



ATTACHMENT D.1a

FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (ND22-008)



Final Initial Study/Environmental Checklist
and Mitigated Negative Declaration
for the Santa Fe Flores, LP Project
San Marcos, California

Project No. GPA21-0008, R21-0004, & MFSDP21-0002
Mitigated Negative Declaration ND22-008
SCH No. 2022090486

Prepared for
City of San Marcos
Development Services Department
Planning Division
1 Civic Center Drive
San Marcos, CA 92069

Prepared by
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RECON Number 9865
December 2, 2022

Santa Fe Flores, LP Project Final IS/MND

Letters of Comment and Responses

The Draft IS/MND was circulated for a 30-day public review comment period, beginning on September 27, 2022 and ending on October 27, 2022. The following letters of comment were received from agencies and organizations during the public review period. A copy of each comment letter followed by the corresponding responses are included here. One of the comments received resulted in minor revisions to the appendices to the Biological Resources Report (Appendix B to the Final MND). In addition, the Buena Sanitation District (BSD) indicated that the project would require an applicant-provided sewer study that would be approved by the BSD. The project would be subject to all applicable improvement fees as determined by the BSD. Text changes reflecting incorporation of a sewer study in the Final MND and revisions to the Biological Resources Report are indicated by ~~strikeout (deleted)~~ and underline (inserted) markings. Revisions are intended to correct minor discrepancies and provide additional clarification. The revisions do not affect the conclusions of the document.

Letter	Author	Page
A	San Diego County Archaeological Society, Inc.	RTC-2
B	U.S. Fish and Wildlife Service	RTC-4



San Diego County Archaeological Society, Inc.

Environmental Review Committee

22 October 2022

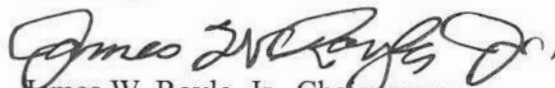
To: Mr. Norm Pedersen, Associate Planner
Planning Division
City of San Marcos
1 Civic Center Drive
San Marcos, California 92069

Subject: Draft Mitigated Negative Declaration
Santa Fe Flores Project
GPA21-0008, R21-0004, MFSDP21-0002, ND22-008

Dear Mr. Pedersen:

- A-1 I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.
- A-2 Based on the information contained in the DMND and the cultural resources report prepared by RECON, we concur with the impact analysis and with the mitigation measures as proposed.
- A-3 Thank you for the opportunity to review and comment upon this project's environmental documents.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: RECON
SDCAS President
File

Letter A – San Diego County Archaeological Society, Inc. (October 22, 2022)

- A-1 This introductory language is in regards to the content of this comment letter. The language does not raise an issue related to the adequacy of the analysis contained within the Draft IS/MND.
- A-2 Comment noted. This comment does not raise an issue related to the adequacy of the analysis contained within the Draft IS/MND.
- A-3 Comment noted. This comment does not raise an issue related to the adequacy of the analysis contained within the Draft IS/MND.



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008



In Reply Refer to:
FWS-SD-2023-0011268

November 2, 2022
Sent Electronically

Norman Pedersen
Associate Planner
Development Services Department
City of San Marcos
1 Civic Center Drive
San Marcos, California 92069

Subject: Comments on the Initial Study and draft Mitigated Negative Declaration for the Santa Fe Flores Project, City of San Marcos, San Diego County, California

Dear Norman Pedersen:

B-1 The U.S. Fish and Wildlife Service (Service) has reviewed the Initial Study (IS) and draft Mitigated Negative Declaration (MND) for the Santa Fe Flores project (project), in the City of San Marcos (City), California. Our comments and recommendations are based on the information provided in the IS/MND and our knowledge of sensitive and declining vegetation communities in San Diego County; and our participation in the Multiple Habitat Conservation Program (MHCP) and the City's draft MHCP Subarea Plan (SAP).

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(1) of the Act.

B-2 The proposed 2.5-acre site is located at 2972 and 2982 South Santa Fe Avenue in the City of San Marcos. The property is surrounded by existing development and the project will result in the development of a multi-family residential project.

The federally and state threatened thread-leaved brodiaea (*Brodiaea filifolia*; brodiaea) has been found in the vicinity of the project site (Service 2011), which also has clay soils that may support this species (Web Soil Surveys 2022). In addition, the clay soils may support vernal pools, which are seasonal wetlands that also occur in the vicinity of the project site (Service 1998). We are unclear on the disturbance history of the project site; therefore, we recommend that a habitat assessment and/or protocol-level surveys be conducted for brodiaea and for State and federally listed vernal pool species, such as San Diego fairy shrimp (*Branchinecta sandiegonensis*),

at the project site. If brodiaea or vernal pools are found at the project site, the MND should include alternatives that avoid, minimize and/or mitigate potential impacts to these sensitive biological resources.

- B-3 We appreciate the opportunity to comment on this MND. If you have any questions regarding our comments, please contact [Taylor Curtis](#)¹ at 760-431-9440, extension 371.

Sincerely,

DAVID
ZOUTENDYK

Digitally signed by
DAVID ZOUTENDYK
Date: 2022.11.02
17:23:04 -07'00'

for Jonathan D. Snyder
Assistant Field Supervisor

LITERATURE CITED

[Service] U.S. Fish and Wildlife Service. 2011. *Final Revised Critical Habitat for Brodiaea filifolia (Thread Leaved Brodiaea)*. Retrieved from Environmental Conservation Online System.

[Service] U.S. Fish and Wildlife Service. 1998. *Recovery plan for vernal pools of southern California*. U.S. Fish and Wildlife Service, Portland, Oregon. 113+ pp.

Web Soil Surveys. 2022, October 28. *Web Soil Survey*. Retrieved from Web Soil Survey: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.

¹ Taylor_Curtis@fws.gov

Letter B – U.S. Fish and Wildlife Service (November 2, 2022)

- B-1** This introductory language is in regards to the content of this comment letter. The language does not raise an issue related to the adequacy of the analysis contained within the Draft IS/MND.
- B-2** During the general biological survey, the project site was evaluated for sensitive biological resources, including sensitive plant species such as thread-leaved brodiaea and vernal pools. No vernal pools or depressions containing wetland or vernal pool plant species characteristic of vernal habitat were observed during the survey. Thread-leaved brodiaea was not observed during the biological survey, which was conducted during the species blooming period (March-June) when vegetative stems/stalks or blooming individuals would have been visible. Furthermore, the project site lacks suitable vernal pool and grassland habitat to support this species, and consists of predominantly non-native species and heavily disturbed areas from frequent off-roading activity. Additional information regarding this species potential based on the biological survey has been included in Attachment 4 of the Biological Resources Report. Additional information regarding the lack of vernal pools and/or depressions containing vernal indicators has been included in Attachment 5 of the Biological Resources Report under fairy shrimp.
- B-3** Comment noted. This comment does not raise an issue related to the adequacy of the analysis contained within the Draft IS/MND.

Santa Fe Flores, LP Project Final IS/MND

Mitigation Monitoring and Reporting Program

The following Mitigation Monitoring and Reporting Program (MMRP) identifies measures that specifically apply to this project. The table below includes the mitigation number, description, timeframe of mitigation, monitoring, enforcement, and reporting responsibility.

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
Biological Resources			
BIO-1	If construction initiation occurs between March and September, a pre-construction nesting bird and raptor survey of the project impact area shall be completed by a qualified biologist prior to vegetation removal. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). If any active nests are detected, the area will be flagged and mapped along with a buffer as recommended by the qualified biologist. The buffer area(s) established by the qualified biologist will be avoided until the nesting cycle is complete or it is determined that the nest is no longer active. The qualified biologist shall be a person familiar with bird breeding behavior and capable of identifying the bird species of San Diego County by sight and sound and determining alterations of behavior as a result of human interaction. Buffers will be based on species-appropriate buffers and/or local topography and line of sight, species behavior and tolerance to disturbance, and existing disturbance levels, as determined appropriate by the qualified biologist.	If construction initiation occurs between March and September.	Qualified Biologist
Cultural Resources			
CR-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 (TCA Tribe), identified in consultation with the City. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA 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	Prior to the issuance of a Grading Permit, or ground disturbing activities.	Applicant/Owner and City of San Marcos

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	infrastructure, and other ground disturbing activities. Any project-specific monitoring plans and/or excavation plans prepared by the project archaeologist shall include the TCA 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 TCA 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 TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.		
CR-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's Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA 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 TCA 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 TCA 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	Prior to the issuance of a Grading Permit or ground disturbing activities.	Applicant/Owner, Grading Contractor

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	archaeological resources or tribal cultural resources. In areas of artificial paving, the Qualified Archaeologist and TCA 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 six 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 utilized at the site are either: (1) from existing commercial (previously permitted) sources of materials; or (2) are from private or other non-commercial sources that have been determined to be absent of tribal cultural resources by the Qualified Archaeologist and TCA Native American monitor. The Qualified Archaeologist and TCA 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 TCA Tribe, preferably through e-mail, 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 TCA 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 AB 52 consultation, to the San Luis Rey Band of Mission Indians and the Rincon Band of Luiseño Indians or any parties involved in the project specific		

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, will also be submitted to the South Coastal Information Center after approval by the City.		
CR-3: Unanticipated Discovery Procedures	Both the Qualified Archaeologist and the TCA 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 TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA 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 TCA Tribe, and the TCA Native American monitor, then the City and the TCA 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 TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of CEQA and California Public Resources Code Section 21083.2(b) with respect to archaeological resources and California Public Resources	During ground disturbing activities.	Qualified Archaeologist and the TCA Native American monitor

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	Section 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 TCA Tribe. All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If 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 TCA Tribe. The TCA 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 TCA 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 TCA Native American monitor. If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during		

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	the ground disturbing activities, the TCA 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 the curation shall be 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 TCA Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.		
CR-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 his or her 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 TCA Native American monitor) shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Medical Examiner will	During ground disturbing activities.	Applicant/Owner, Grading Contractor

**Mitigation Monitoring and Reporting Program
for the Santa Fe Flores, LP Project**

Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission will 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 its 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 will 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 will apply, and the mediation process will occur with the NAHC. 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 Section 5097.98(e) and 5097.94(k)).		

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
Public Services			
PS-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 following Community Facility District: CFD 2001-01 (Fire and Paramedic). Participation in the CFD will offset the cost of increases in necessary fire services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.	Prior to the issuance of a grading permit.	Applicant/Owner
PS-2	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 CFD 98-01 Improvement Area No. 1 (Police). Participation in the CFD would offset the cost of increases in necessary police protection services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.	Prior to the issuance of a grading permit.	Applicant/Owner
Tribal Cultural Resources			
See Mitigation Measures CR-1, CR-2, and CR-3	See above.	See above.	See above

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J:	Local Transportation Analysis
K:	Vehicle Miles Traveled Analysis

1.0 Introduction

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared in accordance with relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and the CEQA Guidelines, as revised. This IS/MND evaluates the environmental effects of the Santa Fe Flores, LP Project (project).

The IS/MND includes the following components:

- A Draft MND and the formal findings made by the City of San Marcos (City) that the project would not result in any significant effects on the environment, as identified in the CEQA IS Checklist.
- A detailed project description.
- The CEQA IS Checklist, which provides standards to evaluate the potential for significant environmental impacts from the project, is adapted from Appendix G of the CEQA Guidelines. The project is evaluated in 19 environmental issue categories to determine whether the project's environmental impacts would be significant in any category. Brief discussions are provided that further substantiate the project's anticipated environmental impacts in each category.

Because the project fits into the definition of a "project" under Public Resources Code Section 21065 requiring discretionary approvals by the City, and because it could result in a significant effect on the environment, the project is subject to CEQA review. The IS Checklist was prepared to determine the appropriate environmental document to satisfy CEQA requirements: an Environmental Impact Report (EIR), a Mitigated Negative Declaration (MND), or a Negative Declaration (ND). The analysis in this IS Checklist supports the conclusion that the project would not result in significant environmental impacts.

This IS/MND will be circulated for 30 days for public and agency review, during which time individuals and agencies may submit comments on the adequacy of the environmental review. Following the public review period, the City Council will consider any comments received on the IS/MND when deciding whether to adopt the IS/MND.

2.0 Draft Mitigated Negative Declaration

Project Name: Santa Fe Flores, LP

Project Location: 2972 and 2982 South Santa Fe Avenue, San Marcos, California. Assessor Parcel Numbers 217-161-18-00 and 217-161-19-00.

Project Description: The Santa Fe Flores, LP Project proposes a General Plan Amendment and Rezone from Commercial (C) and Light Industrial (L-I) to Multi-Family Residential (R-3-10) to allow 50 dwelling units, in conjunction with a Density Bonus, on a 2.5-acre site consisting of two parcels. The project will develop a 58,693-square-foot building with three stories on a previously graded project site. Out of the 50 dwelling units, 5 will be dedicated affordable units.

Findings: Pursuant to the provisions of CEQA (Public Resources Code, Section 21000 et seq.) and based on information contained in the attached IS Checklist, the City of San Marcos has determined that the project will not have a significant effect on the environment.


Signature of Lead Agency Representative


Date

3.0 Project Description

1. Project:

Santa Fe Flores, LP

2. Lead Agency:

City of San Marcos
Development Services Department, Planning Division
1 Civic Center Drive
San Marcos, California 92069-2918

3. Contact Person and Phone Number:

Norm Pedersen, Associate Planner
City of San Marcos, Planning Division
760-744-1050 ext. 3236
npedersen@san-marcos.net

4. Project Location:

The Santa Fe Flores, LP project (project) is located in the city of San Marcos, California, at 2972 and 2982 South Santa Fe Avenue on Assessor Parcel Numbers 217-161-18-00 and 217-161-19-00. The project site is bounded by existing development to the north and west, North Las Flores Drive to the east, and South Santa Fe Avenue to the south. The Sprinter railroad tracks and single-family residential homes off North Las Flores Drive are north and northeast of the project site. The regional location of the project site is shown on Figure 1 and an aerial photograph of the project site is shown on Figure 2.

5. Project Applicant/Sponsor:

RJ Realty Investors LLC/Santa Fe Flores, LP
Contact: Paul Mayer

6. General Plan Designation:

- Existing Land Use Designation: Commercial (217-161-19-00) and Light Industrial (217-161-18-00)
- Proposed Land Use Designation: Medium Density Residential 2 (MDR2) (217-161-18-00 and 217-161-19-00)

7. Zoning:

- Existing Zoning: Commercial (C) (217-161-19-00) and Light Industrial (L-I) (217-161-18-00)
- Proposed Zoning: Multi-family Residential (R-3-10) (217-161-18-00 and 217-161-19-00)

8. Description of Project:

The proposed project would request a Density Bonus and develop the approximately 2.5-acre (2.2-acre net) previously graded project site with 50 multi-family dwelling units (22.4 dwelling units/acre), a 1,000-square-foot roof deck, a 1,170-square-foot ground floor leasing and amenity center, an 800-square-foot tot lot, and 120-square-foot ground floor fire command center. Total project square footage would equate to 58,693 square feet. Out of the 50 dwelling units, 5 units would be dedicated affordable units. The units would include a mix of studios, 1 bed/1 bath, and 2 bed/2 bath. The project would include 250 square feet of private open space for each ground floor unit and 55-63 square feet of private open space for upper floor units. In addition, 125 cubic feet of storage located in each of the 45 carports and locker storage are proposed as part of the project. The discretionary approvals necessary for the project include a Multi-Family Site Development Plan (Figure 3). As shown in the architectural elevations (Figure 4), the apartment building would reach a maximum height of 62 feet.

In conjunction with the Density Bonus, and due to the site topography, the project requests a concession to allow for the proposed building to exceed the three-story, 45-foot height limit of the R-3-10 Zone. The project also proposes a General Plan Amendment (GPA) to amend the existing land use designation of Commercial (217-161-19-00) and Light Industrial (217-161-18-00) to Medium Density Residential 2 (MDR2) (217-161-18-00 and 217-161-19-00) and a Rezone from Commercial (C) (217-161-19-00) and Light Industrial (L-I) (217-161-18-00) to Multi-Family Residential (R-3-10) (217-161-18-00 and 217-161-19-00).

Parking and Site Access

Access to the project site would be located along South Santa Fe Avenue, and internal driveways would be constructed to allow for vehicular access throughout the apartment complex. Access to the project site would be restricted to right-in/right-out movements via South Santa Fe Avenue.

On-site parking would be configured in order to accommodate the proposed buildings, resulting in a total of 107 parking spaces for a ratio of 2.14 spaces per unit which would be consistent with the requirements set forth in the San Marcos Code Section 20.340.040. This requirement would be met with the inclusion of 45 carports. Consistent with San Marcos Code Section 20.340.090, bicycle parking would include a total of 11 lockers or bike storage rooms located on the upper and lower levels.

Grading

The project site is currently two levels, the southern portion of the site is relatively flat while the central portion slopes up to an elevated pad at the north end of the site. Elevation of the project area ranges between approximately 495 feet above mean sea level in the south and 550 above mean sea level to the north. The project would require 17,500 cubic yards of cut and 250 cubic yards of fill for a net export of 17,250 cubic yards. The grading plan is shown in Figure 5. The project would construct eight retaining walls. The longest and tallest retaining wall would be approximately 150 feet long and 11.7 feet tall. This retaining wall would be located along the internal access road proposed on the west site of the property.

Landscaping

As shown in Figure 6, the project proposes to plant 71 trees and landscape 24,968 square feet or 25.7 percent of the total 97,057-square-foot project site.

Drainage and Sewer

Once developed, storm water runoff would be collected in a proposed storm drain system and conveyed to the proposed proprietary biofiltration system and subsequently the proposed underground storage facilities. Two storm drain systems, each with their own best management practice (BMP)s, are proposed to maintain the site's historical points of discharge. When developed, the project site would consist of five drainage basins. The project would require a sewer study with approval by the Buena Sanitation District (BSD) and would be subject to all applicable improvement fees as determined by the BSD.

Surrounding Land Use(s) and Project Setting:

The project site is bounded by an existing multi-family residential development located east of North Las Flores Drive, and by South Santa Fe Avenue to the south, existing industrial to the north and west, an existing liquor store and parking lot to the southwest, and South Santa Fe Avenue to the south. The Sprinter railroad tracks and single-family residential homes off North Las Flores Drive are north and northeast of the project site, and the Vista Meadows mobile home community is south of South Santa Fe Avenue across from the project site.

9. Other Required Agency Approvals or Permits Required:

Vista Irrigation District and Buena Sanitation District

10. 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, has consultation begun?

The City of San Marcos, as lead agency, formally notified California Native American tribes of the opportunity to consult via letter in accordance with Senate Bill (SB) 18 and Assembly Bill (AB) 52 consultation processes in January and June of 2022, respectively. The formal SB 18 notification letters were sent to California Native American tribes as identified on the Native American Heritage Commission (NAHC) list while the AB 52 letters were sent to the Mesa Grande Band of Diegueno Mission Indians, San Luis Rey Band of Mission Indians, Rincon Band of Luiseño Indians, and Pechanga Band of Luiseño Indians who have formally requested the AB 52 notification as of the date of the City notification letter. Formal consultation was requested by the San Luis Rey Band of Mission Indians and Rincon Band of Luiseño Indians. To be completed upon receipt of AB 52 consultation from the City.

11. Summary of Environmental Factors Potentially Affected:

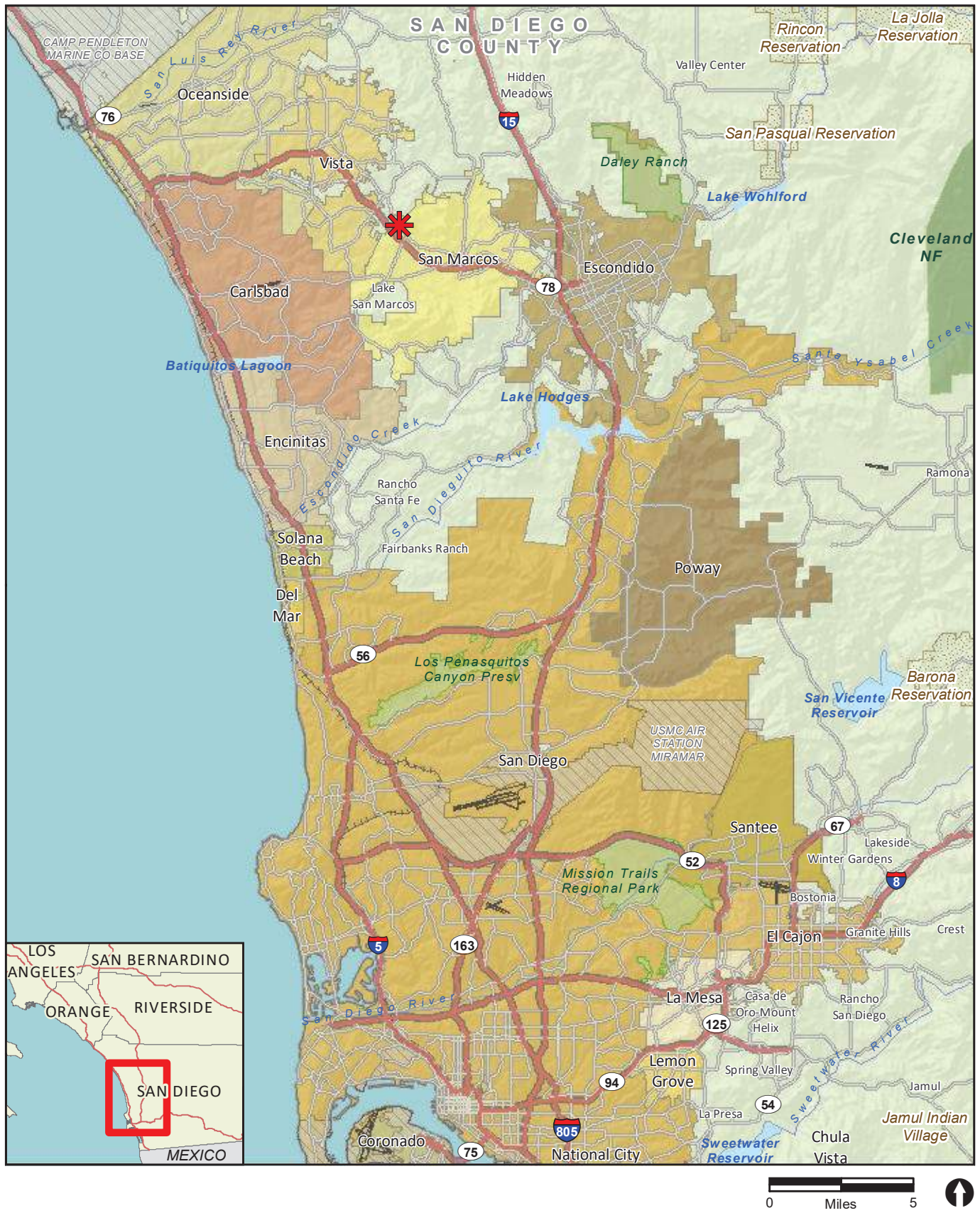
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Environmental Impact Report (EIR) or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



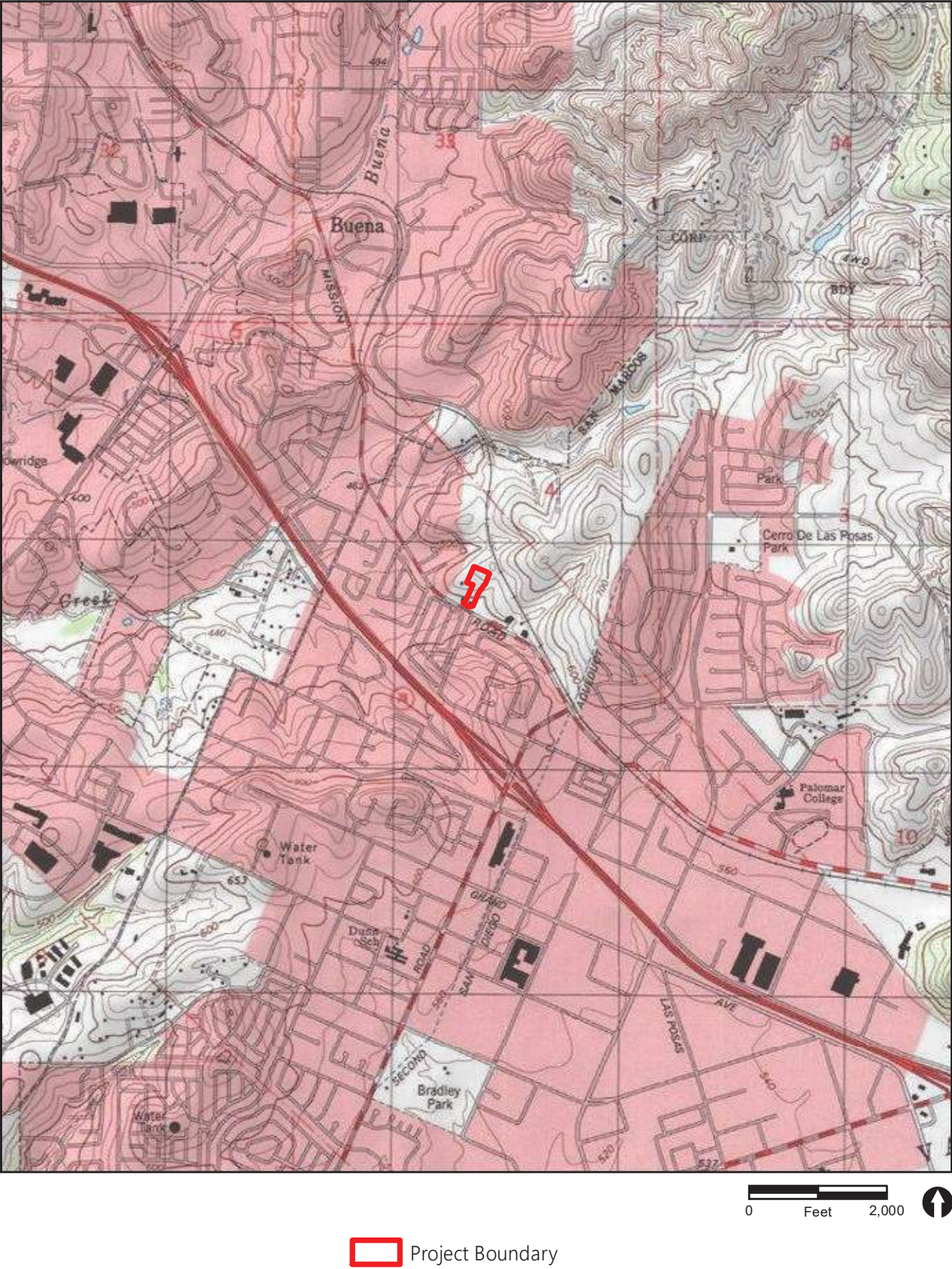


FIGURE 2
Project Location on USGS Map



0 Feet 200



 Project Boundary



FIGURE 4
Architectural Elevations

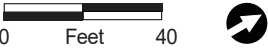
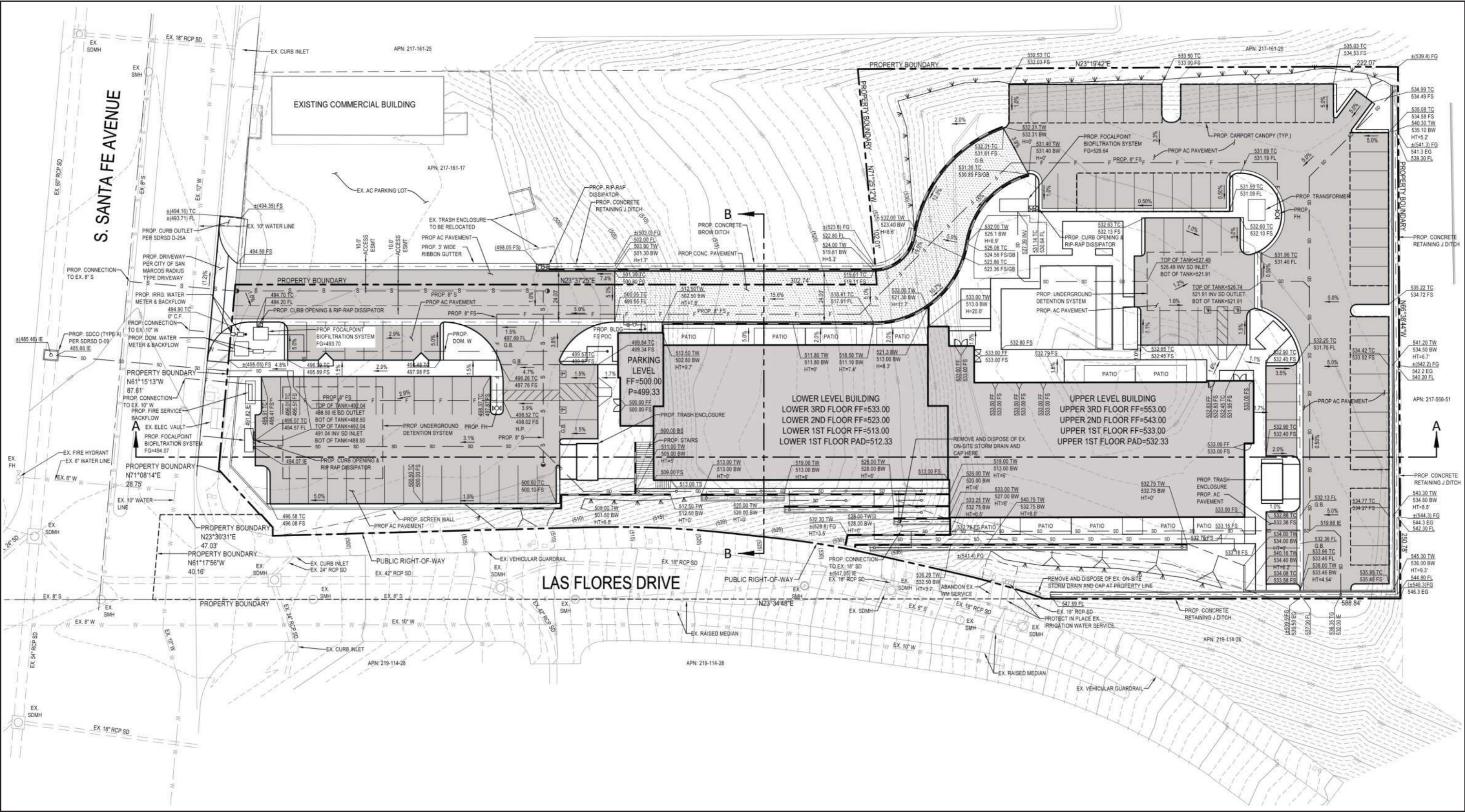


FIGURE 5
Grading Plan

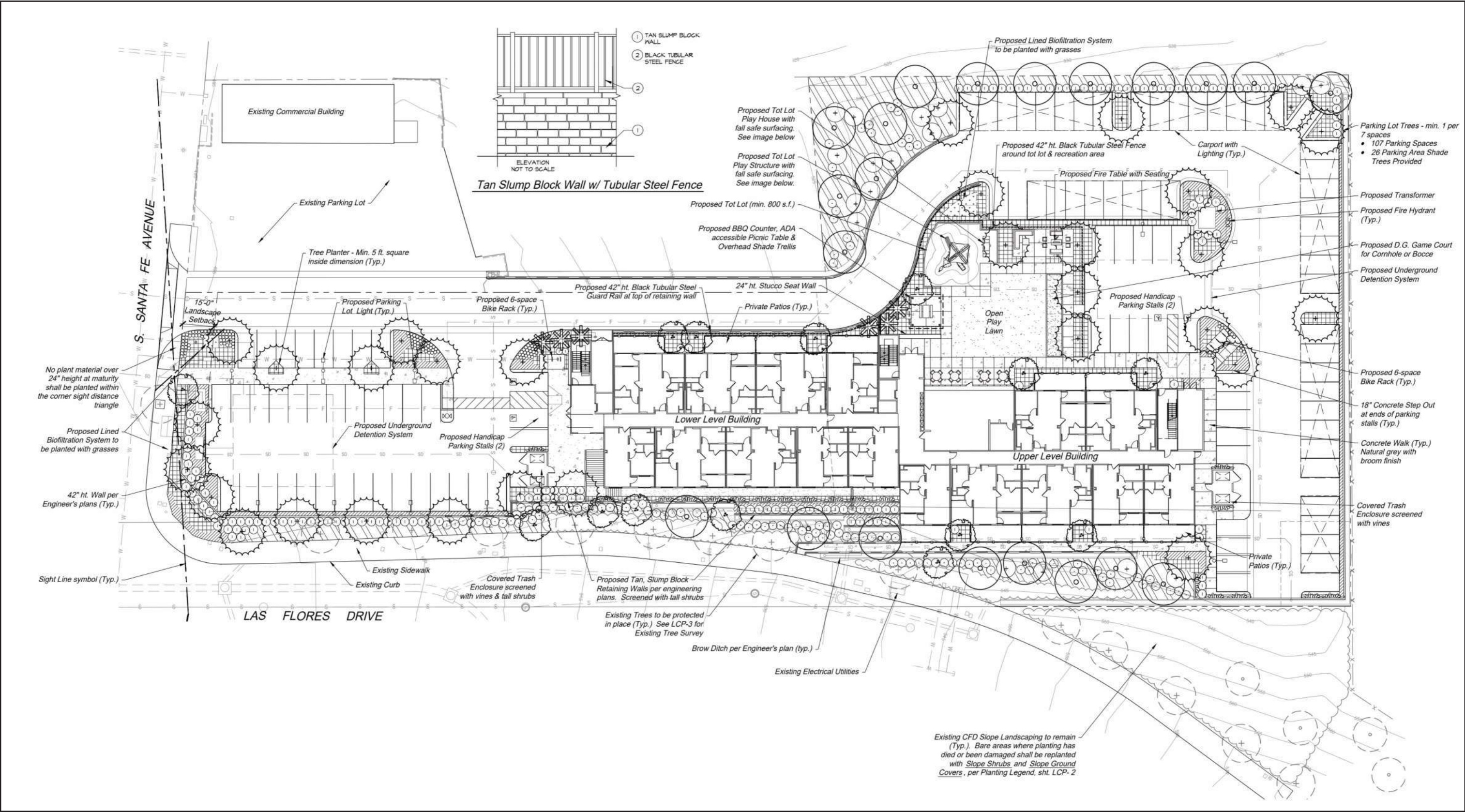


FIGURE 6
Landscape Plan

4.0 Initial Study Checklist

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved. A “No Impact” answer should be explained where it is based on project specific factors as well as general standards.
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. Section 15063(c)(3)(D).
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

4.1 Aesthetics

Would the project:

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

EXPLANATIONS:

a. Less than Significant Impact

The project site is bounded by an existing multi-family residential development located east of North Las Flores Drive, existing industrial to the north and west, an existing liquor store and parking lot to the southwest, and South Santa Fe Avenue to the south. The Sprinter railroad tracks and single-family residential homes off North Las Flores Drive are north and northeast of the project site, and the Vista Meadows mobile home community is south of South Santa Fe Avenue across from the project site.

Scenic vistas within the city are primarily associated with primary and secondary ridgelines, which are identified by the City's Ridgeline Protection and Management Overlay Zone, outlined within Chapter 20.260 of the City's Zoning Ordinance. The City's Ridgeline Protection and Management Overlay Zone aims to preserve Primary Ridgelines in their natural state, and to minimize visual impacts to Secondary Ridgelines through a "Ridgeline Overlay Zone" that protects natural view sheds, unique natural resources, minimizes the physical impacts to ridgelines, and establishes

innovative site and architectural design standards. The project site is not located in the Ridgeline Protection and Management Overlay Zone. Further, the project site does not include any primary or secondary ridgelines, as identified on Figure 4-5 of the Conservation and Open Space Element of the General Plan. The project site is not identified as a viewing platform location, or a scenic vista under the City's General Plan. Therefore, no impact would occur.

b. Less than Significant Impact

Scenic resources within the City include, but are not limited to, undeveloped hillsides; prominent landforms such as the San Marcos Mountains, Merriam Mountains, Mount Whitney, Cerro de La Posas, Double Peak, Owens Peak, and Franks Peak. Views from Twin Oaks Valley Road include the San Marcos Mountains and Merriam Mountains on the north; and Double Peak and Mount Whitney on the south. There are no designated state scenic highways or eligible state scenic highways within the city. State Route 78 (SR-78) is designated by the City as a view corridor and eligible as a state scenic highway. This highway corridor provides views of the Merriam Mountains, Mount Whitney, Double Peak, California State University San Marcos (CSUSM), and Palomar Community College. Other scenic resources within the city include, but are not limited to, creek corridors, eucalyptus stands, rock outcroppings, landmark or historic buildings, and ocean views. The project site is located approximately 0.25 mile north of SR-78; however, none of these identified undeveloped hillsides, prominent landforms, or other scenic resources are visible from or contained within the project site.

At a local level, SR-78 is designated by the City as a view corridor. The highway corridor provides views of the Merriam Mountains, Mount Whitney, and Double Peak. The project would not impact views to these peaks from SR-78, as these peaks would not be visible by passengers in cars travelling along SR-78 adjacent to the project site. The City also has a Ridgeline Protection and Management Overlay Zone, which is designed to protect natural viewsheds and unique natural resources and minimize physical impacts to select primary and secondary ridgelines. These protected ridgelines are shown on Figure 4-5 of the Conservation and Open Space Element of the City's General Plan. Development of the proposed project is not proposed on any area identified as a primary or secondary ridgeline. Additionally, the project site does not support any significant trees, rock outcroppings, or historic buildings as identified in or protected by the City's General Plan. In summary, the project would not result in significant damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within the City or a State Scenic Highway. Therefore, impacts would be less than significant.

c. Less than Significant Impact

The existing visual character in the project vicinity is a mix of residential, industrial, and commercial development. The project site is surrounded by industrial development to the north and west, North Las Flores Drive and adjacent three-story multi-family dwelling units to the east, and South Santa Fe Avenue and the Vista Meadows mobile home community to the south. The project includes a Density Bonus to provide five affordable housing units. Under state law, density bonus projects are permitted to exceed the standard building heights of the local jurisdiction. Due to the site topography, the project requests a concession to allow for the proposed building to exceed the three-story, 45-foot height limit of the R-3-10 Zone. The project would not result in a visual impact to the surrounding area since the southern portion of the site sits at the lowest elevation of the road along South Santa Fe Avenue. Due to the topography of the site, the southern portion of the building has a height of 55 feet and the building is set back from South Santa Fe Avenue by more than 100 feet. Therefore,

the building would not loom over the street or adjacent properties and would not impact views from properties along South Santa Fe Avenue, Las Flores Drive or the Rancho Santalina subdivision.

The proposed project is designed to naturally blend into the topography of the hillside as it progresses up the slope and would be substantially screened by Las Flores Drive. Based on the way the building follows the topography of the site, the first floor of the upper portion of the building sits at an elevation of 533 feet, 20 feet above the first floor of the lower portion of the building. While the elevator core at the connection between the lower portion of the building and upper portion of the building is the highest point of the building at 62 feet, 9 inches, it then levels out in relation to the natural topography at the north end to a height of 42 feet, 2 inches, which is almost 3 feet less than the allowable 45 feet for a 3-story apartment building. As shown in Figure 4, it is estimated that less than 4 percent of the building is higher than the typical 45 foot, 3 story apartment building. As such, development of the project site would not result in the substantial degradation of the project site and its surroundings, and impacts would be less than significant.

d. Less than Significant Impact

The project is surrounded by existing development that emits light. Lighting proposed under the project would be guided by standards set by the City, which requires downward directed light emitting diode (LED) lighting, except for specialized streetscape lighting or architectural detail lighting. These requirements aid in the preservation of dark-sky conditions, which are needed by the local observatories. Development of the project would be required to comply with the City's lighting standards, and the location, type, and direction of the lighting would be reviewed during Improvement Plan review to ensure compliance. Therefore, the project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. Impacts would be less than significant

4.2 Agriculture and Forestry Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☐	☒

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220[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?	☐	☐	☐	☒

EXPLANATIONS:

a. No Impact

The project site is not in agricultural use and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on both the California Department of Conservation's (DOC's) Farmland Mapping and Monitoring Program (DOC 2016) and Figure 4-4 of the General Plan (City of San Marcos 2013). Thus, no impact would occur.

b. No Impact

The project site is not zoned for agricultural use and does not have a history of agricultural use. Therefore, the project is not located within a Williamson Act Contract area and no impact would occur.

c. No Impact

The project site is zoned as Commercial (C) and Light Industrial (L-I). As such, the project site is not zoned as forest land, timberland, or timberland zoned for timberland production. Thus, no impact would occur.

d. No Impact

There is no forest land that exists within the project site. Thus, the project would not result in the loss of forest land or the conversion of forest land to non-forest use, resulting in no impact.

e. No Impact

The project site does not support any agricultural or forest land. Therefore, the project would not involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use, resulting in no impact.

4.3 Air Quality

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☒	☐

EXPLANATIONS:**a. Less than Significant Impact**

An air quality report was prepared for the project by RECON Environmental, Inc. and is included as Appendix A to this IS/MND. The RAQS is the applicable regional air quality plan that sets forth the San Diego Air Pollution Control District's (SDAPCD's) strategies for achieving the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The San Diego Air Basin (SDAB) is designated non-attainment for the federal and state ozone standard. Accordingly, the Regional Water Quality Control Standards (RAQS) was developed to identify feasible emission control measures and provide expeditious progress toward attaining the standards for ozone. The two pollutants addressed in the RAQS are reactive organic gases (ROG) and nitrogen

oxide (NO_x), which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling emissions and by extension to maintaining and improving air quality. The RAQS, in conjunction with the transportation control measures (TCMs), were most recently adopted in 2016 as the air quality plan for the region.

The growth projections used by the SDAPCD to develop the RAQS emissions budgets are based on the population, vehicle trends, and land use plans developed in general plans and used by the San Diego Association of Governments (SANDAG) in the development of the regional transportation plans and sustainable communities strategy. As such, projects that propose development that is consistent with the growth anticipated by SANDAG's growth projections and/or the general plan would not conflict with the RAQS. In the event that a project would propose development that is less dense than anticipated by the growth projections, the project would likewise be consistent with the RAQS. In the event a project proposes development that is greater than anticipated in the growth projections, further analysis would be warranted to determine if the project would exceed the growth projections used in the RAQS for the specific subregional area.

The northern 1.5-acre portion of the project site is designated Light Industrial in the City's General Plan and is zoned Light Industrial (L-I). The southern 0.8-acre portion of the project site is designated Commercial in the City's General Plan and is zoned Commercial (C). The project would require a General Plan Amendment and Rezone to Multi-Family Residential (R-3-10). The project would not be consistent with the existing land use and zoning designations for the project site; however, this does not imply that the project would be inconsistent with the growth projections assumed in the RAQS. In order to determine if emissions associated with the project are accounted for in the growth projections assumed in the RAQS, emissions due to operation of a project consistent with the existing land use and zoning designations were calculated and compared to emissions associated with operation of the project. Title 20 – Zoning of the City's Municipal Code establishes allowable floor area ratios (FAR) for each zone. Light Industrial zones have a FAR of 0.6 and Commercial zones have a FAR of 0.7. Under these requirements, should the site be developed with commercial and industrial land uses as allowed under the existing land use and zoning designations, approximately 38,000 square feet of light industrial development and 24,000 square feet of commercial development could be constructed. Table 1 summarizes the emissions associated with an industrial and commercial land use along with the emissions associated with the project.

Table 1 Commercial and Industrial Land Use Operational Emissions (pounds per day)						
Source	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
PROJECT EMISSIONS						
Area Sources	1	<1	4	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
Mobile Sources	1	1	8	<1	2	<1
Total	2	1	12	<1	2	1
INDUSTRIAL AND COMMERCIAL PROJECT EMISSIONS						
Area Sources	2	<1	<1	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
Mobile Sources	3	3	25	<1	5	1
Total	4	3	25	<1	5	1
NOTE: Totals may vary due to independent rounding.						

As shown, project emissions would be less than operational emissions associated with an industrial and commercial project that is consistent with the existing land use and zoning designations. Therefore, the project would not result in an increase in emissions that are not already accounted for in the RAQS.

Additionally, shown in Tables 2 and 3, project emissions would not exceed the screening level significance thresholds.

Table 2 Summary of Maximum Construction Emissions (pounds per day)						
Construction	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Site Preparation	1	14	10	<1	2	1
Grading	2	63	22	<1	15	6
Building Construction	2	15	16	<1	1	1
Paving	1	9	12	<1	1	<1
Architectural Coatings	73	1	2	<1	<1	<1
Maximum Daily Emissions	73	63	22	<1	15	6
<i>Significance Threshold</i>	<i>250</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>67</i>

Table 3 Summary of Project Operational Emissions (pounds per day)						
Source	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	1	<1	4	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
Mobile Sources	1	1	8	<1	2	<1
Total	2	1	12	<1	2	1
<i>Significance Threshold</i>	<i>250</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>67</i>
NOTE: Totals may vary due to independent rounding.						

Therefore, the project would not result in an increase in emissions that are not already accounted for in the RAQS. The project would not obstruct or conflict with implementation of the RAQS, and impacts would be less than significant.

b. Less than Significant Impact

The region is classified as an attainment area for all criterion pollutants except ozone, 10-micron particulate matter (PM₁₀), and 2.5-micron particulate matter (PM_{2.5}). The SDAB is a non-attainment area for the 8-hour federal and state ozone standards. Ozone is not emitted directly but is a result of atmospheric activity on precursors. NO_x and ROG are known as the chief “precursors” of ozone. These compounds react in the presence of sunlight to produce ozone. PM_{2.5} includes fine particles that are found in smoke and haze and are emitted from all types of combustion activities (motor vehicles, power plants, wood burning, etc.) and certain industrial processes. PM₁₀ includes both fine and coarse dust particles, and sources include crushing or grinding operations and dust from paved or unpaved roads.

As shown in Table 2, project construction would not exceed the applicable regional emissions thresholds. These thresholds are designed to provide limits below which project emissions would not significantly change regional air quality. Therefore, as project construction emissions would be below these limits, project construction would not result in a cumulatively considerable net increase in emissions of ozone, PM₁₀, or PM_{2.5}, and impacts would be less than significant.

Long-term emissions of regional air pollutants occur from operational sources. As shown in Table 3, project operation would not exceed the applicable regional emissions thresholds. Therefore, as operational emissions would be below these limits, the project would not result in a cumulatively considerable net increase in emissions of ozone, PM₁₀, or PM_{2.5}, and impacts would be less than significant.

c. Less than Significant Impact

Sensitive land uses include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities. The nearest sensitive receptors are the residential uses located 300 feet to the northeast, 100 feet to the southeast, 160 feet to the south, and 115 feet to the southwest.

Carbon Monoxide Hot Spots

Localized carbon monoxide (CO) concentration is a direct function of motor vehicle activity at signalized intersections (e.g., idling time and traffic flow conditions), particularly during peak commute hours and meteorological conditions. The SDAB is a CO maintenance area under the federal Clean Air Act (CAA). This means that SDAB was previously a non-attainment area and is currently implementing a 10-year plan for continuing to meet and maintain air quality standards.

Due to increased requirements for cleaner vehicles, equipment, and fuels, CO levels in the state have dropped substantially. All air basins are attainment or maintenance areas for CO. Therefore, more recent screening procedures based on more current methodologies have been developed. The Sacramento Metropolitan Air Quality Management District developed a screening threshold in 2011, which states that any project involving an intersection experiencing 31,600 vehicles per hour or more will require detailed analysis. In addition, the Bay Area Air Quality Management District developed a screening threshold in 2010 which states that any project involving an intersection experiencing 44,000 vehicles per hour would require detailed analysis. This analysis conservatively assesses potential CO hot spots using the South Coast Air Quality Management District screening threshold of 31,600 vehicles per hour.

As discussed, the project would generate 300 daily trips. Based on the project daily traffic volumes on roadways in the vicinity of the project site (SANDAG 2021), the hourly turning volumes at nearby intersections are projected to be well less than 31,600 vehicles per hour. Therefore, the project is not anticipated to result in a CO hot spot.

Diesel Particulate Matter – Construction

Construction of the project and associated infrastructure would result in short-term diesel exhaust emissions from on-site heavy-duty equipment. Construction of the project would result in the generation of diesel-exhaust diesel particulate matter (DPM) emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities and on-road diesel equipment used to bring materials to and from the project site.

Generation of DPM from construction projects typically occurs in a single area for a short period. Construction is anticipated to last for approximately 14 months. The dose to which the 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 extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period of time. According to the Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic 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 (OEHHA 2015). Thus, if the duration of proposed construction activities near any specific sensitive receptor were one year, the exposure would be 3 percent of the total 30-year exposure period used for health risk calculation. Further, the project would implement construction best management practices and would be conducted in

accordance with California Air Resources Board (CARB) regulations. Specifically, the project would implement the following Best Available Control Technology for Toxics measures during construction:

- The construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or utilize CARB/United States Environmental Protection Agency (U.S. EPA) Engine Certification Tier 3 or better, or other equivalent methods approved by the CARB.
- The engine size of construction equipment shall be the minimum size suitable for the required job.
- Construction equipment shall be properly tuned and maintained in accordance with the manufacturer's specifications.
- Per CARB's Airborne Toxic Control Measures 13 (California Code of Regulations Chapter 10 Section 2485), the applicant shall not allow idling time to exceed 5 minutes unless more time is required per engine manufacturers' specifications or for safety reasons.

Therefore, DPM generated by project construction is not expected to create conditions where the probability is greater than 10 in 1 million of contracting cancer for the Maximally Exposed Individual or to generate ground-level concentrations of noncarcinogenic toxic air contaminants (TACs) that exceed a Hazard Index greater than 1 for the Maximally Exposed Individual. Additionally, with ongoing implementation of U.S. EPA and CARB requirements for cleaner fuels; off-road diesel engine retrofits; and new, low-emission diesel engine types, the DPM emissions of individual equipment would be substantially reduced. Therefore, project construction would not expose sensitive receptors to substantial pollutant concentration.

Stationary Sources

CARB provides guidance on siting land uses near major emitters or facilities of concern. These facilities include distribution centers, chrome platers, dry cleaners using perchloroethylene, and large gas stations. CARB siting constraints are summarized in Table 4.

The project would not include any of the sources included in Table 4. The project would not construct a stationary source of toxic emissions.

Table 4 CARB Land Use Siting Constraints	
Source Category	Recommended Buffer Distances (feet)
Distribution centers (that accommodate more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units per day, or where transport refrigeration unit operations exceed 300 hours per week)	1,000
Chrome platers	1,000
Dry cleaners using perchloroethylene (1 machine)	300
Dry cleaners using perchloroethylene (2 machines)	500
Dry cleaners using perchloroethylene (3 or more machines)	Requires consultation with SDAPCD
Large gas station (3.6 million gallons or more per year)	300
Other gas stations	50
SOURCE: CARB 2005.	

d. Less than Significant Impact

The project does not include heavy industrial or agricultural uses that are typically associated with odor complaints. During construction, diesel equipment may generate some nuisance odors. However, exposure to odors associated with project construction would be short term and temporary in nature. Impacts associated with odors would be less than significant.

4.4 Biological Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?	☐	☐	☐	☒

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

EXPLANATIONS:**a. Potentially Significant Unless Mitigation Incorporated**

A biological resources report was prepared for the project by RECON Environmental, Inc. and is included as Appendix B to this IS/MND. Two land cover types were identified within the biological study area: disturbed land and urban/developed. Direct impacts to migratory and nesting birds, including Cooper's hawk, could result from the accidental destruction of nests through removal of disturbed land, if construction were to occur during the general bird breeding season (between March and September; SANDAG 2003). Pursuant to California Department of Fish and Wildlife (CDFW) Code 3503, which protects nesting birds, implementation of mitigation measure BIO-1 would be required as a condition of project approval and would reduce this potential impact to a less than significant level.

b. No Impact

The project site consists of disturbed land and urban/developed land. Native vegetation communities do not exist on the project site. The project site does not support any riparian habitat nor does it support any sensitive natural communities identified in local or regional plans, policies, and

regulations by the CDFW or the United States Fish and Wildlife Service (USFWS). No impact would occur.

c. No Impact

No potential jurisdictional wetlands or waters were observed on-site. Therefore, there are no anticipated impacts to any jurisdictional wetlands or waterways and no impact would occur.

d. No Impact

Though it is reasonable to assume that urban-adapted species may occur locally within the impact footprint, the site as a whole does not function as a wildlife movement corridor and there is no indication that the site supports any wildlife nursery sites. Therefore, the project would not result in any impact to wildlife movement or nursery sites and no impact would occur.

e. No Impact

The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur.

f. No Impact

The project site is not located within a Focused Planning Area of the City's Draft Subarea Plan for the Multiple Habitat Conservation Program nor is the project subject to a Natural Community Conservation Plan (NCCP) (Figure 4, Draft NCCP for the City of San Marcos). Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, NCCP, or other approved local, regional, or state habitat conservation plan. No impact would occur.

Mitigation Measure BIO-1

If construction initiation occurs between March and September, a pre-construction nesting bird and raptor survey of the project impact area shall be completed by a qualified biologist prior to vegetation removal. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). If any active nests are detected, the area will be flagged and mapped along with a buffer as recommended by the qualified biologist. The buffer area(s) established by the qualified biologist will be avoided until the nesting cycle is complete or it is determined that the nest is no longer active. The qualified biologist shall be a person familiar with bird breeding behavior and capable of identifying the bird species of San Diego County by sight and sound and determining alterations of behavior as a result of human interaction. Buffers will be based on species-appropriate buffers and/or local topography and line of sight, species behavior and tolerance to disturbance, and existing disturbance levels, as determined appropriate by the qualified biologist.

4.5 Cultural Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of an historical resource pursuant to §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

EXPLANATIONS:

a. No Impact

A cultural resources survey was prepared for the project by RECON Environmental, Inc. and is included as Appendix C to this IS/MND. RECON conducted a self search of the records at the South Coastal Information Center, San Diego State University, which is a member of the California Historical Resources Information System. The search radius was one mile. No prehistoric or historic cultural resources are recorded on or adjacent to the project area. A total of 31 cultural resources have been documented within one mile of the project boundary, including 9 prehistoric period resources and 22 historic period resources. In addition, there are 19 historic addresses listed within the one-mile search radius.

As there are no identified historical resources within the project site and the project would not affect properties outside of the project site, the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. Therefore, no impact would occur.

b. Potentially Significant Unless Mitigation Incorporated

The cultural resources survey took place on March 10, 2022, using a survey interval of approximately seven meters across the property. The RECON archaeologist was accompanied by a Luiseño representative from Saving Sacred Sites. As a result of this survey, it appears probable that soil has been dumped on a significant portion of the parcel, obscuring the original ground. Also, the project is in an area of alluvial deposition adjacent to San Marcos Creek. Because of these factors, the possibility exists for buried prehistoric archaeological deposits on-site. Implementation of mitigation measure CUL-1 would require a qualified archaeological monitor and a Native American monitor representing the Luiseño community be on-site during all ground-disturbing activities. If

archaeological materials are identified during construction activities, work in the immediate area shall cease and an archaeologist meeting the City of San Marcos Qualifications Standards for Archaeology must evaluate the find. If the discovery proves to be significant under CEQA, a data recovery program shall be implemented. If human remains are found, construction shall halt in the immediate area and procedures set forth in California Public Resources Code Section 5097.98 and State Health and Safety Code Section 7050.5 shall be followed. After completion of monitoring, a final report with the monitoring methods and results shall be prepared and submitted to the City. Thus, implementation of mitigation measure CUL-1 would reduce impacts involving archaeological resources to a less than significant level.

The City of San Marcos, as lead agency, formally notified California Native American tribes of the opportunity to consult via letter in accordance with SB 18 and AB 52 consultation processes in January and June of 2022, respectively. The formal SB 18 notification letters were sent to California Native American tribes as identified on the NAHC list while the AB 52 letters were sent to the Mesa Grande Band of Diegueno Mission Indians, San Luis Rey Band of Mission Indians, Rincon Band of Luiseño Indians, and Pechanga Band of Luiseño Indians. Formal consultation was requested by the Pechanga Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and Rincon Band of Luiseño Indians.

The City of San Marcos has developed standard mitigation measures CR-1 through CR-4 via the tribal consultation process to reduce potential impacts to tribal cultural resources. Implementation of mitigation measures CR-1 through CR-3 would require an archaeological monitor and a Traditionally and Culturally Affiliated (TCA) Native American Tribe monitor be present during earth moving and grading activities to assure that any resources found during project grading be protected. These measures are described below. Therefore, impacts to archaeological resources would be less than significant with the incorporation of mitigation.

c. Potentially Significant Unless Mitigation Incorporated

The cultural resource study prepared for the project did not indicate the likelihood of human remains on the site. However, according to the state Health and Safety Code Section 7050.5, in the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the San Diego County Coroner and the City of San Marcos Planning Division, and the coroner would be permitted to examine the remains. If the coroner determines that the remains are of Native American origin, the coroner would notify the NAHC and the Commission would identify the "Most Likely Descendent." In the event human remains are discovered during project construction, the project would comply with applicable regulations, thereby ensuring impacts would be less than significant.

Furthermore, while there is no evidence of human remains on the project site, as provided by mitigation measure CR-1 through CR-4, an archaeological monitor and a Native American monitor (or TCA Native American Tribe monitor) shall be present during earth moving and grading activities to assure that any resources found during project grading be protected. In addition, as specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office. With mitigation and adherence to the state Health and Safety Code, the project would not

cause a significant impact to human remains. Impacts would be less than significant with the incorporation of mitigation.

Mitigation Measure CR-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 (TCA Tribe), identified in consultation with the City. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA 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 TCA 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 TCA 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 TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.

Mitigation Measure CR-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's Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA 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 TCA 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 TCA 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 TCA 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 six 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 utilized at the site are either: (1) from existing commercial (previously permitted) sources of materials; or (2) are from private or other non-commercial sources that have been determined to be absent of tribal cultural resources by the Qualified Archaeologist and TCA Native American monitor.

The Qualified Archaeologist and TCA 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 TCA Tribe, preferably through e-mail, 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 TCA 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 AB 52 consultation, to the Pechanga Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and the Rincon Band of Luiseño Indians 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, will also be submitted to the South Coastal Information Center after approval by the City.

Mitigation Measure CR-3: Unanticipated Discovery Procedures

Both the Qualified Archaeologist and the TCA 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 TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA 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 TCA Tribe, and the TCA Native American monitor, then the City and the TCA 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 TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning

Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of CEQA and California Public Resources Code Section 21083.2(b) with respect to archaeological resources and California Public Resources Section 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 TCA Tribe.

All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If 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 TCA Tribe. The TCA 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 TCA 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 TCA Native American monitor.

If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the TCA Native American monitor may, at their discretion, collect said resources 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 the curation shall be 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 TCA Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.

Mitigation Measure CR-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 his or her 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 TCA Native American monitor) shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98.

If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission will 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 its 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 will 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 will apply, and the mediation process will occur with the NAHC. 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 Section 5097.98(e) and 5097.94(k)).

4.6 Energy

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impacts 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?	☐	☐	☐	☒

EXPLANATIONS:**a. Less than Significant Impact****Construction**

During construction, the project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment and (2) energy used in the manufacturing of construction materials, such as asphalt and pipes.

Construction of the project would require the use of construction equipment for hauling and building activities. Equipment for these types of activities is discussed in Section 4.3, Air Quality. Construction equipment requires electricity would be gas powered or diesel powered. Construction also includes the vehicles of construction workers traveling to and from the project site.

Furthermore, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction projects. Therefore, the proposed short-term construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

Transportation

Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would be temporary. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Impacts would be less than significant.

Operation

Operational impacts of the proposed project would be comparable to similar uses in the City. Therefore, impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during operation would be less than significant.

b. No Impact

Development of the proposed project would be required to adhere to Section 3.3, Energy Measures within the City's Climate Action Plan (CAP) and Title 24 of the California Building Code. Therefore, the project would not obstruct a state or local plan for renewable energy or energy efficiency and no impacts would occur.

4.7 Geology and Soils

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

EXPLANATIONS:

a.i. Less than Significant Impact

According to the geotechnical investigation (Appendix D) prepared for the project by Ghost rider, Inc., the project site, as with most of southern California, is situated in an area of active and potentially active faults. However, the project site does not lie within an Alquist-Priolo Special Studies zone and there are no known active fault traces that underlie or project toward the project site. Therefore, the potential for direct surface fault rupture is considered to be low. As such, the project site could be subjected to significant shaking in the event of a major earthquake on any of the faults noted above or other faults in the southern California or northern Baja California area. However, potential impacts to the project would be reduced through adherence to requirements specified in the Uniform Building Code and Title 24 of the California Building Code. Impacts would be less than significant.

a.ii. Less than Significant Impact

The project site is located in seismically active southern California and the site could be subject to strong seismic ground shaking from regional seismic activity. According to the geotechnical investigation (see Appendix D), the project site could be subject to ground shaking in the event of an earthquake. All structures on the site would be designed in accordance with seismic parameters of the current Uniform Building Code and Title 24 of the California Building Code. Impacts would be less than significant. Therefore, the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Impacts would be less than significant.

a.iii. Less than Significant Impact

Soil liquefaction occurs when saturated fine-grained sands or silts lose their physical strengths during earthquake-induced shaking and behave like a liquid. This is due to loss of point-to-point grain contact and transfer of normal stress to the pore water. Liquefaction potential varies with water level, soil type, material gradation, relative density, and probable intensity and duration of ground shaking. Seismic settlement can occur with or without liquefaction; it results from densification of loose soils.

According to the geotechnical investigation (see Appendix D), the project site is not mapped within a potential liquefaction zone. Based on the type of soil, mapped shallow depth to bedrock, and

groundwater depth of greater than 50 feet, liquefaction is not considered a geologic constraint. Impacts would be less than significant.

a.iv. Less than Significant Impact

Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. According to the geotechnical investigation (see Appendix D), there was no visual evidence of landslides on or near the project site noted during the field investigation. In addition, the project site is not mapped within a potential landslide zone. Impacts would be less than significant.

b. Less than Significant Impact

As required by City regulations, the project would include BMPs during grading and construction. The construction phase of the project would displace soils and temporarily increase the potential for soil erosion. The project site is currently two levels, the southern portion of the site is relatively flat while the central portion slopes up to an elevated pad at the north end of the site. The project would require 17,500 cubic yards of cut and 250 cubic yards of fill for a net export of 17,250 cubic yards. Construction-phase BMPs may include, but are not limited to, soil stabilizers, sandbag berms, stabilized construction entrances, and other runoff controls. Operational BMPs would include landscaping and a storm drain system, which would reduce the potential for erosion (see Appendix D). With implementation of construction and operational BMPs, impacts would be less than significant.

c. Less than Significant Impact

As discussed in the geotechnical investigation (see Appendix D), the project site does not lie within an area zoned for liquefaction. In addition, based on the type of soil, mapped shallow depth to bedrock, and groundwater depth of greater than 50 feet, liquefaction is not considered to be a geologic constraint.

As previously discussed, landslides are not considered to be a geologic constraint. Temporary excavations are anticipated to adhere to standard engineering practices which would result in less than significant impacts related to subsidence of the land. Furthermore, the project is not located on an unstable geologic unit. Thus, the project would have a less than significant impact related to on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

d. Less than Significant Impact

As discussed in the geotechnical investigation (see Appendix D), a test of surface soils indicated an expansion index of 155 which indicated a very high expansion potential. Expansive soils are generally not anticipated to present significant adverse impacts to site development. During preparation of the final geotechnical evaluation for the grading operations, the project applicant would work with the project geotechnical engineer to further define the soil expansion potential and, if necessary, include standard geotechnical requirements to ensure the grading complies with all required geotechnical conditions. Thus, impacts associated with expansive soils would be less than significant.

e. No Impact

The proposed project would be connected to a public sewer system and does not include the installation of septic tanks or alternative wastewater disposal systems; therefore, there would be no impact.

f. Less than Significant Impact

The site has a low to no potential to produce paleontological resources during construction. No mitigation is proposed as a result of the project. However, in the event that fossils are uncovered during construction, a qualified paleontologist should be retained to evaluate the find, in accordance with city, county, and state guidelines. Potential impacts to paleontological resources are determined to be less than significant.

4.8 Greenhouse Gas Emissions

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☒	☐

EXPLANATIONS:

a. Less than Significant Impact

The City adopted a Climate Action Plan (CAP) in 2020 to demonstrate how the City will achieve the state's greenhouse gas (GHG) reduction targets codified by AB 32 (2006) and SB 32 (2016) and outlined in the 2017 Scoping Plan. The City CAP addresses major sources of GHG emissions in the City and sets forth a detailed and long-term strategy that the City and community can implement to achieve GHG emissions reduction targets. The CAP fulfills General Plan Goal COS-4 and Implementation Program COS-4.2. The CAP builds on the efforts and strategies identified in the City's 2013 CAP, and establishes GHG emission targets and identifies achievable, locally based actions to reduce GHG emissions from municipal and community activities. Consistent with CARB's recommendations for community-wide targets, the CAP identifies GHG emission reduction targets of 4 percent below baseline 2012 emission levels by 2020 and 42 percent below 2012 levels by 2030 (City of San Marcos 2020).

This CAP has been prepared consistent with CEQA Guidelines Section 15183.5, which establishes standards for the content and approval process of plans to reduce GHGs. Pursuant to these standards, the CAP, as a “qualified” CAP, affords development applicants the opportunity to use CEQA streamlining tools for analysis of GHG emissions and related impacts for projects that are consistent with the CAP. In addition, the qualified CAP helps the City streamline the application and enforcement of GHG reduction measures applicable to development projects.

Along with the CAP, the City adopted a CAP Consistency Review Checklist (Checklist). The purpose of the Checklist is to implement GHG reduction measures from the CAP that apply to new discretionary development projects. New development would demonstrate consistency with relevant CAP strategies and would not conflict with the City’s ability to achieve the identified GHG reduction targets through implementation of applicable measures. Projects that are consistent with the CAP, as determined through the use of the Checklist, may rely on the CAP for the cumulative impact analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in the Checklist to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP.

The Checklist includes a GHG screening threshold of 500 metric tons of carbon dioxide equivalent (MT CO₂E) per year for new development projects in order to determine if a project would need to demonstrate consistency with the CAP through the Checklist. Projects that are projected to emit fewer than 500 MT CO₂E annually would not make a considerable contribution to the cumulative impact of climate change and would not need to provide additional analysis to demonstrate consistency with the CAP. The Checklist also includes project types and sizes that correspond to the 500 MT CO₂E screening threshold. For multi-family housing uses, the screening size is 55 dwelling units. The proposed project would develop 50 multi-family units. Thus, it is anticipated that the project would emit less than 500 MT CO₂E per year, and as stated in the Checklist, the project’s GHG impact would be less than significant and is not subject to the measures of the CAP. The CAP Checklist is provided in Appendix E.

b. Less than Significant Impact

As discussed above, the project would not make a considerable contribution to the cumulative impact of climate change because it would emit less than 500 MT CO₂E per year; therefore, the project would not conflict with the CAP. Since the CAP is a “qualified” CAP that demonstrates how the City will achieve GHG reductions consistent with state reduction targets codified by AB 32 (2006) and Senate Bill 32 (2016), the project would not conflict with the 2017 Scoping Plan. Therefore, impacts would be less than significant.

4.9 Hazards and Hazardous Materials

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard 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?	☐	☐	☐	☒

EXPLANATIONS:**a. Less than Significant Impact**

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

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

In addition, as a residential development, hazardous materials anticipated to be used during site operations are those routinely used by residential uses such as paint and garden maintenance products. It is anticipated that the use, handling, and disposal of these products would be addressed by hazardous waste programs that are part of the Integrated Waste Management Plan of the County of San Diego and other federal, state, and city Municipal Code regulations. Additionally, there are numerous regulations in place that regulate proper disposal of hazardous materials and protect public safety including the Clean Air Act, Clean Water Act, Comprehensive Environmental Response, Compensation and Liability Act, and the Toxic Substances Control Act. Therefore, impacts would be less than significant.

b. Less than Significant Impact

As discussed above under Section 4.9(a), construction equipment accessing the site would use hazardous and/or flammable materials, including diesel fuel, gasoline, and other oils and lubricants. During construction of the project, there is the potential for the short-term use of hazardous materials/fuels; however, the use, storage, transport, and disposal of these materials would be required to comply with all existing local, state, and federal regulations governing construction activities. In addition, the project does not involve a use that would result in foreseeable upset and accident conditions from the release of hazardous materials into the environment.

As a multi-family residential development, hazardous materials anticipated to be used during site operations are those routinely used by residential uses such as cleaners, paint, solvents, batteries, and garden maintenance products. It is anticipated that the use, handling, and disposal of these products would be addressed by hazardous waste programs that are part of the Integrated Waste Management Plan of the County of San Diego and other federal, state, and city Municipal Code regulations. Additionally, there are numerous regulations in place that regulate proper disposal of

hazardous materials and protect public safety including the Clean Air Act, Clean Water Act, Comprehensive Environmental Response, Compensation and Liability Act, and the Toxic Substances Control Act. The project would result in a less than significant risk to the public related to hazardous materials. Therefore, impacts would be less than significant.

c. Less than Significant Impact

No schools are within 0.25 mile of the project site; La Mirada Academy is located 1.2 miles southwest of the project site and Palomar College is located 1 mile southeast of the project site. In addition, the project does not propose uses that would emit hazardous emissions or handle hazardous or acutely hazardous materials or substances. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, resulting in a less than significant impact.

d. No Impact

The project site is not located on any hazardous materials sites pursuant to Government Code Section 65962.5. According to the Department of Toxic Substances Control Envirostor (Envirostor 2022) database, there are no hazardous materials sites located on the project site or within the surrounding area. Therefore, no impact would occur.

e. Less than Significant Impact

There are no public or private airports located within City boundaries; however, the McClellan-Palomar Airport is located approximately 2.5 miles west of the City within the city of Carlsbad. As described in the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) and Figure 6-5 of the City's General Plan, the project site is located within the McClellan-Palomar Airport Influence Area (AIA). The AIA is defined in California Business and Professional Code 11010(b)(13)(b) as "the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses." The McClellan-Palomar AIA is divided into Review Area 1 and Review Area 2. The project site is located within Review Area 2. The only restriction on land uses within Review Area 2 are limitations on the heights of structures. Within Review Area 2, any structure which has a height greater than 35 feet above ground level requires Airport Land Use Commission (ALUC) review. As shown in Figure 4, the proposed project would be 62.9 feet above ground level. Thus, the project would require ALUC review prior to approval.

f. Less than Significant Impact

The project does not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. All proposed internal roadways and project access points would comply with City standards for emergency and fire protection vehicles and distances. The project would comply with all design recommendations and requirements provided by the San Marcos Fire Department to ensure that emergency access meets City standards. Therefore, impacts would be less than significant.

g. No Impact

According to Figure 6-4 in the City's General Plan (City of San Marcos 2013), the project site is not located within a local, state, or federal fire hazard severity zone. Thus, impacts involving wildland fires would not occur.

4.10 Hydrology and Water Quality

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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 off-site;	☐	☐	☒	☐
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv. impede or redirect flood flows?	☐	☐	☒	☐

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

EXPLANATIONS:

a. Less than Significant Impact

Implementation of the proposed project would involve ground-disturbing activities, including grading and excavation, and could cause soil erosion and contamination of nearby surface water. The storm water quality management plan (SWQMP; Appendix F) identifies specific project design features to control and treat surface water, including drainage basins. Further, the proposed project is required to comply with the City's Municipal Code Chapter 17.32, which contains design standards and performance requirements to avoid or reduce excessive erosion. Construction and post-construction activities would be required to adhere to various federal, state, and regional water quality standards, such as the Municipal Permit and Construction General Permit. As such, runoff volumes and pollutants leaving the project site during construction and postconstruction operations would be substantially reduced through source control, site design, and/or treatment-control BMPs mandated by these permits. Erosion and sediment controls identified in the storm water pollution prevention plan (SWPPP) would substantially reduce the amount of soil disturbance, erosion, and sediment transport into receiving waters, and pollutants in site runoff during construction. For all of the foregoing reasons, implementation of the proposed project would not result in substantial soil erosion that could degrade surface or groundwater quality.

A hydrology study was prepared for the project by Pasco Laret Suiter & Associates, Inc. and is included as Appendix G to this IS/MND. As described in Section 3.0, the project design includes an on-site storm water runoff system that would collect runoff in a storm drain system and then convey it to proprietary biofiltration system (BMPs) and subsequently into underground storage facilities (BMPs). Two storm drain systems, each with their own BMPs, are proposed to maintain the site's historical points of discharge. The proposed project would then flow into five drainage basins as outlined in Section 3.0 above.

The BMPs would provide hydromodification management flow control and storm water pollutant control to meet the requirements of the California Regional Water Quality Control Board (RWQCB) San Diego Region municipal separate storm sewer system permit (Order No. R9-2013-0001, referred to as MS4 Permit). Further, the project has been designed to comply with the land development requirements of Regional MS4 Permit and the 2016 City of San Marcos Best Management Practices Design Manual (BMP Design Manual). Adherence with the City's BMP Design Manual and the National Pollutant Discharge Elimination System (NPDES) permit that is in place at the time of development would be required. Impacts would be less than significant.

b. No Impact

As identified above, project adherence with the BMP Design Manual and the NPDES permit that is in place at the time of development would be required. The project would not use any groundwater. All water for the project will be provided by Vista Irrigation District (VID). Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. No impact would occur.

c(i). Less than Significant Impact

The project site is not located within a Federal Emergency Management Agency (FEMA) floodplain, as designated on Figure 6-3 in the City's General Plan (City of San Marcos 2013). Implementation of the proposed project would involve ground-disturbing activities, including grading and excavation, and could cause soil erosion. The project is required to comply with the City's Municipal Code Chapter 17.32, which contains design standards and performance requirements to avoid or reduce excessive erosion. In addition, the proposed project would maintain the site's historical points of discharge and no change in the local drainage patterns of the project site area would occur. Therefore, impacts would be less than significant.

c(ii) Less than Significant Impact

Project implementation would involve construction activities that would increase the amount of impervious surface that could result in an increase of surface runoff. Further, the project is required to comply with General Plan Policy COS-8.4, which directs the City to require development to protect natural drainage systems through site design, runoff reduction measures, and BMPs consistent with the San Diego Regional Water Quality Control Board Municipal Stormwater NPDES Permit. Construction and post-construction activities would be required to adhere to various federal, state, and regional water quality standards, such as the MS4 Permit and Construction General Permit. As such, runoff volumes and pollutants leaving the site during construction and post-construction operations would be substantially reduced through source control, site design, and/or treatment-control BMPs mandated by these permits. Erosion and sediment controls identified in the project specific SWPPP would substantially reduce the amount of soil disturbance, erosion, and sediment transport into receiving waters, and pollutants in site runoff during construction. For all of the foregoing reasons, implementation of the proposed project would not increase the rate or amount of surface runoff. Therefore, impacts would be less than significant.

c(iii) No Impact

Implementation of the proposed project would result in ground-disturbing activities, including grading and excavation, and could require the use of water for dust abatement as needed via a water truck. These activities would be temporary and intermittent and would not generate permanent water drainage flows. Therefore, implementation of the proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. No impact would occur.

c(iv) Less than Significant Impact

As previously stated, the project site is not located within a Federal Emergency Management Agency (FEMA) floodplain, as designated on Figure 6-3 in the City's General Plan (City of San Marcos 2013). The project is required to comply with the City's Municipal Code Section 17.32.150, which directs the

City to deny grading permits in flood hazard areas. Therefore, implementation of the proposed project would not impede or redirect flood flows. No impact would occur.

d. No Impact

The project site is not located within a FEMA floodplain, as designated on the FEMA Flood Insurance Rates Map (FIRM) panel. The project site is located approximately 10.5 miles east of the Pacific Ocean and, therefore, impacts as a result of a tsunami would not occur. In addition, seiches are considered unlikely due to the absence of large nearby confined bodies of water. No impact would occur.

e. Less than Significant Impact

The project site is located within the Carlsbad Management Area Water Quality Improvement Plan. The General Construction Permit requires preparation and implementation of a storm water pollution prevention plan (SWPPP), which must include erosion and sediment control BMPs that would meet or exceed measures required by the NPDES General Permit, as well as BMPs that control hydrocarbons, trash and debris, and other potential construction-related pollutants. Per the SWQMP (see Appendix F), the project would be required to implement proprietary biofiltration BMPs (BF-3) to meet pollutant control requirements. Furthermore, the project would not utilize groundwater. Therefore, impacts related to implementation of a water quality control plan or sustainable groundwater management plan would be less than significant.

4.11 Land Use and Planning

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☒	☐

EXPLANATIONS:

a. No Impact

The project site is bounded by an existing multi-family residential development located east of North Las Flores Drive, by South Santa Fe Avenue followed by the Vista Meadows mobile home park to the south, existing industrial to the north and west, commercial uses to the west, an existing liquor store and parking lot to the southwest, and South Santa Fe Avenue to the south. The Sprinter railroad tracks and single-family residential homes off North Las Flores Drive are north and northeast of the project site.

The proposed use of the site for multi-family dwelling units would be similar to the adjacent multi-family dwelling units to the east and would not physically divide an established community. Thus, no impact would occur.

b. Less than Significant Impact

The project would require a Multi-Family Site Development Plan (MFSDP), a General Plan Amendment to change the land use from Commercial (C) and Light Industrial (L-I) to Medium Density Residential 2 (MDR2) and a zone change from Commercial (C) and Light Industrial (L-I) to Multi-Family Residential (R-3-10). The project is also receiving a Density Bonus per Section 20.305 of the City Municipal Code. In conjunction with the Density Bonus, and due to the site topography, the project requests a concession to allow for the proposed building height of 74.7 feet to exceed the three-story, 45-foot height limit of the R-3-10 Zone. While the project would require physical and regulatory changes, the project would be consistent with planned growth under the adopted 2021-2029 Housing Element Update. Therefore, impacts would be less than significant.

4.12 Mineral Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☐	☒

EXPLANATIONS:

a. No Impact

The City currently does not have active mines or quarries, although two historical mining/quarry locations do exist within the corporate City limits; Meadowlark Ranch Quarry located in the Questhaven/La Costa Meadows Neighborhood and the former mine near Village Drive at Twin Oaks Valley Road (General Plan; City of San Marcos 2013). The areas around the project are not being used for the recovery of mineral resources and are not designated by the City's General Plan or other local, state, or federal land use plan for mineral resources recovery; therefore, the project would not result in the loss of mineral resources.

b. No Impact

The project site is not designated as a locally important mineral resource recovery site in the City's General Plan, or any other specific plan or other land use plan (City of San Marcos 2013). Thus, no impact would result.

4.13 Noise

Would the project result in:

Issue	Potentially Significant Impact	Potentially Significant Unless 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 ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☒	☐

EXPLANATIONS:

A noise analysis was prepared for the project by RECON Environmental, Inc. and is included as Appendix I.

a. Less than Significant ImpactConstruction Noise

As shown in Table 5, construction noise levels would range from 57 to 74 A-weighted decibels one-hour equivalent noise level (dB(A) L_{eq}) at the adjacent property lines. The City's Municipal Code does not place noise limit restrictions on construction activities; however, the County noise level limit of

75 dB(A) L_{eq} is used by the City at residential uses. Construction activities would generally occur over the period between 7:00 a.m. and 6:00 p.m. on weekdays. Although the existing adjacent uses would be exposed to construction noise levels that may be heard above ambient conditions, the exposure would be temporary and would not exceed 75 dB(A) L_{eq} . As construction activities associated with the project would comply with the time limits established in Section 10.24.020 (b)(9) of the City's Municipal Code, temporary increases in noise levels from construction activities would be less than significant.

Table 5 Construction Noise Levels		
Receiver	Land Use	Noise Level [dB(A) L_{eq}]
1	Single-Family Residential	59
2	Single-Family Residential	61
3	Single-Family Residential	61
4	Single-Family Residential	61
5	Single-Family Residential	59
6	Multi-Family Residential	57
7	Multi-Family Residential	58
8	Multi-Family Residential	68
9	Multi-Family Residential	70
10	Single-Family Residential	63
11	Mobile Home Park	66
12	Mobile Home Park	65
13	Mobile Home Park	61
14	Mobile Home Park	59
15	Commercial	72
16	Industrial	65
17	Industrial	66
18	Industrial	74
dB(A) L_{eq} = A-weighted decibels equivalent noise level.		

On-site Traffic Noise

The main source of noise at the project site is vehicle traffic on South Santa Fe Avenue and Las Flores Drive as well as Sprinters on the adjacent rail line. The exterior noise level standard for multi-family uses is 65 community noise equivalent level (CNEL). This standard is applicable at exterior use areas which include the patios, balconies, and the open play lawn, tot lot, and seating areas on the western side of the proposed buildings. As shown in Table 6, exterior noise levels are projected to range from 45 to 63 CNEL at the outdoor use areas and building façade. Noise levels would be compatible with the City's exterior multi-family noise level standard of 65 CNEL. Exterior noise impacts would be less than significant.

Table 6 Future Vehicle and Rail Traffic Noise Levels				
Receiver	Exterior Noise Level (CNEL)			
	First-Floor	Second-Floor	Third-Floor	Fourth-Floor
1	54	56	57	58
2	51	54	56	57
3	54	56	57	58
4	52	55	56	57
5	47	53	55	56
6	48	53	55	56
7	45	51	57	58
8	47	55	57	58
9	50	56	58	59
10	55	57	58	60
11	58	62	63	63
12	57	60	61	62
13	51	57	60	61
14	55	60	61	61
15	53	59	60	61
16	52	56	60	60
17	51	55	59	60
18	51	54	57	59
19	49	54	55	56
20	50	54	55	56
CNEL = community noise equivalent level.				

The interior noise level standard is 45 CNEL. Interior noise levels can be reduced through standard construction techniques. When windows are closed, standard construction techniques provide various exterior-to-interior noise level reductions depending on the type of structure and window. Standard light-frame construction would reduce exterior to interior noise levels by at least 20 dB (Federal Highway Administration [FHWA] 2011). Therefore, interior noise levels would be 43 CNEL or less, and are not projected to exceed the interior noise level standard of 45 CNEL. Interior noise impacts would be less than significant.

Off-site Traffic Noise

The additional vehicle trips associated with the project would increase noise levels on nearby roadways. A noise increase of 3 dB or more would be considered significant because 3 dB is the level at which an increase in noise is perceptible to a person. As shown in Table 7, the project would not result in a direct or cumulative noise increase of more than 3 dB. Therefore, the project would result in less than significant direct and cumulative impact related to traffic noise.

Table 7 Traffic Noise Level with and without Project and Ambient Noise Increases (CNEL)										
Roadway Segment	Year 2022			Year 2025			Year 2050			Cumulative Increase Over Existing
	No Project	Project	Increase	No Project	Project	Increase	No Project	Project	Increase	
South Santa Fe Avenue										
Smilax Road to Bosstick Boulevard	71.3	71.3	0.0	71.5	71.5	0.0	73.0	73.1	0.1	1.8
Bosstick Boulevard to Vern Road	71.8	71.8	0.0	72.0	72.0	0.0	73.0	73.1	0.1	1.3
Vern Road to Las Flores Drive	71.8	71.9	0.1	72.0	72.1	0.1	73.0	73.1	0.1	1.3
Las Flores Drive to North Rancho Santa Fe Road	71.2	71.3	0.1	71.4	71.5	0.1	72.9	72.9	0.0	1.7
North Rancho Santa Fe Road to North Pacific Street	69.8	69.8	0.0	70.0	70.0	0.0	72.3	72.3	0.0	2.5
Hollencrest Road										
De Leone Road to Hollenbeck Road	52.7	53.0	0.3	53.0	53.2	0.2	54.4	54.6	0.2	1.9
North Rancho Santa Fe Avenue										
South Santa Fe Avenue to Capalina Road	69.1	69.2	0.1	69.4	69.4	0.0	70.7	70.7	0.0	1.6
NOTE: Increase calculations may vary due to independent rounding.										

On-site Generated Noise

The noise sources on the project site after completion of construction are anticipated to be those that would be typical of any residential use, such as vehicles arriving and leaving, children at play, and landscape maintenance machinery. None of these noise sources are anticipated to violate the City's Municipal Code. Rooftop heating, ventilation, and air conditioning (HVAC) noise levels were modeled at the adjacent properties. As shown in Table 8, HVAC noise levels would range from 33 to 44 dB(A) L_{eq} . Noise levels would not exceed the applicable Noise Ordinance limits at the property lines and impacts would be less than significant.

Table 8 HVAC Noise Levels at Adjacent Properties			
Receiver	Land Use	Noise Level [dB(A) L_{eq}]	Noise Ordinance Limit Daytime/Nighttime [dB(A) L_{eq}]
1	Single Family Residential	34	60/50
2	Single Family Residential	36	60/50
3	Single Family Residential	36	60/50
4	Single-Family Residential	35	60/50
5	Single-Family Residential	34	60/50
6	Multi-Family Residential	33	65/55
7	Multi-Family Residential	33	65/55
8	Multi-Family Residential	38	65/55
9	Multi-Family Residential	37	65/55
10	Single-Family Residential	35	60/50
11	Mobile Home Park	37	65/55
12	Mobile Home Park	39	65/55
13	Mobile Home Park	38	65/55
14	Mobile Home Park	37	65/55
15	Commercial	41	60/55
16	Industrial	43	65/60
17	Industrial	43	65/60
18	Industrial	44	65/60

dB(A) L_{eq} = A-weighted decibels equivalent noise level.

b. Less than Significant Impact

As shown in Table 5, construction noise levels would range from 57 to 74 dB(A) L_{eq} at the adjacent property lines. The City's Municipal Code does not place noise limit restrictions on construction activities; however, other jurisdictions commonly apply a noise level limit of 75 dB(A) L_{eq} at residential uses and the City uses the County of San Diego's 75 dB(A) L_{eq} limit at the adjacent property lines. Construction activities would generally occur over the period between 7:00 a.m. and 6:00 p.m. on weekdays.

Although the existing adjacent uses would be exposed to construction noise levels that may be heard above ambient conditions, the exposure would be temporary and would not exceed 75 dB(A) L_{eq} . As construction activities associated with the project would comply with the time limits established in Section 10.24.020 (b)(9) of the City's Municipal Code, temporary increases in noise levels from construction activities causing ground borne vibration or ground borne noise levels would be less than significant.

c. Less than Significant Impact

The closest airport to the project site is the McClellan-Palomar Airport which is located 4.3 miles to the southwest. The project site is located well outside the 60 CNEL noise contour for aircraft operations at McClellan-Palomar Airport. Thus, the project would not expose people residing or

working in the project area to excessive noise levels resulting from proximity to a private airstrip and impacts would be less than significant.

4.14 Population and Housing

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☐	☒

EXPLANATIONS:

a. Less than Significant Impact

The project would receive a Density Bonus per Section 20.305 of the City Municipal Code. In conjunction with the Density Bonus, 5 of the proposed 50 multi-family dwelling units would be dedicated as affordable. The project would require a General Plan Amendment to change the land use from Commercial (C) and Light Industrial (L-I) Medium Density Residential 2 (MDR2) and a zone change from Commercial (C) and Light Industrial (L-I) to Multi-Family Residential (R-3-10). While the project would present additional housing, the housing would be consistent with planned growth under the adopted 2021-2029 Housing Element Update. Additionally, the project site has access to existing water, sewer, and storm water infrastructure within Las Flores Drive and South Santa Fe Avenue. Impacts related to population growth would be less than significant.

b. No Impact

The project site is currently vacant. As such, the project would not displace any persons and no impact would occur.

4.15 Public Services

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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:				
i. Fire protection?	☐	☒	☐	☐
ii. Police protection?	☐	☒	☐	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

EXPLANATIONS:

a.i. Potentially Significant Unless Mitigation Incorporated

The San Marcos Fire Department (SMFD) would service the project. SMFD provides service to the City and the San Marcos Fire Protection District, which covers an area of 33 square miles and a population of approximately 95,000 residents (City of San Marcos 2018). Current SMFD facilities include four fire stations and a regional emergency services training facility. SMFD operates four fire stations, four paramedic assessment engine companies, one paramedic assessment truck company, five paramedic transport ambulances (24-hour units), one shift battalion chief, and one on-call duty chief on a daily basis. With an Insurance Services Office (ISO) Rating 2, SMFD provides a variety of first-responder services to the community including fire suppression, rescue, emergency medical services, fire prevention services, vegetation management, public education, emergency preparedness, and trauma support (City of San Marcos 2018).

The station closest to the proposed project site is Fire Station No. 1, located approximately 2.6 miles southeast of the project site at 180 West Mission Road. The project site is within the existing service area of SMFD, and on-site construction would comply with applicable Fire Code requirements. New

fire protection facilities are not anticipated at this time. However, development of the project would contribute to the incremental increase in demand for fire protection services city-wide. This represents a significant impact and mitigation is required. Participation in the Community Facilities District (CFD 2001-01) (Fire and Paramedic) as outlined in mitigation measure PS-1 would offset the cost of increases in necessary services resulting from implementation of the proposed project.

Mitigation Measure PS-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 following Community Facility District: CFD 2001-01 (Fire and Paramedic).

Participation in the CFD will offset the cost of increases in necessary fire services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.

a.ii. Potentially Significant Unless Mitigation Incorporated

The San Diego County Sheriff's Department San Marcos Station employs over 100 sheriff deputies, volunteers, and professional staff members (County of San Diego 2018). The San Diego County Sheriff's Department San Marcos Station is located at 182 Santar Place, San Marcos, California 92069, approximately 4.6 miles east of the project site.

The station has a total service area of over 100 square miles, which encompasses the City and the surrounding unincorporated areas of San Marcos and Escondido. The station is currently providing safety services to a population of more than 111,000 residents (County of San Diego 2018). 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. However, development of the project would contribute to the incremental increase in demand for police protection services City-wide. This represents a significant impact and mitigation is required. Mitigation measure PS-2 requires the project applicant to annex the site into the preexisting CFD for Police Services (CFD 98-01, Improvement Area No. 1). Participation in the CFD will offset the cost of increases in necessary services resulting from implementation of the proposed project.

Mitigation Measure PS-2

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 CFD 98-01 Improvement Area No. 1 (Police). Participation in the CFD would offset the cost of increases in necessary police protection services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.

a.iii. Less than Significant Impact

According to the San Marcos Unified School District (SMUSD) attendance area maps, Joli Ann Leichtag Elementary School, San Marcos Middle School, and San Marcos High School would serve the proposed project (SMUSD 2022a). As a multi-family residential development, the applicant would be required to pay required fees that would help fund ongoing school service and new facilities. Pursuant to SB 50 (Government Code Sections 65995(h), 65996(b) and 65996(h)), fees imposed by

school districts shall constitute the exclusive method of considering and mitigating impacts on school facilities caused by a development project. The payment of statutorily capped fee amounts provides “full and complete mitigation of the impacts of any legislative or adjudicative act . . . on the provision of adequate school facilities” (SB 50). SMUSD collects residential and commercial developer fees for projects within its service area to support costs of construction and expansion of school facilities. Current developer fees are \$4.38 per square foot for residential dwelling unit projects (SMUSD 2022b). The project applicant shall pay school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h), 65996(b), and 65996(h) in effect at the time of building permit issuance, thereby ensuring impacts would be less than significant.

a.iv. Less than Significant Impact

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

a.v. Less than Significant Impact

The analysis within Sections 4.14 (a) through 4.14(d) concluded that the project would have a less than significant impact with mitigation incorporated related to fire protection, police protection, and schools and a less than significant impact to parks. The project would not result in an impact to any other public facilities. Impacts would be less than significant.

4.16 Recreation

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. 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. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

EXPLANATIONS:

a and b. Less than Significant Impact

The closest community parks to the project site are Valley View Park, located approximately 1.9 miles east of the project site at 1399 Camino Del Sol, and Cerro de las Posas Park, located approximately 2.2 miles east of the project site at 1387 West Borden Road. The project would construct outdoor amenities including a playground and picnic tables. The project would not involve the provision or alteration of a new or existing park facility and the project does not require the construction or expansion of recreational facilities. The project applicant would be required to pay the City's PFF, a portion of which is designated for parks. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City. Payment of the PFF would be required prior to issuance of a building permit. As such, the project would not have an adverse physical effect on the environment due to the construction of recreational facilities. Impacts would be less than significant.

4.17 Transportation

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with the applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b. Conflict with 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?	☐	☐	☒	☐

EXPLANATIONS:**a. Less than Significant Impact**

A local transportation analysis (LTA) was prepared by Linscott, Law & Greenspan, Engineers (LLG) to determine and evaluate the potential effects to the local roadway system due to the proposed project (Appendix J). Although not required by CEQA, a summary of the intersection and street segment operational characteristics are included here for informational purposes. The City of San Marcos strives to maintain intersection and roadway segment operations based on level of service (LOS) standards outlined in the General Plan Mobility Element.

In addition to the LOS analysis, a CEQA transportation analysis was conducted using the SANDAG ABM2+ Base Year 2016 regional travel demand model to calculate the Project's Vehicle Miles Traveled (VMT) per Resident. Based on the results, the project's VMT per resident is less than 85 percent (i.e., 80.3 percent) of the regional average and therefore results in no significant CEQA transportation impact.

Methodology and Significance Criteria

LOS is the term used to denote the different operating conditions which occur on a given roadway segment under various traffic volume loads. It is a qualitative measure used to describe a quantitative analysis taking into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is reported differently for signalized and unsignalized intersections, as well as for roadway segments.

Signalized intersections were analyzed under AM and PM peak hour conditions. Average vehicle delay was determined utilizing the methodology found in Chapter 19 of the Highway Capacity Manual 6th Edition (HCM 6), with the assistance of the Synchro 10 computer software. The delay values (represented in seconds) were qualified with a corresponding intersection LOS. Unsignalized intersections were analyzed under AM and PM peak hour conditions. Average vehicle delay and LOS was determined based upon the procedures found in Chapter 20 and Chapter 21 of the HCM 6 with the assistance of the Synchro 10 computer software.

Street segment analysis is based upon the comparison of average daily traffic (ADT) volumes to the City's Roadway Classification, Level of Service, and ADT Table. This table provides segment capacities for different street classifications, based on traffic volumes and roadway characteristics

Analysis of Existing Conditions

Table 9 summarizes the peak hour intersection operations under existing conditions. As seen in Table 9, the study intersections are calculated to operate acceptably at LOS D or better with the exception of South Santa Fe Avenue/Smilax Road, where the minor-street left-turn movement calculated to operate at LOS F.

Table 9 Existing Intersection Operations					
Intersection	Control Type	Peak Hour	Existing		
			Delay ^a	LOS ^b	
South Santa Fe Avenue/Smilax Road	MSSC ^c	AM	>100	F	
		PM	>100	F	
South Santa Fe Avenue/Bosstick Boulevard	Signal	AM	16.7	B	
		PM	17.3	B	
South Santa Fe Avenue/Vern Road	MSSC	AM	17.3	C	
		PM	32.6	D	
South Santa Fe Avenue/Las Flores Drive	Signal	AM	18.6	B	
		PM	19.9	B	
Las Flores Drive/Hollencrest Road	MSSC	AM	8.9	A	
		PM	8.9	A	
South Santa Fe Avenue (W. Mission Road)/North Rancho Santa Fe Road	Signal	AM	12.7	B	
		PM	14.5	B	
Capalina Road/Hollencrest Road	MSSC	AM	11.7	B	
		PM	10.9	B	
North Rancho Santa Fe Rd/Capalina Road	Signal	AM	29.3	C	
		PM	28.6	C	
^a Average delay expressed in seconds per vehicle. ^b Level of service. ^c MSSC = Minor-Street Stop Controlled intersection. Worst-case movement level of service reported.		SIGNALIZED		UNSIGNALIZED	
		DELAY/LOS THRESHOLDS		DELAY/LOS THRESHOLDS	
		Delay	LOS	Delay	LOS
		0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
		10.1 to 20.0	B	10.1 to 15.0	B
		20.1 to 35.0	C	15.1 to 25.0	C
		35.1 to 55.0	D	25.1 to 35.0	D
		55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F		

Table 10 summarizes the street segment operations under existing conditions. As seen in Table 10, the study street segments are calculated to operate acceptably at LOS D or better with the exception of South Santa Fe Avenue between Smilax Road and Bosstick Boulevard, which is calculated to operate at LOS F.

Table 10 Existing Street Segment Operations					
Street Segment	Classification	Capacity (LOS E) ^a	ADT ^b	LOS ^c	V/C ^d
South Santa Fe Avenue					
Smilax Road to Bosstick Boulevard	2-Lane Collector	8,000	14,850	F	1.856
Bosstick Boulevard to Vern Road	4-Lane Arterial with Class II or Class III Bike Lanes	40,000	16,660	B	0.417
Vern Road to Las Flores Drive	4-Lane Arterial with Class II or Class III Bike Lanes	40,000	16,660	B	0.417
Las Flores Drive to North Rancho Santa Fe Road	4-Lane Arterial with Class II or Class III Bike Lanes	40,000	14,600	A	0.365

Table 10 Existing Street Segment Operations					
Street Segment	Classification	Capacity (LOS E) ^a	ADT ^b	LOS ^c	V/C ^d
North Rancho Santa Fe Road to North Pacific Street	4-Lane Arterial with Class II or Class III Bike Lanes	40,000	13,500	A	0.338
Hollencrest Road					
De Leone Road to Hollenbeck Road	2-Lane Sub-Collector	2,200e	560	+C	0.070
North Rancho Santa Fe Road					
South Santa Fe Avenue to Capalina Road	4-Lane Arterial with Class II or Class III Bike Lanes	40,000	11,730	A	0.293
^a Capacities based on based on the City's Roadway Classifications, Capacity, and LOS (see Appendix J). ^b Average daily traffic volumes. ^c Level of service. ^d Volume to capacity. NOTE: Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Per the City's Roadway Classifications, Capacity, and LOS, the LOS C capacity of a Sub-Collector is 2,200 ADT.					

Project Trip Generation

Table 11 tabulates the total project traffic generation. The project is calculated to generate a total of 300 ADT with 24 AM peak hour trips (5 inbound/19 outbound) and 27 PM peak hour trips (19 inbound and 8 outbound).

Table 11 Project Trip Generation													
Land Use	Size	Daily Trip Ends (ADT) ^b		AM Peak Hour					PM Peak Hour				
		Rate ^a	Volume	% of ADT	In:Out Split	Volume			% of ADT	In:Out Split	Volume		
						In	Out	Total			In	Out	Total
Apartments	50 DU	6/DU	300	8%	20:80	5	19	24	9%	70:30	19	8	27
Total			300			5	19	24			19	8	27
^a Trip rates from SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (see Appendix J).													
^b Average daily trips.													

Near Term Scenario Analysis

Intersection Analysis

Table 12 summarizes the intersection operations under near-term without project conditions. As seen in Table 12, the study intersections are calculated to operate acceptably at LOS D or better with the exception of South Santa Fe Avenue/Smilax Road, where the minor-street left-turn movement is calculated to continue to operate at LOS F. As seen in Table 12, with the addition of project traffic, the study intersections are calculated to continue to operate acceptably at LOS D or better with the exception of South Santa Fe Avenue/Smilax Road, where the minor-street left-turn movement is calculated to continue to operate at LOS F.

Based on the established LOS Standards, the project would add a small amount of traffic to the intersection of South Santa Fe Avenue/Smilax Road, which operates below City standards. However, the project contributes only 0.45 percent (15 trips) of the total combined AM and PM peak hour traffic to this intersection under near term conditions. The existing traffic conditions at this location are already substandard. The provision of a traffic signal would result in acceptable LOS D or better operations. A traffic signal is planned at the South Santa Fe Avenue/Smilax Road intersection as part of the City's Capital Improvement Project (CIP) 881479 (IP 4750).

Table 12 Near-Term Intersection Operations								
Intersection	Control Type	Peak Hour	Near-Term Without Project		Near-Term + Project		Δ^c	Substantial Effect?
			Delay ^a	LOS ^b	Delay	LOS		
South Santa Fe Avenue/ Smilax Road	MSSC ^d	AM	>100	F	>100	F	>10	Yes
		PM	>100	F	>100	F	>10	Yes
South Santa Fe Avenue/ Bosstick Boulevard	Signal	AM	17.4	B	17.5	B	0.1	No
		PM	18.0	B	18.0	B	0.0	No
South Santa Fe Avenue/ Vern Road	MSSC	AM	17.7	C	18.3	C	0.6	No
		PM	32.0	D	33.3	D	1.3	No
South Santa Fe Avenue/ Las Flores Drive	Signal	AM	18.8	B	18.8	B	0.0	No
		PM	20.7	C	21.2	C	0.5	No
Las Flores Drive/ Hollencrest Road	MSSC	AM	8.9	A	9.0	A	0.1	No
		PM	9.0	A	9.0	A	0.0	No
South Santa Fe Avenue (W. Mission Road)/North Rancho Santa Fe Rd	Signal	AM	12.8	B	12.9	B	0.1	No
		PM	14.9	B	14.9	B	0.0	No
Capalina Road/ Hollencrest Road	MSSC	AM	11.7	B	11.8	B	0.1	No
		PM	10.9	B	11.0	B	0.1	No
North Rancho Santa Fe Road/Capalina Road	Signal	AM	29.8	C	30.1	C	0.3	No
		PM	29.7	C	30.6	C	0.9	No
^a Average delay expressed in seconds per vehicle. ^b Level of service. ^c Δ denotes the increase in delay due to Project. ^d MSSC = Minor-Street Stop Controlled intersection. Worst-case level of service reported.					SIGNALIZED		UNSIGNALIZED	
					DELAY/LOS THRESHOLDS		DELAY/LOS THRESHOLDS	
					Delay	LOS	Delay	LOS
					0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
					10.1 to 20.0	B	10.1 to 15.0	B
					20.1 to 35.0	C	15.1 to 25.0	C
					35.1 to 55.0	D	25.1 to 35.0	D
					55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F					

Segment Operations

Table 13 summarizes the street segment operations under near-term without project conditions. As seen in Table 13, the study street segments are calculated to operate acceptably at LOS D or better with the exception of South Santa Fe Avenue between Smilax Road and Bosstick Boulevard, which is calculated to continue to operate at LOS F. As seen in Table 13, with the addition of project traffic, the study street segments are calculated to continue to operate acceptably at LOS D or better with the exception of South Santa Fe Avenue between Smilax Road and Bosstick Boulevard, which is calculated to continue to operate at LOS F.

The project-related increase in the volume to capacity (V/C) ratio for the above-listed street segment already operating at an unacceptable LOS is less than the threshold of 0.02. Thus, the project is not calculated to result in a substantial effect to the study segment and no improvements are required.

Table 13 Near-Term Street Segment Operations									
Street Segment	Capacity (LOS E) ^a	Near-Term Without Project			Near-Term With Project			Δ ^e	Substantial Effect?
		ADT ^b	LOS ^c	V/C ^d	ADT	LOS	V/C		
South Santa Fe Avenue									
Smilax Road to Bosstick Boulevard	8,000	15,610	F	1.951	15,700	F	1.963	0.012	No
Bosstick Boulevard to Vern Road	40,000	17,510	B	0.438	17,600	B	0.440	0.002	No
Vern Road to Las Flores Drive	40,000	17,510	B	0.438	17,810	B	0.445	0.007	No
Las Flores Drive to North Rancho Santa Fe Road	40,000	15,340	B	0.384	15,490	B	0.387	0.003	No
North Rancho Santa Fe Road to North Pacific Street	40,000	14,190	A	0.355	14,250	A	0.356	0.001	No
Hollencrest Road									
De Leone Road to Hollenbeck Road	2,200 ^f	590	+C	0.074	620	+C	0.078	0.004	No
North Rancho Santa Fe Road									
South Santa Fe Avenue to Capalina Road	40,000	12,330	A	0.308	12,420	A	0.311	0.003	No
^a Capacities based on based on the City of San Marcos’ Roadway Classifications, Capacity, and LOS (see Appendix J). ^b Average daily traffic volumes. ^c Level of service. ^d Volume to capacity. ^e Δ denotes a project-induced increase in the V/C ratio. NOTE: Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Per the City’s Roadway Classifications, Capacity, and LOS, the LOS C capacity of a Sub-Collector is 2,200 ADT.									

Year 2050 Analysis

The long-term (Year 2050) street network in the SANDAG Series 14 forecast model includes changes to the roadway system in the vicinity of the study area including the planned widening of South Santa Fe Avenue between Smilax Road and Bosstick Boulevard to 4-lane Arterial standards per the City of San Marcos' Mobility Element.

Intersection Analysis

Table 14 summarizes the intersection operations for the Year 2050 + project scenario. As seen in Table 14, with the addition of project traffic, the study intersections are calculated to continue to operate acceptably at LOS D or better with the exception of:

- Intersection #1. South Santa Fe Avenue/Smilax Road (minor-street left-turn movement calculated to operate at LOS F during the AM and PM peak hours)
- Intersection #3. South Santa Fe Avenue/Vern Road (LOS E during the PM peak hour)

The project-related increase in delay at the intersection of South Santa Fe Avenue/Vern Road is less than the threshold of 2.0 seconds. The project is not calculated to result in a substantial effect to this study intersection and no improvements are required.

Table 14 Long-Term Intersection Operations								
Intersection	Control Type	Peak Hour	Long-Term Without Project		Long-Term + Project		Δ^c	Substantial Effect?
			Delay ^a	LOS ^b	Delay	LOS		
South Santa Fe Avenue/ Smilax Road	MSSC ^d	AM	>100	F	>100	F	>10	Yes
		PM	>100	F	>100	F	>10	Yes
South Santa Fe Avenue/ Bosstick Boulevard	Signal	AM	26.7	C	27.1	C	0.4	No
		PM	40.4	D	40.6	D	0.2	No
South Santa Fe Avenue/ Vern Road	MSSC	AM	19.8	C	20.7	C	0.9	No
		PM	45.9	E	47.3	E	1.4	No
South Santa Fe Avenue/ Las Flores Drive	Signal	AM	20.0	B	20.2	C	0.2	No
		PM	31.1	C	32.3	C	1.2	No
Las Flores Drive/ Hollencrest Road	MSSC	AM	9.2	A	9.2	A	0.0	No
		PM	9.6	A	9.6	A	0.0	No
South Santa Fe Avenue (W. Mission Road)/ North Rancho Santa Fe Road	Signal	AM	13.9	B	14.0	B	0.1	No
		PM	22.1	C	22.2	C	0.1	No
Capalina Road/ Hollencrest Road	MSSC	AM	12.0	B	12.0	B	0.0	No
		PM	11.2	B	11.3	B	0.1	No
North Rancho Santa Fe Road/ Capalina Road	Signal	AM	36.5	D	37.1	D	0.6	No
		PM	41.8	D	43.3	D	1.5	No
^a Average delay expressed in seconds per vehicle. ^b Level of service. ^c Δ denotes the increase in delay due to project. ^d MSSC = Minor-Street Stop Controlled intersection. Worst-case level of service reported.					SIGNALIZED		UNSIGNALIZED	
					DELAY/LOS THRESHOLDS		DELAY/LOS THRESHOLDS	
					Delay	LOS	Delay	LOS
					0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
					10.1 to 20.0	B	10.1 to 15.0	B
					20.1 to 35.0	C	15.1 to 25.0	C
					35.1 to 55.0	D	25.1 to 35.0	D
					55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F					

Segment Analysis

As seen in Table 15, with the addition of project traffic, the study street segments are calculated to continue to operate acceptably at LOS D or better with the exception of South Santa Fe Avenue between Smilax Road and Bosstick Boulevard, which is calculated to continue to operate at LOS F.

The project-related increase in the V/C ratio for the above-listed street segment already operating at an unacceptable LOS is less than the threshold of 0.02. The project is not calculated to result in a substantial effect to the study segment and no improvements are required.

Table 15 Long-Term Street Segment Operations									
Street Segment	Capacity (LOS E) ^a	Long-Term Without Project			Long-Term With Project			Δ ^e	Substantial Effect?
		ADT ^b	LOS ^c	V/C ^d	ADT	LOS	V/C		
South Santa Fe Avenue									
Smilax Road to Bosstick Boulevard	8,000	22,200	F	2.775	22,290	F	2.786	0.011	No
Bosstick Boulevard to Vern Road	40,000	22,200	C	0.555	22,290	C	0.557	0.002	No
Vern Road to Las Flores Drive	40,000	22,200	C	0.555	22,500	C	0.563	0.008	No
Las Flores Drive to North Rancho Santa Fe Road	40,000	21,300	C	0.533	21,450	C	0.536	0.003	No
North Rancho Santa Fe Road to N. Pacific Street	40,000	24,400	C	0.610	24,460	C	0.612	0.002	No
Hollencrest Road									
De Leone Road to Hollenbeck Road	2,200	830	+C	0.104	860	+C	0.108	0.004	No
North Rancho Santa Fe Road									
South Santa Fe Avenue to Capalina Road	40,000	16,800	B	0.420	16,890	B	0.422	0.002	No
^a Capacities based on based on the City of San Marcos' Roadway Classifications, Capacity, and LOS (see Appendix J). ^b Average daily traffic volumes. ^c Level of service. ^d Volume to capacity. ^e Δ denotes a Project-induced increase in the Volume to Capacity (V/C) ratio. NOTE: Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Per the City's Roadway Classifications, Capacity, and LOS, the LOS C capacity of a Sub-Collector is 2,200 ADT.									

Transit service is provided to the project area via North County Transit District (NCTD) bus routes 304 and 305. The project site is located within one-half mile walking distance, depending on ultimate pedestrian site access, from stop pairs serving both Route 304 and Route 305 located along South Santa Fe Avenue. The closest bus stops to the project site are located near the intersection of South Santa Fe Avenue/Las Flores Drive and the intersection of South Santa Fe Avenue (Mission Road) and Rancho Santa Fe Road on both sides of the street. The project site is also approximately 1.25-mile walking or biking distance from Palomar College Station. Currently, Class II bike lanes are provided on South Santa Fe Avenue, from Bosstick Boulevard to slightly south of North Rancho Santa Fe Road (both sides); and North Rancho Santa Fe Road, along its entire length (both sides). In the City's *Bicycle and Pedestrian Master Plan*, no additional bike facilities are recommended along the study street segments. The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities.

Based on the established LOS Standards, the project would add a small amount of traffic to the intersection of South Santa Fe Avenue/Smilax Road, which operates below City standards. However, the project contributes only 0.45 percent (15 trips) of the total combined AM and PM peak hour traffic to this intersection under Near Term conditions. The existing traffic conditions at this location are already substandard. The provision of a traffic signal would result in acceptable LOS D or better operations. A traffic signal is planned at the S. Santa Fe Avenue/Smilax Road intersection as part of the City's CIP 881479 (IP 4750). Since the existing traffic conditions at the intersection of South Santa Fe Avenue/Smilax Road are already substandard and the project would only contribute 15 trips of the total combined AM and PM peak hour traffic, traffic impacts from the proposed project would be less than significant.

b. Less than Significant Impact

A VMT analysis was prepared by LLG to determine and evaluate the potential effects to the local roadway system due to the proposed project (Appendix K). Based on the City's Transportation Impact Analysis Guidelines, the requirement to prepare a detailed transportation VMT analysis applies to all land development projects except for those that meet at least one of the provided screening criteria. A project that meets at least one of the screening criteria listed below would be considered to have a less-than-significant impact due to the project or location characteristics.

Per SANDAG's online residential VMT map, the project site is located within Census Tract 200.18. The VMT per capita of this Census Tract is 15.4 VMT, which is 81.2 percent of the SANDAG regional average of 19.0 VMT per capita. Based on the SANDAG's online residential VMT map, the project's VMT per resident is less than 15 percent below the regionwide average. Therefore, the project would meet the criteria for residential projects proposed in census tracts with residential VMT per capita below the City's threshold of exceeding 85 percent of the SANDAG regional average and impacts would be less than significant.

c. Less than Significant Impact

Access is proposed via the existing driveway to South Santa Fe Avenue, which the Gourmet Liquor store currently utilizes. This driveway is limited to right turns in and out only by the raised median within South Santa Fe Avenue. The project would not contain driveway access from Las Flores Drive. All proposed roadway improvements would be required to comply with the City's Street Design Standards, which require streets to be designed to current City standards and final pavement approval by the Public Works Director before installation (City of San Marcos 2020). Therefore, implementation of the proposed project would not substantially increase hazards due to a geometric design feature. Implementation of the proposed project would not result in alterations to the public roadway. Therefore, impacts would be less than significant.

d. Less than Significant Impact

Access to the project site would be restricted to right-in/right-out movements via South Santa Fe Avenue. All future roadway improvements would be required to comply with the California Fire Code, adopted by reference in the City's Municipal Code Chapter 17.64 and Section 17.64.120, which requires the width of an unobstructed roadway to measure no less than 24 feet to provide adequate access for fire and emergency responders. Therefore, the proposed project would not result in inadequate emergency access. Therefore, impacts would be less than significant.

4.18 Tribal Cultural Resources

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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)?	☐	☒	☐	☐
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

EXPLANATIONS:**a.i and a.ii: Potentially Significant Unless Mitigation Incorporated**

In accordance with SB 18, the Native American Heritage Commission was contacted to obtain a list of tribes that may have cultural association with the project site and its local vicinity. AB 52 requires that prior to release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, the lead agency shall begin consultation with California Native American tribes that request, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally or culturally affiliated with the tribe. Tribes who receive a formal project notification have 30 days to respond and request consultation.

The City of San Marcos, as lead agency, formally notified California Native American tribes of the opportunity to consult via letter in accordance with SB 18 and AB 52 consultation processes in January and June of 2022, respectively. The formal SB 18 notification letters were sent to California Native American tribes as identified on the NAHC list while the AB 52 letters were sent to the Mesa Grande Band of Diegueno Mission Indians, San Luis Rey Band of Mission Indians, Rincon Band of Luiseño Indians, and Pechanga Band of Luiseño Indians. Formal consultation was requested by the Pechanga Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and Rincon Band of Luiseño Indians.

The City of San Marcos has developed standard mitigation measures CR-1 through CR-4 via the tribal consultation process to reduce potential impacts to tribal cultural resources. Implementation of mitigation measures CR-1 through CR-3 would require an archaeological monitor and a TCA Native American Tribe monitor be present during earth-moving and grading activities to assure that any resources found during project grading be protected. These measures are described below. Therefore, impacts to archaeological resources would be less than significant with the incorporation of mitigation.

4.19 Utilities and Service Systems

Would the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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?	☐	☐	☒	☐

Issue	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 provided 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 regulation related to solid waste?	☐	☐	☒	☐

EXPLANATIONS:**a. Less than Significant Impact**

A Water Supply Study was prepared for the project by the VID and is included as Appendix H to this IS/MND. The VID is responsible for disposal of treated wastewater. The RWQCB regulates the treatment of wastewater at treatment plants and the discharge of the treated wastewater into receiving waters. The VID is responsible for adhering to RWQCB regulations as they apply to wastewater generated by the any project. The VID facilities have been designed to treat typical wastewater flows from different land uses within their service area and complies with all permits and state and federal water quality based standards.

The project would require a sewer study and approval by the BSD and would be subject to all applicable improvement fees as determined by the BSD. Any improvements required by the sewer study would be in an existing public street right-of-way and no new significant environmental impacts would occur. The project would not require the construction of new water ~~or wastewater~~ treatment facilities that could cause significant environmental effects. All private water facilities on-site would be designed and constructed in accordance with the requirements of the California

Uniform Plumbing Code and would connect to existing water lines in adjacent roadways. All public water facilities including services and meters would be designed and constructed in accordance with current City Water Facility Design Guidelines and regulations. Thus, impacts would be less than significant.

b. Less than Significant Impact

The project would require a General Plan Amendment to change the land use from Commercial (C) and Light Industrial (L-I) to Medium Density Residential 2 (MDR2). The project would also require a zone change from Commercial (C) and Light Industrial (L-I) to Multi-Family Residential (R-3-10). The VID's 2018 Potable Water Master Plan (Master Plan) based its water demand planning on the approved land uses.

Based on the unit demand factor of 3,650 gallons per day (gpd)/acre developed in the Master Plan for multi-family residential land use and site size of 2.23 acres, the projected average annual water demand for the project is 8,140 gpd (see Appendix H). The Water Supply Study concluded that the required fire flow demand of 1,500 gallons per minute can be met at both of the proposed private fire hydrants within the development and no existing system deficiencies were identified in any pipe segments in the vicinity of the development. Furthermore, the project would install a water service and master meter sized to accommodate the development and connect to VID's 10-inch main in South Santa Fe Avenue, install a reduced pressure detector assembly and fire service connected to VID's main in South Santa Fe Avenue, and install an 8-inch minimum private fire system sized to serve the project. Therefore, the project would not require new or expanded entitlements. Impacts would be less than significant.

c. Less than Significant Impact

The ~~Buena Sanitation District (BSD)~~ is located primarily in the Agua Hedionda Drainage Area. The first sewer pipelines were installed in 1964. The Buena Sewer Collection System comprises approximately 101 miles of sanitary sewers and force mains ranging in size from 4 to 30 inches in diameter. Sewer flows generated from the BSD drain to the Buena Pump Station and are conveyed to Encina Wastewater Treatment Plant via the Buena Force Main and the Buena Interceptor.

The project would increase the demand for wastewater treatment as well as land outfall capacity. The project would require a sewer study and approval by the BSD and would be subject to all applicable improvement fees as determined by the BSD. The project would be required to pay the Capital Expansion and Capital Facility Funds (Fund 505 and Fund 510, respectively) which are used for revenues and expenses related to capacity expansion and development. BSD considers payment of these fees as mitigation for the increase in treatment need. Therefore, the project would not result in a determination by the wastewater treatment provider which serves the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Impacts would be less than significant.

d. Less than Significant Impact

The project would generate solid waste from operational uses. Solid waste service in the City is provided by a private franchise hauler, EDCO Waste and Recycling (EDCO), which handles all residential, commercial, and industrial collections within the city. Waste collected by EDCO is hauled to the Escondido Resources Recovery Transfer Station where it is then transported to the Sycamore

Sanitary Landfill in Santee. According to CalRecycle, the Escondido Resources Recovery Transfer Station has a permitted throughput of 3,223 tons per day, with a permitted capacity of 8,743 tons/day (CalRecycle 2019a). According to CalRecycle, the Sycamore Sanitary Landfill has a daily permitted capacity of 5,000 tons/day of solid waste, with a remaining capacity of 113,972,637 cubic yards with an anticipated closure date of 2042 (CalRecycle 2019b).

CalRecycle provides solid waste generation rates for various types of land uses. Construction debris would be generated by the project. Construction debris recycling is available through EDCO. Negligible solid waste generation is anticipated during project construction. Based on the most current solid waste generation rate for multi-family land uses from CalRecycle of 4 pounds/dwelling unit/day, the project is expected to generate approximately 200 pounds/day of solid waste during operation (CalRecycle 2019c). This does not consider any waste diversion through recycling. The City is currently exceeding their waste reduction targets. According to CalRecycle, the City has a disposal rate target of 8.9 pounds/person/day. If the City meets this target, the City is considered in compliance with the 50 percent diversion requirement of AB 939. The most recent data from CalRecycle identifies the annual per capita disposal rate is 4.9 pounds/person/day (CalRecycle 2022). Thus, the City is meeting their current targets for diversion. Assuming a 50 percent diversion rate, to be conservative, the anticipated solid waste generated by the proposed project during operation would be reduced to approximately 100 pounds/day. With consideration of the diversion rate, the proposed project's solid waste generation during operation can be accommodated at the landfill based upon the available daily permitted capacity. Impacts would be less than significant.

e. Less than Significant Impact

All solid waste facilities, including landfills, require solid waste facility permits to operate in San Diego County. Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440 et seq.) authorizes the County Department of Environmental Health, Local Enforcement Agency to issue solid waste facility permits. Sycamore Sanitary Landfill is a permitted facility and EDCO is a licensed hauler. Waste associated with construction and operation of the proposed project would be disposed of properly via the Escondido Transfer Station managed by EDCO and the Sycamore Sanitary Landfill. The project would comply with existing regulations related to solid waste disposal. Additionally, the project would comply with the City's General Plan policies designed to reduce impacts to solid waste facilities, including Policy COS-10.1, Policy COS-10.2, and Policy COS-10.3. As the project would comply with all federal, state, and City statutes and regulations related to solid waste, including proper handling of construction debris, impacts would be less than significant.

4.20 Wildfire

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

Issue	Potentially Significant Impact	Potentially Significant Unless 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 down-slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

EXPLANATIONS:

a. Less than Significant Impact

Refer to Section 4.9(f). Impacts would be less than significant.

b, c, d. Less than Significant Impact

As discussed in Section 4.9, Figure 6-4 in the City's General Plan (City of San Marcos 2013) shows that the project site is not located within a local, state, or federal fire hazard severity zone. Thus, impacts involving wildfire would not occur.

4.21 Mandatory Findings of Significance

Does the project:

Issue	Potentially Significant Impact	Potentially Significant Unless 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 futures projects)?	☐	☒	☐	☐
c. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

EXPLANATIONS:

a. Potentially Significant Unless Mitigation Incorporated

Implementation of the project has the potential to result in significant impacts to biological resources and cultural resources. Given the implementation of the recommended mitigation measures, potential impacts would be mitigated to a less than significant level. The project does not include a

component with the potential to otherwise degrade the quality of the environment or eliminate important examples of the major periods of California history or prehistory.

b. Potentially Significant Unless Mitigation

Implementation of the project has the potential to result in cumulatively significant impacts to fire and police protection. Development of the project would contribute to the incremental increase in demand for fire and police protection services city-wide. Given the implementation of the recommended mitigation measures, cumulatively considerable impacts would be mitigated to a less than significant level.

c. Less than Significant Impact

The project would be required to adhere to all applicable codes and regulations. Therefore, direct or indirect impacts on humans resulting from the proposed project would be less than significant.

5.0 Determination and Preparers

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FEE DETERMINATION

(Fish and Game Code Section 711.4, Statutes of 2006 – SB 1535)

- [] It is hereby found that this project involves no potential for any adverse effect, either individual or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.
- [X] It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore, fees in accordance with Section 711.4(d) of the Fish and Game Code shall be paid to the County Clerk.

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