

Draft Initial Study/Mitigated Negative Declaration

ND19-001

Artis Senior Living

SP18-0004

SDP18-0001

City of San Marcos

May 2019

Prepared by:

Sophia Mitchell & Associates



TABLE OF CONTENTS

I. INTRODUCTION.....	3
I. PURPOSE.....	3
II. CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS.....	3
III. INTENDED USES OF INITIAL STUDY/MITIGATED NEGATIVE DECLARATION	3
IV. CONTENTS OF DOCUMENT	3
V. SCOPE OF ENVIRONMENTAL ANALYSIS.....	4
VI. PERMITS AND ENTITLEMENTS FOR PROJECT APPROVAL.....	4
II. PROJECT DESCRIPTION	6
PROJECT LOCATION AND SETTING	6
PROJECT DESCRIPTION	6
III. ENVIRONMENTAL CHECKLIST	14
BACKGROUND	14
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	15
DETERMINATION	15
IV. ENVIRONMENTAL ANALYSIS.....	25
I. AESTHETICS.....	25
II. AGRICULTURE AND FORESTRY RESOURCES	28
III. AIR QUALITY	29
IV. BIOLOGICAL RESOURCES	34
V. CULTURAL RESOURCES	37
VI. GEOLOGY AND SOILS	42
VII. GREENHOUSE GAS EMISSIONS	45
VIII. HAZARDS AND HAZARDOUS MATERIALS.....	50
IX. HYDROLOGY AND WATER QUALITY	53
X. LAND USE AND PLANNING.....	58
XI. MINERAL RESOURCES	60
XII. NOISE.....	60
XIII. POPULATION AND HOUSING	67
XIV. PUBLIC SERVICES	68
XV. RECREATION.....	72
XVI. TRANSPORTATION/TRAFFIC.....	73
XVII. TRIBAL CULTURAL RESOURCES	77
XVIII. UTILITIES AND SERVICE SYSTEMS	79
V. MANDATORY FINDINGS OF SIGNIFICANCE.....	85
VI. PERSONS AND ORGANIZATIONS CONSULTED	87
VII. REFERENCES.....	88
IX. FINDINGS.....	92

LIST OF TABLES

Table 1. Design Considerations for the Project.....	12
Table 2. Attainment Status of Criteria Pollutants in San Diego Air Basin	30
Table 3. Screening-Level Criteria for Air Quality Impacts	31
Table 4. Construction Emissions (Proposed Project) (lbs/day).....	32
Table 5. Operations Emissions (Proposed Project) (lbs/day).....	33
Table 6a. California 2017 Climate Change Scoping Plan Emissions Targets.....	46
Table 6b. Project Specific Emissions Targets	47
Table 7. Construction-Related GHG Emissions (MT/Year).....	49
Table 8. Proposed Project Operational Emissions Summary (MT/Year).....	50
Table 9. Measured Ambient Noise Levels.....	59
Table 10. Future Traffic Parameters.....	62
Table 11. Future Exterior Noise Levels.....	65
Table 12. Vibration Levels from Construction Activities	65
Table 13. Existing vs. Existing + Project Noise Levels (dBA CNEL).....	66
Table 14. Construction Noise Levels	67
Table 15. Project Trip Generation.....	74
Table 16. Average Daily Traffic (ADT) for Select Segments.....	74
Table 17. Estimated Water Demand	80
Table 18. Existing Reservoir Storage Capacity Requirements.....	80
Table 19. Estimated Wastewater Flows	81

LIST OF FIGURES

Figure 1. Vicinity Map	7
Figure 2. Proposed Project Layout.....	8
Figure 3. Architectural Elevations.....	9
Figure 4. Conceptual Landscape Plan.....	10
Figure 5. Ambient Noise Monitoring Location.....	62
Figure 6. Modeled Receptor Locations.....	64

LIST OF APPENDICES (Appendices included on CD in back of document)

Appendix A.1	Project Plans
Appendix A.2	Landscape Concept Plan
Appendix A.3	Proposed University Comments Specific Plan Amendment No. 4
Appendix B	Air Quality Report
Appendix C	Cultural Resources Report
Appendix D	Geotechnical Report
Appendix E	Greenhouse Gas Report
Appendix F.1	Phase 1 Environmental Site Assessment
Appendix F.2	Phase 2 Environmental Site Assessment
Appendix G	Storm Water Quality Management Plan
Appendix H	Drainage Report
Appendix I	Noise Report
Appendix J	SMFD Response Letter
Appendix K	Water and Sewer Study

I. INTRODUCTION

I. PURPOSE

This document is an Initial Study (IS) for evaluation of environmental impacts resulting from implementation of the Artis Senior Living project. For the purposes of this document, the proposed development as described in Section II, Project Description, will be called the “project.”

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

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

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

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

III. INTENDED USES OF INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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

IV. CONTENTS OF DOCUMENT

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

I. INTRODUCTION identifies the City contact persons involved in the process, scope of environmental review, environmental procedures, and incorporation by reference documents.

II. PROJECT DESCRIPTION describes the proposed project. A description of proposed discretionary approvals and permits required for project implementation is also included.

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

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

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

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

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

VIII. MITIGATED NEGATIVE DECLARATION

IX. FINDINGS

V. SCOPE OF ENVIRONMENTAL ANALYSIS

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

1. **No Impact:** A “No Impact” response is adequately supported if the referenced information sources show that the impact simply does not apply to the proposed project.
2. **Less Than Significant Impact:** Development associated with project implementation will have the potential to impact the environment. These impacts, however, will be less than the thresholds that are considered significant and no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to “Less Than Significant Impact.” The Lead Agency must describe the mitigation measures and explain how the measures reduce the effect to a less than significant level.
4. **Potentially Significant Impact:** Future implementation will have impacts that are considered significant and additional analysis and possibly an EIR are required to identify mitigation measures that could reduce these impacts to less than significant levels.

VI. PERMITS AND ENTITLEMENTS FOR PROJECT APPROVAL

The requested entitlements for the project include the following:

City of San Marcos

Specific Plan Amendment (SP18-0004) - The project site is located within Planning Area 4 of the University Commons Specific Plan (UCSP)¹. A Specific Plan Amendment (SPA) is requested to change the site from Light Industrial to Senior Residential (SR). The SPA also establishes the zoning standards and regulations for the SR zone. This will be Amendment Number 4 to the UCSP.

Site Development Plan (SDP18-0001) - The Site Development Plan approval to construct a 64-bed assisted living and memory care facility and address the details of the architectural style, building elevation, fencing, landscaping, among other criteria, within the development.

Additional permits required for project construction including Grading Permit, Improvement Plans, Landscape Plans and Building Permits.

State of California

The California Department of Social Service, Community Care Licensing Division, licenses residential care facilities (RCFEs). An RCFE is a housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator or other responsible person; where 75 percent of the residents are sixty years of age or older and where varying levels of care and supervision are provided. These facilities are also known as assisted living facilities, retirement homes, or board and care homes.

Vallecitos Water District

Approval from the Vallecitos Water District for water and sewer service will also be required.

¹ The University Commons Specific Plan is also known as Old Creek Ranch.

II. PROJECT DESCRIPTION

PROJECT LOCATION AND SETTING

The 2.18-acre project site is located in the southern portion of the City of San Marcos in North San Diego County. The project site is located on the northeast corner of San Elijo Road and Paseo Plomo. Prestige Preschool and an RV parking/storage area is located to the west and the Solaire Apartments to the south on the opposite side of San Elijo Road. **Figure 1** provides a location of the project within the City.

The project site was previously graded and is currently vacant. The site is located down slope from San Elijo Road. Ground cover on the project site consists of sparse vegetation, exposed soil, undocumented fill material, and several stockpiles of miscellaneous construction debris. The APN for the site is 223-651-01-00.

PROJECT DESCRIPTION

The project applicant is requesting approval of a Specific Plan Amendment (SPA) and a Site Development Plan to construct a 64-bed assisted living and memory care facility. The project plans are included as **Appendix A.1**.

Senior Residential - The project proposes to construct a residential care facility for memory care of those afflicted with Alzheimer's disease and related memory disorders. The two-story building will have 39,951 square feet (s.f.) with 21,385 s.f. on the first floor and 18,566 s.f. on the second floor. The project is being called Senior Residential for zoning purposes and will be considered a state licensed residential care facility but is not limited by age.

The project design includes 64 private bedrooms for residents with an attached bath, communal spaces for residents including dining rooms, family rooms, an activity room, community room, health center, barber/beauty shop, café and gallery. The building also includes spaces for staff and management and a kitchen facility. **Figure 2** provides a layout of the project.

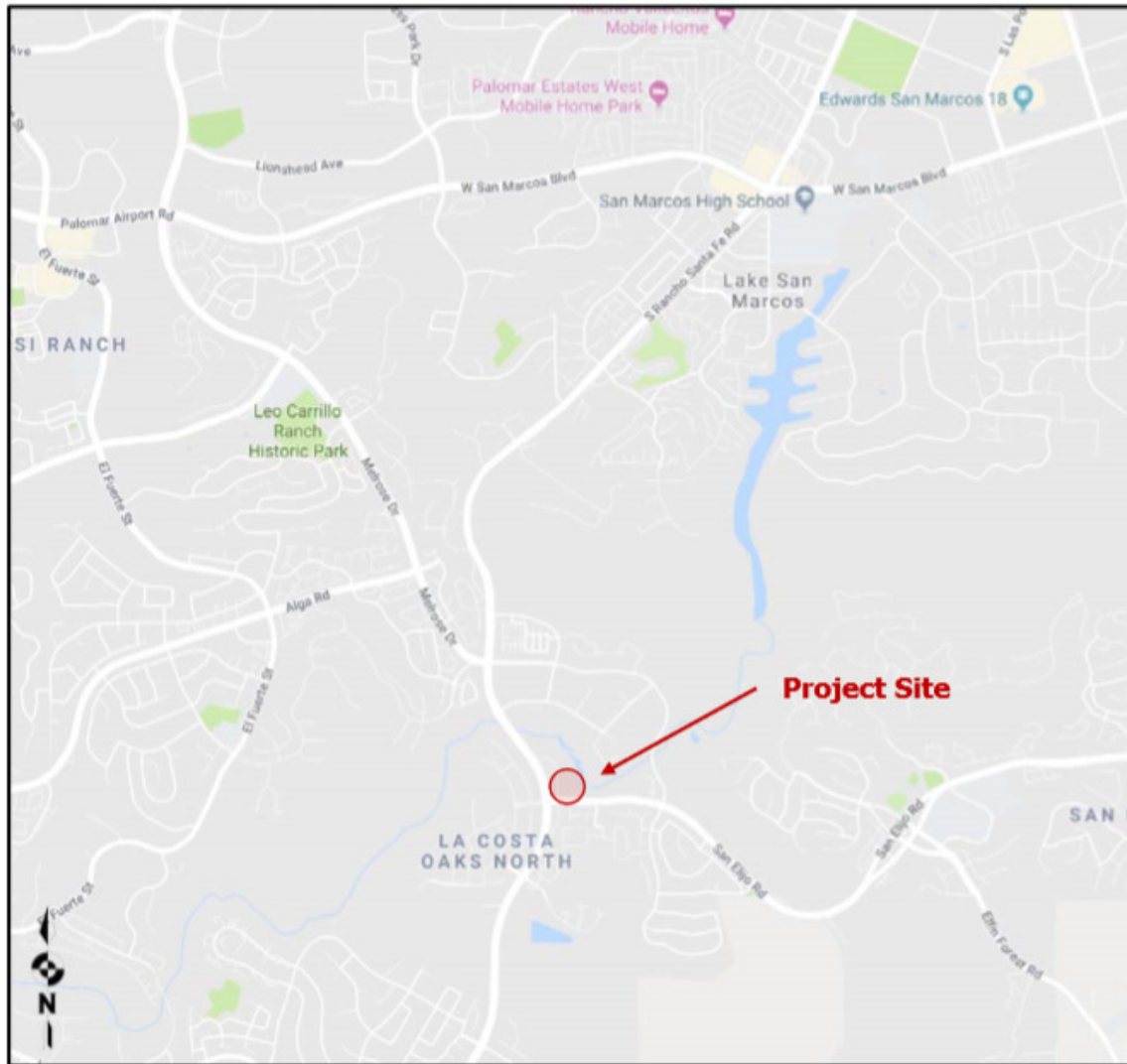
Architectural Design - The building will be two stories and approximately 35 feet in height. Architectural detailing/enhancements will break up the bulk and scale of the buildings. The project proposes the use of concrete tile roofing, cement plaster, cement fiber siding and trim, manufactured stone veneer, and exposed wood trusses. **Figure 3** provides an overview of the architectural concept.

Landscape Concept Plan - The proposed landscape plan includes a mix of trees, shrubs and groundcover and the plant selection emphasizes low to moderate water use species. The project will also comply with the City's Model Water Efficient Landscape Ordinance (WELO). Landscaping will cover 22,371 s.f. (23 percent) of the project site. **Figure 4** presents the conceptual landscape plan. The landscape concept plan is also included as **Appendix A.2**.

Project Access - Access to the project site would be from two locations, one driveway off of San Elijo Road and another off of Paseo Plomo.

Parking - The project includes 46 total parking spaces. This includes four Americans with Disabilities Act (ADA) van-compliant spaces and two electric vehicle (EV) charging station spaces and a loading zone space.

Figure 1. Vicinity Map



[illegible]

Figure 3. Architectural Elevations

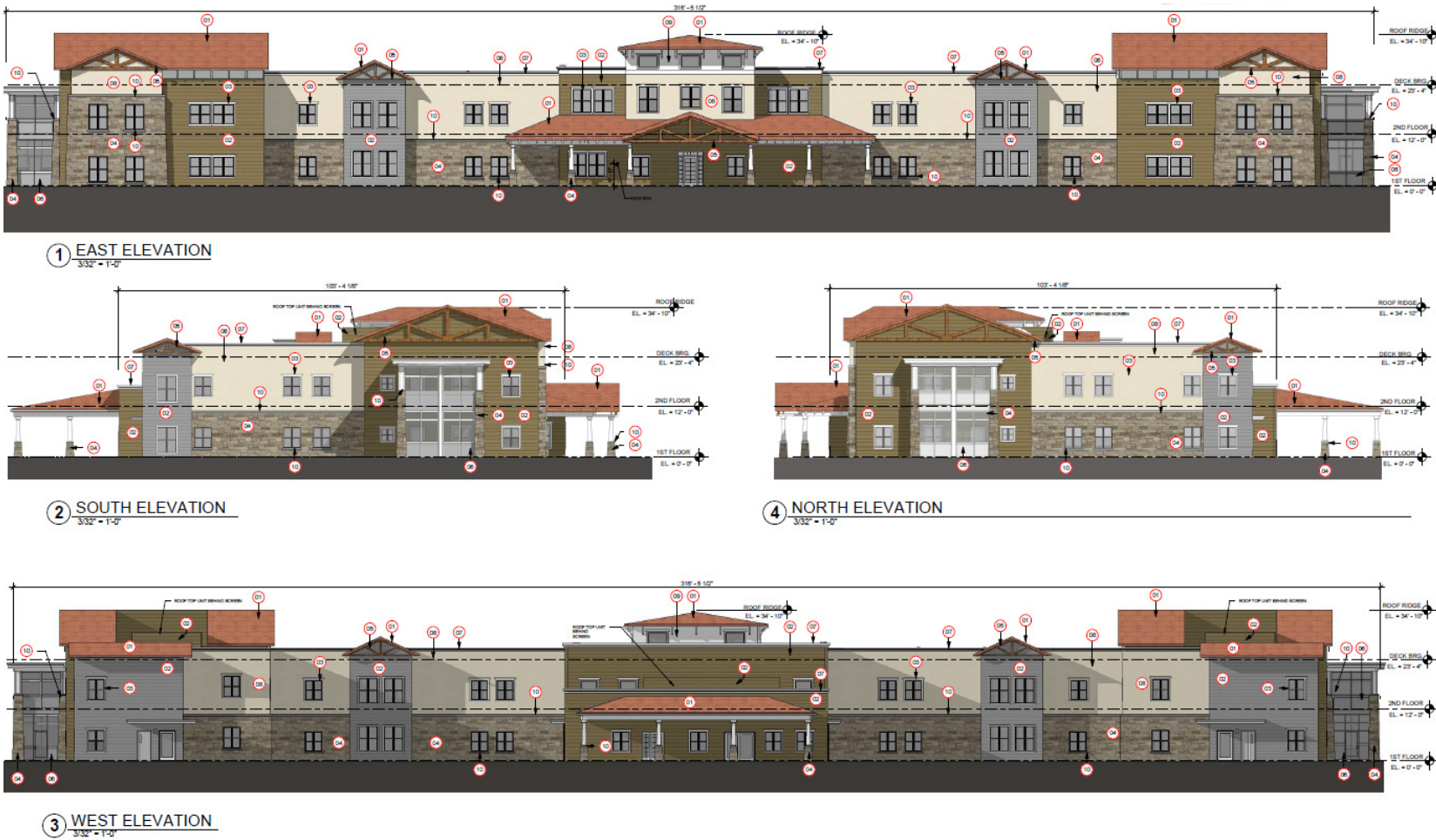
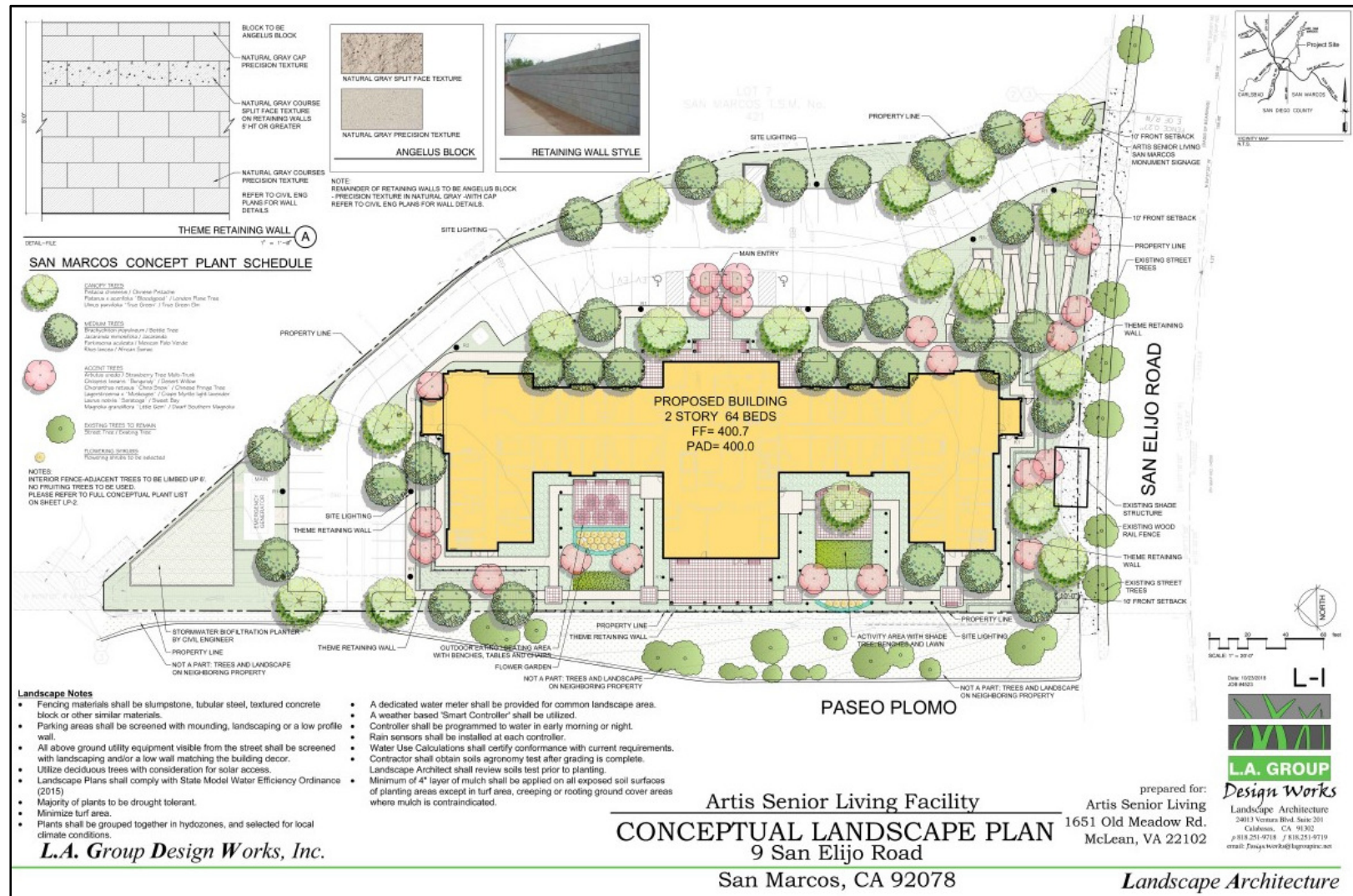


Figure 4. Conceptual Landscape Plan



Utility Improvements – The project site is within the Vallecitos Water District (VWD) water and sewer service boundaries and service to the site will be provided via existing infrastructure in San Elijo Road. VWD has indicated they are able to serve the project. Stormwater management will occur through 1,765 s.f. biofiltration facility proposed in the northern portion of the project site.

Grading – Grading and earthwork activity will be required to prepare the site for development. Based upon the proposed grading concept, the project requires 250 cubic yards (cy) of cut and 24,443 cy of fill, for a net import of 24,193 cy. Assuming 15 cy capacity trucks are used, soil import will require approximately 1,613 truck trips. Soil import will take one to two months; therefore, the project will generate approximately 50 to 100 truck trips per day due to materials import.

Proposed slopes on the project site range from 0 to 26 feet. The existing slope on the south property line adjacent to San Elijo Road is currently 30 feet and will be reduced to a maximum of 26 feet with the project.

Construction Schedule - Assuming receipt of all necessary approvals, construction is expected to start in January 2020 and will take approximately 13 months to construct. Occupancy is anticipated in February 2021.

PREVIOUS ENVIRONMENTAL REVIEW

The University Commons Specific Plan Environmental Impact Report (EIR) was adopted in 1991. The University Commons Specific Plan Amendment No. 1 was evaluated in a Supplemental EIR (UCSP SEIR 2001), which was certified by the City Council in November 2001. The certified FSEIR 00-35, SCH No. 90011013, is on file with the City of San Marcos Development Services Department. The report and its findings are incorporated by reference herein. In December 2002, The City Council approved Amendment No. 2 to the Specific Plan and an Addendum to the FSEIR. The Amendment increased the net pad area and changed the number of multifamily dwelling units in Planning Area 1 from 225 condominiums to 300 apartments, decreased the net pad area of Planning Area 3, and changed the land use of Planning Area 3 from 101 single-family dwelling units on minimum 4,000 s.f lots to 126 condominiums. In addition, an extension of Patton Street was added, which consolidates the two entry points to Planning Area 1 and Planning Area 3 to a single local roadway extending north from Melrose Drive. The open space in Planning Area 2 did not change.

Another Supplemental EIR was prepared in 2003 to evaluate changes to planned land uses and their arrangements proposed by Specific Plan Amendment No. 3. SPA No. 3 included changes to several planning areas. The changes included an increase of 350 multi-family residential units, a 30.7-acre increase in the Multiuse zone, a 12.8-acre reduction in Light Industrial, a 2.1-acre increase in the Light Industrial/Commercial Zone, a 1.5-acre increase in the detention basin zone, elimination of a 5.5-acre private recreation area, and construction of a new collector road.

An Addendum to Specific Plan Amendment No. 3 was also approved in 2003. The Addendum found that no additional environmental impacts would occur from revisions to Planning Area 1 to allow for development of approximately 139,000 s.f. retail store (Wal-Mart).

The proposed project site is located within Planning Area 4, which has not been included in Specific Plan Amendments No. 1, 2 or 3. Proposed Specific Plan Amendment No. 4 changes the designation in Planning Area 4 from Light Industrial (LI) to Senior Residential (SR). The proposed amended UCSP is included as **Appendix A.3**. The project site was included in the programmatic environmental review conducted in the preceding environmental documents. A summary of conclusions and where applicable mitigation measures from previous UCSP environmental documentation is included below for each environmental topic.

Project Design Features – Finally, the project includes design considerations and would adhere to applicable regulatory requirements, as identified in **Table 1**.

Table 1. Design Considerations for the Project

<p>Aesthetics</p> <ul style="list-style-type: none"> • Implementation of the landscape plan. • Implementation of the proposed architectural treatments.
<p>Air Quality</p> <ul style="list-style-type: none"> • The project shall comply with Section 87.426 of the City’s Grading Ordinance and implement dust control measures. These measures include watering of active grading sites and unpaved roads a minimum of twice daily, replacement of ground cover as quickly as possible, reducing speeds on unpaved roads/surfaces to 15 miles per hour or less, and reducing dust during unloading and loading operations. • Low-volatile organic compound coatings shall be used for all buildings, as required under San Diego Air Pollution Control District Rule 67.0. • Heavy diesel construction equipment will be rated Tier IV.
<p>Greenhouse Gases</p> <ul style="list-style-type: none"> • Installation of 75 percent light emitting diode lighting (LED) for both interior and exterior lighting. • Install low-flow water fixtures in all the units per Title 24. • Installation of low maintenance and drought tolerant landscaping to minimize landscaping irrigation needs. • Use of state-of-the-art irrigation system to reduce water consumption. • Compliance with the City’s Water Efficient Landscape Ordinance. • Installation of shade trees. • Provision of two electric vehicle (EV) charging station.
<p>Hydrology/Water Quality</p> <ul style="list-style-type: none"> • The project will be required to provide a design to mitigate water quality and hydromodification under the land development requirements deemed to be in effect. • Implementation of all construction-related best management practices identified in the Storm Water Pollution Prevention Plan. <p><i>Implementation of the following source control best management practices (BMPs):</i></p> <ul style="list-style-type: none"> • Mark all inlets with the words “No Dumping! Drains to Waterways” and “No Contaminate” in Spanish. • Any construction vehicle washing area provided shall be bermed and covered. Signage prohibiting carwashing shall be provided otherwise. • Plaza, sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. • Dumpsters shall be covered and trash enclosures shall be designed to prevent runoff. Trash enclosures shall drain into BMPs and made of concrete masonry unit walls on three sides. • Post signs on all dumpsters information that hazardous materials are not to be disposed of therein • Landscaping has been designed to minimize irrigation and runoff and to minimize the use of fertilizers and pesticides that can contribute to storm water. • Roofing, gutters and trim will not be constructed of copper or other unprotected metals that may leach into the runoff. • Use of erosion control devices to minimize runoff during rain events

<p>Noise</p> <ul style="list-style-type: none"> • All equipment should be properly fitted with mufflers. • All staging and maintenance should be conducted as far away for the existing residence as possible. • Grading, excavation or other related earth moving operations, including warm-up and maintenance activities, shall be limited to the hours of 7:00 a.m. to 4:30 p.m., Monday through Friday. No work shall be allowed on Saturdays, Sundays and holidays. • All construction operations authorized by building permits, including the delivery, setup and use of equipment must be conducted on premises during the hours of 7:00 AM and 6:00 PM on Monday through Friday, and on Saturday between 8:00 AM and 5:00 PM. No work shall be conducted on Sundays or Holidays observed by the City.
<p>Public Services – Police</p> <p>Annex into preexisting Community Facilities District for police protection (CFD 98-01, Improvement Area No. 1).</p>
<p>Public Services – Fire</p> <ul style="list-style-type: none"> • The project applicant shall enter into a Business Operations Agreement with the City for Emergency Medical Services. • Annex into preexisting Community Facilities District for fire and paramedic services (CFD 2001-01). • The project design includes the installation of a fire sprinkler system.
<p>Public Services – Parks</p> <p>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 shall be made prior to issuance of a building permit.</p>
<p>Public Services – Schools</p> <p>Pay school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h) and 65996(b) in effect at the time of building permit issuance. Current Level II school fees are \$0.61/square foot for commercial development. Proof of school mitigation fee payment shall be provided to the City prior to the issuance of building permits.</p>
<p>Recreation</p> <p>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 shall be made prior to issuance of a building permit.</p>
<p>Utilities and Services Systems - Water and Wastewater</p> <ul style="list-style-type: none"> • Pay Water Capital Facility Fees per Vallecitos Water District Ordinance No. 175. • Pay Wastewater Capital Facility Fees per Vallecitos Water District Ordinance No. 176.

III. ENVIRONMENTAL CHECKLIST

BACKGROUND

1. **Project Title:** Artis Senior Living
2. **Lead Agency Name and Address:**
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069
3. **Contact Person and Phone Number:**
Norman Pedersen, Associates Planner
760-744-1050 ext. 3236
npedersen@san-marcos.net
4. **Project Location:** The 2.18-acre project site is located in the southern portion of the City of San Marcos in North San Diego County (APN 223-651-01-00). The project site is located on the northeast corner of San Elijo Road and Paseo Plomo.
5. **Projects Sponsor's Name and Address:**
Artis Senior Living
Attn: Maxwell Reinhardt
1651 Old Meadow Road
McLean, VA 22101
6. **General Plan and Zoning Designations:** The project site is located within Planning Area 4 of the University Commons Specific Plan (UCSP) and the site is currently designated as identified as Light Industrial (LI) within the UCSP.
7. **Description of Project:** Please see Section II for project description.
8. **Surrounding Land Uses and Setting:** The project site is located within the UCSP area on the northeast corner of San Elijo Road and Paseo Plomo. Multi-family residential (Solaire Apartments) is located south of the project site across San Elijo Road. The Prestige Preschool Academy and RV storage/parking is located west of the project site across Paseo Plomo. North and east of the project site are light industrial areas on the opposite side of San Marcos Creek.
9. **Other Public Agencies Whose Approval is Required:** State of California Department of Social Services for facility licensing and Vallecitos Water District for water and sewer service.
10. **Have California Native American tribes traditionally or culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3? If so, has consultation begun?** The City has notified the tribes in accordance with Public Resources Code Section 21074. The San Luis Rey Band of Mission Indians (SLR) and the Rincon Band requested consultation for the project. Consultation with the SLR is complete. Consultation with the Rincon Band is ongoing.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Norman Pedersen, Associate Planner

Date 5/1/19

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Legacy Assessment Project and the carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or			X	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		
e) Have soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to			X	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Have a potentially significant adverse impact on groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses?			X	
c) 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 (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
e) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?			X	
f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
g) Create or contribute runoff water which would exceed the capacity of existing or planned storm			X	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
water drainage systems or provide substantial additional sources of polluted runoff?				
h) Result in increased impervious surfaces and associated increased runoff?			X	
i) Result in significant alteration of receiving water quality during or following construction?			X	
j) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).			X	
k) Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?			X	
l) Be tributary to environmentally sensitive areas (e.g., MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions?			X	
m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters?			X	
n) Otherwise substantially degrade water quality?			X	
o) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
p) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
q) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
r) Inundation by seiche, tsunami, or mudflow?				X
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
b) Police protection?			X	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Schools?				X
d) Parks?			X	
e) Other public facilities?			X	
XV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			X	
XVI. TRANSPORTATION/TRAFFIC. Would the project:				
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?		X		
b) Conflict with an applicable congestion management plan, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	
XVII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence,		X		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				
XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?			X	
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X		
d) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

IV. ENVIRONMENTAL ANALYSIS

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

I. AESTHETICS

Summary of Previous Environmental Documentation

The University Commons Specific Plan Supplemental EIR (UCSP SEIR) (2003) concluded that Specific Plan Amendment No. 3 would not generate any new significant landform/ visual quality impacts; however, the majority of the landform/visual quality mitigation measures presented in the UCSP SEIR (2001) are still applicable. The UCSP SEIR (2001) and (2003) both concluded that adherence to those mitigation measures would reduce visual impacts to below a level of significance. Those mitigation measures have been carried forward to this environmental document (MM-VIS-A through MM-VIS-I) and implementation of these measures will be required as a condition of project approval.

- | | |
|-----------------|--|
| MM-VIS-A | Visible manufactured slopes shall be contoured to simulate the natural terrain, except where such contouring will conflict with the geotechnical engineer's recommendations are where the granitic nature of the terrain makes it physically or economically infeasible. |
| MM-VIS-B | Special landscaping techniques using plant material of varying heights shall be used in conjunction with contour grading to create a modulated slope appearance. The City Planning Department shall review and approve all final landscape plans to ensure compliance with the landscape guidelines contained in the Proposed Project SPA. |
| MM-VIS-C | With the exception of natural habitat areas, existing land forms may be recontoured, as necessary, to provide a smooth and gradual transition to graded slopes, while preserving the basic character of the site. |
| MM-VIS-D | If offsite disposal of export is required, the disposal site and haul route shall be identified at the time of Development Plan review. At that time, additional environmental review of the potential impacts associated with a proposed disposal site and the haul route may be required in compliance with CEQA. |
| MM-VIS-E | The final grading plan shall be reviewed and approved by the City Planning Department and City Engineer to ensure substantial conformance with the Conceptual Grading Plan and grading guidelines contained in the Proposed project SPA. |
| MM-VIS-F | Prior to issuance of building permits, the City Planning Department shall review architecture plans to ensure compliance with the architecture guidelines contained in the Proposed project SPA and applicable design goals and objectives of the City General Plan Land Use Element. |
| MM-VIS-G | A comprehensive landscape program, including the use of vegetative screening and varying plant heights as approved by the City, shall be implemented and maintained. The City Planning Department shall review and approve all final landscape plans to ensure compliance with the landscape guidelines contained in the Proposed project SPA. |

- MM-VIS-H** Architectural and landscaping treatments shall be used to minimize aesthetic impacts. Use of texturing, plasters and other architectural treatments will be incorporated to the satisfaction of the Planning Director. Landscaping will be installed to the satisfaction of the Planning Director. Landscaping will be installed between the noise barrier and the sidewalk/road, to provide a visual buffer, to the satisfaction of the Planning Director.
- MM-VIS-I** Any manufactured cuts exceeding 10 feet in height will have a heightened landscaping and/or architectural treatment installed to reduce visual impacts. For cuts in areas that will support landscaping, enhanced landscaping will be installed to reduce visual impacts. For cuts in areas that are steeper than 2:1 or in hard substrate that cannot be effectively landscaped, additional treatments will be required (e.g. shot-crete textured and colored to mimic the natural substrate, contouring cuts such that long perpendicular planes are avoided). The additional treatments will be implemented to the satisfaction of the Planning Director.

Have a substantial adverse effect on a scenic vista? Less than Significant Impact

The project site is located within the UCSP area on the northeast corner of San Elijo Road and Paseo Plomo in the City of San Marcos. Multi-family residential units (Solaire Apartments) are located south of the project site across San Elijo Road. The Prestige Preschool Academy and an RV parking/storage area are located west of the project site across Paseo Plomo. North and east of the project site are light industrial areas across San Marcos Creek.

The City has a Ridgeline Protection and Management Overlay Zone to protect natural viewsheds and unique natural resources, minimize physical impacts to ridgelines, and to establish innovative sensitive architectures standards. The project site is not located in the Ridgeline Protection and Management Overlay Zone. Further, the project site does not include any primary or secondary ridgelines, as identified in Figure 4-5 of the Conservation and Open Space Element of the General Plan (City of San Marcos 2012). Therefore, the project would not have a substantial adverse effect on a scenic vista. Impacts would be less than significant.

Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway? No Impact

The project site is located approximately 3.5 miles southwest of State Route 78 (SR-78). A portion of SR-78 is recognized as a Scenic Highway by Caltrans; however, that portion is not in the project vicinity. The portion identified as a Scenic Highway is approximately 50 miles east of the project site near Anza Borrego (Caltrans 2018). At a local level, SR-78 is designated by the City of San Marcos as a view corridor. The highway corridor provides view of the Merriam Mountains, Mount Whitney, and Double Peak.

The project would not impact views to these peaks from SR-78 as there is intervening topography (Double Peak) and development between the project and SR-78. The project site is not visible from SR-78. Development of the proposed project is not proposed on any area identified as a primary or secondary ridgeline in the City's Ridgeline Protection and Management Overlay Zone.

Moreover, the project site does not support any historic buildings. The site is vacant and the cultural resources report prepared for the project have not identified any historic buildings on the project site (ASM Affiliates 2019). 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 damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway. No impact would occur.

Substantially degrade the existing visual character or quality of the site and its surroundings? Less Than Significant

The project site is undeveloped but is located in a developed part of the city. The project vicinity is developed with a mix of multi-family residential, single-family residential, and light industrial uses. Multi-family uses are located to the south and single-family uses are located to the west beyond the RV parking/storage area and Prestige Preschool Academy.

Figure 3 presents architectural renderings for the project. The proposed building will be two stories and approximately 35 feet in height. Architectural detailing/enhancements will break up the bulk and scale of the buildings. The project proposes the use of concrete tile roofing, cement fiber siding and trim, manufactured stone veneer, and exposed wood trusses. Figure 4 provides an overview of the landscaping concept. The proposed landscape plan includes a mix of trees, shrubs and groundcover and the plant selection emphasizes low to moderate water use species. Implementation of the proposed landscape plan will further enhance the appearance of the project. Impacts would be less than significant.

The proposed building pad will be approximately 25 feet lower than San Elijo Road. The proposed building will be 35 feet high, so only 10 feet of the building would be visible from San Elijo Road and from the apartments across San Elijo Road. Therefore, the view of the proposed building will be limited.

Grading and earthwork activity will be required to prepare the site for development. Based upon the proposed grading concept, the project requires 250 cy of cut and 24,443 cy of fill, for a net import of 24,193 cy. Proposed slopes on the project site range from 0 to 26 feet. The existing slope on the south property line adjacent to San Elijo Road is currently 30 feet and will be reduced to a maximum of 26 feet with the project. The project will be required to comply with the visual quality mitigation measures that are in place for the overall UCSP planning area. Measures VIS-A, VIS-B, VIS-C, VIS-E and VIS-I address grading, visual requirements for manufactured slopes and City review. Compliance with these measures, which would be required as a condition of project approval, would further ensure that impacts will be less than significant.

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

The project site is currently vacant but located in a developed area of the City. The project proposes a 64-bed assisted living and memory care that incorporates exterior lighting for safety and security. Proposed lighting would include cut-off light fixtures to direct light downward and avoid spillage onto adjacent properties. Development of the proposed project would be required to comply with the City's lighting standards, and the location, type, and direction of the lighting would be reviewed during Improvement Plan review to ensure compliance.

Additionally, the proposed building pad will be approximately 25 feet lower than San Elijo Road. The proposed building will be 35 feet high, so only 10 feet of the building would be visible from San Elijo Road and from the apartments across San Elijo Road. Therefore, only a portion of the lighting from the building would be visible from offsite locations, thus further reducing the potential to create new sources of lighting and glare.

Additionally, proposed exterior finishes (concrete tile roofing, cement fiber siding and trim, manufactured stone veneer, and exposed wood trusses) would not be characterized as glare inducing.

Therefore, the project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. Impacts would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

Summary of Previous Environmental Documentation

The University Common Specific Plan Supplemental EIR (UCSP SEIR) 2003 concluded that there would be no significant impacts related to agriculture resources. No mitigation was identified. Forestry resources was not an environmental topic that required analysis under the CEQA Guidelines that were in effect at the time the SEIR was prepared. A new analysis related to forestry resources is included as part of this project's analysis.

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

The project site is not mapped as prime farmland, unique farmland, or farmland of statewide importance, as determined by the Farmland Mapping and Monitoring Program, as shown in the San Marcos General Plan (Figure 4-4, Agricultural Areas). Therefore, the project would not result in the conversion of prime farmland, unique farmland, or farmland of statewide importance. No impact is identified.

Conflict with existing zoning for agricultural use, or a Williamson Act contract? No Impact

The project site has a land use designation of SPA and is associated with the UCSP. The UCSP identifies the project site as Light Industrial. The project site is not located within a Williamson Act contract area. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact is identified.

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

The project site has a designation of SPA and is associated with the UCSP. The UCSP identifies the project site as Light Industrial. Therefore, the proposed project is not located in an area that is zoned for forest land, timber land or for timber production. Implementation of the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impact is identified.

Result in the loss of forest land or conversion of forest land to non-forest use? No Impact

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

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

The project site is surrounded by developed land including a single and multi-family residential, a preschool, and light industrial uses. The project area does not support any agricultural or forest land.

Therefore, the project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impact is identified for this issue area.

II. AIR QUALITY

An air quality report was prepared by Ldn Consulting (LDN) (2019a) and is included as **Appendix B**.

Summary of Previous Environmental Documentation

The University Commons Specific Plan Supplemental EIR (UCSP SEIR) (2003) determined that SPA No. 3 would not result in any additional new air quality impacts not previously identified in the UCSP SEIR (2001) and in fact reduced impacts because of a reduction of 483 ADT compared to the Specific Plan as approved in 2001. However, the UCSP SEIR 2003 determined that mobile emissions associated with SPA No. 3 would still contribute to significant and unmitigable regional air quality degradation with respect to ozone. No feasible mitigation was identified to fully reduce the cumulative ozone impact. However, mitigation measures that would reduce some of the cumulative impact associated with ozone precursors were carried forward from the UCSP SEIR (2001) related to project construction that are still applicable to the proposed project. These measures include:

- Minimizing simultaneous operation of multiple construction equipment units to maximum area and acreage provided for each individual phase of the Specific Plan Amendment Phasing Plan. Use of low-pollutant-emitting construction equipment
- Use of electrical construction equipment
- Use of catalytic reduction for gasoline powered equipment
- Watering the construction area, including surface streets, to minimize fugitive dust.

As discussed below, an air quality report was prepared to analyze if the project would result in air quality impacts (LDN 2019a). The proposed Senior Residential land use in Planning Area 4 would reduce vehicle trip generation by 240 trips compared to the Light Industrial uses approved in the UCSP. Further, the air quality analysis prepared for the project indicates that project construction and operation emissions would be below the significance thresholds set forth by the San Diego Air Pollution Control District (LDN 2019a). The aforementioned mitigation measures carried forward from the UCSP SEIR (2001) are included in the dust control measures within the City's Grading Ordinance (Section 87.426), SDAPCD Rule 67.0, and Tier IV ratings for construction equipment. Adherence to these design considerations for the proposed project will be included in project conditions of approval.

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

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

The project proposes to develop a 64-bed assisted living and memory care facility on an undeveloped lot within the City of San Marcos. The property is within Planning Area 4 of the UCSP and designated for Light Industrial. A Specific Plan Amendment to allow Senior Residential within Planning Area 4 of the UCSP will be requested to allow for the proposed use.

Based on the same assumptions using SANDAG trip generations, an industrial/business park would generate 200 trips per acre/day (SANDAG 2002). A light industrial project at this site could generate over 400 trips/day which would be more than double the 160 trips proposed within this project. The proposed project's intensity and density would be less than the site's current General Plan designation allows. The project is therefore considered to be consistent with the County's RAQS and would comply with the State's air quality SIP.

Furthermore, the project would comply with all applicable rules and regulations that have been adopted as part of the SIP. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan. Impacts would be less than significant.

Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Less Than Significant Impact

Air quality emissions were calculated as part of the air quality assessment prepared by Ldn Consulting (2019a).

Table 2 shows the state and federal attainment status for criteria pollutants in the San Diego Air Basin (SDAB). As shown, the SDAB is a nonattainment area for the state and federal O₃ standards and for the state PM₁₀ and PM_{2.5} standards.

Table 2. Attainment Status of Criteria Pollutants in San Diego Air Basin

Pollutant	State	Federal
1-hour Ozone (O ₃)	Nonattainment	Revoked June 2005
8-hour O ₃	Nonattainment	Nonattainment
Particulate Matter–10 microns (PM ₁₀)	Nonattainment	Unclassified
Particulate Matter–2.5 microns (PM _{2.5})	Nonattainment	Attainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NO ₂)	Attainment	Attainment
Sulfur Dioxide (SO ₂)	Attainment	Attainment
Lead	Attainment	Attainment
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility	Unclassified	No Federal Standard

Source: SDAPCD 2018.

The SDAPCD establishes significance criteria for air quality emissions through Rule 20.2. The screening thresholds are shown in **Table 3**. These criteria can be used as numeric indicators that demonstrate whether a project's emissions would result in a significant impact to air quality. Any project with daily construction- or operation-related emissions that exceed any of the following thresholds would be considered to have a significant air quality impact and modeling would be

required to demonstrate that the project's total air quality impacts result in ground-level concentrations that are below State and Federal Ambient Air Quality Standards, including appropriate background levels. For nonattainment pollutants (O₃, with ozone precursors NO_x and VOCs, and PM₁₀), if emissions exceed the thresholds shown below, the project could have the potential to result in a cumulatively considerable net increase in these pollutants.

Table 3. Screening-Level Criteria for Air Quality Impacts

Pollutant	Total Emissions (lbs per day)
Construction Emissions	
Respirable Particulate Matter (PM ₁₀)	100
Fine Particulate Matter (PM _{2.5})	55
Oxides of Nitrogen (NO _x)	250
Oxides of Sulfur (SO _x)	250
Carbon Monoxide (CO)	550
Volatile Organic Compounds (VOCs) ¹	75
Reactive Organic Gases (ROG) ¹	75
Operational Emissions	
Respirable Particulate Matter (PM ₁₀)	100
Fine Particulate Matter (PM _{2.5})	55
Oxides of Nitrogen (NO _x)	250
Oxides of Sulfur (SO _x)	250
Carbon Monoxide (CO)	550
Lead and Lead Compounds	3.2
Volatile Organic Compounds (VOC) ¹	75
Reactive Organic Gases (ROG) ¹	75

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

Construction Emissions

Construction activities for the project would include minor site grading and preparation, paving, building construction, and architectural coating application. Construction equipment assumptions are detailed in Table 3.1 of the air quality report (Appendix B). The project would start grading early 2020 with utility infrastructure and construction to start shortly thereafter. Earthwork activities for the project include 250 cubic yard (cy) of cut and 24,443 cy of fill material. Emissions from truck trip associated with material import is also considered in this analysis. Construction of all the proposed facility would be expected in just over one year.

Consistent with SDAPCD's fugitive dust rules/fugitive dust control measures outlined in Section 87.426 of the City's Grading Ordinance, the project would implement fugitive dust control measures during grading, which would include watering the site a minimum of twice daily to control dust, as well as reducing speeds on unpaved surfaces to 15 mph or less, replacing ground cover in disturbed areas quickly, and reducing dust during loading/unloading of dirt and other materials. In addition, the project would use low-VOC paints that would not exceed 100 grams of VOC per liter for interior surfaces and 150 grams of VOC per liter for exterior surfaces, in accordance with the requirements of SDAPCD Rule 67.0 for architectural coatings. The project would also require that all heavy diesel construction

equipment be rated Tier IV. Tier IV compliant engines significantly reduce emissions of PM and NOx to near zero levels. These requirements have been identified as project design features for the project in Table 1.

Table 4 presents the anticipated construction emissions for the project, incorporating the identified project design features. As shown, maximum daily emissions would be below the significance thresholds for all criteria pollutants and impacts would be less than significant.

Table 4. Construction Emissions

Year	ROG	NOx	CO	SO ₂	PM ₁₀ (Total)	PM _{2.5} (Total)
2020	5.47	46.37	31.97	0.16	9.51	4.30
2021	5.46	4.71	16.65	0.03	0.51	0.14
<i>Significance Threshold (lb/day)</i>	75	250	550	250	100	55
Exceeds Screening Threshold?	No	No	No	No	No	No

Source: Ldn Consulting 2019a.

Operational Emissions

Operational impacts associated with the project would include area sources, energy use, mobile sources, waste, and water use. Area sources include consumer products, landscaping, and architectural coatings applied during routine maintenance. Emissions associated with project operations were estimated based on the project's overall trip generation of 160 ADT. **Table 5** provides a summary of the estimated operational emissions for the proposed project. As shown, operational emissions associated with the project would be below the significance thresholds for all criteria pollutants.

In summary, since the project would not result in any construction- or operation-related emissions above the significance thresholds, the project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts would be less than significant.

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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? Less Than Significant Impact

The project would generate air emissions during project construction and operation. As identified above, the SDAB is a nonattainment area for state and federal O₃ standards and for state PM₁₀ and PM_{2.5} standards. Evaluating whether the project could result in a cumulatively considerable impact on air quality relies on both the project's consistency with the RAQS and the SIP, which address attainment of the O₃ standards, and the potential for the project to result in a cumulatively considerable impact due to particulate emissions.

Table 5. Proposed Project Operations Emissions (lbs/day)

	ROG	NOx	CO	SOx	PM ₁₀	PM _{2.5}
Summer Scenario						
Area Source	1.749	0.061	5.292	0.000	0.029	0.029
Energy Emissions	0.014	0.120	0.051	0.001	0.010	0.100
Mobile Emissions	0.287	1.085	2.801	0.009	0.737	0.202
Total	2.051	1.267	8.144	0.010	0.775	0.241
Screening Level Thresholds	75	250	550	250	100	55
Significant?	No	No	No	No	No	No
Winter Scenario						
Area Source	1.749	0.061	5.292	0.000	0.029	0.029
Energy Emissions	0.014	0.120	0.051	0.001	0.010	0.100
Mobile Emissions	0.279	1.107	2.832	0.008	0.737	0.202
Total	2.042	1.289	8.175	0.010	0.776	0.241
Screening Level Thresholds	75	250	550	250	100	55
Significant?	No	No	No	No	No	No

Source: Ldn Consulting 2019a.

As part of the RAQS and SIP planning process, the SDAPCD develops an emission inventory, based on projections from SANDAG, of growth in the region as well as on information maintained by the SDAPCD on stationary source emissions within the SDAB. The SDAPCD then uses the emission inventory to conduct airshed modeling, to demonstrate that the SDAB will attain and maintain the O₃ standards. Provided a project's emissions are consistent with the projections within the RAQS and SIP, the project would not result in a cumulatively considerable impact on O₃ within the SDAB.

With regard to emissions of O₃ precursors NOx and VOCs during construction, the SIP includes emissions associated with construction in its emissions budget and therefore within its attainment demonstration. As identified above, the O₃ precursor emissions associated with project construction are well below the screening level thresholds. Therefore, the project would not result in additional emissions of O₃ precursors above those projected in the attainment demonstration for O₃. The project would therefore not result in a cumulatively considerable impact to O₃ levels within the SDAB. In summary, the project would not result in a cumulatively considerable net increase of O₃, PM₁₀, or PM_{2.5} standards, for which the project region is non-attainment.

Expose sensitive receptors to substantial pollutant concentrations? Less Than Significant Impact

Sensitive receptors are defined as schools, hospitals, resident care facilities, and day-care centers, as well as residential receptors in the project vicinity. Pursuant to SDAPCD Rule 1200, new, relocated, or modified emission units that may increase emissions of one or more toxic air contaminant (TAC) must be evaluated for risk to sensitive receptors. If a project has the potential to result in emissions of any TAC which results in an increased cancer risk between 1 and 10 in one million, the project would be required to implement toxics best available control technology (T-BACT). All heavy diesel equipment to

be used by the project will be Tier IV. Senior Residential uses, such as those proposed under the project, do not typically emit substantial amounts of TACs; however, a health risk assessment was performed for the project.

Based on the air quality modeling, worst-case PM₁₀ from onsite construction exhaust would cumulatively produce 0.00068 tons over the anticipated construction duration. The associated peak maximum 1-hour concentration was calculated to be 0.032 µg/m³, which translates to an inhalation cancer risk of 7.11 at the point of maximum exposure (75 meters away). This risk level is less than 10 in one million. With the use of T-BACT measures, the risk would decrease below 10 in one million. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

Create objectionable odors affecting a substantial number of people? Less Than Significant Impact

Project construction could result in minor amounts of odor compounds associated with diesel heavy equipment exhaust and architectural coating application. These compounds would be emitted in various amounts and at various locations during construction. Odors are highest near the source and would quickly dissipate offsite; any odors associated with construction would be temporary. The project proposes development of an assisted living and memory care facility and would not include uses that would be sources of nuisance odors during project operation. Therefore, the project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant.

III. BIOLOGICAL RESOURCES

Summary of Previous Environmental Documentation

The University Commons Specific Plan Supplemental EIR (UCSP SEIR) (2001) addressed biological resources for the entire Specific Plan area. Impacts under the plan included disturbance of 138.5 acres of coastal sage scrub, 73.9 acres of chaparral, and 6.6 acres of valley needlegrass land. Additionally, the UCSP SEIR (2001) determined there would be impacts to 1.9 acres of herbaceous wetland, 0.7 acres of southern willow scrub, 0.5 acre of ornamentals, 17.5 acres of disturbed habitat, and 4.1 acres of developed land. Impacts to 2,257 individual Orcutt's brodiaea plants and nine individual summer holy plants were identified. Additionally, habitat supporting seven pairs of California gnatcatcher would be impacted, as well as the location of a San Diego horned lizard. The UCSP EIR (2001) also determined that the UCSP would be consistent with regional habitat planning goals. The UCSP SEIR (2003) identified impacts to an additional 0.1 acre of coastal sage scrub. Incorporation of the following mitigation ratios, which is consistent with mitigation previously identified in the UCSP SEIR (2001) was determined to reduce impacts to below a level of significance.

Coastal Sage Scrub	2:1
Chaparral (All Types)	1:1
Native Grassland	2:1
Southern Willow Scrub	3:1

The biological impacts and mitigation measures included in the UCSP SEIR (2003) are not applicable to Planning Area 4 and therefore are not directly applicable to the proposed project. As discussed below, Planning Area 4 has been previously graded and does not contain sensitive vegetation.

Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? Less than Significant with Mitigation Incorporated

The project site is currently vacant but has been previously graded. It is located in an urbanized portion of the city but does border San Marcos Creek to the north and east of the project site. The project site is mostly barren of vegetation but does have some vegetation along the western and southern boundaries, which will be removed as part of the project and replaced with new plantings consistent with the conceptual landscape plan.

Ornamental vegetation can provide nesting places for species protected under the Migratory Bird Treaty Act (MBTA). If ornamental vegetation is removed during the breeding season, a potential impact could occur. Implementation of the following mitigation measures, which would be required as a condition of project approval, would reduce this potential impact to below a level of significance.

MM-BIO-1a In order to avoid and minimize impacts to nesting birds (pursuant to the Migratory Bird Treaty Act), no removal of ornamental vegetation will occur during the avian breeding season (February 15 through August 31) within the project area, unless preconstruction surveys indicate that active nests are not present on the site or in surrounding areas. If surveys show that nesting birds are present, mitigation measure MM-BIO-1b would be implemented.

MM-BIO-1b If nesting birds are found during the preconstruction survey performed under MM-BIO-1a, a no-work buffer would be placed around the nest. The buffer size would be determined by a qualified biologist and would vary based on site conditions and type of work to be conducted. The no-work buffer would be maintained until the end of the breeding season or until surveys by a qualified biologist confirm that fledglings are no longer dependent on nest. If no nesting birds are detected during pre-construction surveys, no restrictions would be necessary and construction may proceed as planned.

Implementation of mitigation measures MM-BIO-1a and MM-BIO-1b would reduce potential impacts to MBTA-covered species to less than significant.

Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? Less than Significant Impact

The project site is currently vacant but has been previously graded and is located in an urbanized portion of the city. Based upon a review of aerial photos and a site visit conducted on September 10, 2018, it was determined that the project site does not support any riparian habitat nor does it support any sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS).

Immediately north and east of the site is San Marcos Creek, which is identified as a wildlife corridor in Figure 4-2 of the Conservation and Open Space Element of the City of San Marcos General Plan. The project site is located at a higher elevation (approximately 70 feet higher) than San Marcos Creek, with over 100 feet between the creek and the property line. Building setbacks vary along the boundary of the project site but there is a more than 100-foot setback between the property line and San Marcos

Creek, separated by a large berm and existing riparian vegetation. According to the noise study prepared by LDN Consulting, noise levels would not exceed City standards during project construction or operation. Also, preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and construction-related water quality best management practices (BMPs) would ensure that there are no significant impacts to San Marcos Creek during project construction.

During project operation, the project includes a comprehensive water quality management approach. In addition to the provision of a water quality basin in the northwest portion of the project site to provide water quality treatment for on-site runoff, the project would also implement a variety of site design, source control, low impact development (LID), and treatment control BMPs to treat anticipated pollutants of concern and minimize the potential for pollutants prior to reaching the storm drain and off-site waterways. Finally, the lighting plan for the proposed project includes shielded lighting so there would be no spill over lighting potential to adjacent areas, including San Marcos Creek. Therefore, the project would not result in significant impact San Marcos Creek during or following construction.

In summary, implementation of the proposed project would not impact sensitive riparian habitat on or off-site. Impacts are less than significant.

Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? No Impact

The project site is currently vacant but has been previously graded. Based upon a review of aerial photographs and a site visit conducted on September 10, 2018, it was determined that the site does not support any federally protected wetlands as defined by Section 404 of the Clean Water Act. No impact is identified for this issue area.

Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? Less Than Significant Impact

The project site is currently vacant but has been previously graded and is located in an urbanized portion of the city. The project does not support any riparian habitat nor does it support any sensitive natural communities identified in local or regional plans, policies, and regulations or by the CDFW or USFWS. However, immediately north and east of the site is San Marcos Creek, which is identified as a wildlife corridor in Figure 4-2 of the Conservation and Open Space Element of the City of San Marcos General Plan. As described above, the project site is located at a higher elevation with over 100-foot setback from San Marcos Creek, separated by a large berm and wooded area. According to technical studies and plans prepared for the proposed project, there would be no significant noise levels during project construction or operation, lighting would be shielded and pointed downward to avoid spillover effects and water quality BMPs, site design and water quality treatment of on-site runoff would minimize the potential for pollutants to reach San Marcos Creek. Therefore, the project would not 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. A less than significant impact is identified for this issue area.

Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? 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. Existing ornamental vegetation would be

removed during project construction and new trees and landscaping would be planted. The conceptual landscape plan is presented in Figure 4. No impact is identified for this issue area.

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

The project site is not located within a Focused Planning Area (FPA) of the City's Draft Subarea Plan for the Multiple Habitat Conservation Program (MHCP) 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, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact is identified.

V. CULTURAL RESOURCES

A cultural resources study was prepared for the project by ASM Affiliates (2018). The complete report is included as **Appendix C** of this document.

As part of the cultural resources study, a records search request of the archives at the South Coastal Information Center (SCIC), San Diego State University, of the California Historical Resources Information System (CHRIS) for San Diego County, was submitted by ASM on September 18, 2018 for the project area and was received on October 30, 2018. The record search area encompasses the Project area and a search radius of one mile around it. The California Register of Historic Resources (CRHR) and the National Register of Historic Places (NRHP) were also examined to identify any additional resources within one mile of the Project area.

The CHRIS records identified 58 previous reports that addressed areas within a one-mile radius of the Project area. Of these reports, only 15 reports intersect or overlap the project site. CHRIS records also indicate the presence of 26 previously recorded cultural resources within a one-mile radius of the project area. None of the previously recorded cultural resources intersect or overlap the project site.

On September 18, 2018 a letter was sent to the California Native American Heritage Commission (NAHC) to inquire about known areas of cultural concern, such as traditional cultural places, sacred sites, archaeological sites, or cultural landscapes that may exist within or within one mile of the originally proposed Project. ASM received a response from the NAHC dated September 20, 2018 stating that a record search of the sacred land file failed to indicate the presence of Native American cultural resources in or within the vicinity of the project area.

The City has received four responses including a June 27, 2018 letter from the Viejas Tribal Government, a July 17, 2018 letter from Rincon, a July 19, 2018 letter from the Pauma Band Cultural Office, and a January 24, 2019 letter from the San Luis Rey Band of Mission Indians. The Rincon Band of Luiseño Indians Cultural Department noted that the project site is within the territory of Luiseño people and within Rincon's specific area of Historic interest. The Rincon Band also requested consultation pursuant to SB 52 and consultation is ongoing. The Viejas letter determined that the project site has cultural significance and ties to the Kumeyaay Nation and recommended that the San Pasqual Band of Mission Indians be contacted. Additionally, Viejas requested that all NEPA/CEQA/NAGPRA laws be followed and that the San Pasqual Band be immediately contacted of any changed or inadvertent discoveries. The Pauma letter requested to review the cultural resources report. The San Luis Rey Band requested consultation and City staff met with Tribe representatives to discuss the project and review proposed cultural resources mitigation measures. On April 25, 2019, the San Luis Rey Band submitted a letter stating that they concurred with the cultural resource mitigation measures, as proposed, and requested closure of consultation.

The project site was surveyed by ASM Associate Archaeologist Jason Kjolsing and Native American Monitor Banning Taylor of Saving Sacred Sites, on September 19, 2018. All accessible portions of the project site were inspected for the presence of cultural material. The entirety of the project site has been disturbed by previous grading, landscaping and debris dumping activities. The main area of the project site is a flatly-graded lot that contains piles of demolished concrete and building materials that limited visibility in the southern portion of the lot. Additionally, the north end of the project site has been disturbed by the construction of two concrete drainage ditches.

Summary of Previous Environmental Documentation

The University Common Specific Plan Supplemental EIR (UCSP SEIR) 2003 did not specifically analyze cultural resource stating that the previous environmental review for the UCSP adequately analyzed the topic and that the cultural resources mitigation identified in that review would still be applicable.

The UCSP SEIR (2001) analyzed cultural resources and restated the cultural resources mitigation measures that were identified in the original UCSP FEIR. These mitigation measures related to specific cultural resources sites, none of which are associated with the project site.

Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? No Impact

A cultural resources study was prepared for the project by ASM Affiliates (2018). The report presents the results of a cultural and historical resources inventory conducted within the project site and within a one-mile radius. The project site is currently vacant. No historical resources were identified on site. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 and no impact is identified.

Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? Less Than Significant with Mitigation Incorporated

Based upon the cultural resources study prepared for the project, no archaeological resources are known to occur on the project site (ASM 2018).

Fifteen previously-conducted studies intersect or overlap with the project site. Seven of the 15 studies that intersect or overlap with the project site cover all of the project area. The entirety of the project site has been previously surveyed for cultural resources. The project site is currently vacant but has been previously graded.

The sites that occur within a one-mile radius of the project site consist predominantly of prehistoric resources. Most of these prehistoric sites contain or entirely consist of bedrock milling components or lithic scatters. One prehistoric site is noted to contain rock features and habitation debris. In general, most of these sites have been disturbed by modern activities and are characterized by sparse surficial, as well as sparse and relatively shallow, subsurface deposits.

The intensive visual inspection of the accessible portions of the project site provided no evidence for the presence of cultural resources in those areas. The entirety of the project site has been disturbed by previous grading, landscaping, and debris dumping activities. The survey found that the entirety of the project area has been previously disturbed by extensive quarrying activities that excavated into native soils and removed potential cultural deposits on or below the original ground surface. Additionally, the significant drop in elevation from the project site to the San Marcos Creek to the east indicates that the project area was near the top of the hill rather than as part of a river terrace where cultural resources are more likely to be located.

While most of the project site was previously disturbed, it is possible that intact subsurface cultural deposits are still present under the ground surface within the project area.

Tribal Consultation

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

The City has received four responses including a June 27, 2018 letter from the Viejas Tribal Government, a July 17, 2018 letter from Rincon, a July 19, 2018 letter from the Pauma Band Cultural Office, and a January 24, 2019 letter from the San Luis Rey Band of Mission Indians. The Rincon Band of Luiseño Indians Cultural Department noted that the project site is within the territory of Luiseño people and within Rincon's specific area of Historic interest. The Rincon Band also requested consultation pursuant to SB 52 and consultation is ongoing. The Viejas letter determined that the project site has cultural significance and ties to the Kumeyaay Nation and recommended that the San Pasqual Band of Mission Indians be contacted. Additionally, Viejas requested that all NEPA/CEQA/NAGPRA laws be followed and that the San Pasqual Band be immediately contacted of any changed or inadvertent discoveries. The Pauma letter requested to review the cultural resources report. The San Luis Rey Band requested consultation and City staff met with Tribe representatives to discuss the project and review proposed cultural resources mitigation measures. On April 25, 2019, the San Luis Rey Band submitted a letter stating that they concurred with the cultural resource mitigation measures, as proposed, and requested closure of consultation.

Although ASM did not identify any archaeological or Native American resources, there remains the potential to encounter unidentified resources during project grading activities should construction go deeper than previously disturbed depths. Additionally, the Viejas and Rincon Bands indicated that the project site has cultural significance or ties to the Kumeyaay Nation and is within Rincon's specific area of historic interest (**Impact CR-1**). The following mitigation measures apply to grading and construction activity that occurs within areas of previously-undisturbed soil and would be required as a condition of project approval:

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

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

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

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

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

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

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

MM-CR-1h As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. By law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC), by

telephone, within 24 hours. The NAHC will make a determination as to the Most Likely Descendant. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the examination of the remains shall only occur on-site in the presence of a TCA Native American monitor.

As required by mitigation measures MM-CR-1a through MM-CR-1h, the City would include as a component of the project activities the presence of an archaeological monitor and a Luiseño Native American monitor during the earth moving and grading activities authorized to ensure proper treatment of any remains to assure that any resources found during project grading would be protected. With mitigation, the project would not cause a substantial adverse change in the significance of an archaeological resource. Impacts would be reduced to less than significant with incorporation of mitigation.

Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? No Impact

The project area is located in the Peninsular Ranges Geomorphic Province, underlain by Santiago Formation and Granitic Rock. In general, the molten origin of the Santiago Peak Volcanics precludes the discovery of fossil remains. Therefore, due to the limited availability of fossil-producing geologic formations, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. No impact is identified for this issue area.

Disturb any human remains, including those interred outside of dedicated cemeteries? Less Than Significant with Mitigation Incorporated

The cultural resource study prepared for the project did not indicate the likelihood of human remains on the site (ASM 2018). Additionally, existing regulations through the California Health and Safety Code Section 7050.5 state that if human remains are discovered during project construction, no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the San Diego County Coroner determines the remains to be Native American, the NAHC shall be contacted within a reasonable timeframe. Subsequently, the NAHC shall identify the Most Likely Descendant. The Most Likely Descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Furthermore, while there is no evidence of human remains on the project site, as provided by mitigation measures MM-CR-1a through MM-CR-1h, an archaeological monitor and a Luiseño Native American monitor shall be present during the earth moving and grading activities to assure that any resources found during project grading would be protected. Mitigation measure MM-CR-1h further details the requirements should human remains be encountered during project construction. With mitigation, the project would not disturb any human remains, including those interred outside of formal cemeteries. Impacts would be less than significant with the incorporation of mitigation.

VII. GEOLOGY AND SOILS

Summary of Previous Environmental Documentation

The University Common Specific Plan Supplemental EIR (UCSP SEIR) 2003 concluded that there would be no significant impacts related to geology and soils. No mitigation was identified.

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. No Impact**

The project site is located within a seismically active region, as is all of southern California; however, it is not located on or adjacent to any known active faults, as delineated by the most recent Alquist-Priolo Earthquake Fault Zoning Map (California Department of Conservation 2007).

Based upon the geotechnical report by Krazan & Associates (2017) in **Appendix D**, the site is not located on any known active, potentially active, or inactive fault as defined by the California Geological Society. The nearest known active faults are the Newport-Inglewood Fault and the Rose Canyon Fault Zone, located approximately eight miles west of the project site. Therefore, the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. No impact is identified for this area.

- ii) Strong seismic ground shaking? Less Than Significant Impact**

The proposed project is located in seismically-active southern California and the site could be subject to strong seismic ground shaking from regional seismic activity. The geotechnical report prepared for the project indicated that the site will likely be subject to at least one moderate to severe earthquake and associated seismic ground shaking during its lifetime as well as periodic slight to moderate earthquakes. Groundshaking would depend on such factors as the magnitude of the seismic event and the distance to the epicenter. As identified above, the nearest identified potentially active fault is located approximately 8 miles from the project area. All structures on the site would be designed in accordance with seismic parameters of the latest California Building Code, which would reduce the risk to structural damage. 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.

- iii) Seismic-related ground failure, including liquefaction? No Impact**

The geotechnical report (Krazan & Associates 2017) noted the site is not within an Alquist-Priolo Earthquake Fault Zone, that no active or potentially faults are present at the subject site so the site is not considered susceptible to surface rupture. Additionally, the geotechnical report indicated that the potential for liquefaction and seismically induced settlement occurring within the site soils is “very low” due to the geological conditions encountered, remedial grading that will occur and the depth of groundwater. No impact is identified for this issue area.

- iv) Landslides? Less than Significant Impact**

The geotechnical report (Krazan & Associates 2017) indicated that there is no evidence of ancient landslides on the site. Additionally, the project site is generally flat and level except for the slopes that are located at the perimeter of the site. The site is bound to the north and east by a descending dirt slope and the south perimeter slope ascends rapidly until it meets with San Elijo road. The west perimeter slope ascends until it meets with Paseo Plomo. The southeastern side of the project site has a dirt ramp that connects the site to San Elijo Road. With adherence to the current California Building Code and incorporation of the recommendations included in the geotechnical report into the design and construction of the proposed project (see mitigation measure MM-GEO-1 below), rockfalls,

landslides, slope instability and debris flows are not anticipated to pose a hazard to the project site and surrounding areas. Therefore, impacts would be less than significant.

Result in substantial soil erosion or the loss of topsoil? Less than Significant Impact

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

Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? Less than Significant Impact

The project site is not located on or adjacent to any known active faults nor is the site underlain by soils that are conducive to landslides. Development would be designed in accordance with seismic parameters of the current California Building Code. The project would not be located on a geologic unit or soil that is unstable (because compressible soils would be removed and the underlying soils recompacted, see MM-GEO-1 below), 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. Impacts would be less than significant.

Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? Less Than Significant Impact with Mitigation Incorporated

According to the geotechnical report prepared for the project (Krazan & Associates 2017), the project site is underlain by undocumented fill material, and granitic rock known as the Escondido Creek Gneiss.

The majority of the site was found to be underlain by a surficial layer of potentially compressible fill materials. In general, these materials extend to a maximum depth of about three to eight feet below existing site grade. Field and laboratory testing suggest that these soils along with fill soils are moderately strong and slightly compressible. The near-surface fill soils have been identified as having a low expansion potential. Expansive soils have the potential to undergo volume change, or shrinkage and swelling.

The existing surficial fill soils are considered unsuitable, in their present condition, for the support of settlement-sensitive improvements. This represents a significant impact (**Impact GEO-1**) and mitigation is required. As a condition of project approval, implementation of the following mitigation measure (MM-GEO-1) will be required, and will reduce the impact to below a level of significance:

- MM-GEO-1** The project applicant shall implement all of the geotechnical recommendations identified on pages 9 – 22 of the Report of Preliminary Geotechnical Investigation (Krazan & Associates 2017). These recommendations address grading/earthwork, engineered fill, foundations, floor slabs and exterior flatwork, retaining walls, excavation stability, utility trench location, construction and backfill, compacted materials, surface drainage and landscaping, pavement design, infiltration testing,

and soil corrosivity. These requirements shall be included as noted on the grading plan for the project.

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

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

VII. GREENHOUSE GAS EMISSIONS

A Greenhouse Gas technical study was prepared for the project by Ldn Consulting (2019b) and is included as **Appendix E.1** of this document. Additionally, consistent with AB 32, the City adopted its Climate Action Plan (CAP) in September 2013. A CAP Compliance Worksheet was prepared for the project and is included as **Appendix E.2** of this document, which details the GHG-related design features of the project.

The CAP identifies strategies to reduce GHG from City government operations and community activities to support the State's efforts to mitigate San Marcos' contribution to climate change. As stated in Appendix E of the City's adopted CAP, "Pursuant to CEQA Guidelines Sections 15064(h)(3) and 15130(d), if a project is consistent and complies with the requirements of an adopted plan, such as a CAP, that includes the attributes specified in CEQA Guidelines Section 15183.5(h), the lead agency may determine that the project's GHG impacts are less than significant with no further analysis required."

The City, as spelled out in the CAP, is committed to reducing its GHG emissions by 15 percent below 2005 levels by 2020, consistent with AB 32, and 28 percent below 2005 levels by 2030, working towards the long-term goal of Executive Order S-3-05. To meet these targets, San Marcos will need to reduce its GHG emissions 14 percent below the adjusted forecast by 2020 and 33 percent below the adjusted forecast by 2030 through implementation of local measures and actions (City of San Marcos, 2013).

It should be noted that the City's CAP was prepared in 2013 and does not address the enactment of Senate Bill 32 (SB 32). In addition, data used within the City's 2013 CAP did not include State regulatory measures or reduction strategies contained within California's 2017 Climate Change Scope Plan, prepared to enable the state to meet SB 32 requirements (CARB 2017). Therefore, the CAP does not meet the requirements under CEQA for projects that are proposed to be operational after the year 2020. Since the proposed project horizon year is post 2020, a threshold should be calculated based on the 2030 SB 32 GHG reduction target.

To address this, the City is updating their CAP to be applicable or consistent with the CARB's latest GHG reduction approach in California's 2017 Climate Change Scope Plan and will include additional updates necessary for SB 32 compliance. In the interim, a 2030 project specific threshold for locally-applicable land uses would be from recommendations in California's 2017 Climate Change Scope Plan Update.

California's 2017 Climate Change Scope Plan recognized the need to balance population growth with emissions reductions and provided a new local plan level methodology for target setting that provides consistency with state GHG reduction goals using per capita efficiency targets. These statewide per capita targets account for all emissions sectors in the State, statewide population forecasts, and the statewide reductions necessary to achieve the 2030 statewide target under SB 32. The targets are generated by dividing the statewide 2030 GHG emissions targets by the statewide service population

for that year. Projects that achieve the efficiency target, with or without mitigation, would result in less than significant GHG emissions.

Based on concerns raised in the Newhall Ranch decision regarding the correlation between state and local circumstances and the methodology recommend in a white paper “Beyond Newhall and 2020” by the Association of Environmental Professionals (AEP 2016), the 2030 statewide target should be modified to exclude sources not applicable to the specific planning area. Thus, a locally appropriate evidence-based project-specific threshold can be developed based on statewide emissions derived from the local emissions sectors and statewide service population projections.

California’s 2017 Climate Change Scoping Plan identifies that the 2015 GHG emissions are approximately 440 million metric tons CO₂e (MMTCO₂e) and would need to be reduced to 260 MMTCO₂e to achieve the goals of SB 32 by 2030, as shown in **Table 6a**. Population within California is expected to be 43,939,250 people in 2030 (California Department of Finance 2016) and the average California employment is expected to be 23,459,500 in 2030 per California’s 2017 Climate Change Scoping Plan (CARB 2017).

Table 6a. California’s 2017 Climate Change Scoping Plan Emissions Targets

California’s 2017 Climate Change Scoping Plan Sectors	California’s 2017 Climate Change Scoping Plan Uncertainty Range (MMTCO ₂ e)	Assumed 2030 Emissions (MMTCO ₂ e)
Agriculture	24-25	24
Commercial & Residential	38-40	38
Electrical Power	30-53	53 ⁽¹⁾
High GWP	8-11	11 ⁽¹⁾
Industrial	83-90	83
Recycling & Waste	8-9	8
Transportation	103-111	103
Cap and Trade Reductions	34-79	-60
Total GHG Emissions⁽²⁾		260 MMT CO₂e
Service Population (SP)		67,398,750

Source: LDN Consulting, 2019b.

Notes:

(1) The high end was utilized to be consistent with California’s 2017 Climate Change Scoping Plan.

(2) The low end of the range was utilized to be conservative with the exception of the electric power sector, the high-end range is represented by California’s 2017 Climate Change Scoping Plan, due to additional electricity sector measures such as deployment of additional renewable power, greater behind-the-meter solar photovoltaic, and additional energy efficiency.

Because not all statewide emission sources are present within the City, the GHG analysis excludes the Industry and Agriculture Sectors. The Industrial Sector as defined in California’s 2017 Climate Change Scoping Plan is excluded since it includes uses that are not present in the City such as refineries, oil and gas facilities, cement and glass manufacturing, and industrial facilities that employ boilers or general combustion engines. The GHG analysis also excludes the agriculture sector, which includes emissions from livestock, i.e., digestive processes and manure management; combustion of liquid and gaseous fuels used for irrigation and crop production; emissions from fertilizer use and application of other soil additives; and emissions from agricultural residue burning.

The proposed project is a residential project by nature and would not include agricultural, industrial or cap-and-trade sectors and should therefore reduce the total GHG emissions by the requisite sector emissions. Based on this, the 2030 statewide target should be modified to exclude all sector sources not applicable to the City to develop a locally-appropriate evidence-based project-specific threshold.

Removing the industrial and agricultural emissions, and cap and trade reductions from Table 6a would result in 213 MMTCO₂e to achieve the goals of SB 32 by 2030 as shown in **Table 6b**. Given this, the localized SB 32 efficiency threshold for the project should be 213 MMTCO₂e/ 67,398,750 SP or 3.2 MT CO₂e/SP.

Table 6b. Project Specific Emissions Targets

California's 2017 Climate Change Scoping Plan Sectors	California's 2017 Climate Change Scoping Plan Uncertainty Range (MMTCO ₂ e)	Assumed 2030 Emissions (MMTCO ₂ e)
Commercial & Residential	38-40	38
Electrical Power	30-53	53
High GWP	8-11	11
Recycling & Waste	8-9	8
Transportation	103-111	103
Total GHG Emissions		213 MMT CO₂e
Service Population (SP)		67,398,750
GHG Emissions/SP		3.2 MT CO₂e/SP

Source: LDN Consulting, 2019b.

Based on the 2030 emission target, for a project to not contribute to a GHG impact, project emissions would have to be lower than 3.2 MT CO₂e/SP. The 64-bed assisted living and memory care facility would have a service population of 102 persons (64 residents and 1 employee per 1,050 square feet (SANDAG, 2018). For impacts to be less than significant, the project's GHG emission would have to be less than 3.2 MT CO₂e/SP.

Summary of Previous Environmental Documentation

This environmental issue area was not included in the University Common Specific Plan Supplemental EIR (UCSP SEIR) (2003). Greenhouse Gas Emissions was not an environmental topic that required analysis under the CEQA Guidelines that were in effect at the time the SEIR was prepared. A new analysis related to greenhouse gas emissions is included as part of this project's analysis.

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

As stated in Section 15064.4 of the State CEQA Guidelines, the determination of the significance of GHG emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of GHG emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

- Use a model or methodology to quantify GHG emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or

methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or

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

Additionally, per Section 15064.4 of the State CEQA Guidelines, a lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emission on the environment:

- The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

As discussed earlier, the localized SB 32 efficiency threshold for the project would be 3.2 MT CO₂e/SP.

Projected Emissions

The proposed project would generate GHG emissions through short-term construction activities and long-term operational activities. Construction-related GHG emissions include emissions from heavy construction equipment for grading, paving, building construction, architectural coatings, truck traffic, and worker trips. Operational GHG emissions associated with the project emissions from area sources including landscaping, and architectural coatings as part of routine maintenance, energy use including electricity and natural gas, vehicular traffic, municipal waste, and water use.

Construction Emissions

Construction-related GHG emissions include emissions from construction equipment, truck traffic, and worker trips. Emissions for construction of the proposed project were calculated based on emission factors from the latest CalEEMod 2016.3.2 air quality model. Construction activities for the project would include minor site grading and preparation, paving, building construction, and architectural coating application. The project would start grading early 2020 with utility infrastructure and construction to start shortly thereafter. Earthwork activities for the project include 250 cubic yard (cy) of cut and 24,443 cy of fill material. Construction of all the proposed facility would be expected in just over one year. Also, as a design feature of the project, the construction contractor would use Tier IV rated diesel construction equipment to minimize diesel particulates from construction equipment.

Table 4.1 in the GHG report (Appendix E of this document) details the expected construction equipment and duration that was assumed for the GHG analysis. **Table 7** presents the anticipated construction emissions for the proposed project.

Table 7. Construction-Related GHG Emissions (MT/Year)

Year	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	Total CO ₂ e (metric tons/year)
2020	0.00	329.87	329.87	0.05	0.00	331.19
2021	0.00	12.13	12.13	0.00	0.00	12.17
Total Construction Emissions						343.36
Yearly Average Construction Emissions (Metric Tons/year over 30 years)						11.44

Source: Ldn Consulting 2019b.

As shown in Table 7, anticipated construction-related GHG emissions for the project are estimated at 331.19 MT/year of CO₂e over the life of the project. Per SCAQMD guidance, these emissions are amortized over 30 years and added to operational emissions. This amortized figure estimates project construction would contribute 11.44 MT/year of CO₂e.

Operational Emissions

Once construction is complete, the proposed project would generate GHG emissions from daily operations which would include sources such as Area (or onsite emissions like landscaping), Energy usage from Electricity and Natural Gas, Mobile sources from vehicular traffic, municipal waste and from water uses, which are calculated within CalEEMod.

The following design features were assumed to be part of the proposed project design:

- Installation of 75 percent LED lighting for both interior and exterior lighting;
- Install low-flow water fixtures in all the units per Title 24;
- Installation of low maintenance and drought tolerant landscaping to minimize landscaping irrigation needs.
- Use of state-of-the-art irrigation system to reduce water consumption.
- Compliance with the City's Water Efficient Landscape Ordinance (WELO).
- Installation of shade trees.
- Provision of two electric vehicle charging stations.

No GHG emissions reductions were taken into account for these design features. Although, with the incorporation of these additional features, the anticipated GHG emissions would be lower than stated above.

Projected operational emissions are summarized in **Table 8**. As shown in Table 8, the proposed project including construction generate 286.70 MT/year of CO₂e. Therefore, the proposed project would generate 2.81 MT /year of CO₂e per service population which would be below the 3.2 MT/year of CO₂e per service population localized threshold that is being used for this analysis. Therefore, impacts would be less than significant. The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. Impacts would be less than significant.

Table 8: Proposed Project Operational Emissions Summary (MT/Year)

Source	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e (MT/Yr)
Area	0.000	0.776	0.776	0.001	0.000	0.795
Energy	0.000	77.784	77.784	0.003	0.001	78.125
Mobile	0.000	143.954	143.954	0.008	0.000	144.160
Waste	11.855	0.000	11.855	0.701	0.000	29.370
Water	1.323	17.075	18.398	0.137	0.003	22.813
Total Proposed Project Operational Emissions (MT/Year)						275.263
Amortized Construction Emissions (from Table 7)						11.44
Total Project Emissions						286.70
MT/year CO₂e tons per service population 286.7/102						2.81
MT/year CO₂e tons per service population threshold						3.2
Significant Impact?						No

Source: Ldn Consulting 2019b.

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

The localized project level efficiency threshold was determined to be 3.2 MT CO₂e/SP in 2030 which is consistent with California's 2017 Climate Change Scoping Plan. As shown in Table 8, the project would generate 2.81 MT CO₂e/SP which is less than the localized SB 32 threshold. Given this, the project complies with the requirements of all adopted plans and impacts would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Summary of Previous Environmental Documentation

The University Common Specific Plan Supplemental EIR (UCSP SEIR) 2003 concluded that there would be no significant impacts related to hazards and hazardous materials. No mitigation was identified.

Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? 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.

The proposed project would involve the transport of fuels, lubricants, and various other liquids needed for operation of construction equipment at the site on an as-needed basis by equipment service trucks. In addition, workers would commute to the project site via private vehicles and would operate construction vehicles and equipment on both public and private streets. Materials hazardous to humans, wildlife, and sensitive environments, including diesel fuel, gasoline, equipment fluids, concrete, cleaning solutions and solvents, lubricant oils, adhesives, human waste, and chemical toilets, would be present during project construction. The potential exists for direct impacts to human

health from accidental spills of small amounts of hazardous materials from construction equipment; however, the proposed project would be required to comply with Federal, State, and City Municipal Code restrictions which regulate and control those materials handled onsite. Compliance with these restrictions and laws would ensure that potentially significant impacts would not occur during project construction.

In addition, as an assisted living and memory care facility, the only hazardous materials anticipated for transport or disposal associated with the proposed project during operation are routinely used household products such as cleaners, paint, solvents, motor oil/automotive products, batteries, and garden maintenance products. It is anticipated that the use, handling, and disposal of these products would be addressed by household 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.

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

Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Less Than Significant Impact

A Phase 1 Environmental Site Assessment (ESA) and Phase 2 ESA - Summary of Findings on Stockpiled Soil Sampling were prepared for the project site by Apex in 2017. The complete reports are included as **Appendices F.1 and F.2** of this document.

The report concluded that there is no evidence of recognized environmental conditions on the project site but it did identify soil stockpiles and discarded demolition debris on the site. The volume of the soil stockpiles is estimated to be approximately 400 cubic yards. During preparation of a Phase II ESA (included in Appendix F.2 of this document), Apex collected samples of the soils from the stockpiles for evaluation of potential impact. According to the Phase II ESA, laboratory analysis of soil samples collected did not identify concentrations of mercury, gasoline range organics (GRO), or polychlorinated biphenyls (PCBs) above laboratory method reporting limits. Concentrations of pesticides detected did not exceed the applicable screening levels. Metals, which are naturally occurring elements in soils, were identified in each of the soil samples collected. Aside from arsenic, none of the metals detected exceeded the screening levels. Arsenic detections in soils on the site were 3.0 milligrams per kilogram (mg/kg), 5.8 mg/kg, below method detection limits. The concentrations of arsenic detected in the soils sampled from the site are considered within the normal range (up to 12 mg/kg according to the Department of Toxic Substance Control (DTSC) of naturally occurring background concentrations. Apex concluded that the stockpiled soil does not warrant special handling or disposal, and no further investigation or action is recommended at this time. Therefore, redevelopment of the project site would not create a significant hazard to the public or environment. Impacts are less than significant

Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No Impact

The project site is located within a one-quarter mile of an existing or proposed school. The closest school is Prestige Preschool Academy, located adjacent to the project site on the west side of Paseo Plomo. The project does not propose uses that would emit hazardous emissions or handle hazardous or acutely hazardous materials or substances. No hazards emissions impact to the adjacent school are anticipated and no impact is identified.

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? Less than Significant

The project site is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Phase I and Phase II Environmental Site Assessments (ESA) were prepared for the project site by Apex in 2017. The complete report is included as Appendix F.1 of this document.

As part of the Phase I ESA report preparation, a database search was conducted for listed properties/facilities that are located less than one mile (or ¼ mile for leaking underground storage tank facilities) from the project site. The report concluded that there is no evidence of recognized environmental conditions on the project site. Two off-site facilities were listed and are described below:

- Trinity Products Inc. at 1740 La Costa Meadows Drive is located approximately 0.2 mile to the north was listed on the State Water Resources Control Boards Spills Leaks Investigations and Cleanups (SLIC) and San Diego County Site Assessment and Mitigation (SAM) databases. The facility was listed twice on the databases. Regulatory closure for first listing was granted in 1990. Information regarding the type of release and media impacted was not included in the ERIS report or included on the State Water Resources Control Boards (SWRCB) GEOTRACKER webpage. The status of the second listing was “open – site assessment” as of 2007. Again, information regarding the type of release and media impacted was not included in the ERIS report or on the GEOTRACKER webpage. However, based upon the distance and downgradient location, Apex does not consider these listings to be a recognizable environmental concern with respect to the proposed project.
- Taiyo Yuden (USA) at 1770 La Costa Meadows Drive is located approximately 0.2 mile to the north was listed on the SLIC and SAM databases. This facility experienced an unauthorized chlorinated hydrocarbons release that impacted soil only. Regulatory closure was granted in 1991. Based upon the status, distance, and downgradient location, Apex does not consider this listing to be a recognizable environmental concern with respect to the proposed project.

According to the results of the Phase I ESA, the project site is not included on a list of hazardous materials sites that as a result would create a significant hazard to public or the environment. A less than significant impact is identified.

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? No Impact

The nearest airport is the McClellan-Palomar Airport in Carlsbad, which is located approximately 4.5 miles northwest of the project area. The proposed project is not within two miles of a public airport or public use airport nor is it located within an area of influence as shown in Figure 6-5 of the Safety Element of the City’s General Plan. Therefore, the project would not result in a safety hazard for people residing or working in the project area. No impact would occur.

For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No Impact

The proposed project is not located within the vicinity of a private airstrip. Therefore, the project does not have the potential to result in a safety hazard for people residing or working in the project area. No impact is identified for this issue area.

Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Less than Significant Impact

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

Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? No Impact

The project site is located in an urbanized area of the City and is not adjacent to an open space or wildland areas. The Fire Marshal has reviewed the project and standard City fire conditions have been applied to the project. The project would not expose people or structure to a significant risk of loss, injury or death involving wildland fires. No impact is identified for this issue area.

IX. HYDROLOGY AND WATER QUALITY

A Hydrology Study and Storm Water Quality Management Plan (SWQMP) have been prepared for the project by Pacific Coast Civil in May and October 2018, respectively. These reports are included as **Appendices G and H** of this document.

Summary of Previous Environmental Documentation

The University Common Specific Plan Supplemental EIR (UCSP SEIR) 2003 concluded that there would be no significant impacts related to hydrology and water quality. No mitigation was identified.

Violate any water quality standards or waste discharge requirements? Less than Significant Impact

The San Diego Regional Water Quality Control Board (RWQCB) regulates wastewater discharge. Implementation of the proposed project would result in an increase in wastewater treatment demand; however, there is existing near-term capacity in the wastewater treatment plants that would serve the proposed project. Prior to issuance of building permits, the proposed project shall obtain a service commitment letter from VWD that will ensure there is existing capacity to service the needs of the proposed project, and therefore the proposed project would not exceed wastewater treatment requirements of the RWQCB. Further, the project has been designed to comply with the land development requirements of Regional MS4 Permit and the 2016 Model BMP Design Manual – San Diego Region (BMP Design Manual). Adherence with the Model BMP Design Manual and the NPDES permit that is in place at the time of development would be required. Impacts would be less than significant.

Have a potentially significant adverse impact on groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses? Less than Significant Impact

As identified above, adherence with the Model BMP Design Manual and the NPDES permit that is in place at the time of development would be required. A stormwater quality biofiltration basin would be located in the northwestern portion of the project site to provide water quality treatment for on-site runoff. In addition, the project would obtain a Construction General Permit and prepare and implement a SWPPP that would further specify low impact development features and BMPs applicable to the project. Furthermore, the proposed project would not irrigate with groundwater or wells. Therefore, the project

would not adversely impact groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses. Impacts would be less than significant.

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 (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? No Impact

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

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? Less than Significant Impact

The proposed project site is vacant but has been previously graded. The site currently drains north towards San Marcos Creek. There is a concrete v-ditch to the west of the project site in the City of Carlsbad, which runs parallel to the site's property line. The majority of the project site and the manufactured slope westerly of the site discharge to the above-mentioned v-ditch, which goes to San Marcos Creek. The rest of the site flows to an existing inlet, which is located at the northeast corner of the property. According to the Hydrology Study (May 2018) and Storm Water Quality Management Plan (October 2018) prepared by Pacific Coast Civil (located in Appendices G and H of this document), the proposed storm drain system will not alter the existing drainage pattern and flows will ultimately be discharged into San Marcos Creek. Stormwater will be collected by catch basins and discharged through storm drain pipe into the water quality basin. Overflow from the water quality basin would go into San Marcos Creek. Also, the project would incorporate construction BMPs in compliance with the Construction General Permit. These BMPs focus on areas such as good site management/housekeeping, non-stormwater management, erosion control, sediment control, run-on and run-off control, inspection/ maintenance/repair, rain event action plan, and monitoring/reporting requirements. Implementation of stated BMPs would further reduce the potential for erosion and siltation to enter project area waterways. Impacts would be less than significant.

Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? Less than Significant Impact

According to the Hydrology Study and Storm Water Quality Management Plan (Appendices G and H), development of the proposed project would increase the amount of impervious surfaces which would lead to an increase in total runoff. However, the project includes the installation of catch basins and a water quality basin designed to provide biofiltration and runoff detention. The project applicant considered the existing drainage patterns on the site and designed the proposed project in a manner such that the project would not result in significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes. Impacts would be less than significant.

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Less than Significant Impact

According to the Hydrology Study and Storm Water Quality Management Plan (Appendices G and H) development of the proposed project would increase the amount of impervious surfaces which would lead to an increase in total runoff. However, the project includes the installation of catch basins and

a water quality basin designed to provide biofiltration and runoff detention. The project has been designed in a manner such that the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? Less than Significant Impact

The project would add impervious surfaces to the project site (e.g., roof, parking lot, and internal driveway); however, the project also proposes a comprehensive stormwater management plan that includes stormwater improvements within the project boundary. This includes the provision of a hydromodification and biofiltration water quality basin in the northwestern portion of the project site to provide water quality treatment for on-site runoff. Construction of this facility is proposed within the development footprint for the project; an expansion of existing facilities would not be required to serve the project. Therefore, the project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

Result in increased impervious surfaces and associated increased runoff? Less than Significant Impact

According to the Hydrology Study and Storm Water Quality Management Plan (Appendices G and H) development of the proposed project would increase the amount of impervious surfaces which would lead to an increase in total runoff. However, the project includes the installation of catch basins and a water quality basin designed to provide biofiltration and runoff detention. The project includes a comprehensive approach to drainage and stormwater quality management to ensure that runoff rates and volumes in the post-development condition are equal to or less than the pre-development condition. LID features include a bioretention and biofiltration features. Therefore, impacts related to impervious surfaces and associated increased runoff would be similar. Impacts would be less than significant.

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

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

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

These measures are designed to minimize the generation of pollutants, inducing sediment and trash/debris. Preparation and implementation of a SWPPP and construction-related water quality BMPs would ensure that there are no significant alterations to receiving water quality during project construction. During project operation, the project includes a comprehensive water quality management approach. In addition to the provision of a water quality basin in the northwest portion of the project site to provide water quality treatment for on-site runoff, the project would also

implement a variety of site design, source control, LID, and treatment control BMPs to treat anticipated pollutants of concern and minimize the potential for pollutants prior to reaching the storm drain and off-site waterways. Therefore, the project would not result in significant alteration of receiving water quality during or following construction. Impacts would be less than significant.

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

The project site is located in the San Marcos hydrologic subarea (904.5) of the Carlsbad watershed (904). Impaired water bodies in this watershed include San Marcos Creek (DDE, phosphorus, sediment toxicity, and selenium), Lake San Marcos (ammonia as nitrogen and nutrients), Batiquitos Lagoon (total coliform) and the Pacific Ocean (total coliform).

Anticipated pollutants to be generated by the project include sediment, nutrients, heavy metals, organic compounds, trash/debris, oil/grease, and bacteria/viruses. Potential pollutants could also include oxygen demanding substances. As identified above, the project includes a comprehensive water quality management approach to ensure that there would not be an increase in pollutant discharge to receiving waters.

Bioretention basins are landscaped depressions or shallow basins used to slow and treat on-site stormwater runoff. Stormwater is directed to the basin and then percolates through the system where it is treated by a number of physical, chemical, and biological processes. These processes are collectively called biofiltration. The slowed, cleaned water is allowed to infiltrate native soils or is directed to nearby stormwater drains or receiving waters. Bioretention has a high efficiency for removal of sediments, nutrients, trash, metals, oil/grease, organics, and oxygen demanding substances and a medium efficiency for removal of bacteria. Therefore, the use of biofiltration would effectively treat stormwater runoff prior to discharge from the site and to receiving waters. The biofiltration basin would be subject to regular inspection and maintenance. The property owner would be required, pursuant to the City's Municipal Code Section 4.14 and Model BMP to enter into a stormwater management and discharge control maintenance agreement for the installation and maintenance of permanent BMPs prior to the issuance of permits. Since the project includes a comprehensive approach to the handling and treatment of on-site stormwater runoff and would achieve a medium or high efficiency for removal of anticipated pollutants, the project would not result in an increase in pollutant discharges to receiving waters. Impacts would be less than significant.

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

As identified above, impaired water bodies in the Carlsbad watershed include San Marcos Creek, Lake San Marcos, Batiquitos Lagoon, and the Pacific Ocean. The project includes a comprehensive water quality management approach to ensure that there would not be an increase in pollutant discharge to receiving waters. The City's BMP Design Manual requires that the pollutants of concern for each impaired water body in each watershed be treated by engineered treatment controls to a medium pollutant removal efficiency or better prior to leaving each development site, thus reducing pollutant levels. Bioretention has a high efficiency for removal of sediments, nutrients, trash, metals, oil/grease, organics, and oxygen demanding substances and a medium efficiency for removal of bacteria. Therefore, the use of biofiltration would effectively treat stormwater runoff prior to discharge from the site and to receiving waters. The biofiltration basin would be subject to regular inspection and maintenance. The property owner would be required to enter into a stormwater management and

discharge control maintenance agreement for the installation and maintenance of permanent BMPs prior to the issuance of permits. Since the project includes a comprehensive approach to the handling and treatment of on-site stormwater runoff and would achieve a medium or high efficiency for removal of anticipated pollutants, the project would not result in an increase in any pollutant for which area impaired water bodies are already impaired. Impacts would be less than significant.

Be tributary to environmentally sensitive areas (e.g., MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions? Less than Significant Impact

The project site is not located within a Focused Planning Area (FPA) of the City's Draft Subarea Plan for the Multiple Habitat Conservation Program (MHCP) nor is the project subject to a Natural Community Conservation Plan (NCCP) (Figure 4, Draft NCCP for the City of San Marcos) and sensitive areas on the project are limited due to previous grading. The project site is adjacent to San Marcos Creek. To minimize impacts to this sensitive area, the project includes a comprehensive water quality management approach to ensure there would not be an increase in pollutant discharge to receiving waters. The comprehensive use of biofiltration would effectively treat stormwater runoff prior to discharge from the site. Therefore, the project would not exacerbate already sensitive conditions within environmentally sensitive areas. Impacts would be less than significant.

Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters? Less than Significant Impact

While the project site is located outside of the Biological Resource Conservation area for the MHCP, and sensitive areas on the project are limited due to previous grading, the project site is adjacent to San Marcos Creek. To minimize impacts to these sensitive areas, the project includes a comprehensive water quality management approach to ensure there would not be an increase in pollutant discharge to receiving waters. The project would implement BMPs during project construction to minimize potential impacts to surface water quality. The project also includes a comprehensive water quality approach including biofiltration to reduce pollutants that would be generated during project operation. Incorporation of these measures would ensure that the project would not have a potentially significant impact on surface water quality to either marine, fresh, or wetland waters. Impacts would be less than significant.

Otherwise substantially degrade water quality? Less than Significant Impact

The project includes a comprehensive water quality management approach through the use of biofiltration. As identified in this Section IX, impacts from the proposed project would be less than significant. Implementation of the project would not otherwise substantially degrade water quality. Impacts would be less than significant.

Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? No Impact

According to the City's General Plan Safety Element, the project site does not contain any areas mapped on a federal Flood Hazard Boundary, FIRM, or other flood hazard map (Figure 6-3, FEMA Flood Hazards and Reservoir/Dam Inundation Zones). Therefore, the project would not propose any housing within a 100-year flood hazard area. No impact is identified.

Place within a 100-year flood hazard area structures which would impede or redirect flood flows? No Impact.

As identified above, the City's General Plan Safety Element illustrates that the project site does not contain any areas mapped on a federal Flood Hazard Boundary, FIRM, or other flood hazard map. Therefore, the project would not place any structures within a 100-year flood hazard area. No impact is identified.

Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? Less than Significant Impact

According to the City's General Plan Safety Element, the project site is not located within a dam inundation zone (Figure 6-3, FEMA Flood Hazards and Reservoir/Dam Inundation Zones). Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. Impacts would be less than significant.

Inundation by seiche, tsunami, or mudflow? No Impact

The project site is not located adjacent a coastline, lake, or mountainous area that would be subject to seiche, tsunami, or mudflow. No impact would occur.

X. LAND USE AND PLANNING

The project applicant is requesting a Specific Plan Amendment and a Site Development Plan to construct a 64-bed assisted living and memory care facility. The following approvals will be required:

City of San Marcos

Specific Plan Amendment (SP18-0004) - A Specific Plan Amendment (SPA) is requested to change the site from Light Industrial to Senior Residential (SR). The SPA also establishes the zoning standards and regulations for the SR zone. This will be Amendment Number 4 to the UCSP.

Site Development Plan (SDP18-0001) - Site Development Plan approval to construct a 64-bed assisted living and memory care facility and address the details of the architectural style, building elevation, fencing, landscaping, among other criteria, within the development.

Additional permits required for project construction including Grading Permit, Improvement Plans, Landscape Plans and Building Permits.

State of California

The California Department of Social Service, Community Care Licensing Division, licenses residential care facilities (RCFEs). An RCFE is a housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator or other responsible person; where 75 percent of the residents are sixty years of age or older and where varying levels of care and supervision are provided. These facilities are also known as assisted living facilities, retirement homes, or board and care homes.

Vallecitos Water District

Approval from the Vallecitos Water District for water and sewer service will also be required.

Summary of Previous Environmental Documentation

The UCSP SEIR (2003), which was the environmental review document for the previous SPA No. 3, analyzed impacts related to land use and identified significant impacts related to inconsistency with the City's General Plan, the currently approved Specific Plan, and the City's Circulation Element. Incorporation of the following mitigation measures were determined to fully mitigate land use inconsistency impacts.

Land Use Mitigation Measures (from UCSP SIE 2003 for SPA No.3):

1. Prior to project implementation, an amendment to the Land Use Element of the General Plan and a Specific Plan Amendment shall be adopted by the City Council.
2. The Proposed Project shall incorporate all applicable mitigation measures recommended in the following sections concerning landform/ visual quality, air quality, noise, biological resources, public services and transportation/circulation.
3. The Proposed project shall comply with all applicable laws and standards for grading.

The following Circulation Element mitigation measure was identified:

1. Prior to project implementation, an amendment to the Circulation Element of the City's General Plan for the extension of Patton Street (Sparrow Way) shall be adopted by the City Council.

The land use impacts and mitigation measures included in the UCSP SEIR (2003) are not applicable to Planning Area 4 and therefore are not directly applicable to the proposed project. However, the proposed project would also include a Specific Plan Amendment to ensure land use consistency between the proposed Senior Residential use and the UCSP.

Physically divide an established community? No Impact

The project would develop an existing vacant parcel in a developed portion of the City with an assisted living and memory care facility. The project would border a preschool to the west, light industrial uses to the north and residential uses to the south. The project would not divide an established community.

Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? Less than Significant Impact

The project site is designated as Specific Plan Area (SPA) in the City of San Marcos General Plan. The site is located within Planning Area 4 of the UCSP, which is identified as Light Industrial. Specific Plan Amendment No.4 is requested to change the site from Light Industrial to Senior Residential (SR) zoning to allow for the construction of the assisted living and memory care facility.

According to the UCSP Amendment No. 3, permitted uses within the Light Industrial Zone include: Administrative, Business, and Professional Offices, Blueprint and Photography Services, Business and Office Services, Delicatessens, Laboratories, Manufacture, Fabrication, Compounding and Packaging, Medical and Dental Offices and Related Health Clinics, Messenger and Wire Services, Office, Business Machine and Computer Component Stores, Photocopy, Photographic, Developing and Printing, Publishing, and Lithography, Typewriter Sales and Service Shops, Non-Boarding Veterinary, Watch and Clock Repair Shops and Wholesale Distribution Plants.

Proposed University Commons Specific Plan Amendment No. 4 adds zoning standards for Senior Residential. The proposed standards include standards for building heights, lot coverage, landscaping, building setbacks and off-street parking. Permitted uses included Continuing Care Retirement Community, Extended Care Facility, and Large Residential Care Facility. These standards are consistent with City of San Marcos Zoning Ordinance requirements for Senior Residential.

With approval of Specific Plan Amendment No. 4 and Site Development Plan for the assisted living and memory care facility, the project would be consistent with applicable land use plans, policies and regulations.

In summary, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.

Conflict with any applicable habitat conservation plan or natural community conservation plan? No Impact

The project site is not located within a FPA of the City's Draft Subarea Plan for the MHCP nor is the project subject to a NCCP. 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 is identified.

IX. MINERAL RESOURCES

Summary of Previous Environmental Documentation

The University Common Specific Plan Supplemental EIR (UCSP SEIR) 2003 concluded that there would be no significant impacts related to mineral resources. No mitigation was identified.

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

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

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

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

XII. NOISE

A noise assessment was prepared for the project by Ldn Consulting (2019c). The complete report is included as **Appendix I** of this document.

Summary of Previous Environmental Documentation

The UCSP SEIR (2003) identified potentially significant noise impacts occurring as a result of the interface between commercial and residential uses, specifically between Planning Area 1 and Planning Area 3 and Planning Area 5 and Planning Area 6c.

Incorporation of the following mitigation, which is consistent with mitigation previously identified in the UCSP SEIR (2001), was determined to reduce impacts to below a level of significance.

- Acoustical barriers identified in UCSP SEIR 2001 shall be implemented adjacent to residential uses. Five- to 10-foot barriers were required for elevated exterior noise levels for single-family residences south of San Elijo Road and also adjacent to Melrose Drive.
- Mitigation Measures for Planning Area 1/Planning Area 3 Interface:
 - Approximately 160-foot separation shall occur between potential noise generators (HVAC, trash compactor, loading dock) in Planning Area 1 and proposed or existing residential uses or evidence shall be shown that noise is attenuated to City standards at the residential boundaries.
- Mitigation Measures for Residential Land Uses (Planning Areas 5 and 6c)
 - An acoustical evaluation shall be submitted to the Planning Director for review and approval to ensure that noise levels are reduced to the appropriate standard for the land use.

The land use impacts and mitigation measures included in the UCSP SEIRs (2001 and 2003) are not applicable to Planning Area 4 and therefore are not directly applicable to the proposed project. The project proposes to change the land use from Light Industrial to Senior Residential within the UCSP. Adjacent land uses include a preschool to the west, light industrial uses to the north, and residential uses across San Elijo Road to the south. As discussed below, a project-specific acoustical evaluation prepared for the proposed project analyzed the project's conformance with appropriate internal and external noise levels and confirmed the construction of an assisted living and memory care facility would not result in significant noise impacts to adjacent land uses (LDN 2019c).

Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Less Than Significant

Existing Noise Environment

To establish a baseline of the vehicle noise from adjacent roads (San Elijo Road to the south and South Rancho Santa Fe Road to the west), ambient noise measurements were taken at the project site in November 2018. The results of the noise level measurements are presented in **Table 9**. The measurements were free of obstruction and had a direct line of sight to the roadway. As shown, the overall sound levels were found to be 48.3 dBA and was overall relatively low due to the site being depressed below the roadways and the existing RV storage facility and child care facility blocking the direct line of sight to the roadways. The noise monitoring location can be seen in **Figure 5**.

Table 9. Measured Ambient Noise Levels

Measurement Identification	Description	Time	Noise Levels (dBA Leq)					
			Leq	Lmax	Lmin	L10	L50	L90
ML 1	Central portion of site	1:15 PM to 1:26 PM	48.3	67.6	41.3	50.9	47.5	44.2

Source: Ldn Consulting 2019c.

Figure 5. Ambient Noise Monitoring Location



Source: Ldn Consulting 2019c.

Future Onsite Noise Analysis

Roadway Noise Analysis

Table 10 presents the roadway parameters used in the analysis of the future noise environment, including: vehicle travel speeds; the percentages of automobiles, medium trucks, and heavy trucks in the roadway volume; site conditions; and peak hour traffic volume. To assess the peak hour traffic noise conditions, 10% of the ADT was utilized and a conservative vehicle mix was also utilized to predict the worst-case noise levels.

Table 10. Future Traffic Parameters

Roadway	Average Daily Traffic (ADT)	Peak Hour Volumes ¹	Modeled Speeds (MPH)	Vehicle Mix % ²		
				Auto	Medium Trucks	Heavy Trucks
San Elijo Road	27,200	2,720	40	2,611	54	54
South Rancho Santa Fe Road (North of San Elijo Road)	37,400	3,740	55	3,590	75	75
South Rancho Santa Fe Road (South of San Elijo Road)	48,700	4,870	55	4,675	97	97

Source: Ldn Consulting 2019b.

Notes: (1) Source: SANDAG Traffic Prediction Model

(2) Typical City vehicle mix.

The required coordinate information necessary for the Sound32 model input was taken from the conceptual site plans, including identification of the pad elevations, roadway elevations, and the relationship between the noise source(s) and the outdoor receptor areas.

To evaluate the potential noise impacts on the proposed development, outdoor observers were located in the sensitive use areas provided by common use recreation areas. No private ground floor patios or balconies are proposed. The receptors were placed five feet above the pad elevation and near the center of the use area. Building façade noise levels were also determined using a height of 15 feet above the pad elevations for the second floor locations. The modeled observer locations for the potential outdoor use areas for are presented in **Figure 6**.

The outdoor common use areas were modeled to determine if shielding/mitigation would be required to reduce the noise levels below the City's 60 dBA CNEL threshold. It was determined that the ground level outdoor use areas will comply with the City's noise standard of 60 dBA CNEL. The modeling results are provided in **Table 11** for the ground floor outdoor use areas, depicted as receptors 1 and 2. There is no outdoor access from the second floor porches for the residents.

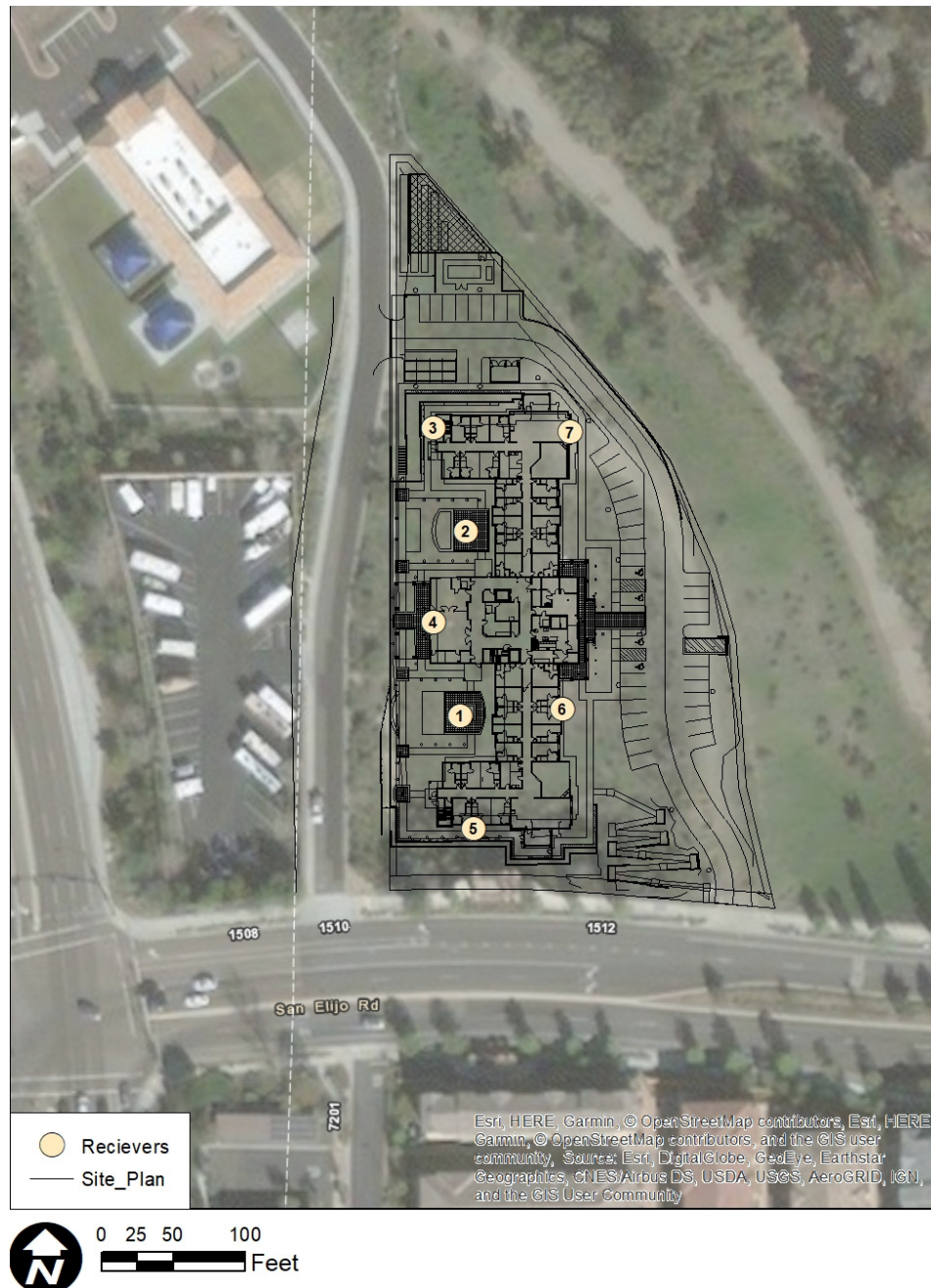
The first floor and second floor building facades were modeled to determine if interior noise reductions would be needed. Based upon these findings, no noise mitigation would be necessary to comply with the City's noise standard of 60 dBA CNEL at the outdoor usable areas.

The modeling results for building second floor facades is also provided in Table 11. The modeling inputs and outputs are provided in Attachment A to Appendix I.

The building facades were found to be above 60 dBA CNEL and an interior noise assessment will be required prior to the issuance of the building permit since the building facades are above 60 dBA

CNEL. The noise assessment would identify the interior noise requirements based upon architectural and building plans to meet the City's established interior noise limit of 45 dBA CNEL. This requirement is included as a project design features (see Table 1) and will also be part of the conditions of project approval.

Figure 6. Modeled Receptor Locations



Source: Ldn Consulting 2019c.

Table 11. Future Exterior Noise Levels

Receptor Number	Receptor Location	First Floor/Building Façade Noise Levels (dBA CNEL)	Second Floor/Building Façade Noise Levels (dBA CNEL)
1	Southern Patio	54	NA
2	Northern Patio	58	NA
3	Northwest Façade	64	66
4	Central West Façade	58	65
5	Southern Façade	55	59
6	Southeast Façade	57	61
7	Northeast Façade	63	64

Source: Ldn Consulting 2019c.

Note: Interior noise assessment required if façade noise level is above 60 dBA CNEL. The building will be constructed to comply with interior noise requirements per the building code.

Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Less Than Significant Impact

The nearest vibration-sensitive uses is the Prestige Preschool located 65 feet from the proposed construction activities. **Table 12** lists the average vibration levels that would be experienced at the nearest vibration sensitive land uses from the temporary construction activities.

The Federal Transit Authority (FTA) has determined vibration levels that would cause annoyance to a substantial number of people and potential damage to building structures. The FTA criterion for vibration induced structural damage is 0.20 in/sec for the peak particle velocity (PPV). Project construction activities would result in PPV levels below the FTA's criteria for vibration induced structural damage. Therefore, project construction activities would not result in vibration induced structural damage to buildings near the construction areas. The FTA criterion for infrequent vibration induced annoyance is 83 Vibration Velocity (VdB) for institutional uses, such as schools and preschools. Construction activities would generate levels of vibration that would not exceed the FTA criteria for nuisance for nearby uses. Therefore, vibration impacts would be less than significant.

Table 12. Vibration Levels from Construction Activities

Equipment	Approximate Velocity Level at 25 Feet (VdB)	Approximate RMS Velocity at 25 Feet (in/sec)	Approximate Velocity Level at 200 Feet (VdB)	Approximate RMS Velocity at 200 Feet (in/sec)
Small Bulldozer	58	0.003	48	0.0010
Jackhammer	79	0.035	70	0.0122
Loaded trucks	86	0.076	74	0.0266
Large Bulldozer	87	0.089	78	0.0311
FTA Criteria (Institution Use)			83	0.2
Significant Impact?			No	No

Source: Ldn Consulting 2019c.

Notes:

- (1) PPV = Peak Particle Velocity
- (2) VdB = Vibration Velocity
- (3) $PPV \text{ at Distance } D = PPV_{ref}(25/D)^{1.5}$

A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? Less than Significant Impact

Project Related Off-Site Transportation Noise

To determine if direct or cumulative off-site noise level increases associated with the development of the proposed project would create noise impacts, the traffic volumes for the existing conditions were compared with the traffic volume increase of existing plus the proposed project. **Table 13** presents the comparison of the Existing Year with and without project related noise levels at 50 feet. The overall roadway segment noise levels will increase 0.1 dBA CNEL with the development of the proposed project. The project does not create a noise increase of more than 3 dBA CNEL on any roadway segment. Therefore, the project's contributions to off-site roadway noise increases would not cause any significant impacts to any existing or future noise sensitive land uses. Therefore, no direct or cumulative impacts are anticipated related to off-site transportation noise.

Table 13. Existing vs. Existing + Project Noise Levels (dBA CNEL)

Roadway Segment	Existing Noise Level	Existing Plus Project Noise Level	Project Related Noise Increase
San Elijo Road (East of South Rancho Santa Fe Road)	78.1	78.2	0.1
South Rancho Santa Fe Road (North of San Elijo Road)	82.2	82.3	0.1
Rancho Santa Fe Road (South of San Elijo Road)	83.7	83.7	0.0

Source: Ldn Consulting 2019c.

A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Less than Significant Impact

Construction Noise Analysis

The equipment needed for the development will consist of up to two large bulldozers, two rubber tire dozers, four scrapers, a water truck, a medium sized front loader, a medium sized excavator and a small to medium sized road grader. Haul trucks will also be required to bring in the import materials for grading activities. Based on the EPA noise emissions, empirical data and the amount of equipment needed, worst case noise levels from the construction equipment for site preparation would occur during the grading operations.

Grading Activity Noise Analysis

The grading activities will consist of the preparation of graded slopes, bioretention basins, internal roadways, and the finished building pad. Earthwork activities will include 250 cubic yards (cy) of cut and 24,443 cy of fill material.

The grading equipment will be spread out over the project site from distances near the property lines to distances of 350 feet. Based upon the site plan the majority of the grading operations, on average, will occur an average of 175 feet from the nearest off-site property line. This means that most of the time the average distance from all the equipment to the same property line is 175 feet or more. As

can be seen in **Table 14**, at an average distance of 175 feet from the construction activities to the nearest property line would result in a noise attenuation of -10.9 dBA without shielding.

Table 14. Construction Noise Levels

Equipment Type	Quantity Used	Source @ 50 Feet (dBA)	Cumulative Noise Level @ 50 Feet (dBA)
Tractor/Backhoe	2	72	75.0
Grader	2	75	78.0
Water Truck	1	70	70.0
Haul Trucks	2	75	78.0
Cumulative Level			82.2
Distance to Sensitive Use			175 Feet
Noise Reduction due to Distance			-10.9
Property Line Noise Level			71.4

Source: Ldn Consulting, 2019c

Given this, the noise levels will comply with the 75 dBA Leq standard at the property lines. Therefore, no impacts are anticipated, and no mitigation is required during construction of the proposed project. Additionally, all equipment should be properly fitted with mufflers and all staging and maintenance should be conducted as far away for the existing residence as possible.

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 expose people residing or working in the project area to excessive noise levels? No Impact

As identified above, the nearest airport is the McClellan-Palomar Airport in Carlsbad, which is located approximately four miles west of the project area. According to the Airport Land Use Compatibility Plan (ALUCP) for the McClellan Palomar Airport, the proposed project site is located outside of the existing and future 60 dB CNEL noise contours of the airport and outside of Review Area 2 or the airport influence area (San Diego County Regional Airport Authority 2010). Therefore, the project would not expose people residing or working in the project area to excessive noise levels. No impact is identified.

For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? No Impact

As identified above, the project site is not located within the vicinity of a private airstrip. Therefore, the project would not expose people residing or working in the project area to excessive noise levels resulting from proximity to a private airstrip. No impact would occur.

XIII. POPULATION AND HOUSING

Summary of Previous Environmental Documentation

This environmental issue area was not included in the University Common Specific Plan Supplemental EIR (UCSP SEIR) (2003). However, a site-specific analysis has been prepared for the Specific Plan Amendment No. 4 below.

Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? Less than Significant Impact

The project proposes to construct a 64-bed assisted living and memory care facility dedicated entirely to people afflicted with Alzheimer's disease and related memory disorders. Therefore, the project would provide housing for approximately 64 people (64 private rooms with 64 beds), and a permanent labor force equivalent to approximately 38 full-time employees, or 1 employee per 1,050 square feet (SANDAG, 2018) would be needed to operate the proposed project. With the addition of 64 residents, the potential population growth would be nominal. Additionally, because of the nature of assisted living facilities, the majority of residents would likely be already located within or near the City. It is also anticipated that the 38 full-time employees needed to serve the project on a long-term basis would be existing San Marcos-area residents, and would not be required to relocate from other areas.

The Housing Element of the General Plan note the need for additional housing for seniors (over 65 years of age) and persons with physical and mental disabilities. The senior population in San Marcos has been increasing. In 2010, there were 8,527 senior persons in San Marcos. Between 2000 and 2010, the senior population in San Marcos grew by approximately 31 percent (from 6,525 seniors). Twenty percent of households have elderly heads of household. As reflected in Table 8-8 of the Housing Element, senior residents had the highest incidence of disability (43 percent). The Housing Element notes that most of the affordable senior apartments located in San Marcos have long waiting lists. The proposed assisted living residence would help the City meet its dual goal of providing more senior housing, specifically with disabilities.

The project will not result in the construction of new offsite infrastructure. The project will be served by existing water, sewer and storm drain infrastructure offsite and will make infrastructure improvements on site to serve the future development.

Due to the minor increase in population and the creation of an assisted living and memory care facility, which may serve seniors, impacts associated with population growth would be less than significant.

Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? No Impact.

The project site is vacant and does not currently support any housing. The project would establish a 64-bed assisted living and memory care facility. Therefore, the project would not displace housing on-site. No impacts would occur.

Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? No Impact

The project site is vacant and does not currently contain any housing; therefore, there are no existing residential buildings or individuals living on-site. No impacts would occur.

XIV. PUBLIC SERVICES

Summary of Previous Environmental Documentation

The UCSP SEIR (2003) analyzed impacts related to public services and identified potentially significant impacts due to increased demand for fire protection and emergency response services, police services, school facilities, and park and recreation services. Incorporation of the following mitigation measures were determined to fully mitigate public services impacts.

Fire/Emergency/Police

- Prior to the issuance of building permits the Fire Department shall determine whether the structures associated with the building permits are within the 5-minute drive time boundary for emergency services. Those structures outside the 5-minute boundary shall be required to install sprinklers. Additionally, the proposed project will be required to annex into the Citywide Mello-Roos District for Fire and Police Protection.

Parks

- The City has established an in-lieu fee, which the proposed project will pay to meet the City's standard. Additionally, the proposed project will provide some park facilities. Accordingly, the parkland requirement will be met through payment of in-lieu park fees and the provision of some park facilities

Schools

- Prior to issuance of building permits, the project developer will pay school fees in effect at the time building permits are acquired.

The section below analyzes the proposed project's impact on public services. The analysis concluded that participation in preexisting Community Facilities Districts for Fire and Paramedic (CFD 2001-01) and police services (CFD 98-01), which is required as condition of approval for the proposed project, will offset the cost of increases in necessary fire and police services resulting from implementation of the proposed project. As noted below, the project is an assisted living and memory care facility, so no increase in school children or park users would be expected. However, payment of applicable school fees and the City's Public Facilities Fee, a portion of which is designated for parks, in effect at the time of building permit issuance would further reduce potential impacts to schools and parks.

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

Fire protection? Less Than Significant Impact

Fire protection services in the City are provided by the San Marcos Department (SMFD). SMFD is a full-service department responsive to the City and the San Marcos Fire Protection District, which covers an area of 33 square miles and a population of approximately 95,000 residents. SMFD has an ISO Rating 2 and provides the following services within its service area: fire suppression, rescue, emergency medical service, fire prevention services, vegetation management, public education, emergency preparedness and trauma support (City of San Marcos 2019).

The project has been reviewed by the Fire Marshal and the project design includes the installation of a fire sprinkler system. According to SMFD Battalion Chief/Fire Marshal Jason Nailon, the project would be served by the following stations:

Fire Station	Resources
San Marcos Fire Station #2 1250 S. Rancho Santa Fe Road San Marcos, CA 92078	<ul style="list-style-type: none"> • One fire engine (3 personnel) • Two ALS ambulances (2 personnel each)
San Marcos Fire Station #4 204 San Elijo Road San Marcos, CA 92078	<ul style="list-style-type: none"> • One fire engine (3 personnel) • Two ALS ambulances (2 personnel each)
Rancho Santa Fe Fire Protection District Station #6 20223 Elfin Forest Road Elfin Forest, CA 92029	<ul style="list-style-type: none"> • One fire engine (3 - 4 personnel)
Carlsbad Fire Station #6 7201 S. Rancho Santa Fe Road Carlsbad, CA 92009	<ul style="list-style-type: none"> • One fire engine (3 personnel)

The average response time for the SMFD is four to six minutes and SMFD has indicated that current staffing levels are adequate to serve the project. However, the type of use proposed for the project (assisted living with memory care) would increase the call volume and services provided by SMFD (SMFD 2019). Service call information from other similar Artis facilities was provided by the project applicant. Artis facilities similar to the project typically generate two to three ambulance calls a month (Bell 2019).

Falls can be a concern in facilities such as those proposed for the project. Artis maintains a Fall Management Program which is designed to provide a systematic review of residents to determine risk for falls and to develop appropriate interventions. The SMFD Fire Marshal and Emergency Medical Services (EMS) Coordinator reviewed Artis' Fall Management Program and requested revisions as it relates to fall management, staffing requirements, assessment of patients after a fall, requiring equipment be onsite to assist staff with patient lifts and other related items. The project applicant has revised their Fall Management Program to address SMFD's requirements specific to this location.

Additionally, as a condition of project approval, the project applicant shall enter into a Business Operations Agreement with the City for Emergency Medical Services. Further, as a condition of project approval, the project applicant shall annex the site into the preexisting Community Facilities District (CFD 2001-01) (Fire and Paramedic). Participation in the CFD will offset the cost of increases in necessary services resulting from implementation of the proposed project.

In summary, the project would not result in substantial adverse physical impacts associated with the need for new or physically altered fire protection service facilities. Impacts would be less than significant.

Police Protection? Less Than Significant Impact

Implementation of the proposed project would increase demand on police protection services due to the addition of an assisted living and memory care facility in the City. The San Diego County Sheriff's Department was contacted for their input on the project, however they did not provide any comments. The project site would be served by the San Marcos Station located at 182 Santar Place, which is located approximately six miles northeast of the project site. Currents staffing levels are adequate to meet current demand.

As an assisted living facility that will serve memory care residents, the project incorporates specific safety features which are designed to minimize the potential for unsupervised egress from the site for residents. Per information from the project architect, the perimeter doors on the facility (and the gates from the garden) will all be secured via hardware with a delayed egress function. A resident is free to egress only if: a) the fire alarm is actively going off, or b) the resident presses the egress bar on the door hardware, which sounds an alarm and initiates an irreversible timer that unlocks the door after 15 seconds. This is intended to protect the residents from being able to wander off the property unnoticed and allow staff time to respond when a resident is intending to egress the facility.

Additionally, all the operable windows are provided with travel limiters that limit the vertical opening to 3 inches. This is to prohibit a memory care resident from crawling or falling out of their window.

As a condition of project approval, the project applicant shall annex the site into the preexisting Community Facilities District 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.

The project would not result in substantial adverse physical impacts associated with the need for new or physically altered police protection service facilities. Impacts would be less than significant.

Schools? No Impact

The project site is located within the service boundary of the San Marcos Unified School District (SMUSD). As a 64-bed assisted living and memory care facility, the proposed project will not generate any students. The project applicant will be required to pay applicable school fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h) and 65996(b) in effect at the time of building permit issuance. Current Level II school fees are \$0.61/square foot for commercial uses.

Parks? Less than Significant Impact

The City has 16 major community parks and 18 mini parks and an extensive trail network. The closest existing park to the project site is San Elijo Park, located approximately 2 miles east at 1105 Elfin Forest Road. San Elijo Park has a community building, permanent restrooms, a picnic shelter, picnic tables, play equipment, dog park, and fields/courts and turf play areas.

The project design includes 64 private rooms for assisted living and memory care residents, communal spaces for residents including dining rooms, family rooms, an activity room, community room, health center, barber/beauty shop, café and gallery. The building also includes spaces for staff and management and a kitchen facility.

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

Other public facilities? Less than Significant Impact

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

XIV. RECREATION

Summary of Previous Environmental Documentation

Impacts related to parks were addressed in the Public Services Section of the University Common Specific Plan Supplemental EIR (UCSP SEIR) (2003). Significant impacts to parks were identified due to an increase in demand. Mitigation in the form of payment of park fees were identified. As noted below, the proposed project is an assisted living and memory care facility so no increase in demand for parks would be expected. However, payment of the City's Public Facilities Fee, a portion of which is designated for parks, in effect at the time of building permit issuance would further reduce potential impacts to parks.

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

The City has 16 major community parks and 18 mini parks and an extensive trail network. The closest existing park to the project site is San Elijo Park, located approximately 2 miles east at 1105 Elfin Forest Road. San Elijo Park has a community building, permanent restrooms, a picnic shelter, picnic tables, play equipment, dog park, and fields/courts and turf play areas.

The project design includes 64 private rooms for assisted living and memory care residents, communal spaces for residents including dining rooms, family rooms, an activity room, community room, health center, barber/beauty shop, café and gallery. The building also includes spaces for staff and management and a kitchen facility.

Residents are anticipated to recreate on-site and would not be expected to increase demand on existing neighborhood parks. The project applicant would still 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 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.

Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? Less Than Significant Impact

As identified above, the project includes community and activity rooms on-site. The recreational amenities are included as part of the project description and within the footprint of the proposed project. Any impacts associated with the construction of these amenities are analyzed within this environmental document. Impacts would be less than significant.

XV. TRANSPORTATION/TRAFFIC

Summary of Previous Environmental Documentation

Both the UCSP SEIRs (2001) and (2003) concluded there would be significant and unmitigated cumulative traffic impacts. A total of 3 roadway segment and one intersection improvements were identified with EDU (equivalent dwelling unit) or ADT thresholds to partially reduce cumulative traffic impacts. The improvements in the project vicinity included:

- San Elijo Road from South Rancho Santa Fe Road to UCSP project boundary (Construct as a four-lane major arterial).
- South Rancho Santa Fe Road at San Elijo Road (Relocate/widen intersection)
- South Rancho Santa Fe Road from San Elijo Road to Melrose Drive (Widen to a six-lane prime arterial)
- Rancho Santa Fe Road from San Elijo Road to La Costa Avenue (Widen to a six-lane prime arterial)

As most of the UCSP has already been built out, the roadway improvements listed above have already been completed.

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? Less Than Significant Impact

The project would generate increased traffic through the development of a 64-bed assisted living and memory care facility.

In accordance with the SANTEC/ITE Guidelines for Traffic Impact Studies in the San Diego Region (March 2000), all road segments where 50 or more project-generated trips peak hour trips are forecast to be added should be addressed in a traffic impact analysis. A traffic impact study was not prepared for the project since it will not generate 50 or more peak hour trips to any road segment or intersection.

As shown in **Table 15**, the project would generate 160 total ADT, including 7 trips in the AM Peak hour and 13 trips in the PM peak hour. It should be noted that the SANTEC/ITE trip generation guidelines do not have a generation rate for assisted living facilities that focus on memory care, so a congregate care facility rate was used. The future residents will not be driving and the only trip generation would be associated with the 38 employees, occasional visitor, and deliveries. Therefore, the trip generation used in this analysis is very conservative.

The project site is accessed from two entrances. The project will have right-in, right-out access from a driveway on San Elijo Road. The project will also have unrestricted access from a driveway on Paseo Plomo. Paseo Plomo is a private road and the applicant has received approval from the road owner for access.

Table 15. Project Trip Generation

TRIP GENERATION RATES									
Use	Rate			AM PEAK HOUR			PM PEAK HOUR		
				% of ADT	In: Out Ratio		% of ADT	In: Out Ratio	
Congregate Care Facility	2.5 trips/unit			4%	0.60	:	0.40	8%	0.70 : 0.30
TRIP GENERATION CALCULATIONS									
Land Use	Amount		ADT	AM PEAK HOUR			PM PEAK HOUR		
				Total	In	Out	Total	In	Out
Congregate Care Facility	64	units	160	7	4	3	13	9	4

Source: SANDAG 2002.

San Elijo Road is constructed as a four-lane arterial oriented in an east west direction extending from the transition at the Twin Oaks Valley Road/Double Peak School entrance intersection and terminating at South Rancho Santa Fe Road. San Elijo Road is classified in the City of San Marcos General Plan Mobility Element as a four-lane Arterial from the transition from Twin Oaks Valley. The speed limit on San Elijo Road along the project frontage is 45 miles per hour (mph).

Paseo Plomo is a private road connecting into San Elijo Road in the south and South Rancho Santa Fe Road in the north. At the locations where Paseo Plomo intersects these two roads, right-in, right-out only access is provided due to existing medians on both San Elijo Road and South Rancho Santa Fe Road.

South Rancho Santa Fe Road, which is one of the termini of Paseo Plomo, is a six-lane divided major arterial.

Based upon information from the City's Public Works Department (Transportation Engineering Division) and recently prepared traffic studies for other projects, existing average daily traffic (ADT) along the segment of San Elijo Road and South Rancho Santa Fe Road closest to the projects site are presented in **Table 16**.

Table 16. Average Daily Traffic (ADT) for Select Segments

Segment	ADT
<i>San Elijo Road</i>	
Melrose Drive to South Rancho Santa Fe Road	22,177 ⁽¹⁾
<i>South Rancho Santa Fe Road</i>	
Melrose Drive to San Elijo Road	29,620 ⁽¹⁾

Sources:

- (1) Traffic counts for the Brookfield MU4 project, collected May 2017
- (2) City of San Marcos, 2017.

San Elijo Road Segment Analysis

As shown in Table 16, there are currently 22,177 ADT on the segment of San Elijo Road between Melrose Drive.

The City of San Marcos Urban Street Design Criteria identifies level of service (LOS) capacity for different types of roadways. For a 4-Lane Major Arterial, the capacity at LOS C is 28,000 ADT, the capacity at LOS D is 35,000 ADT, and the capacity at LOS E is 40,000 ADT.

Based upon the information presented in Table 16, the segment of San Elijo Road between Melrose Drive and South Rancho Santa Fe Road is currently operating at LOS C or better, since the ADTs are below the 28,000 ADT level. Even with the addition of project trips (up to 160), the combined ADT along this segment would still be operating at LOS C or better.

The City has established LOS D as the standard for acceptable intersection and roadway segment operations, except for roadways where the City's flexible LOS policy is implemented. Since San Elijo Road is operating at a minimum of LOS C and the project would not add traffic at a level that would result in a reduction from LOS C, impacts were determined to be less than significant.

Intersection operations along San Elijo Road in the project vicinity are also expected to operate at an acceptable LOS since the roadway segment closes to the project operate at an acceptable LOS. In summary, the operation of the proposed project would not cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system and impacts would be less than significant.

South Rancho Santa Fe Road Segment Analysis

South Rancho Santa Fe Road is identified as an Arterial in the City of Carlsbad Mobility Element. South Rancho Santa Fe Road between Melrose Drive and San Elijo Road is a six-lane divided major arterial. As shown in Table 16, there are currently 29,620 ADTs on the segments of South Rancho Santa Fe Road between Melrose Drive and San Elijo Road. Based upon industry standards, for a 6-Lane Major Arterial, the capacity at LOS C is 35,000 ADT, the capacity at LOS D is 41,000 ADT, and the capacity at LOS E is 50,000 ADT.

Based upon the information presented in Table 16, the segment of South Rancho Santa Fe Road between Melrose and San Elijo is currently operating at LOS C or better, since the ADTs are below the 35,000 ADT level. Even with the addition of project trips (up to 160), the combined ADT along this segment would still be operating at LOS C or better.

The City has established LOS D as the standard for acceptable intersection and roadway segment operations. Since South Rancho Santa Fe Road is operating at a minimum of LOS C and the project would not add traffic at a level that would result in a reduction from LOS C, impacts were determined to be less than significant.

Intersection operations along South Rancho Santa Fe Road in the project vicinity are also expected to operate at an acceptable LOS since South Rancho Santa Fe Road has an acceptable LOS. In summary, the operation of the proposed project would not cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system and impacts would be less than significant.

Contribution to City-wide Traffic

The project will contribute to City-wide traffic resulting in potential cumulative impacts (**Impact TR-1**). Implementation of the following mitigation measure will be required as a condition of project approval:

MM-TR-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 2011-01 (Congestion Management).

Participation in CFD 2011-01 will assist in City-wide efforts to reduce traffic congestion and impacts to SR-78 and would reduce the project's potential impacts to below a level of significance.

Construction-Related Traffic

Grading will be required to prepare the site for development. Based upon the proposed grading concept, the project includes 250 cubic yards (cy) of cut and 24,443 cy of fill, for a net import of 24,192 cy. Assuming 15 cy capacity trucks are used, soil import will require approximately 1,613 truck trips. Soil import will take one to two months; therefore, the project will generate approximately 50 to 100 truck trips per day due to materials import. For this analysis, 100 trucks per day is used to represent the worst-case scenario.

Based upon the analysis above, the addition of 160 trips per day would not result in a significant impact during project operations, therefore, the generation of up to 100 truck trips per day during the grading phase would not result in a significant impact. Construction-related traffic impact would be less than significant.

Pedestrian and Bicycle Facilities

Currently, there is a sidewalk that runs along the project frontage on San Elijo Road. Additionally, along a portion of the project frontage on San Elijo Road, the sidewalk bulbs out and a stone seating area with a shade structure are present. The project will not result in any changes or modifications to the sidewalk nor the stone seating area/shade structure.

There is an existing bicycle lane along San Elijo Road adjacent to the project site. No changes to the existing bike lane are proposed as part of the project. In summary, the project will not result in any impacts to existing pedestrian or bicycle facilities.

Conflict with an applicable congestion management plan, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? No Impact

The purpose of the Congestion Management Program (CMP) is to monitor the performance of the San Diego region's roadway transportation system, develop programs to address near- and long-term congestion, and better integrate transportation and land use planning. The San Diego Association of Governments (SANDAG), as the designated Congestion Management Agency for the San Diego region, is responsible for developing, adopting, and updating the CMP. SANDAG, local jurisdictions, and transportation operators (i.e., California Department of Transportation, Metropolitan Transit System, North County Transit District, etc.) are responsible for implementing the CMP.

The closest roadway that is addressed in SANDAG's CMP is Rancho Santa Fe, which is identified as a CMP Arterial. The Olivenhain/South Rancho Santa Fe Road, from El Camino Real to SR 78 is addressed in the CMP and LOS E has been identified as the LOS standard for South Rancho Santa Fe Road.

The proposed project will generate approximately 160 ADT, including 7 trips in the AM peak hour and 13 trips in the PM peak hour. There is additional capacity in the segment of South Rancho Santa Fe Road in the project vicinity and no impact is identified.

Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? No Impact

The nearest airport is the McClellan-Palomar Airport in Carlsbad, which is located approximately 4.5 miles northwest of the project area. The type of development proposed, an assisted living and memory care facility, would not result in a change in air traffic patterns. No impact is identified for this issue area.

Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? No Impact

The project will have one entrance on San Elijo Road and one entrance on Paseo Plomo. These entrances have been designed to meet City standards and would not result in any increase in hazards due to design features. No impact is identified for this issue area.

Result in inadequate emergency access? Less Than Significant Impact

Access to the project site would be provided via San Elijo Road and Paseo Plomo. Internal drive areas within the project are a minimum of 24 feet wide. The Fire Marshal reviewed the project and did not identify any emergency access issues with the project. Therefore, the project would not result in inadequate emergency access. Impacts would be less than significant.

Conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance of safety of such facilities? Less Than Significant Impact

North County Transit District (NCTD) Breeze bus Route 304 operates between Encinitas and San Marcos via South Rancho Santa Fe Road.

As discussed above, currently, there is a sidewalk that runs along the project frontage on San Elijo Road. Additionally, along a portion of the project frontage on San Elijo Road, the sidewalk bulbs out and a stone seating area with a shade structure are present. The project will not result in any changes or modifications to the sidewalk nor the stone seating area/shade structure.

There is an existing bicycle lane along San Elijo Road adjacent to the project site. No changes to the existing bike lane are proposed as part of the project. In summary, the project will not in any impacts to existing pedestrian or bicycle facilities.

XVI. TRIBAL CULTURAL RESOURCES

Summary of Previous Environmental Documentation

This environmental issue area was not included in the University Common Specific Plan Supplemental EIR (UCSP SEIR) (2003) because an analysis of tribal cultural resources was not required under the CEQA Guidelines in effect at the time of the SEIR preparation.

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

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

The City has received four responses including a June 27, 2018 letter from the Viejas Tribal Government, a July 17, 2018 letter from Rincon, a July 19, 2018 letter from the Pauma Band Cultural Office, and a XXX letter from the San Luis Rey Band of Mission Indians. The Rincon Band of Luiseño Indians Cultural Department noted that the project site is within the territory of Luiseño people and within Rincon's specific area of Historic interest. The Viejas letter determined that the project site has cultural significance and ties to the Kumeyaay Nation and recommended that the San Pasqual Band of Mission Indians be contacted. Additionally, Viejas requested that all NEPA/CEQA/NAGPRA laws be followed and that the San Pasqual Band be immediately contacted of any changed or inadvertent discoveries. The Pauma letter requested to review the cultural resources report. The San Luis Rey Band requested consultation and City staff met with Tribe representatives to discuss the project and review proposed cultural resources mitigation measures. On April 25, 2019, the San Luis Rey Band submitted a letter stating that they concurred with the proposed mitigation, as proposed, and requested closure of consultation. No other Tribes requested consultation.

Although ASM did not identify any archaeological or Native American resources, there remains the potential to encounter unidentified resources during project grading activities should construction go deeper than previously disturbed depths. Additionally, the Viejas and Rincon Bands indicated that the project site has cultural significance or ties to the Kumeyaay Nation and is within Rincon's specific area of historic interest. Mitigation measures MM-CR-1a through MM-CR-1h, as presented in Section V., above, provide for the presence of archaeological and Luiseño Native American monitors during ground disturbing activities that would be able to identify any previously unidentified cultural resources, to prevent inadvertent disturbance of any intact cultural deposits that may be present. Should any resources be identified, implementation of MM-CR-1a through MM-CR-1h would ensure proper handling and treatment of such resources by providing for a proper evaluation to determine whether additional archaeological work is necessary.

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

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

The City has not identified any cultural resources to be present on the project site pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In addition, based upon the cultural resources study prepared for the project (ASM 2018) and consultation with local tribes, the project site does not contain any known tribal cultural resources that are significant pursuant to these criteria. However, as described in Section V, Cultural Resources, and as identified above, there remains

the potential to encounter unidentified resources during project grading activities should construction go deeper than previously disturbed depths.

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

Should any resources be identified, implementation of MM-CR-1a through MM-CR-1h would ensure proper handling and treatment of such resources by providing for a proper evaluation to determine whether additional archaeological work is necessary.

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

XVIII. UTILITIES AND SERVICE SYSTEMS

A Water and Sewer Study was prepared for the project by Vallecitos Water District (2018). The complete report is included as **Appendix K** of this document.

Summary of Previous Environmental Documentation

The University Common Specific Plan Supplemental EIR (UCSP SEIR) 2003 concluded that there would be no significant impacts related to utilities. No mitigation was identified.

Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Less Than Significant Impact

The Vallecitos Water District (VWD) is responsible for disposal of treated wastewater. The Regional Water Quality Control Board (RWQCB) regulates the treatment of wastewater at treatment plants and the discharge of the treated wastewater into receiving waters. VWD is responsible for adhering to RWQCB regulations as they apply to wastewater generated by the any project. The VWD facilities have been designed to treat typical wastewater flows from different land uses within their service area. The project would generate wastewater flows typical of the uses currently operating in VWD's service area and an exceedance of wastewater treatment requirements of the applicable RWQCB were not anticipated. Therefore, impacts related to wastewater treatment and the project's adherence to applicable requirements would be similar. Impacts would be less than significant.

Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Less Than Significant Impact

Water Facilities Analysis

Water Distribution Infrastructure Analysis – The project is located within VWD boundaries for water service and is within the 750 Pressure Zone which is fed by the 877 Pressure Zone through the Northstar Pressure Reducing Station. Water modeling prepared by VWD concluded that the project would not create any new

distribution system deficiencies under average day demand, maximum day demand, or peak hour demand.

Water Storage Analysis – The project’s General Plan designation as of June 2008 was Light Industrial as part of the UCSP. The VWD 2008 Master Plan based its ultimate water demand planning on this approved land use. The VWD 2008 Master Plan assumed water demand on the project site would be 3,270 gallons per day (gpd). Under the proposed development, the project would have a water demand of 8,000 gpd. This represents an increase of approximately 4,730 gpd (**Table 17**).

Table 17. Estimated Water Demand

Land Use Type	Area (acres)	Assisted Living Residential Units	Duty Factor (gpd/acre)	Duty Factor (gpd/du)	Water Demand (gpd)
2008 Master Plan Land Use Demand					
Industrial	2.18	-	1,500	-	3,270
Total	2.18				3,270
Proposed Project Demand					
Assisted Living Facility	2.18	64	-	125	8,000
Total	2.18				8,000
Increase in Water Demand					4,730

Source: VWD 2018.

Potable water storage within VWD is sized for operational, emergency, and fire flow storage. The project site is entirely within VWD’s 750 pressure zone which is fed by the 877 pressure zone through the Northstar Pressure Reducing Station. Water storage for this zone is located within the 877, 1115, 1530, Coronado Hills and 1530 Double Peak Pressure zones. **Table 18** shows the required storage in these zones for Year 2015 (current) and Year 2030 (Master Plan) relative to the existing storage provided within each zone.

Table 18. Existing Reservoir Storage Capacity and Requirements

Pressure Zone	Year 2015 ADD (MDG)	Year 2015 Storage Requirements (MG)	Year 2030 ADD (MGD)	Year 2030 Storage Requirements (MG)	Existing Storage Available (MG)
877 Sage Canyon	0.79	3.97	0.79	3.97	3.71
1115 Schoolhouse	0.62	3.16	0.63	3.16	2.53
1520 Combined	1.90	9.63	1.90	9.63	6.41
Totals	3.32	16.76	3.32	16.76	12.65

Source: VWD 2018.

The project will increase the projected average water demand by approximately 4,370 gallons per day. The reservoir storage requirements is 500 percent of the development’s average day demand, which would be 23.650 gallons for the proposed project. VWD concluded that the water storage capacity is not currently available to serve the project’s increased storage requirements. The project would pay Water Capital Facility Fees per VWD Ordinance No. 175. These fees would be used by VWD to expand water storage facilities, as needed, within their service area. VWD considers payment of the Water Capital Facility Fees as mitigation for the increase in water storage demand.

Water Pump Station Analysis – Pump stations are sized to supply minimum day flows while meeting all pressure criteria within their service area. The project is within a pressure zone that is served by the San Elijo Hills Pump Station as well as the VWD VAL 7 connection to the San Diego County Water Authority aqueduct. The San Elijo Pump Station is a supplemental pump station that supplies a set amount of water from the Olivenhain Municipal Water District to the 750 pressure zone. All water demands above what is supplied through the San Elijo Pump Station are met by the VAL 7 connection, which is not pumped. The VAL 7 connection is the primary potable water source for the pressure zone, and no pump upgrades would be required for the project. No impact related to water pump stations are identified for the project.

Wastewater Facilities Analysis

The project site is located completed within VWD sewer shed 8S. VWD's 2008 Master Plan assumed a wastewater generation of 2,834 gpd for the project site. Under the proposed project, the wastewater generation is anticipated to be 8,000 gpd. This represents an increase of approximately 5,166 gpd (**Table 19**).

Table 19. Estimated Wastewater Flows

Land Use Type	Area (acres)	Assisted Living Residential Units	Duty Factor (gpd/acre)	Duty Factor (gpd/du)	Water Demand (gpd)
2008 Master Plan Land Use Flows					
Industrial	2.18	-	1,300		2,834
Total	2.18				2,834
Proposed Project Demand					
Assisted Living Facility	2.18	64	-	125	8,000
Total	2.18				8,000
Increase in Water Demand					5,166

Source: VWD 2018.

Wastewater Collection System Analysis – The VWD Sewer Study (2018) included modeling that considered the sewer collection infrastructure in the direct vicinity of the project as well as all downstream infrastructure from the proposed project to Meadowlark Reclamation Facility.

Wastewater Lift Station Analysis – Lift stations are sized for peak wet weather flow. Since the project site is not located in a sewer shed that is served by a lift station, there are no lift station upgrade requirements for the project.

Parallel Land Outfall Analysis – VWD's existing outfall is approximately eight miles in length and consists of four gravity pipeline sections and three siphon sections varying from 20 to 54 inches in diameter. VWD maintains the entire pipeline from Lift Station No. 1 to the Encina Water Pollution Control Facility (EWPCF). From Lift Station No. 1 to El Camino Real, VWD is the sole user of this pipeline. From El Camino Real to the EWPCF, the ownership capacity is split between the City of Carlsbad (5 million gallons per day (MGD)), the City of Vista (3.75 MGD), and VWD (12.10 MGD), for a total capacity of 20.85 MGD.

The Meadowlark Reclamation Facility (MRF) has a capacity of 5 MGD with a peak wet weather capacity of 8 MGD. Combined with the capacity at EWPCF, VWD has a combined peak wet weather wastewater collection capacity of 20.10 MGD at these two facilities. VWD's 2014 average daily wastewater flow was 7.2 MGD, which corresponds to a peak wet weather flow of 16.9 MGD. This falls within VWD's combined peak wet weather collection capacity. The 2008 Master Plan estimated that, under approved land uses, VWD has an ultimate built-out average daily flow of 13.3 MGD, which corresponds to a peak wet weather

flow of 29.5 MGD. This exceeds VWD's peak wet weather collection capacity. To accommodate additional wastewater flows from planned development, including the proposed project, the 2008 Master Plan recommended conveyance of peak flows to the EWPCF via a parallel land outfall.

The project proposes to generate additional average wastewater flows of 5,166 gpd that was not accounted for in the Land Outfall's capacity studies in the 2008 Master Plan. With the outfall, there is available capacity to serve the project's proposed wastewater generation. The project would pay Wastewater Capital Facility Fees per VWD Ordinance No. 176. These fees would be used by VWD to help fund the parallel land outfall design and construction. VWD considers payment of the fees as mitigation for the increase in the need for land outfall capacity.

Wastewater Treatment Facility Analysis – VWD uses two wastewater treatment facilities to treat wastewater that is collected within its sewer service area: the MRF and EWPCF. MRF has a liquids treatment capacity of up to 5 MGD with a peak wet weather capacity of 8 MGD. MRF does not have solids treatment capacity; all solids are treated at EWPCF.

EWPCF has a treatment capacity of up to 40.51 MGD. VWD's 2014 average daily wastewater flow was 7.2 MGD. Therefore, there is adequate solids treatment capacity at this time to serve the project. VWD currently owns 10.47 MGD of solids treatment capacity at EWPCF.

The ultimate average wastewater flow identified in the VWD 2008 Master Plan is 13.3 MGD, resulting in a projected solids treatment capacity deficiency of 2.83 MGD.

VWD currently owns 7.67 MGD of liquids treatment capacity at EWPCF, in addition to the liquids treatment capacity of 5 MGD at MRF, totaling 12.67 MGD of liquids treatment capacity. VWD's 2014 average daily wastewater flow was 7.2 MGD. Therefore, there is adequate liquid treatment capacity at this time to serve the project.

The ultimate average wastewater flow identified in the 2008 Master Plan of 13.3 MGD would result in a projected liquids treatment capacity deficiency of 0.63 MGD.

VWD also currently owns 10.47 MGD of ocean disposal capacity at EWPCF. VWD's 2014 average daily wastewater flow was 7.2 MGD. Therefore, there is adequate ocean disposal capacity at this time to serve the project.

The ultimate average wastewater flow identified in the 2008 Master Plan of 13.3 MGD would result in an ocean disposal deficiency of 2.83 MGD. In summary, VWD would experience ultimate solids handling, liquids handling, and ocean disposal capacity deficiencies.

The project would increase the wastewater flows from the project site by approximately 5,166 gpd; however, this increase was not identified as a significant impact in the VWD water and sewer study. Page 17 of the VWD sewer study specifically states that, considering VWD's 2014 average daily wastewater flow of 7.2 MGD, adequate wastewater treatment and disposal capacity currently exists for the project.

The project would pay Wastewater Capital Facility Fees per VWD Ordinance No. 176. These fees would be used by VWD to help fund the expansion and/or construction of wastewater treatment facilities to handle increased wastewater quantities. VWD considers payment of the fees as mitigation for the increase in treatment need.

In summary, the project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities. Impacts would be less than significant.

Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Less Than Significant Impact

The project proposes a comprehensive stormwater management plan that includes stormwater improvements within the project boundary. This includes the provision of a hydromodification and biofiltration basin in the northwest portion of the project site to provide water quality treatment for on-site runoff from project pads and roadways as well as storm drains. This basin has been sized to accommodate stormwater flows. Construction of these facilities is proposed within the development footprint of the project. An expansion of existing facilities would not be required to serve the project. Impacts would be less than significant.

Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed? Less Than Significant Impact

The VWD 2008 Master Plan assumed water demand on the project site would be 3,270 gpd. Under the proposed development, the project would have a water demand of 8,000 gpd. This represents an increase of approximately 4,730 gpd; however, this increase was not identified as a significant impact in the VWD water and sewer study. Page 17 of the VWD study specifically states that VWD currently has water capacity to serve the project. Therefore, sufficient water supplies would be available to serve the project from existing entitlements and resources. Impacts would be less than significant.

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

Due to the proposed development of an assisted living facility on the project site, the project would increase the demand for wastewater treatment as well as land outfall capacity. The project would pay Wastewater Capital Facility Fees per VWD Ordinance No. 176. These fees would be used by VWD to help fund the expansion and/or construction of wastewater treatment facilities to handle increased wastewater quantities and also the expansion of land outfall facilities. VWD 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.

Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Less than Significant Impact

The project would generate solid waste and recyclables as part of the operations of the assisted living facility. The project has been designed to accommodate access by typical solid waste and recycling collection vehicles. Waste and recyclables generated by the project would be stored for collection within a screened trash enclosure located in the parking lot.

Solid waste service in the City is provided by a private franchise hauler, EDCO Waste and Recycling (EDCO), which handles all residential, commercial, and industrial collections within the City. Waste collected by EDCO is hauled to the Escondido Resources Recovery Transfer Station where it is then transported to the Sycamore Sanitary Landfill in Santee. According to CalRecycle, the Sycamore Sanitary Landfill has a daily permitted capacity of 5,000 tons/day of solid waste with an anticipated closure date of 2054 (CalRecycle 2018 and County of San Diego 2018).

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 nursing/retirement home land uses from CalRecycle of 5 lbs/person/day, the project is increase solid waste generation by approximately 320 lbs/day during operation (CalRecycle 2006). This does not consider any waste diversion through recycling.

The City of San Marcos is currently exceeding their waste reduction targets. According to CalRecycle, the City of San Marcos has a disposal rate target of 8.9 lbs/person/day. If the City meets this target, the City is considered in compliance with the 50 percent diversion requirement of Assembly Bill 939. The most recent data from CalRecycle identifies the annual per capita disposal rate is 5.1 lbs/person/day (CalRecycle 2018b). 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 160 lbs/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.

Comply with federal, state, and local statutes and regulations related to solid waste? 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. The project would comply with existing regulations related to solid waste disposal. The project would not violate federal, state, or local statutes or regulations related to solid waste. Impacts would be less than significant.

V. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

The project site is vacant and has already been graded; however, existing vegetation along the southern and western border will be removed and replaced as part of the project. Implementation of Mitigation measures MM-BIO-1a and MM-BIO-1b will ensure that species covered under the MBTA will not be impacted during vegetation removal. No further impacts to biological resources are anticipated. The project will not 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, or reduce the number or restrict the range of a rare or endangered plant or animal.

A cultural resources study was prepared for the project and did not identify any resources on the site. The project site is already developed. The City also conducted outreach to tribes consistent with the requirements of SB 18 and AB 52. Mitigation measures MM-CR-1a through MM-CR-1h would be applicable to the project for any additional grading in previously-undisturbed areas.

Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals? Less Than Significant Impact With Mitigation Incorporated

Based upon the analysis presented in Section 3.I through 3.XVIII, all impacts will be mitigated to below a level of significance. Potential impacts related to biological resources, cultural resources, geology/soils, and traffic will be addressed through implementation of mitigation measures which will be required as condition of project approval. The analysis did not identify any inconsistencies with the General Plan as it relates to the long-term goals of the City's General Plan.

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

Cumulative impacts related to air quality, greenhouse gas and noise were analyzed in this CEQA document. Based upon the analysis, the project will not have any cumulative impacts related to air quality, greenhouse gas, noise and traffic beyond those previously identified for cumulative traffic and air quality for the larger UCSP. Impact are less than significant.

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

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

VI. PERSONS AND ORGANIZATIONS CONSULTED

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

CITY OF SAN MARCOS

Norman Pedersen, Associate Planner
Kyle Wright, Assistant Engineer

CONSULTANTS

CEQA Documentation

Sophia Mitchell & Associates
Sophia Habi Mitchell, LEED AP, Project Manager
Melyssa Sheeran, Senior Environmental Consultant

Air Quality, Greenhouse Gas and Noise

Ldn Consulting, Inc.
Jeremy Loudon, Principal

Cultural Resources

ASM Affiliates
Jason Kjolsing, M.A

Geotechnical Report and Supplemental Infiltration Testing

Krazan & Associates
James M. Kellogg, PE, GE
Jorge A. Pelayo, EIT

Phase 1 and Phase 2 Environmental Site Assessments

Apex
Dana Williams, Environmental Scientist
Matthew Neigh, Program Manager
Ronald J. Kofron, CEG 1527, Program Manager

Drainage, Stormwater and Water Quality Reports

Pacific Coast Civil, Inc.
Richard E Doss, RCE

VII. REFERENCES

Apex. 2017a. Phase 1 Environmental Site Assessment conducted on Northeast Corner of Rancho Santa Fe Road and San Elijo Road Assessor's Parcel Number 2236510100 San Marcos, CA. September 5.

Apex. 2017b. Summary of Findings Stockpiled Soil Sampling Northeast Corner Santa Fe Road and San Elijo Road. San Marcos CA. October 4.

Association of Environmental Professionals (AEP). 2016. Final White Paper Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California.

https://www.califaep.org/images/climate-change/AEP-2016_Final_White_Paper.pdf
Viewed January 23, 2019.

Bell, Rick. 2019. Letter to Norm Pedersen regarding expected demand for fire/police calls. February 7.

California Air Resources Board (CARB). 2017. California's 2017 Climate Change Scoping Plan.

https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf
Viewed January 23, 2019.

California Department of Conservation. 2010. Alquist-Priolo Earthquake Fault Zones.

<http://www.conservation.ca.gov/cgs/Pages/Earthquakes/affected.aspx> Viewed January 23, 2019.

California Department of Finance. 2016. Total Estimated and Projected Population for California and Counties: July 1, 2010 to July 1, 2060 in 1-year Increments.

http://www.dof.ca.gov/Forecasting/Demographics/projections/documents/P1_County_1yr_interim.xlsx

Viewed January 23, 2019.

California Water Boards (State Water Resources Control Board). 2018. GeoTracker Database Search, Listing for Pacific Handrail & Fence Co at 1312 Barham Drive.

http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0607301970 Viewed January 23, 2019.

CalRecycle. 2018a. SWIS Facility Detail for Sycamore Landfill (37-AA-0023).

<https://www2.calrecycle.ca.gov/SWFacilities/Directory/37-AA-0023/Detail/>. Viewed January 23, 2019.

CalRecycle. 2018b. Jurisdiction Diversion and Disposal Rate Summary (2007 – Current): San Marcos.

<https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006>
Viewed January 23, 2019.

CalRecycle (California Department of Resources Recycling and Recovery). 2006. Estimated Solid Waste Generation Rates: Residential Sector Generation Rates.

<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Residential>
Viewed January 17, 2019.

Caltrans. 2018. Officially Designated State Scenic Highways.
http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm.
Viewed January 23, 2019.

CAPCOA. 2017. 2016.3.2 - California Emissions Estimator Model-Software Documentation - Appendix D. Retrieved from <http://caleemod.com/>

City of San Marcos. 2019. SMFD Department Overview Webpage.
<https://www.san-marcos.net/departments/public-safety/fire-department/department-overview>
Viewed March 22, 2019.

City of San Marcos. 2017. 2017 ADT Counts.
<https://www.san-marcos.net/home/showdocument?id=22603>
Viewed March 27, 2019.

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

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

City of San Marcos. 2001. Draft Natural Community Conservation Plan for the City of San Marcos.
May 2.

County of San Diego. 2018. Five-Year Review Report of the Countywide Integrated Waste Management Plan.
https://www.sandiegocounty.gov/content/dam/sdc/dpw/SOLID_WASTE_PLANNING_and_RECYCLING/Files/2.%20Five-YearReview-%20Final.pdf
Viewed January 23, 2019.

Krazan & Associates. 2017. Geotechnical Engineering Investigation Proposed Artis Senior Living Facility NEC of San Elijo Road and Paseo Plomo San Marcos, California. September 5.

Krazan & Associates. 2018. Results of Supplemental Infiltration Testing. Proposed Artis Senior Living Facility NEC of San Elijo Road and Paseo Plomo San Marcos, California. July 23.

Ldn Consulting, Inc. (LDN). 2019a. Air Quality Assessment, Artis Senior Living Development, City of San Marcos, CA. March 1.

Ldn Consulting, Inc. (LDN). 2019b. Greenhouse Gas Assessment, Artis Senior Living Development, City of San Marcos, CA. March 1.

Ldn Consulting, Inc. (LDN). 2019c. Noise Assessment, Artis Senior Living Development, City of San Marcos, CA. February 28.

Pacific Coast Civil. 2018a. Hydrology Study Artis Senior Living. 9 San Elijo Rd. San Marcos, CA 92078. May 23.

Pacific Coast Civil. 2018b. Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP) for Artis Senior Living. October 30.

San Diego Air Pollution Control District (SDAPCD). 2018. Attainment Status.
<https://www.sdapcd.org/content/sdc/apcd/en/air-quality-planning/attainment-status.html>
Viewed January 23, 2019.

San Diego Association of Governments (SANDAG). 2002. (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region. April.
http://sandiegohealth.org/sandag/sandag_pubs_2009-7-25/publicationid_1140_5044.pdf Viewed January 23, 2019.

San Diego County Regional Airport Authority, Airport Land Use Commission. 2010. McClellan-Palomar Airport Land Use Compatibility Plan. January 25. Amended March 4, 2010 and December 1, 2011.
http://www.san.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=2991&language=en-US&PortalId=0&TabId=225
Viewed January 23, 2019.

San Diego Association of Governments (SANDAG). 2011. Regional Housing Needs Assessment. Fifth Housing Element Cycle Planning for Housing in the San Diego Region 2010 – 2010. October 28.
http://www.sandag.org/uploads/publicationid/publicationid_1661_14392.pdf.
Viewed January 23, 2019

San Diego Association of Governments (SANDAG). 2018. Series 13 Regional Growth Forecast City of San Marcos. http://datasurfer.sandag.org/download/sandag_forecast_13_jurisdiction_san-marcos.pdf. Viewed January 23, 2019.

San Marcos Fire Department (SFMD). 2019. Email correspondence from Jason Nailon, Fire Marshal, to Sophia Hahl Mitchell. March 22.

Vallecitos Water District (VWD). 2018. Artis Senior Living Water and Sewer Study. Work Order #204962 Final Technical Memorandum. October 31.

VIII. MITIGATED NEGATIVE DECLARATION

City of San Marcos

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

Public Review Period: May 8, 2019 to June 7, 2019

Project Name: Artis Senior Living

Project Applicant: Artis Senior Living, 1651 Old Meadow Road, McLean, VA 22101.

Project Location: The 2.18-acre project site is located in the southern portion of the City of San Marcos in North San Diego County (APN 223-651-01-00). The project site is located on the northeast corner of San Elijo Road and Paseo Plomo.

Project Description: The project applicant is requesting approval of a Specific Plan Amendment and a Site Development Plan to construct a 64-bed assisted living and memory care facility. The two-story building will have 39,951 square feet (s.f.) with 21,385 s.f. on the first floor and 18,566 s.f. on the second floor. The project design includes 64 private bedrooms for residents, communal spaces for residents including dining rooms, family rooms, an activity room, community room, health center, barber/beauty shop, café and gallery. The building also includes spaces for staff and management and a kitchen facility.

IX. FINDINGS

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

- ☐ The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☒ The Initial Study identifies potentially significant effects but:
 - (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
 - (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

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

Mitigation from Previous Environmental Documentation for the UCSP Applicable to the Project

The following mitigation measures were identified in previous environmental documentation for the UCSP and would be applicable to the project:

- MM-VIS-A** Visible manufactured slopes shall be contoured to simulate the natural terrain, except where such contouring will conflict with the geotechnical engineer's recommendations are where the granitic nature of the terrain makes it physically or economically infeasible.
- MM-VIS-B** Special landscaping techniques using plant material of varying heights shall be used in conjunction with contour grading to create a modulated slope appearance. The City Planning Department shall review and approve all final landscape plans to ensure compliance with the landscape guidelines contained in the Proposed Project SPA.
- MM-VIS-C** With the exception of natural habitat areas, existing land forms may be recontoured, as necessary, to provide a smooth and gradual transition to graded slopes, while preserving the basic character of the site.
- MM-VIS-D** If offsite disposal of export is required, the disposal site and haul route shall be identified at the time of Development Plan review. At that time, additional environmental review of the potential impacts associated with a proposed disposal site and the haul route may be required in compliance with CEQA.
- MM-VIS-E** The final grading plan shall be reviewed and approved by the City Planning Department and City Engineer to ensure substantial conformance with the Conceptual Grading Plan and grading guidelines contained in the Proposed project SPA.

- MM-VIS-F** Prior to issuance of building permits, the City Planning Department shall review architecture plans to ensure compliance with the architecture guidelines contained in the Proposed project SPA and applicable design goals and objectives of the City General Plan Land Use Element.
- MM-VIS-H** A comprehensive landscape program, including the use of vegetative screening and varying plant heights as approved by the City, shall be implemented and maintained. The City Planning Department shall review and approve all final landscape plans to ensure compliance with the landscape guidelines contained in the Proposed project SPA.
- MM-VIS-I** Architectural and landscaping treatments shall be used to minimize aesthetic impacts. Use of texturing, plasters and other architectural treatments will be incorporated to the satisfaction of the Planning Director. Landscaping will be installed to the satisfaction of the Planning Director. Landscaping will be installed between the noise barrier and the sidewalk/road, to provide a visual buffer, to the satisfaction of the Planning Director.
- MM-VIS-J** Any manufactured cuts exceeding 10 feet in height will have a heightened landscaping and/or architectural treatment installed to reduce visual impacts. For cuts in areas that will support landscaping, enhanced landscaping will be installed to reduce visual impacts. For cuts in areas that are steeper than 2:1 or in hard substrate that cannot be effectively landscaped, additional treatments will be required (e.g. shot-crete textured and colored to mimic the natural substrate, contouring cuts such that long perpendicular planes are avoided). The additional treatments will be implemented to the satisfaction of the Planning Director.

Mitigation Measures Based Upon New Project-Specific Analysis

- MM-BIO-1a** In order to avoid and minimize impacts to nesting birds (pursuant to the Migratory Bird Treaty Act), no removal of ornamental vegetation will occur during the avian breeding season (February 15 through August 31) within the project area, unless preconstruction surveys indicate that active nests are not present on the site or in surrounding areas. If surveys show that nesting birds are present, mitigation measure MM-BIO-1b would be implemented.
- MM-BIO-1b** If nesting birds are found during the preconstruction survey performed under MM-BIO-1a, a no-work buffer would be placed around the nest. The buffer size would be determined by a qualified biologist and would vary based on site conditions and type of work to be conducted. The no-work buffer would be maintained until the end of the breeding season or until surveys by a qualified biologist confirm that fledglings are no longer dependent on nest. If no nesting birds are detected during pre-construction surveys, no restrictions would be necessary and construction may proceed as planned.
- MM-CR-1a** Prior to the issuance of a Grading Permit, or ground-disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with the San Luis Rey Band of Mission Indians, and/or another Traditionally and Culturally Affiliated Native American Tribe ("TCA Tribe"). The purpose of this agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of Native American human remains,

funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas and other tribal cultural resources, located within and/or discovered during ground disturbing and/or construction activities for the proposed project, including any additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and all other ground disturbing activities.

- MM-CR-1b** The landowner shall relinquish ownership of all non-burial related tribal cultural resources collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement. Any burial related tribal cultural resources (as determined by the Most Likely Descendant) shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission pursuant to California Public Resources Code Section 5097.98. If none of the TCA Tribes accept the return of the cultural resources, then the cultural resources will be subject to the curation requirements contained herein. Additionally, in the event that curation of tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved facility and the curation shall be guided by California State Historic Resource Commissions Guidelines for the Curation of Archaeological Collections. The City of San Marcos shall provide the developer final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The applicant shall provide to the City written documentation from the TCA Tribe, the Most Likely Descendant, and/or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.
- MM-CR-1c** Prior to the issuance of a Grading Permit or ground-disturbing activities, the Applicant/Owner or Grading Contractor shall provide a written and signed letter to the Development Services Department stating that a Qualified Archaeologist and TCA Native American monitor have been retained at the Applicant/Owner or Grading Contractor's expense to implement the monitoring program, as described in the Tribal Cultural Resource Treatment and Monitoring Agreement.
- MM-CR-1d** Prior to submittal of grading and/or improvement as-built plans, or prior to the issuance of any project Certificate of Occupancy, a monitoring report, which describes the results, analysis and conclusions of the archaeological monitoring program shall be submitted by the Qualified Archaeologist, along with the TCA Native American monitor's notes and comments, to the Planning Division Manager for approval. A copy of any submitted monitoring report shall be provided to the San Luis Rey Band of Mission Indians and any other TCA Tribe that requests the report.
- MM-CR-1e** The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground disturbing activities. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall notify the Planning Division, preferably through e-mail, of the start and end of all ground disturbing activities.
- MM-CR-1f** The Qualified Archaeologist and TCA Native American Monitor shall attend all applicable pre-construction meetings with the General Contractor and/or

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

MM-CR-1g

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

- MM-CR-1h** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. By law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC), by telephone, within 24 hours. The NAHC will make a determination as to the Most Likely Descendent. If suspected Native American remains are discovered, the remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the examination of the remains shall only occur on-site in the presence of a TCA Native American monitor.
- MM-GEO-1** The project applicant shall implement all of the geotechnical recommendations identified on pages 9 – 22 of the Report of Preliminary Geotechnical Investigation (Krazan & Associates 2017). These recommendations address grading/earthwork, engineered fill, foundations, floor slabs and exterior flatwork, retaining walls, excavation stability, utility trench location, construction and backfill, compacted materials, surface drainage and landscaping, pavement design, infiltration testing, and soil corrosivity. These requirements shall be included as noted on the grading plan for the project.
- MM-TR-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 2011-01 (Congestion Management).

A MITIGATED NEGATIVE DECLARATION will be prepared.

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

NOTICE

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



Norman Pedersen, Associate Planner
Date of Determination: May 1, 2019