and the project would contribute property taxes to the General Fund to offset this incremental demand for fire protection services. Therefore, the impact would be less than significant.

Police protection?

Less Than Significant with Mitigation Incorporated. The San Diego County Sheriff's Department San Marcos Station is located approximately 1 mile east from the project site at 182 Santar Place, San Marcos, California 92069. The project site is within the San Diego County Sheriff's Department's service area and surrounded by land uses that are currently served by the department. The San Diego County Sheriff's Department confirmed in a will serve letter to the applicant that there are enough law enforcement services to adequately serve the project (Appendix J, Will Serve Letters). However, development of the project would contribute to the incremental increase in demand for police protection services City-wide. Impacts would be potentially significant and would require mitigation.

Schools?

Less Than Significant Impact with Mitigation Incorporated. The project would develop a 16-unit multi-family condominium complex and would generate an incremental demand for school services in the area. The San Marcos School District stated in a letter to the applicant that additional facilities are required to serve the project (Appendix J). Impacts would be potentially significant, and mitigation would be required.

Parks?

Less Than Significant Impact. The project would develop 16 multi-family units, which would introduce new residents to the area that would likely use parks. A small minor increase in demand on existing recreational resources may be expected with any new residential development in the City. However, the project includes recreational amenities, such as a playground, picnic area, dog run and landscaped open space common areas. Therefore, the project would have a less than significant impact on parks and recreation facilities.

Other public facilities?

Less Than Significant with Mitigation Incorporated. Due to the relatively small size of the project (16 units), no impact on libraries or senior centers is anticipated. However, development of the project would result in incremental demand for the City's lighting and landscaping services and congestion management. Impacts would be potentially significant, and mitigation would be required.

Mitigation Measures

The following mitigation is required as part of the construction of the project to ensure that public services impacts are mitigated to levels that are less than significant.

PS-1: **Annexation into CFD 2001-01 (Fire and Paramedic).** Prior to the issuance of a Grading Permit, the applicant/developer/property owner shall submit an executed version of petition to annex into and establish, with respect to the property, the special taxes levied by the following Community Facility District: CFD 2001-01 (Fire and Paramedic). Participation in the Community Facility District shall offset the cost of increases in necessary fire services resulting from implementation of the proposed project.

PS-2: **Annexation into CFD 98-01 Improvement Area No 1**. Prior to the issuance of a Grading Permit, the applicant/developer/property owner shall submit an executed version of petition to annex into and establish, with respect to the property, the special taxes levied by the Community Facilities District: CFD 98-01IA1 (Police). Participation in the Community Facility District shall offset the cost of increases in necessary police protection services resulting from implementation of the proposed project.

PS-3 **School Mitigation Fees**. Prior to the issuance of a building permit, the applicant shall pay school mitigation fees pursuant to California Education Code, Section 17620 et seq., and California Government Code, Sections 65995(h), 65996(b), and 65996(h), to the San Marcos Unified School District per square foot of residential development.

PS-4 **Annexation into CFD's 98-02 and 2011-01.** Prior to the issuance of a Grading Permit, the applicant/developer/property owner shall submit an executed version of petition to annex into and establish, with respect to the property, the special taxes levied by the Community Facilities District: CFD 98-02 (Landscape and Lighting) and 2011-01 (Congestion Management). Participation in the Community Facility District shall offset the cost of increases in other public facilities resulting from implementation of the proposed project.

2.4.16 Recreation

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

Environmental Setting

There are several existing City park and recreation facilities that are located within 2 miles of the project site, which include the following:

- Buelow Park (0.2 mile)
- Rail Trail (0.2 mile)
- Connors Park (0.3 mile)
- Richmar Park (0.3 mile)
- Pebblestone Park (1.2 miles)
- Summerhill Park (1.4 miles)
- Hollandia Park (1.4 miles)
- Mulberry Park (1.8 miles)

Impact Analysis

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. When fully occupied, the residential units are anticipated to house approximately 49 residents, assuming an average of 3.08 people per household in the City (U.S. Census Bureau 2021). The slight increase in demand for public recreation facilities that could occur from the 49 project residents would be spread among the existing nearby park facilities. However, this impact would not lead to a substantial physical deterioration of recreational facilities. Additionally, the project would be required to pay the Park and Recreational Development Construction Unit Fee prior to the issuance of building permits and pursuant to SMMC Chapter 17.36. The impact would be less than significant.

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. The project would include a playground, picnic area, dog run and landscaped open space common areas. Any adverse environmental impacts associated with the construction of the usable recreational areas on the project site are analyzed throughout this IS/MND.

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

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.17 Transportation

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

Environmental Setting

The following discussion is based on the findings in the Transportation Assessment prepared by Linscott, Law & Greenspan, Engineers (Appendix B), in accordance with the San Marcos Transportation Impact Analysis Preparation Guidelines (City of San Marcos 2020) and CEQA requirements per Senate Bill 743 for the project.

A description of nearby roads serving the site is provided in Appendix B.

The project is in a transit-oriented area with the nearest bus stop approximately 0.07 mile to the north on West Mission Road. The project site is also approximately 0.25 mile west from the Civic Center Transit Station, which is served by the SPRINTER, the City's light-rail system.

Impact Analysis

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The City has adopted vehicle miles traveled (VMT) under Senate Bill 743 as the preferred quantitative metric for assessing potentially significant transportation impacts under CEQA to ensure that proposed developments are consistent with the San Marcos General Plan. Although VMT is the preferred metric, it does not preclude LOS from being used for non-CEQA local transportation analysis.

Thresholds of Significance

A local transportation analysis is required for projects generating more than 1,000 daily vehicle trips or more than 100 peak-hour vehicle trips (if consistent with the latest version of the San Marcos General Plan) or generating at least 500 daily vehicle trips or at least 50 peak-hour vehicle

trips if inconsistent with the San Marcos General Plan. The City strives to maintain intersection and roadway segment operations based on LOS standards in the San Marcos General Plan Mobility Element. The local transportation analysis should note intersections and roadway segments that perform unacceptably (based on standards in the current San Marcos General Plan Mobility Element) under No Project and/or Plus Project conditions and improvements that can be applied to increase performance to acceptable levels.

Level of Service Analysis

The project trip generation calculations were conducted using the trip generation rates published in SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for San Diego Region (SANDAG 2001). Based on the project description, the Condominium category, which SANDAG specifies as eight trips/unit, was used. Table 12, Trip Generation Summary, summarizes the project trip generation calculations. As shown in Table 12, the project would generate 128 daily trips with 10 AM peak-hour trips (two inbound/eight outbound) and 13 PM peak-hour trips (nine inbound/four outbound).

Table 12. Trip Generation Summary

		Daily Trip Ends (ADTs)		AM Peak Hour					PM Peak Hour				
						Volume					Volume		
Land Use	Size	Rate[1]	Volume	% of ADT	In:Out Split[1]	In	Out	Total	% of ADT	In:Out Split[1]	In	Out	Total
Multi-Family Attached Units	16 dwelling units	8/DU[2]	128	8%	20:80	2	8	10	10%	70:30	9	4	13

Source: Appendix B.

Notes: ADT = average daily traffic; DU = dwelling unit

[1] Rates are based on SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002.

[2] Rates are based on condominium rate of 8 / DU.

The project traffic was distributed and assigned along Mission Road and San Marcos Boulevard based on the site location, access to SR-78, existing traffic patterns in the area, and anticipated traffic patterns to and from the site. Table 13, Existing Plus Project Segment Volumes, summarizes the Existing plus Project segment volumes.

Table 13. Existing Plus Project Segment Volumes

Street Segment	Existing	Existing plus Project
Mission Road Knoll Road to Pico Avenue	14,510	14,536
San Marcos Boulevard Pico Avenue to Twin Oaks Valley Road	5.860	5,956
Pico Avenue Mission Road to San Marcos Boulevard	31,200	31,277

Source: Appendix B.

Table 14, Existing Plus Project Intersection Operations, summarizes the Existing and Existing plus Project intersection operations. As shown in Table 14, with the addition of project traffic volumes, both project driveways are calculated to operate at LOS B.

Table 14. Existing Plus Project Intersection Operations

Intersection	Control Type	Peak Hour	Existing		Existing plus Project	
			Delay[1]	LOS[2]	Delay	LOS
1. Pico Avenue/Project North Driveway	DNE[3]	AM	—	—	10.1	B
	—	PM	—	—	11.1	B
2. Pico Avenue/Project South Driveway/San Marcos Unified School District Driveway	TWSC[4]	AM	11.3	B	11.4	B
	—	PM	14.2	B	14.5	B

Source: Appendix B.

Notes: DNE = does not exist; TWSC = two-way stop controlled intersection

[1] Average delay expressed in seconds per vehicle

[2] Level of Service

[3] This driveway does currently exist and will be built by the Project as a TWSC intersection.

[4] Worst-case movement approach delay and LOS reported.

UNSIGNALIZED	
Delay	LOS
0.0 ≤ 10.0	A
10.1 to 15.0	B
15.1 to 25.0	C
25.1 to 35.0	D
35.1 to 50.0	E
≥ 50.1	F

The project would generate a total of 23 peak-hour trips per day and would not exceed the LOS threshold of 50 peak-hour trips per day. The project would operate at LOS B and would not induce deficiencies at project access driveways or impact traffic in such a way as to require improvements. Additionally, the project is within a half-mile of a major transit stop, including the bus and light-rail system, and would improve pedestrian access to the transit system. The project would improve the sidewalk on Pico Avenue along the project frontage to increase pedestrian connections to off-site areas. Development of the project site would allow future residents to walk or bike to adjacent retail stores and restaurants. The impact would be less than significant.

b. Would the project or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. Based on the San Marcos Transportation Impact Analysis Guidelines, residential projects that generate a VMT per resident that exceeds 85 percent of the regional VMT per capita would have a significant impact.

Vehicle Miles Traveled Analysis

The regional VMT per capita is 18.9. Per the San Marcos Transportation Impact Analysis Preparation Guidelines (City of San Marcos 2022a), the project would not have a significant VMT impact if VMT per capita for the project is below the threshold of 85 percent of the regional VMT per capita, or 16.1 VMT per capita.

Using the SANDAG screening map for residential projects under VMT per capita, the project would generate 11.9 VMT per capita for census tract 200.28. The project's VMT per capita would be below the threshold and, therefore, would have a less than significant VMT impact.

Land use projects that decrease VMT compared to existing conditions or projects within a half-mile of existing major transit stops or a stop along an existing high-quality transit corridor may be presumed to have a less than significant impact. The project would increase VMT compared to existing conditions because it is a residential project, but it would not exceed the applicable threshold. Additionally, the project is within 0.25 mile of a major transit stop, the Civic Center Transit Station, which is served by the SPRINTER light-rail system, and the closest bus stop, the 305-bus stop on West Mission Road, is 0.07 mile north of the project site. The project's VMT per capita would be below the applicable threshold, and the project site is near existing major transit stops. Therefore, the impact would be less than significant.

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 project would develop residential uses and would not include any incompatible uses, such as farm equipment. Regional access is provided via SR-78, approximately 0.3 mile south of the project site. The project would construct two driveways along the southern frontage on Pico Avenue to provide access to the residential complex. The two driveways would be sufficient to serve the population of the proposed residential complex and would not impede local traffic flow. The project would also make improvements to the sidewalk along Pico Avenue frontage to improve pedestrian access to nearby sites.

Implementation of the project would not involve potentially dangerous traffic or transportation hazards or result in incompatible uses that could affect existing traffic or circulation on the project site. The impact would be less than significant.

d. Would the project result in inadequate emergency access?

Less Than Significant Impact. Access to and from the project site for emergency vehicles would be reviewed and approved by the San Marcos Fire Protection Department as part of the project approval process to ensure that the project is compliant with applicable codes and ordinances for emergency vehicle access. In addition, construction of the project would not impede access of emergency vehicles to the project site or any surrounding areas. Therefore, the project would not result in inadequate emergency access. The impact would be less than significant.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

Environmental Setting

The project area was previously used by the Luiseño as evidenced by the presence of cultural sites that have been recorded in the area. These sites include bedrock milling, habitation, lithic and ceramic scatters, and shell scatters.

A Sacred Land File check was sent to the Native American Heritage Commission on January 19, 2023, to determine whether sacred lands are present on site. The commission's response was negative for resources and provided a list of Tribes that should be contacted for more information. All Tribal bands on the list provided by the Native American Heritage Commission were contacted for any information they may have regarding Sacred Sites that may be present on site.

Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the

landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Less Than Significant with Mitigation Incorporated. Five Tribes (Barona Group of Capitan Grande, Jamul Indian Village, Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and Viejas Band of Kumeyaay Indians) responded to the outreach efforts. The Barona Group of Capitan Grande responded on March 27, 2023, requesting to be informed of any identified resources. Jamul Indian Village also responded, on March 10, 2023, and deferred to San Pasqual Band of Diegueño Mission Indians.

The Rincon Band of Luiseño Indians responded on March 9, 2023, and identified that the project site is within the Tribe's Traditional Use Area. They researched their database, and no known Tribal Cultural Resources or Traditional Cultural Properties were identified. However, the Rincon Band of Luiseño Indians did identify a post-contact structure. They requested to consult directly with the lead agency regarding project impacts and requested a copy of the final study. A final closeout letter was received on June 16, 2023.

The San Luis Rey Band of Mission Indians responded on April 26, 2023, that they are traditionally and culturally affiliated with the area of San Marcos. They identified that there are cultural sites within proximity to the project. They requested that caution be used in assessing the project, and that a Luiseño Native American monitor be present during all ground-disturbing activities. The San Luis Rey Band of Mission Indians requested that they be provided with a copy of the study and, if the survey has not been completed, that a Luiseño Native American monitor be a part of the survey. The survey was conducted on April 4, 2023, after the 30-day response period and before the request was received from San Luis Rey Band of Mission Indians. A request for consultation was received on May 30, 2023, and the cultural report was submitted to the San Luis Rey Band of Mission Indians on May 30, 2023. A subsequent meeting was held to discuss project mitigation measures. No response has been received since the last meeting.

The Viejas Band of Kumeyaay Indians responded on March 15, 2023, identifying that the project site has cultural significance or ties to the Tribe and that cultural resources have been located within or adjacent to the project site. They requested that a monitor be on site for ground-disturbing activities and that they be informed of any inadvertent discoveries. They identified that they have

monitors available; however, if a Tribe in closer proximity to the project requests to perform monitoring, the Viejas Band of Kumeyaay Indians will defer to them.

In addition to the five Tribes who responded to the outreach effort, the San Pasqual Band of Diegueño Mission Indians requested consultation on April 28, 2023. The Cultural Study was sent to the Tribe on May 4, 2023. A notification was also sent to the Pechanga Tribe on February 28, 2023. No response was received.

The Archaeological and Historic Resources Survey Report – Positive Findings (Appendix C) concluded that no previously unrecorded resources were located within the survey area; however, based on the very poor visibility in the northern parcels and the possibility of additional subsurface historic resources in the southern parcel, there is still potential for known or unknown prehistoric or historic resources. Therefore, the potential to disturb unknown or known Tribal Cultural Resources during construction would be potentially significant, and mitigation would be required.

Mitigation Measures

The following mitigation is required as part of the project to ensure that potential Tribal Cultural Resources impacts are mitigated to levels that are less than significant:

Refer to CUL-1 through CUL-4.

2.4.19 Utilities and Service Systems

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

Environmental Setting

The project is within VWD boundaries for water and wastewater service. The following discussion is based on the findings in the Water and Sewer Study prepared by the VWD (Appendix K, Water and Sewer Study).

Impact Analysis

a. Would the project 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?

Less Than Significant Impact. The project would develop 16 multi-family residential units. All wet and dry public utilities, facilities, and infrastructure are in place and available to serve the project site without the need for relocated, new, or expanded facilities. While new utility and service connections would need to be extended to and from the project site (e.g., sewer, stormwater runoff, electrical) would be needed, these new connections would not result in a need to modify the larger off-site infrastructure. The study found that the VWD has water capacity to serve the project as

proposed with the payment of applicable fees and improvements to the existing 6-inch asbestos cement pipe along Pico Avenue. As a result, implementation of the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage; electric power; natural gas; or telecommunications facilities. Therefore, the impact 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 project site is served by the VWD, which provides water to approximately 108,000 customers in a 45-square-mile service area (VWD 2023). The VWD currently obtains approximately 75 percent of its potable water supply from the SDCWA, which obtains most of its water via the State Water Project and the Colorado River Aqueduct. The VWD also obtains up to 2,750 acre-feet of potable water per year from Olivenhain Municipal Water District and as much as 4,083 acre-feet per year of desalinated water from the Claude "Bud" Lewis Desalination Plant (VWD 2018).

According to the Water and Sewer Study (Appendix K), the project would increase the projected average water demand by approximately 3,450 gallons per day over the ultimate flows projected in the 2018 Master Plan for the City. The VWD's projected water demand for 2035 is 19.2 million gallons per day. The project would increase the demand for year 2035 under normal conditions by approximately 0.00018 percent. The amount of additional reservoir storage required is 500 percent of the development's average day demand, or 3,450 gallons* 500 percent = 17,250 gallons in additional reservoir storage, to accommodate the project. The Water and Sewer Study (Appendix J) found that water storage capacity is currently available to serve the project's increased storage requirements. Therefore, the impact 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 project site would be served by existing VWD sewer lines. The project would result in an increase in wastewater generation relative to existing site conditions. The majority of wastewater generated in the City is diverted to the Meadowlark Water Reclamation Facility, which has a capacity of 5 million gallons per day (VWD 2018). According to the Water and Sewer Study (Appendix K), the project would generate an increase of 2,553 gallons per day of wastewater flow, or approximately 0.0025 million gallons per day. The project is expected to generate approximately 2,553 gallons per day, which would constitute 0.0005 percent of the capacity of Meadowlark Water Reclamation Facility. Therefore, there is adequate wastewater treatment capacity to serve the project. With the payment of applicable Water and Wastewater Capital Facility Fees, as well as VWD Construction Inspection and Board of Directors acceptance

of water and sewer facilities prior to service, the project would have a less than significant impact on the VWD's wastewater treatment capacity.

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. Development of the proposed 16 multi-family residences would result in a negligible increase in domestic municipal solid waste generation. Construction of the project would include demolition and removal of two unoccupied structures. As a result, construction of the proposed residential development and associated improvements would likely generate both green waste (e.g., vegetation) and construction and demolition debris. Once construction of structures begins, it would generate various types of construction debris, including asphalt, metal, and wood. In compliance with Assembly Bill 939, the City would require the diversion of at least 50 percent of the total construction and demolition debris generated by a project via reuse or recycling via a Waste Management Plan. To comply with this requirement, construction and demolition debris would typically be hauled to a Construction, Demolition, and Inert Recycling Facility, such as the Escondido Disposal Corporation's (EDCO) Construction, Demolition, and Inert facility in San Marcos. Any remaining debris that is not recyclable would be disposed at a licensed landfill, such as the Sycamore Landfill in San Diego.

Once operational, the project is estimated to generate approximately 64 pounds per day, or 1,460 pounds of solid waste per dwelling unit per year (CalRecycle 2019). Therefore, the project would generate a total of approximately 12 tons of solid waste per year. EDCO is the current contracted solid waste hauler for the City and would serve the project (City of San Marcos 2023b). EDCO has several recycling programs, and the company processes over 1,000 tons of recyclables each day within its three-material recovery facilities. Once recyclables are recovered, the remaining solid waste would be taken to the Sycamore Landfill, which has a permitted capacity of 5,000 tons per day and a remaining capacity of 113,972,637 cubic yards (CalRecycle 2019). Based on the project's projected daily generation of solid waste, the Sycamore Landfill can adequately accommodate the anticipated solid waste from the project. Therefore, development of the project would generate solid waste that would be within the capacity of local landfills, resulting in a less than significant impact.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The City complies with all federal, state, and local statutes and regulations related to solid waste, such as Assembly Bills 939 and 341. EDCO also complies with applicable federal and state solid waste regulations. The San Diego County Department of Environmental Health and Quality issues permits to solid waste facilities in the County, including the Sycamore Landfill, which undergoes monthly inspections. Because solid waste generated by

the project would be diverted to material recovery facilities, with the remaining waste hauled to the Sycamore Landfill (or any active, permitted landfill facility in the County), the project would comply with existing regulations related to solid waste. Therefore, the project would comply with applicable federal, state, and local management and reduction statutes and regulations regarding solid waste, resulting in a less than significant impact.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

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

Impact Analysis

This section only applies to projects within or near state responsibility areas or lands classified as Very High Fire Hazard Severity Zones. The project is primarily built-up/developed land and does not contain undeveloped land or canyon lands that could exacerbate wildfire risk. The project is not identified in a Fire Hazard Severity Zone of state or local responsibility areas according to California Department of Forestry and Fire Protection's Fire Hazard Severity Viewer (CAL FIRE 2023b) and is not identified in a Fire Hazard Severity Zone in the San Marcos General Plan Safety Element (City of San Marcos 2012). Therefore, no further analysis of impacts from wildfire on the project is required. No impact would occur.

Mitigation Measures

The analysis completed for this section indicates that no significant impact would result from the project's implementation. As a result, no mitigation measures are required.

2.4.21 Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino,(1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Impact Analysis

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?

Less Than Significant with Mitigation Incorporated. With the incorporation of mitigation measures, the project would not have the potential to degrade the quality of the environment, reduce the habitat of any sensitive plant or wildlife species, or eliminate important examples of California history or prehistory.

As discussed in Section 2.4.4, Biological Resources, the project would have a potentially significant impact on nesting birds. Implementation of Mitigation Measures BIO-1 would reduce the impact to a less than significant level.

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

Less Than Significant Impact. Implementation of the project would not result in individually limited or cumulatively considerable significant impacts. Resource topics associated with the project have been analyzed in accordance with CEQA and the CEQA Guidelines and were found to pose no impacts, less than significant impacts, or less than significant impacts with mitigation. In addition, taken in sum with other projects in the area, the scale of the project is small, and impacts on any environmental resource areas would not be cumulatively considerable. Therefore, this impact would be less than significant.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. With the incorporation of mitigation measures, the project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. As discussed in Section 2.4.13, Noise, the project would have potentially significant construction noise and groundborne vibration impacts. Implementation of Mitigation Measure NOI-1 would reduce these impacts to less than significant. As discussed in Section 2.4.9, Hazards and Hazardous Materials, the project would have potentially significant impact from hazardous materials exposure. Implementation of Mitigation Measure HAZ-1 would reduce this impact to less than significant. Therefore, the project would not result in any environmental effects that would cause substantial adverse effects on human beings directly or indirectly.

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Section 3 List of Preparers

3.1 Lead Agency

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Appendix A. CalEEMod Outputs

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Appendix B. Transportation Assessment

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Appendix C. Archaeological and Historic Resources Survey Report – Positive Findings

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Appendix D. Geotechnical Investigation

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Appendix E. Project Climate Action Plan Consistency Review Checklist

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Appendix F. Hydromodification Technical Memorandum

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Appendix G. Stormwater Quality Management Plan

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Appendix H. Drainage Study

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Appendix I. RCNM Results, FHWA Traffic Noise Modeling Results, and Distance Attenuation Calculations

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Appendix J. Will Serve Letters

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Appendix K. Water and Sewer Study

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