DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION LD 23-004 & GP23-004

Project Name:	Las Lomas Grading Project
Project Location:	Tierra Del Cielo Parcel Map 14659, Parcel E Vista, CA 92084
APN:	APN 174-260-15
Project Applicant:	Wheeler Family Trust Richard R. Wheeler & Debra K. Wheeler, Trustees 1279 Shady Mill Road Corona, CA 92882 (951) 545-9736
Lead Agency:	City of Vista Community Development Department, Planning Division 200 Civic Center Drive Vista, California 92084 Michael Ressler, Principal Planner (760) 643-5382
Public Review Period:	January 10, 2024 to February 8, 2024

This Draft Initial Study/Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). It is available for a 30-day public review period as shown above.

Comments regarding this document should focus on the sufficiency of the document in identifying and analyzing the potential impacts on the environment that may result from the proposed project, and the ways in which any significant effects are avoided or mitigated. All comments must be made in writing and addressed to Mr. Michael Ressler, Principal Planner, City of Vista Planning Division, 200 Civic Center Drive, Vista, California 92084. Comments may be sent by e-mail to: MRessler@cityofvista.com. Comments must be received in the Planning Division office no later than 5:00 P.M. on the last day of the public review period noted above.

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Chapter 1 - Introduction

CEQA Overview

The City of Vista (COV) Planning Division has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to evaluate the potential environmental consequences associated with the proposed Las Lomas Grading Project ("project"). As part of the permitting process, the proposed project is required to undergo an environmental review pursuant to CEQA. One of the main objectives of CEQA is to disclose to the public and decision makers the potential environmental effects of proposed activities. CEQA requires that the lead agency prepare an Initial Study (IS) to determine whether an Environmental Impact Report (EIR), Negative Declaration (ND), or a Mitigated Negative Declaration (MND) is needed. The COV's Planning Division is the lead agency for the proposed project under CEQA, and per State CEQA Guidelines Section 15070 has determined that an MND would be prepared. A description of the proposed project is found in Chapter 2 of this document.

Authority

The preparation of this IS/MND is governed by two principal sets of documents: CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). Specifically, the preparation of an IS and an MND is guided by the State CEQA Guidelines; Section 15063 describes the requirements for an IS, and Sections 15070–15073 describes the process and requirements for the preparation of an MND. Where appropriate and supportive of an understanding of the issues, reference will be made either to the CEQA statutes or State CEQA Guidelines. This IS/MND contains all of the contents required by CEQA, which includes a project description, a description of the environmental setting, potential environmental impacts, mitigation measures for any significant effects, consistency with plans and policies, and names of preparers.

Scope

This IS/MND evaluates the proposed project's effects on the following resource topics:

- aesthetics
- agriculture and forest resources
- air quality
- biological resources
- cultural and tribal cultural resources
- energy
- geology and soils
- greenhouse gas emissions
- hazards and hazardous materials
- hydrology and water quality
- land use and planning
- mineral resources
- noise
- population and housing
- public services
- recreation
- transportation
- utilities and service systems
- wildfire
- mandatory findings of significance

Chapter 2 - Environmental Setting and Project Description

Project Overview

The proposed Las Lomas Grading project involves the approval of a Land Development Permit (LD) and Grading Permit (GP) to allow rough grading of APN 174-260-15 in the City of Vista. The 2.93-acre parcel is bound by private roads Las Lomas to the north and Tierra Del Cielo to the west. The proposed project would also widen these adjacent roadways to improve access and safety to the site and existing residential community north and east of the project home site. An additional project component is the creation of a 20-foot-wide fire equipment emergency access road from the eastern terminus of Kings Way, located west of the site, to Tierra Del Cielo.

Rough grading of APN 174-260-15 is proposed to support the future development of a single-family residence onsite. The project site is located east of Tierra Del Cielo and south of Las Lomas Road on the western slopes of the San Marcos Mountains in the northeast portion of the City of Vista as shown in Figures 1, 2, and 3 in Attachment A, City Location Map, Topographical Map of Project Site and Surrounding Area, and Aerial Photo of Existing Property and Surrounding Area, respectively.

The property has a *General Plan 2030 Update (GP 2030)* (City of Vista, 2012a) land use designation of OSR (Open Space Residential) which allows 0.4 dwelling units per acre (du./ac.) and is zoned Open Space Residential (O-R) according to the City's Zoning Map. The project site is adjacent to the existing Warmland Highlands Specific Plan.

APN 174-260-15 is currently undeveloped and supports native vegetation. The roads which provide existing access to the site are proposed to be widened from 16 feet to 30 feet to allow fire department access. 24 feet of the 30-foot-wide roadways will be paved. The roads that would be widened start from the north at Las Lomas Road, to the northeast of the property, head west and turns south of Tierra Del Cielo and ends at a gate about 100 feet (ft) north of the intersection with Camino Culebra.

An existing 40-foot easement will allow Tiera Del Cielo to be widened across 4 other properties along Tiera Del Cielo enhancing overall site access and driving safety for residents, visitors, and emergency response vehicles. The entire length of Las Lomas Road would also be widened to 30 feet within the exiting 40-foot-wide roadway easement.

The proposed project would widen an existing, narrow private road (Tierra Del Cielo) to enhance fire department access and facilitate overall site access and driver safety. The proposed project would also add a fire equipment access point to the Kings View Estates property line located to the west and would include rough grading on an existing previously developed but currently vacant 2.93-acre lot (APN 172-260-15).

All streets onsite will be widened using green street designs utilizing rock lining and curb cuts to minimize the creation of impervious surfaces and to retain existing drainage patterns onsite.

Tierra Del Cielo was first established and cut into bedrock in the 1960's and paved 16 feet wide in the 1980's. In 2007, there was a fire on the lot that is proposed to be graded. Fire equipment was unable to safely access the fire and the fire department had to pull hoses from the residential neighborhood to the west, Kings View Estates. Access to the lot to be graded, and other existing homes in the area, will continue to be from Tierra Del Cielo and Las Lomas Road. The existing City of Vista sewer and Vista Irrigation District water easements that run through the site will remain.

The west side of Tiera Del Cielo is steep and is vegetated with sensitive habitat, thereby making widening the road on the westside infeasible. The eastern side of the road typically consists of slopes that range in

height from 6 to 15 feet high and consist of solid rock. The project would cut between 8 to 10 ft into the eastern slope of Tierra Del Oro. The newly cut area would contain a three-foot wide rock-lined swale, a three- to four-foot-wide slope wall and a hydroseeded 1.5:1 slope. The hydroseeding material will be species that are fire and drought tolerant native plant species. No irrigation system will be required.

Current grading volumes are estimated to be 6,018 cubic yards of cut, 1,313 cubic yards of fill and 4,705 of offsite material export.

The existing gated entrance to Tiera Del Cielo is 694 feet above mean sea level (amsl) and increases to an elevation of 880 amsl at the end of Las Lomas. The entire length of Tierra Del Cielo on the site is approximately 2,000 feet long. The average slope is approximately 10% with some roadway segments at a 20% slope.

Currently, offsite runoff from areas beyond the property limits drains onto Las Lomas Road and Tierra Del Cielo. The proposed site drainage conveyance will remain substantially similar to the existing condition as predominantly urbanized and steeply sloping shallow concentrated street flow along Las Lomas Road and Tierra Del Cielo. Water will drain as sheet flow onto a proposed "Green Streets" roadside rock-lined swale via one-foot-wide curb cuts spaced every 15 feet along the existing road profile and the proposed fire road.

The Storm Water Quality Control Plan (SWQMP) (Tory Walker Engineering, 2023b) defines the proposed project as a Priority Project. The proposed rock-lined swale along the existing steep roadway and fire road will serve to intercept, slow and infiltrate stormwater runoff generated from the proposed widening.

The proposed project includes approaches to maintain the natural aesthetic, character and resources including use of the onsite rock reduce the amount of grading for the home site. The proposed project would allow rough grading of a residential lot for a homesite and the construction of a gravel driveway that connects to Las Lomas Road.

All underground facilities are accessible from the adjacent property. The site consists of 2.93 acres zoned as Open Space Residential. No zoning change is required or proposed. The proposed pad will be at an elevation of 860 feet.

The Covenants, Conditions and Restrictions (CC&R's) require the current and any subsequent homeowners to preserve the natural biological resources onsite. Design elements will also be required consistent with Fire Department conditions. It is currently assumed that the areas to be graded and developed will be directly and permanently impacted as will the first 50 feet of the fire clearance zone around each structure and the first 30 feet to the east from the improved road. The next 50 feet around each structure (the 50-100-foot zone) will be cleared 50% with shrubs limbed up. For this Project, 50% clearance zone will be considered a 50% impact to the underlying habitat. The remaining habitat onsite will be set aside to fully mitigate onsite impacts to habitat. Undisturbed areas will function as biological open space and onsite habitat mitigation and will be protected in perpetuity by the CC&Rs of the Homeowners Association (HOA) which governs the site.

Existing Environmental Setting

CITY OF VISTA

The city of Vista is a largely built out, predominantly low-density residential community located approximately seven miles inland from the Pacific Ocean in northern San Diego County. Clusters of urbanizing higher density areas are scattered throughout the central portion of the city and along arterial roads. Vista is in the rolling topography of the western foothills of the San Marcos Mountains, with elevations ranging from approximately 200 feet to about 750 feet above mean sea level (AMSL). Pleasant views are found from various points

throughout the city with some higher elevations offering captivating vistas of the Pacific Ocean to the west. In addition to the pleasing topography of the mountains and hills, the city is lushly vegetated from the low-level creek beds to the steep slopes of the foothills, which also contributes to the overall beauty of the community. The city also has two major creeks that flow through its boundaries, Buena Vista Creek, and Agua Hedionda Creek.

PROJECT SITE

The Las Lomas Grading Project consists of grading a site for a future single-family residence on a single parcel, improving the existing roads that provide access to the site and the other homes served by Las Lomas and Tierra Del Oro and formalizing an emergency fire equipment access point from the residential community to the west. The project site consists of a single parcel (2.93 acres) plus portions of several other parcels containing the two roadways and emergency fire equipment accessway. These actions are considered as a single project in this report, but are discussed separately, in part, as the project components differ in nature and precise location.

The grading for the lot for a future single-family residence (also referred to as Lot 7) is proposed to occur on a property/parcel controlled by the applicant. The emergency fire equipment access road passes along this parcel and passes between several other, privately-owned parcels south of the Lot 7 parcel.

The project site is in the northeastern part of the city near the City limits with unincorporated San Diego County (see Figure 1, City Location Map in Attachment A). The project site is located within an existing estate residential community of single-family homes accessed via Tierra Del Cielo and Las Lomas Road as shown in Figure 3 – Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A.

Access to the lot will be from Las Lomas Road, which will be widened to 24 feet in width to provide fire and traffic access. The other existing residences with access from Las Lomas Road will continue to be able to utilize this enhanced roadway. The northeast end of the section of road which will be widened is at an elevation of 870 feet amsl and is north of the Lot 7 parcel. From this point the road heads west and downhill and terminates at Tierra Del Cielo. Tierra Del Cielo runs along the west side of the Lot 7 parcel then has a sharp “hairpin” turn which will be widened to provide safer access and better road visibility for drivers. Tierra Del Cielo then continues south and crosses a steep gully where the road reaches its lowest elevation of 694 feet amsl and will narrow to 20 feet in width to prevent any input of fill into the gully. The road then will widen back to 24 feet in width and the area of planned improvements ends about 100 feet north of the intersection with Camino Culebra at an elevation of 709 feet amsl.

The roadway widening component fits entirely within the existing easement for the road. Both the single-family residence pad (i.e., Lot 7) and the road widening will make use of the local crystalline bedrock as a retaining wall to significantly reduce the need for additional cut slope area.

The area to be affected by the project ranges from 694 feet amsl in the southwest to 880 feet amsl in the northeast. The project site is generally sloped and undulating with lower elevations from the southwest to the northeast.

The existing impervious surface coverage of the site is 0.14 acres which is less than ten percent of the total parcel acreage, according to the 2023 *Storm Water Quality Management Plan* (*SWQMP*) prepared by Tory Walker Engineering (TWE, 2023b). Access to the project site would remain unchanged and is provided via Tierra Del Cielo and Las Lomas Road. While the access points would not change, the roadways would be widened per City and Fire Department requirements as shown in Figure 4, Proposed Site Plan, in Attachment A.

According to the *Biological Resources Report* (Bio Report) prepared for the proposed project (Tierra Data, Inc. 2023), the parcel is currently undeveloped and supports native vegetation. It is also within a Very High Fire Hazard Severity Zone (VHFHSZ) (CalFire 2023). Much of the parcel burned in 2007, but the vegetation was left to regrow naturally. The northern quarter of the parcel, which has a slight north-facing slope, supports Diegan coastal sage scrub (CSS), while the area to the south, which slopes west or south, supports southern mixed chaparral (SMC). All properties along the road except for the southernmost on the east side of the road near Camino Culebra are within the VHFHSZ. Further information on this topic can be found in Section IV - Biological Resources and Section XIX, Wildfire in Chapter 3 of this document.

Hydrologically, the project site is situated within the Buena Vista Hydrologic Subarea (HSA 904.22). The Lot 7 parcel is at the northeast uphill limit of the Carlsbad Hydrologic Unit and the Buena Vista Creek watershed (RWQCB 1995). According to the *SWQMP* (TWE, 2023b), in the existing condition, the project site drainage conveyance network is described as sheet flow, shallow concentrated roadside flow, pipe flow, and inlet flow at the designated ultimate discharge into Buena Vista Creek which outlets into Buena Vista Lagoon, and ultimately the Pacific Ocean. Additional information on this topic can be found in Section X - Hydrology and Water Quality in Chapter 3 of this document.

According to the *Geotechnical Report Update* (Geotech Report) prepared for the project site by SMS Geotechnical Solutions, Inc. (SMS, 2022), the soil on the majority of the site is Las Posas stony fine sandy loam, while the last 100 feet of the southern end of the road widening alignment is in Las Posas fine sandy loam. The bedrock at the site is the undivided Cretaceous Gabbro characteristic across most of the San Marcos Mountains. Additional information on this topic can be found in Section VII. Geology and Soils.

Surrounding Land Uses

Immediately surrounding land uses in all directions consist of large lot, estate single-family residential uses to the east, south, west, and north. The project site is located in a solidly residential part of the northeastern portion of the City (see Figure 3 – Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A).

The closest existing public school to the site is located southeast of the site and is Twin Oaks Elementary School. The school is located at 1 Cassou Road in the City of San Marcos. The closest fire station to the project site is Vista Fire Station #3 located approximately two miles to the northwest at 1070 Old Taylor Street. The closest police station is the San Diego County Sheriff's Office located at 325 South Melrose Drive. The project site is located within the service areas of the City of Vista (COV) sewer system, and the Vista Irrigation District (VID).

Proposed Project Description

The Applicant seeks approval of a Land Development Permit (LD) and Grading Permit (GP) to grade one residential parcel for future development with a single-family home and to widen two existing private roadways to improve public safety for the residential community and to provide fire equipment access as shown in the site plan (See Figure 4 - Proposed Site Plan in Attachment A). Development of the proposed project would include grading and drainage improvements and an emergency access road connection from Kings Road on a 2.93-acre parcel and within the existing roadway right of way.

The required discretionary approvals are described below:

- Land Development Division Permit (LD): Per Chapter 18.64 of the Vista Development Code, this application is required in order to review the proposed project with the City's design standards and

guidelines as contained in the Municipal Code, Development Code, Building Code, and all other applicable City codes.

- Grading Permit (GP): Per Chapter 17.56.010 of the Vista Municipal Code, this application is required to safeguard life, limb health, property, water quality, safety, and public welfare and to implement applicable elements of the Vista General Plan by regulating and controlling land disturbance activities and minimizing erosion on public and private property.

OVERALL PROJECT PLAN

The proposed project would develop a single 2.93 gross acre residential lot to support the future development of a single-family home as allowed under the existing General Plan Land Use and Zoning designations which are OSR and O-R, respectively. As related actions, the applicant is proposing to widen Tierra Del Cielo and Las Lomas Road, which are the two private roadways that currently provide access to the site. Lastly, the applicant is proposing to formalize an emergency fire equipment access connection from the cul-de-sac eastern terminus of Kings Way (King's View Estates residential community) to Vista Del Cielo which is located adjacent to the project site to support emergency fire equipment access, as needed.

The project would be developed in a single phase. In general, the project would consist of excavation, grading, installing a gravel driveway to the lot and stormwater improvements consisting of rock lined swales. According to the Applicant, project construction is estimated to be completed in approximately six months.

Demolition & Grubbing

The initial stage of site work is anticipated to involve demolition and removal of any existing on-site structures or improvements and vegetation, etc. from all areas of the project site. This initial phase of the project is estimated to take 30 days to complete.

Grading

The second stage of development is expected to consist of surface grading of the project site. Cut and fill grading is necessary to achieve design grades with maximum planned cuts and fills. Preliminary calculations of the overall mass grading of the project site are estimated at 6,018 cubic yards of cut, 1,313 cubic yards of fill and 4,705 of offsite material export. Grading is estimated to take approximately 120 days to complete.

There would be a single building pad constructed on the project site to allow future construction of one new single-family home. No construction proposed at this time, however. Temporary and permanent erosion control measures, such as vegetative protection, are required for all cut and fill slopes as detailed in Sections 17.56.280 (F), 17.56.290 (J), and 17.56.330 of the COV's Development Code. See Sections VII. Geology and Soils and X. Hydrology and Water Quality for additional discussion of these issues.

According to the *SWQMP* (TWE, Inc., 2023b), the proposed site drainage conveyance will remain substantially similar to the existing condition as predominantly urbanized and steeply sloping shallow concentrated street flow along Las Lomas and Tierra Del Cielo. Each roadway will drain sheet flow onto a proposed Green Streets roadside rock-lined swale via one-foot-wide curb cuts spaced every 15 feet along the existing road profile and proposed fire road. The proposed rock-lined swale will vary between 12 to 15 inches deep, comprised of 9-inch diameter rock underlain by a three-inch gravel filter layer or filter fabric. Proposed walls along the widened portion of Tierra Del Cielo and Las Lomas will intercept hillside runoff via vegetated swales and discharge concentrated flows onto the proposed Green Streets roadside rock-lined swales at select locations along the road profile. Vegetated swales will be three-feet-wide and twelve-inches-deep.

The proposed roadway widening will maintain existing points at the two main locations which include a northern discharge point just northwest of Las Lomas where runoff directly discharges into the King's View Estates private storm drain system, and a southern discharge point just west of the first easterly turn along

Tierra Del Cielo where runoff drains through a natural drainage system until converging with the King's View Estates private storm drain system at Warmlands Avenue. The proposed fire road incorporates a gravel driveway approach that will effectively disperse runoff from its small local drainage area and drain as shallow sheet flow onto Kings Road. See Section X. Hydrology and Water Quality for additional discussion and information on drainage improvements and water quality treatment.

ADDITIONAL APPROVALS

Besides review under CEQA, the applicant and/or contractor of the proposed project would be required to obtain the following additional approvals and/or permits from the COV: Right-of-Way Permit and Building and Occupancy Permit. These approvals require meeting certain Conditions of Approval prior to obtaining the required permits. In addition, all Conditions of Approval and mitigation measures in this document must be satisfactorily completed. Other public agency approvals are cited on page 3-1.

TRIBAL CONSULTATION

California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to CEQA Statute § 21080.3.1. COV staff conducted notification and consultation with these Tribes per the requirements of CEQA Statute § 21080.3.2. The mitigation measures in Section V. Cultural Resources were a result of the consultation process.

Chapter 3 - Initial Study Environmental Checklist

Project Information

Project Title: Las Lomas Grading Project

Lead Agency Name and Address: City of Vista
Community Development Department
Planning Division
200 Civic Center Drive
Vista, California 92084

Contact Person: Michael Ressler, Principal Planner
(760) 643-5382
Mressler@cityofvista.com

Project Location: Tierra Del Cielo, APN 174-260-15
Parcel Map 14659, Parcel E
Vista, CA 92084

Project Applicant: Wheeler Family Trust
Richard R. Wheeler & Debra K. Wheeler, Trustees
1279 Shady Mill Road
Corona, CA 92882
(951) 545-9736

General Plan Designation: Existing – Open Space Residential (OSR)
Proposed – Open Space Residential (OSR)

Zoning Designation: Existing – O-R (Open Space Residential)
Proposed – O-R (Open Space Residential)

Description of Project: See Chapter 2, Proposed Project Description.

Surrounding Land Uses and Setting: See Chapter 2, Proposed Project Description.

Other Public Agency Approvals: Submittal of a Notice of Intent (NOI) to the Regional Water Quality Control Board (RWQCB) and preparation of a Storm Water Quality Management Plan (SWQMP) in accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit.

Environmental Factors Potentially Affected

Based upon the initial evaluation presented in the following IS, it is concluded that the proposed project would not result in significant adverse environmental impacts.

Environmental Determination

On the basis of the initial evaluation of the attached Initial Study:

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

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

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

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

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

Michael Ressler, Principal Planner — January 9, 2024
Date

The signature below signifies that the applicant has read and accepts the mitigation measures detailed in the final Mitigated Negative Declaration.

Applicant or Owner — 1-3-2024
Date

Evaluation of Environmental Impacts

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

a. the significance criteria or threshold, if any, used to evaluate each question; and

b. the mitigation measure identified, if any, to reduce the impact to less than significance

IMPACT TERMINOLOGY

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

- A finding of *no impact* is appropriate if the analysis concludes that the project would not affect the particular topic area in any way.
- An impact is considered *less than significant* if the analysis concludes that it would not cause substantial adverse change to the environment and requires no mitigation.
- An impact is considered *less than significant with mitigation incorporated* if the analysis concludes that it would not cause substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered *potentially significant* if the analysis concludes that it could have a substantial adverse effect on the environment.

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

DISCUSSION

a. Less Than Significant Impact. Visual resources can be valued both objectively and subjectively based on their uniqueness, prominence, quality, relationship to community identity, and economic contributions, such as to land values and tourism. Visual resources are important from an aesthetic perspective when, based on the characteristics listed above, they are identified as containing significant scenic value. Within this understanding, a scenic vista can be defined as the public view of an area that is visually or aesthetically unique, such as a valley or a mountain range.

The project site is located on a hillside slope at the base of the San Marcos Mountains that is visible from the surrounding areas to the west, north, and south. Views of the hillside reveal existing homes, roadways, and vegetated slopes. Following project completion, portions of the site will appear physically changed where the lot has been graded and where the roadways have been widened. Given the expansiveness of the overall character of the hillside and relative level of existing development and abundant vegetation, visual changes will be minimal and will not result in the loss of a scenic resource or scenic vista. Due to the nature of the proposed project as a homesite lot grading and roadway widening project and the fact that no structures are being proposed, construction of the proposed project would not result in significant impacts on a scenic resource or scenic vista.

b. No Impact. The proposed project would not substantially damage scenic resources or historic buildings within a state scenic highway. The project site is not located adjacent to a scenic highway (see Figure 1 –

City Location Map in Attachment A) but is located in a developed area of the northeast portion of the city near Warmlands Avenue, which is not identified as a state scenic highway. Consequently, project implementation would not substantially damage scenic resources, and no impacts would occur with project implementation.

c. Less than Significant Impact. The proposed project site is located near the base of the San Marcos Mountains but would not substantially degrade the existing visual character or quality of the project site or surroundings. The visual character of the existing site is defined by existing residences located at higher elevations than the proposed site, roadways, landscaping, and vehicle parking. The visual character of the immediately surrounding area is largely defined by the residential communities that surround the site to the east, south, west, and north.

As noted in the Proposed Project Description section in Chapter 2 of this document, the proposed project involves rough grading to allow the future development of a homesite on a 2.93-acre parcel and widening of existing roadways that provide access to the site as well as to other existing homes in the community. The proposed project would be visually integrated with the surrounding landscape and community. Although the proposed project would change the existing visual character of the site through some vegetation removal, topographical change on the residential lot and roadway widening, the changes would be in keeping with the surrounding community character of neighboring residential development. Accordingly, project implementation would result in less than significant impacts.

d. No Impact. Construction of the project would not include the installation of any new streetlights or other residential lighting as no structures are proposed. As a result, the proposed project would not create a significant, substantial source of light or glare within the project area. In addition, future architectural plans for any buildings would be reviewed by the COV's Building Department and Planning Division prior to the issuance of building permits, including whether the exterior building materials or exterior lights would produce substantial glare. Conformance with the Development Code, permit plan checks, and reviews by COV Staff would ensure that substantial lighting and glare impacts from future building and site development would not be created. Therefore, the proposed project would not create a substantial source of light or glare and no impacts would occur with project implementation.

II. Agriculture and Forest Resources *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

DISCUSSION

a - e. No Impact. The existing project site has a *GP 2030* land use designation of Open Space Residential (OSR) and a Zoning designation of O-R (Open Space Residential). Portions of the site and surrounding areas have been developed with residential homes served by existing roadways including Las Lomas Road and Tierra Del Oro. The project site is not currently used as farmland, and it is not identified as Prime Farmland, Unique Farmland or Farmland of Statewide Importance on the most recent maps of the California Department of Conservation's Farmland Mapping and Monitoring Program. The project site is located within an urbanized area of the city which supports residential uses. The project site is not located in an area designated as forest land or timberland, and it is not currently in active agricultural use, or under a Williamson Act contract. As a result, project development would not convert any farmland to non-agricultural use, or forest land to non-forest use, or conflict with existing agricultural, or timberland zoning or Williamson Act contracts. Therefore, implementation of the proposed project would not result in any impacts to agricultural or forestry resources.

III. Air Quality *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The discussion below is based on the findings contained within the *Air Quality Technical Report (AQ Report*) (RCH Group, 2023a) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a. Less Than Significant Impact. The San Diego Air Basin's (SDAB's) air quality plans include the Regional Air Quality Strategy (RAQS) and the State Implementation Plan (SIP). Both air quality plans contain strategies for the region to attain and maintain the ambient air quality standards. The proposed project is consistent with the existing zoning and land use designation and the associated minor generation of criteria pollutants would not conflict with or obstruct implementation of the SDAB's air quality plans. As noted in Impact b below, construction and operations associated with the proposed project would be below all SDAPCD significance thresholds. Furthermore, the proposed project would be required to comply with applicable SDAPCD Rules and Regulations. Therefore, this impact would be less than significant.

b. Less Than Significant Impact. Air quality impacts can result from the construction and operation of the proposed project. Construction impacts include emissions associated with demolition, site preparation, grading, building construction, paving, and architectural coating. Operational impacts include emissions associated with the proposed project, including vehicle trips, at full buildout.

Air emissions were calculated using the California Emissions Estimator Model (CalEEMod) Version 2020.4.0 (California Air Pollution Control Officers Association [CAPCOA], 2021). CalEEMod is a tool used to estimate air emissions resulting from land development projects. The model generates emissions from two basic sources: construction and operational sources. SDAPCD significance thresholds for air quality impacts are shown in Table AQ-1 below.

TABLE AQ-1 SCREENING-LEVEL CRITERIA FOR AIR QUALITY IMPACTS

Pollutant	Total Emissions		
Construction Emissions			
	Lb. Per Day		
Coarse Particulate Matter (PM_{10})	100		
Fine Particulate Matter ($PM_{2.5}$)[1]	55		
Oxides of Nitrogen (NOx)	250		
Oxides of Sulfur (SOx)	250		
Carbon Monoxide (CO)	550		
Volatile Organic Compounds (VOC)[2]	137		
Operational Emissions			
	Lb. Per Hour	**Lb. Per Day**	**Tons Per Year**
Coarse Particulate Matter (PM_{10})	---	100	15
Fine Particulate Matter ($PM_{2.5}$)[1]	---	55	10
Oxides of Nitrogen (NOx)	25	250	40
Oxides of Sulfur (SOx)	25	250	40
Carbon Monoxide (CO)	100	550	100
Lead and Lead Compounds	---	3.2	0.6
Volatile Organic Compounds (VOC)[2]	---	137	15

*Source: RCH Group, 2023a * SDAPCD*

[1] $PM_{2.5}$ is not currently regulated under SDAPCD Rule 20.2. $PM_{2.5}$ thresholds are based on SCAQMD significance thresholds of 55 lbs./day for construction and operation and 10 tons/year for operation.
[2] VOCs are not regulated under SDAPCD Rule 20.2. VOC thresholds are based on City of San Diego's Significance Determination Thresholds.

CONSTRUCTION-RELATED EMISSIONS

Construction-related activities are temporary, finite sources of air emissions. Typical sources of construction-related air emissions include:

- Exhaust from construction equipment and worker automobiles, delivery trucks, and material-hauling trucks.
- Fugitive dust from earthmoving activities and equipment travel on unpaved surfaces.
- Fugitive VOC emissions from architectural coating.

Fugitive dust emissions vary greatly during construction and are dependent on the amount and type of activity, silt content of the soil, and the weather. Vehicles moving over unpaved surfaces, excavation, earth movement, grading, and wind erosion from exposed surfaces are all sources of fugitive dust.

Heavy-duty construction equipment is usually diesel powered. In general, emissions from diesel-powered equipment contain more NOx, SOx, and PM than gasoline-powered engines. However, diesel-powered engines generally produce less CO and less VOC than gasoline-powered engines. Standard construction equipment includes dozers, rollers, scrapers, backhoes, loaders, paving equipment, and heavy trucks.

Table AQ-2 provides a summary of the emission estimates for construction of the project, as calculated with the CalEEMod. Refer to the *AQ Report* for detailed model output files. As shown in Table AQ-2, emissions

associated with construction are below the significance thresholds for all construction phases and pollutants. Construction of the proposed project would be short-term and temporary. Thus, the emissions associated with construction of the proposed project would be less than significant.

TABLE AQ-2 ESTIMATED CONSTRUCTION EMISSIONS

Emission Source	ROG[1]	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
			lbs./day			
Site Preparation						
Fugitive Dust	-	-	-	-	19.66	10.10
Off-road Diesel	2.66	27.52	18.24	0.04	1.27	1.16
Worker Travel	0.05	0.03	0.41	0.00	0.15	0.04
TOTAL	**2.71**	**27.56**	**18.65**	**0.04**	**21.07**	**11.31**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No
Grading						
Fugitive Dust	-	-	-	-	7.08	3.42
Off-road Diesel	1.71	17.94	14.75	0.03	0.77	0.71
Worker Travel	0.04	0.03	0.34	0.00	0.12	0.03
TOTAL	**1.76**	**17.96**	**15.09**	**0.03**	**7.98**	**4.17**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No
Building Construction						
Off-road Diesel	1.57	14.38	16.24	0.03	0.70	0.66
Vendor Trucks	0.01	0.22	0.08	0.00	0.04	0.01
Worker Travel	0.04	0.03	0.32	0.00	0.12	0.03
TOTAL	**1.62**	**14.64**	**16.64**	**0.03**	**0.85**	**0.70**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No
Paving						
Fugitive ROG	0.11	-	-	-	-	-
Off-road Diesel	0.88	8.27	12.22	0.02	0.40	0.37
Worker Trips	0.06	0.03	0.43	0.00	0.17	0.04
TOTAL	**1.05**	**8.31**	**12.65**	**0.02**	**0.56**	**0.41**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No
Architectural Coatings Application						
Fugitive VOC	7.35	-	-	-	-	-
Off-road Diesel	0.18	1.22	1.81	0.00	0.06	0.06

Emission Source	ROG[1]	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Worker Trips	0.01	0.01	0.06	0.00	0.02	0.01
TOTAL	**7.54**	**1.22**	**1.87**	**0.00**	**0.09**	**0.07**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No
Maximum Daily Emissions	**7.54**	**27.56**	**18.65**	**0.04**	**21.07**	**11.31**
Significance Criteria	137	250	550	250	100	55
Significant?	No	No	No	No	No	No

Source: RCH Group, 2023a

1 CARB uses the term "reactive organic gases" (ROG) to measure organic gases, which is also contained in the CalEEMod results. The City of San Diego uses the term VOC ("volatile organic compounds") to describe organic gases in its Significance Determination Thresholds.
2 Values may differ slightly from estimates shown in the AQ Report Appendix due to rounding. Values are from summer daily emissions. Winter daily emissions are approximately the same and are all less than all significance thresholds (see AQ Report Appendix).

OPERATION-RELATED EMISSIONS

The proposed project would generate negligible air quality emissions that would not 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. Therefore, this impact would be less-than-significant.

c. Less Than Significant Impact. Impacts to sensitive receptors includes schools, hospitals, resident care facilities, daycare centers, residents, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The primary emissions of concern for land development projects are toxic air contaminants (TACs).

As stated in the *AQ Report, c*onstruction of the proposed project would result in minor emissions of TACs from construction equipment and motor vehicles (RCH Group, 2023a). Therefore, impacts to sensitive receptors would be less than significant.

d. Less Than Significant Impact. During construction, diesel equipment operating at the site may generate some minor odors; however, due to the distance of sensitive receptors to the project site and the temporary nature of construction, odors associated with project construction would not be significant. The proposed project does not propose sources of objectionable odors that would affect a substantial number of people. Therefore, odor impacts would be less than significant.

IV. Biological Resources *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	☐	☒	☐	☐
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?	☐	☒	☐	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

The discussion below is based on the findings contained within the *Biology Report* (Bio Report) (Tierra data, Inc. 2023) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a. & b. Less Than Significant Impact with Mitigation.

As stated in the Existing Environmental Setting section in Chapter 2 of this document, portions of the project site have existing vegetation. Onsite biological surveys have been conducted by Tierra Data biologists in 2021, 2022, and 2023. The survey study area comprised of the project property and a 100-foot surrounding buffer, which was surveyed on foot and with the aid of binoculars. The survey included mapping of vegetation communities, habitat assessments for special status species, and identification of other sensitive biological resources that occur or have potential to occur on the project site.

Potential direct impacts would occur from the Lot 7 portions of the project to a currently vacant site dominated by coastal sage scrub (CSS) and southern maritime chapparal (SMC) from development of a single-family residence, with associated access and improvements. Additional impacts would also occur from the fire access road portions of the project, both on the Lot 7 parcel and to the south because of the widening of Tierra Del Cielo and Las Lomas Road that provide access from the neighborhoods to the south (Tierra Data, 2023).

It is assumed that the areas to be graded and developed will be directly and permanently impacted as will the first 50 feet of the fire clearance zone around each structure and the first 30 feet to the east from the improved road. The next 50 feet around each structure (the 50-100-foot zone) will be cleared 50 percent (%) with shrubs limbed up. For this project, CDFW and the City have agreed that this 50% clearance zone will be considered a 50% impact to the habitat it occurs in.

It is recommended that the remaining 50% habitat onsite be set aside as compensatory mitigation for impacts and to serve as a buffer for undisturbed areas beyond it. Areas left ungraded and unaffected by the proposed project will function as biological open space if connected to off-site protected habitat and which are otherwise unconstrained and will be protected by the CC&Rs of the HOA which will govern this property.

The habitats being removed for development support several sensitive species, but none are listed under the federal or state ESAs (Tierra Data, 2023). The following California Rare Plant Ranks (CRPR) species were detected and would be impacted.

Wart-stemmed ceanothus is a CRPR 2B.2 species covered by the San Diego Multiple Habitat Conservation Plan(MHCP). In San Diego County, wart- stemmed ceanothus occurs along the immediate coastline from Carlsbad to the south, but in the area of San Marcos and Lake Hodges its distribution occurs inland and the species sometimes occurs in nearly monotypic stands (SANDAG 2003):

The MHCP will adequately conserve this species by conserving 71% of potential habitat, 75% of point locations (130 of 173 locations are within the FPA), and 78% of the major populations. Because no critical locations have been identified for this species, and it is neither a narrow endemic nor a wetland species, conservation outside the FPA is not required.

This site was not identified as one of the 173 point-locations in the MHCP, as all inland point-locations are south of the 78 highway.

Wart-stemmed ceanothus occurs as a nearly monotypic stand in this site, as is characteristic of the species in this part of its range. As a result, we measure the abundance of the species by acres covered instead of individuals, though we estimate approximately 400 individuals occur across 1.22 acres on the parcel. Of the 1.22 acres, 0.32 acre would be impacted by development and the 100% fire clearance zone within 50 feet of structures, and a further 0.19 acre would be partially impacted by the 50% fire clearance zone 50-100 feet from structures. As the species occurs in a near monotypic stand, we assume that full avoidance of it is

impossible and that 50% of the individuals in this zone will be impacted for a total of 0.42 acres impacted (34%). While impacts to wart-stemmed ceanothus are not significant and do not require mitigation, 0.80 acre of SMC habitat occupied by wart-stemmed ceanothus will be preserved on the Lot 7 parcel. This impact is not significant as conservation outside the FPA is not required under the MHCP.

Parry's tetracoccus is a CRPR 1B.2 species that is also covered by the MHCP. Within the MHCP, a single major population of this species is found in the southern San Marcos Mountains (between Vista south of the end of Warmlands Drive and San Marcos), some records of this species are in hills in northeast Escondido, and it is likely the species occurs in Daley Ranch. This species is typically confined to Gabbro soils occurring in chaparral and CSS.

The MHCP's conservation goal for this species (SANDAG 2003) is to

> "Ensure species persistence within the plan area by conserving major populations, critical locations, and required habitat of Parry's tetracoccus. The MHCP will adequately conserve this species by conserving 75% of potential habitat. Although the species is only known from one location in the study area, it may occur within some preserve areas (e.g., Daley Ranch). No major populations or critical populations occur in the study area, but the species has the potential to occur in San Marcos and Escondido."

According to the MHCP, an estimated 75% of potentially suitable habitat for the species will be conserved in the FPA, 100% of any newly detected localities would be conserved in hardline area, while the percent conservation in softline areas would be according to the FPA percentage (or mitigation). There are 23 Parry's tetracoccus in the chaparral on the Lot 7 parcel, one of these is within the 50% fire clearance zone of the future structure and would be preserved, one occurs where the building pad on Lot 7 will be and will be impacted, and three Parry's tetracoccus that occur along the planned fire access road will be impacted by the road widening. The impact to four plants, one on Lot 7 and three along the fire access road would be significant and mitigation is required.

Decumbent goldenbush is a CRPR 1B.2 species that is not covered by the MHCP. CEQA does not specify avoidance and mitigation measures for species but its CRPR 1B.2 rating meets the definition of rare or threatened or endangered under CEQA §15380(b) and (d).

The single individual found on site is a relatively isolated individual growing along the road far to the south of a large population of the plant on the adjacent 1985 Las Lomas Parcel. This individual will be impacted by the widening of the fire access road. This impact would not be significant, and no mitigation is required.

Ashy spikemoss is a CRPR 4B.1 that is not covered by the MHCP. CEQA does not specify avoidance and mitigation measures for species but its CRPR 4B.1 rating meets the definition of limited distribution under CEQA §15380(b) and (d).

The majority of the ashy spikemoss on the Lot 7 parcel will be impacted by widening of the fire access road and this loss of habitat is significant and mitigation is required.

No other sensitive plant species are expected as rare plant surveys were performed at optimal times of year and were not detected. No other sensitive plant species has more than a low potential to occur on site (see Table 4). As a result, no impacts are expected to other sensitive plant species and no other mitigation would be required.

SPECIAL STATUS ANIMALS

No ESA-listed animals were detected or are expected to occur because there is too little or no suitable habitat on site to support the species.

Orange-throated whiptail, a California SSC, would be impacted as one was detected in an area to be impacted and much of the site is expected to support the species. Impacts would be significant if not mitigated.

San Diego desert woodrat is another SSC-species that might be on site as evidenced by the rock outcroppings and woodrat nests scattered around the site. This species is not definitively differentiable from the more common desert woodrat without trapping and so, its presence on site was not confirmed. If any of the woodrat nests were sensitive species, impacts would be significant unless mitigated with habitat.

A sensitive animal species that may be impacted because it has a moderate to high potential to occur is the red diamond rattlesnake (SSC but not MHCP-covered). The species is likely to occur on site though not in high numbers as the site was visited three times during 2021-2022 and was not detected, though it was detected on the adjacent parcel to the north. Red diamond rattlesnakes are found in San Diego, southern Orange and San Bernardino, and western Riverside Counties, and most of Baja. While restricted in range in southern California, their presence in many habitats across the region protects them from regional extirpation. The loss of habitat for this species would not be significant.

Because the project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and CFG Code, the project could result in adverse impacts (both direct and/or indirect) to nesting if project activities such as demolition, clearing, grubbing, or grading are implemented during the general nest season (January 15 to September 15) and nesting is found in the area. Impacts to nesting birds, including raptors, would be a violation of the MBTA and CFG Code and are considered significant. Potential impacts to nesting birds and raptors would be avoided or reduced to less than significant levels through implementation of Mitigation Measure BR-4.

Impact Analysis

The proposed project would impact 0.42 acre and preserve 0.80 acre of wart-stemmed ceanothus, it would impact four and preserve Parry's tetracoccus, it would impact one decumbent goldenbush, and it would impact ashy spikemoss. In addition, the proposed project would impact orange-throated whiptail lizards and potentially impact San Diego desert woodrats and red diamond rattlesnakes.

Impacts to Parry's tetracoccus need species-specific mitigation while impacts to ashy spikemoss, orange-throated whiptail, San Diego desert woodrat and red diamond rattlesnake can be mitigated with preservation of habitat. While impacts are not significant to wart-stemmed ceanothus and decumbent goldenbush, habitat suitable for decumbent goldenbush and habitat containing wart-stemmed ceanothus will be preserved.

Implementation of the proposed project would result in impacts to vegetation communities as shown in Table BR-1 below.

TABLE BR-1: VEGETATION COMMUNITIES IMPACTS

Habitat	Acres On Project Site	Impacts (acres)		
		Lot 7[1]	Fire Road Access[2]	Total
Group C – Coastal Sage Scrub				
Coastal sage scrub (CSS)	0.42	0.31	0.03	0.34
Disturbed coastal sage scrub (CSS-D)	0.42	0.39	0.00	0.39
Group C Subtotal	0.84	0.70	0.03	0.73
Group D – Chaparral				
Southern Mixed Chaparral (SMC)	2.00	0.94	0.25	1.19
Group F – Other				
Developed (DEV)	0.09	0.05	0.06	0.11
Disturbed Habitat (DH)	0	0.00	0.24	0.24
Total	**2.93**	**1.69**	**0.58**	**2.27**

1 Impacts on Lot 7 include those from widening of the access road on the Lot 7 parcel.
2 Impacts from the Fire Access Road exclude those to Lot 7.

Impacts would occur to CSS, CSS-D, and SMC which would be significant and require mitigation. Impacts to DEV and DH are not considered sensitive and impacts are less than significant and would not require mitigation.

The proposed Project would impact would occur to 0.34 acres of CSS, 0.39 acre of CSS-D (0.73 acre of all CSS total, a total of 0.73 acre of Group C habitats), and 1.19 acres of SMC (Group D habitats: Table BR-2) which would be significant are require mitigation.

The applicant proposes to mitigate impacts with a combination of on-site preservation of habitat that would be avoided and through the purchase of 0.64 acres of CSS mitigation credit from the Red Mountain Conservation Bank.

The proposed project site is not within the FPA, therefore the ratios in Table BR-2 reflect the MHCP ratios for projects outside the FPA (SANDAG 2003). Per Table BR-2, the proposed project would require 1.33 acres of mitigation.

TABLE BR-2 VEGETATION COMMUNITIES – IMPACTS AND MITIGATION

Habitat	Acres On Site (Lot 7 Parcel)	Impacts of entire Project	Preserved Area Within 50% Thinning Zone[1]	MHCP Ratio[2]	Mitigation (acres)				
					Required	On-Site Mitigation on Lot 7 for entire Project[3]	Red Mountain Conservation Bank	Additional Preservation on Lot 7	Total for this Project
Group C – Coastal Sage Scrub									
Coastal Sage Scrub (CSS)	0.42	0.34	0.03	1:1	0.34	0.08	0.64	0	0.72
Disturbed Coastal Sage Scrub (CSS-D)	0.42	0.39	0.02	1:1	0.49	0.01	0	0	0.01
Group C Subtotal	*0.84*	*0.73*	*0.05*	*1:1*	*0.73*	*0.09*	*0.64*	*0*	*0.73*
Group D – Chaparra									
Southern Mixed Chaparral (SMC)	2.00	1.19	0.15	0.5:1	0.60	0.60	0	0.29	0.89
Group F – Other									
Developed (DEV)	0.09	0.11	N/A	N/A	-	-	-		-
Disturbed Habitat (DH)	0	0.24	N/A	N/A	-	-	-		-
Total	**2.93**	**2.27**	**0.20**		**1.33**	**0.69**	**0.64**	**0.29**	**1.62**

1 Areas within the 50% impact zone cannot be used as mitigation for this project.
2 Ratios are for area outside of the FPA
3 On-site habitat qualifies for mitigation as connected directly to preserved habitat.

MITIGATION MEASURES

BIO-1 Impacts to all species shall be mitigated through the protection of existing native habitat on the undeveloped portion of the Lot 7 parcel and through the purchase of 0.64 acres of CSS mitigation credit from the Red Mountain Conservation Bank.

BIO-2 Impacts to three individuals of Parry's tetracoccus shall be mitigated at a 3:1 ratio with the preservation of 12 of the 22 Parry's tetracoccus on the undeveloped portion of the Lot 7 parcel to be preserved. The additional ten Parry's tetracoccus on the Lot 7 parcel will also be preserved.

BIO-3 Impacts to 1.92 acres of ashy spikemoss, orange-throated whiptail, San Diego desert woodrat and red diamond rattlesnake habitat on the Lot 7 parcel and along the fire access road shall be mitigated with preservation of 0.69 acre of habitat on the Lot 7 parcel for this project, that additional 0.29 acre of SMC habitat on the Lot 7 parcel, and the preservation of 0.64 acre of CSS habitat at the Red Mountain Conservation Bank.

Implementation of these mitigation measures would reduce impacts to special status species and habitats to below a level of significance.

c. No Impact. No impact would occur to the potentially federal jurisdictional water conveyance on the west side of where the fire access road crosses it, as the proposed project plan stays well behind the outfall of the concrete pipe which carries the water and stays above the pipe. As no impacts will occur, no mitigation is required.

d. No Impact. The proposed project site is on the western slope of the San Marcos Mountains. The three parcels east of the site are developed or mostly disturbed and form an island of development in a corner of the much larger San Marcos Mountain range. The "island" is surrounded by narrow bands of habitat with developed areas of the City occurring to the west and south. The valley to the north of the parcel is partially cleared. While the less than three acres of the parcel itself have wildlife habitat value, they are not part of a corridor to the significant areas of habitat to the east in the San Marcos Mountains. There is roughly one acre of mostly SMC to the west from the Lot 7 parcel across Tierra Del Cielo, adjacent to developed areas in Vista. Less than half of the Lot 7 parcel will be developed, so local movement into this smaller patch of habitat will not be much constrained by the planned development. Widening the proposed fire access road will not substantially increase the effect of the road as a block to animal movement, and south of the Lot 7 parcel the road passes through developed areas with very little wildlife habitat value.

The proposed project would be an extension from existing development to the east and would not prevent movement towards linkages of the San Marcos Mountains to other area. The proposed project would not impinge on movement from the San Marcos Mountains north towards the San Luis Rey River, south towards the Santa Fe Hills or east towards the Merriam Mountains. The site is mostly a slope of upland habitat and while it may support local movement of resident species, it is on the side of and not a connector between regional movement features. There was no evidence that the site or any portion of it acts as a nursery for native species. Therefore, it is not anticipated that the project would interfere with wildlife movement corridors or access to nursery sites; therefore, no impacts would occur.

e. No Impact. The City has no specific policies that protect biological resources other than compliance with CEQA and the MHCP. As a result, no impacts would occur because of a conflict with local policies or ordinances.

f. Less Than Significant With Mitigation Incorporated.

The City participates in the MHCP, a regional conservation plan under the state's NCCP Program that will also act as an HCP under the ESA (SANDAG 2003). While the City's Subarea Plan has not been adopted, the City enforces the provisions of the MHCP through its General Plan. With mitigation for impacts to habitats and covered sensitive species to MHCP standards, the proposed project would be in compliance with the MHCP and as a result would not be in conflict with the Program.

All actively nesting birds and their nests, with a few exceptions, are protected under the MBTA and CFG Code. Direct impacts may occur to birds nesting in the vegetation on site if clearing occurs during the bird-breeding season (January 1 through September 15). Because the project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and CFG Code, the project could result in adverse impacts (both direct and/or indirect) to nesting if project activities such as demolition, clearing, grubbing, or grading are implemented during the general nest season (January 15 to September 15) and nesting is found in the area. Impacts to nesting birds, including raptors, would be a violation of the MBTA and CFG Code and are considered significant. Potential impacts to nesting birds and raptors would be avoided or reduced to less than significant levels through implementation of Mitigation Measure BIO-4.

MITIGATION MEASURE

BIO-4 All shrub trimming, thinning, or removal will be performed prior to or after the bird-breeding season, January 1 through September 15 (i.e., only between September 16 and December 31). If clearing is planned to occur during the bird-breeding season, pre-construction nest surveys shall be conducted prior to any clearing. Work may proceed if no active bird nests are detected. By avoiding clearing during the bird-breeding season or performing surveys to ensure no active nests are present prior to clearing, the proposed Project will ensure compliance with the MBTA and pertinent sections of the CFG Code.

With implementation of this mitigation measure, all potential impacts to migratory birds would be less than significant.

Additional Standard Best Management Practices (BMP's) from the MHCP are included below and should be included as conditions of project approval:

To ensure all indirect effects are avoided or remain below a level of significance, the MHCP includes a list of Standard BMPs that are required to limit indirect impacts (SANDAG 2003: Volume II, Appendix B). Specifically, for the proposed project, Measures 1-3, 6, 8, 10-18, and 21 would apply:

1. A qualified biologist shall conduct a training session for all project personnel prior to proposed activities. At a minimum, the training shall include a description of the target species of concern and its habitats, the general provisions of the ESA and the MHCP, the need to adhere to the provisions of the Act and the MHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the target species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.
2. A water pollution and erosion control plan shall be developed that describes sediment and hazardous materials control, dewatering or diversion structures, fueling and equipment management practices, and other factors deemed necessary by reviewing agencies. Erosion control measures shall be monitored on a regularly scheduled basis, particularly during times of heavy rainfall. Corrective measures will be implemented in the event erosion control strategies are inadequate. Sediment/

erosion control measures will be continued at the project site until such time as the revegetation efforts are successful at soil stabilization.

3. The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.

6. Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of the target species of concern.

8. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional City, USFWS, CDFW, and RWQCB, and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.

10. The qualified project biologist shall monitor construction activities throughout the duration of the project to ensure that all practicable measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint. Construction monitoring reports shall be completed and provided to the jurisdictional City, USFWS, and the CDFW summarizing how the project is in compliance with applicable conditions. The project biologist should be empowered to halt work activity if necessary and to confer with staff from the applicable City, USFWS, and CDFW to ensure the proper implementation of species and habitat protection measures.

11. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. All revegetation plans shall be prepared and implemented consistent with MHCP Revegetation Guidelines (MHCP Appendix C) and shall require written concurrence of the USFWS and CDFW.

12. Exotic species that prey upon or displace target species of concern should be permanently removed from the site.

13. To avoid attracting predators of the target species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s). Pets of project personnel shall not be allowed on site where they may come into contact with any listed species.

14. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. All employees shall be instructed that their activities are restricted to the construction areas.

15. Any habitat destroyed that is not in the identified project footprint shall be disclosed immediately to the jurisdictional City, USFWS, and CDFW and shall be compensated at a minimum ratio of 5:1.

16. If dead or injured listed species are located, initial notification must be made within three working days, in writing, to the Service's Division of Law Enforcement in Torrance, California and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and CDFW.

17. The City shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMP. The USFWS and CDFW may accompany City representatives on this inspection.

18. Any planting stock to be brought onto the site for landscaping or ecological restoration shall first be inspected by a qualified pest inspector to ensure it is free of pest species that could invade natural areas, including but not limited to Argentine ants, fire ants, and other insect pests. Any planting stock found to be infested with such pests shall not be allowed on the project site or within 300 ft. of natural habitats. The stock shall be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats.
20. All mitigation sites shall be conserved through fee title acquisition, conservation easement or through the Covenants, Conditions and Restrictions of the Home Owners Association which will govern this property and some adjacent properties. Proof of recordation shall be provided to the jurisdictional City prior to land disturbance.

In addition, to ensure all potential indirect effects are avoided:

- Any project landscaping shall not include species identified as an invasive non-native plant species as identified by the California Invasive Plant Council at http://www.cal-ipc.org/paf/.
- A Qualified Biologist shall be retained by the project proponent to ensure all protective measures are applied. Per the mitigation measures prior to construction, the Qualified Biologist shall:
    - attend a pre-construction meeting
    - provide any required biological documents to the City
    - enforce bird nest avoidance and protection requirements
    - supervise resource delineation including placement of orange fencing
    - educate the construction crew.
- During construction the Qualified Biologist shall:
    - monitor clearing, grading, and construction to ensure protection of sensitive biological resources
    - prevent any new disturbances to resources that were not identified previously
- Post-construction the Qualified Biologist shall submit a final report to the City demonstrating all biological avoidance and mitigation measures were applied.

Lastly, final building plans for the development adjacent to protected biological open space shall identify the shielded light fixtures and/or fencing/barriers to direct light away from the preserved habitat on site as well as off site.

V. Cultural and Tribal Cultural Resources *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	☐	☒	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

The discussion below is based on the findings contained within the *Cultural Resources Survey* (*Cultural Report*) (Helix, July 2023) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a. No Impact. As stated in the *Cultural Report* (Helix, 2023), a cultural resources study including a records search, Sacred Lands File search, Native American outreach, a review of historic aerial photographs and maps, and a pedestrian survey was conducted for the project area. This report details the methods and results of the cultural resources study and has been prepared to comply with the California Environmental Quality Act (CEQA). There are no existing structures on the site. Therefore, implementation of the proposed project would have no impact on historic resources.

b - d. Less than Significant with Mitigation Incorporated.

HELIX requested a records search from the South Coastal Information Center (SCIC) on February 1, 2022. The records search covered a one-mile radius around the project area and included archaeological and historical resources, locations, and citations for previous cultural resources studies, as well as a review of the state OHP historic properties directory. The records search summary and map are included as Appendix B to this report (confidential, bound separately).

HELIX reviewed historic topographic maps and aerial photographs to assess the potential for historic structural resources and historic archaeological resources. Maps included the 1898 and 1901 Escondido (1:62,500) topographic maps and the 1948, 1968, and 1983 San Marcos (1:24,000) topographic maps (USGS 2022). Historic aerial photographs from 1938, 1946, 1953, 1964, 1967, and 1980 were reviewed at historicaerials.com (NETR Online 2022).

HELIX contacted the Native American Heritage Commission (NAHC) on February 8, 2022, to request a search of its Sacred Lands File and a list of Native American individuals and organizations that might have knowledge of, or concerns regarding, cultural resources within the project area. HELIX received a response

from the NAHC on March 28, 2022, and sent letters regarding the project to the recommended tribal contacts on March 31, 2022. Native American correspondence is included as Appendix C (confidential, bound separately).

HELIX archaeologist Julie Roy and Luiseño Native American monitor P.J. Stoneburner from Saving Sacred Sites (San Luis Rey Band) conducted an intensive pedestrian survey of the project area on February 17, 2022. The pedestrian survey consisted of a systematic surface inspection of all areas, with transects walked at 10-meter (m) intervals or less to ensure that any surface-exposed artifacts or features could be identified. Roy and Stoneburner examined the ground surface for the presence of prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools); historic artifacts (e.g., metal, glass, ceramics); sediment discoloration that might indicate the presence of a cultural midden; roads and trails; and depressions and other features that might indicate the former presence of structures or buildings (e.g., post holes, foundations). The survey crew examined exposed bedrock for milling surfaces or rock art (pictographs, petroglyphs, or cupules). In areas where slopes were too steep or brush was too thick to allow for safe pedestrian survey, reconnaissance-level survey techniques were used.

IMPACTS ON ARCHEOLOGICAL RESOURCES

As noted above, a field investigation that consisted of pedestrian surveys of the project site was conducted in February 2022 (Helix, 2023).

Based on the records search received on February 4, 2022, SCIC has a record of 39 cultural resources studies conducted within one mile of the project area, as summarized in Table 1, Previous Studies within One Mile of Project Area. Three of these studies (SD-11228, SD-11524, and SD-14140) overlap with the project site; however, these studies did not include fieldwork: SD-11228 is a historic built environment resource survey for the entire City of Vista (Marben Laird Associates 1987); SD-11524 is an evaluation for the Vista and Buena Sanitation District (Rosenberg et al. 2007); and SD-14140 was a literature review for the Vallecitos Water District Master Plan update (Robbins-Wade 2003). No resources were recorded in the immediate vicinity of the project location as a result of any of these studies.

Fifteen cultural resources have been recorded within the one-mile search radius, none of which is located within or adjacent to the project site. The previously recorded resources located within the records search area consist of five prehistoric sites and one isolate, as well as nine historic resources. One prehistoric site is a temporary campsite, and one is a bedrock milling station, with the remaining three being artifact scatters. Of the historic resources, one is a historic pit mine; two are historic standing structures, associated with one another; two are structural remains and associated refuse; one is a road alignment and one a culvert associated with it; one is a historic trail, probably associated with mining; and one is a storage reservoir. None of the prehistoric resources are located within one-half mile of the project property.

HELIX sent a request to the NAHC on February 8, 2022, to search the Sacred Lands File. The NAHC responded on March 28, 2022, stating that the results of the search were negative and providing a list of tribal contacts who may have knowledge of the area. HELIX sent letters on March 31, 2022 to the tribal contacts provided by the NAHC. To date, three responses have been received, as summarized in Table 3, Native American Contact Program Responses. The Viejas Band of Kumeyaay Indians responded via email on April 7, 2022 that the project area has ties to the Kumeyaay Nation and recommended that the San Pasqual Band of Mission Indians be contacted (the initial outreach letter was sent to the San Pasqual Band). The Rincon Band of Luiseño Indians responded on April 25, 2022 that the project area is within the Area of Historic Interest of the Rincon Band. While they are unaware of specific TCRs, TCPs, or Traditional Cultural Landscapes, such resources may be present. The San Luis Rey Band of Mission Indians responded in a letter on April 26, 2022 that they have knowledge of cultural resources in the vicinity and that further discussion

should be done in person. If additional responses are received, they will be provided to the project applicant and the City.

HELIX undertook a study to identify cultural resources that are present in the Las Lomas Grading project area and to determine if the proposed project may adversely affect any historical resources, as defined by CEQA. The cultural resource survey did not identify any cultural resources, either previously recorded or newly identified. Therefore, the grading project is not expected to have any effects on historical resources.

Given the cultural sensitivity of the general area as described above and in the *Cultural Report* (Helix, 2023), there is a potential for unknown subsurface cultural resources (pre-contact and historic) to be discovered during ground disturbing activities (such as grading) during the development of the project. The inadvertent discovery of unknown subsurface archeological resources would have a potentially significant impact under CEQA. However, with the implementation of Mitigation Measures CR-1 to CR-5 listed below, potentially significant impacts to these archaeological resources would be reduced to less than significant levels.

Impacts on Tribal Cultural Resources

As discussed in the *Cultural Report* (Helix, 2023), based on a review of the SCIC records search, reviews of maps and aerials photos, as well as the pedestrian surveys of the site, no effects on known significant tribal cultural resources under CEQA are anticipated from the grading project. However, as noted in the *Cultural Report* (Helix, 2023), the site as having the potential for unknown tribal cultural resources and recommended Native American monitoring during construction.

The study has not identified impacts to cultural resources as a result of the records search or survey; however, there is one bedrock milling feature nearby, and the general vicinity of the project is sensitive for cultural resources. In addition, ground visibility was relatively poor during the field survey, ranging from approximately 20 percent to 30 percent. Based on this, it is recommended that a grading monitoring program be implemented for the project. The monitoring program would include a qualified archaeologist and Luiseño Native American monitor attending a pre-construction meeting with the grading contractor and archaeological and Native American monitors being present during ground-disturbing activities on site. Both archaeological and Native American monitors would have the authority to temporarily halt or redirect grading and other ground-disturbing activity in the event that cultural resources are encountered. If significant cultural material is encountered, the project archaeologist will coordinate with the Monitoring Tribe, the applicant, and the City of Vista staff to develop and implement appropriate avoidance, treatment, or mitigation measures.

City staff also consulted with California Native American tribal representatives per the requirements of SB 18 and AB 52 on the potential impacts of the project. It was agreed that there could be impacts to unknown tribal cultural resources during project construction resulting in an inadvertent discovery, which would be a potentially significant impact under CEQA. Therefore, based on the fact that the surrounding area is generally rich in cultural and tribal cultural resources, Native American monitoring would be required during the initial ground disturbing activities during project construction. As a result, with the implementation of Mitigation Measures CR-1 through CR-5 noted below, potentially significant impacts to unknown tribal cultural resources would be reduced to less than significant impacts.

Mitigation Measures

CR-1 Cultural resource mitigation monitoring shall be conducted on the site to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a Qualified Archaeologist and a traditionally and culturally

affiliated (TCA) Native American Monitor associated with a TCA tribe for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of any imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and any related road improvements, including, but not limited to, the installation of infrastructure, realignments, and/or expansions to parking lots. Other tasks of the monitoring program shall include the following:

- The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.
- The Qualified Archaeologist and TCA Native American Monitor shall attend at least one pre-construction meeting with the Contractor and/or associated Subcontractors (e.g., Grading Contractor) and a representative from the City of Vista's Engineering or Community Development departments to present the archaeological monitoring program as presented in these measures.
- The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above. The Contractor or Grading Contractor shall notify the Director of Community Development & Engineering, preferably through e-mail, of the start and end of all ground-disturbing activities.
- The Qualified Archaeologist and/or TCA Native American Monitor may halt ground-disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground-disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TCA Native American Monitor. If a determination is made that he unearthed artifact deposits or tribal cultural resources are considered potentially significant, the consulting TCA Tribe(s) shall be notified and consulted in regard to the respectful and dignified treatment of those resources. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the TCA Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources.
- The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a data recovery plan may be authorized by the City as the Lead Agency under CEQA. If data recovery is required, then the consulting TCA Tribe(s) shall be notified and consulted in drafting and finalizing any such recovery plan.

CR-2 Prior to the submission of a grading plan to City staff for review, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with a Traditionally and Culturally

Affiliated Native American Tribe ("TCA Tribe"). A copy of the agreement shall be included in the grading plan submission. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant or Owner, and/or Contractor, and the TCA tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, off-site infrastructure installation, grading, and all other ground disturbing activities.

CR-3 Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which shall comply with Government Code Section 6254(r), shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City Planner for the project administrative record.

CR-4 All cultural materials that are associated with burial and/or funerary goods shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission (NAHC) per California Public Resources Code Section 5097.98.

CR-5 Recovered cultural material of historic significance, but not of tribal significance, shall be curated with accompanying catalog, photographs, and reports to a San Diego curation facility that meets federal standards per 36 CFR Part 79. Materials of Native American origin should be catalogued in the field by the archaeologist with the TCA monitor present. No materials are to leave the project site. The cultural material can then be returned to the Tribe(s) for reburial on the project site as detailed below. Recovered cultural material of tribal cultural significance shall be repatriated as stipulated in the pre-excavation agreement as described in CR-2.

Onsite Resource Reburial: Upon completion of all ground-disturbing and grading activities on the Project site, the TCA monitor and representatives from the Tribe(s) will rebury any resources recovered from the Project site in an open space area that will remain free from any active recreational uses or any further excavation or ground disturbance. Any reburial site shall be culturally appropriate and explicitly approved in writing by the consulting Tribe(s). The reburial location will be covered first by a layer of geomat and then backfilled with clean fill dirt. Once reburial activities are completed, the site will be protected via a restrictive covenant or similar deed restriction that prohibits future excavation or disturbance of the reburial location.

Impacts on Human Remains

The project site does not lie near any dedicated cemeteries. Further, as explained above, archaeological resources and tribal cultural resources have not been identified within or in the immediate vicinity of the project site. However, although disturbance of human remains is unlikely, it is possible that construction activity could inadvertently discover previously unknown vestiges. This would be considered a potentially significant impact under CEQA. However, implementation of Mitigation Measure CR-6 would ensure that human remains were treated with dignity and as specified by law, which would reduce this impact to a less than significant level.

Mitigation Measure

CR-6 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 Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission would then make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept *in situ* ("in place"), or in a secure location in close proximity to where they were found, until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendant is identified. The analysis of the remains shall only occur on-site in the presence of a Most Likely Descendant. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply, and the mediation process will occur with NAHC. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

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

DISCUSSION

a. Less Than Significant Impact.

BACKGROUND

Building Energy Conservation Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission [CEC]) in June 1977 and are updated every three years (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods.

The 2022 Title 24 standards were adopted by the CEC on August 11, 2021 and will apply to projects constructed after January 1, 2023. The 2022 Title 24 standards focus on four key areas in new construction and businesses: (1) encouraging electric heat pump technology and use, (2) establishing electric ready requirements when natural gas is installed, (3) expanding solar system and battery storage standards, and (4) strengthening ventilation standards to improve indoor air quality. The building efficiency standards are enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary in response to local climatologic, geologic, or topographic conditions, provided that these standards exceed those in the Title 24 standards.

Senate Bill 350

SB 350 was signed into law in September 2015 and establishes tiered increases to the Renewable Portfolio Standard—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 100 (discussed below) was signed into law in September 2018 and increased the required Renewable Portfolio Standards.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100. Under SB 100, the total kilowatt-hours of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent

of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

CONSTRUCTION-RELATED ENERGY IMPACTS

Fuel

Construction of the proposed project would require consumption of petroleum fuels (gasoline and diesel fuel) by construction workers travelling to and from the site, transportation of site and building materials, and equipment for site preparation, grading, building construction, paving and architectural coating activities. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities except where electricity is available and feasible, thus electricity use during construction is minor. Energy usage at the project site during construction would be temporary in nature. Energy usage during construction of the project would only utilize the energy required, and would not be wasteful, inefficient, or unnecessary. Therefore, construction energy impacts would be less than significant.

OPERATIONS-RELATED ENERGY IMPACTS

The proposed project would construct one dwelling unit. Implementation of the proposed project would increase the demand for electricity and natural gas at the project site relative to the existing vacant condition, as discussed below.

Electricity

Electricity would be used for multiple purposes including home heating and cooling, lighting, appliances, electronics, drip irrigation, etc. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. Estimated electricity use for the proposed project is shown in Table E-1 below.

TABLE E-1 PROPOSED ELECTRICITY USE

Residential Units	Rate[1] (kWh) Per Year	Total (kWh)
Proposed – 1 home	7,834	7,834

1. Proposed project calculations based on RCH Group 2023b. kWh = kilowatt hour

As seen in Table E-1, at buildout once the single home has been constructed, the proposed project would result in total electricity consumption of 7,834 kWh assuming compliance with the 2022 Title 24 standards. The home may also exceed energy efficiency code requirements through project design. Therefore, the project's electricity demand may be lower than the calculations presented above. In addition to the measures that are part of 2022 Title 24 standards, the project may include the following sustainability measures, which include energy efficiency measures, in its design:

- Photovoltaic solar rooftop installation
- Low-water-use appliances, in-home fixtures, and irrigation
- Low VOC (volatile organic compound) paints
- A community recycling program
- Energy Star appliances
- Energy-efficient LED lighting; appliance; and heating, ventilation, and air conditioning (HVAC) design
- Building insulation elements installed under the Home Energy Rating System rating agency
- Drought-tolerant landscaping

Although electricity consumption could increase due to the construction of the single home compared to existing conditions, the proposed project is anticipated to be highly energy efficient due to Title 24 requirements, including additional energy efficiencies that may be realized through implementation of the design measures outlined above. Therefore, the proposed project's electricity consumption would not be considered wasteful, unnecessary, or inefficient. As a result, project impacts would be less than significant.

Natural Gas

Natural gas is anticipated to be used for home heating and appliances. Estimated natural gas use for the proposed project is shown in Table E-2 below.

TABLE E-2 PROPOSED NATURAL GAS USE

Residential Units	Rate[1] (kBTU) Per Year	Total (kBTU/yr.)
Proposed – 1 home	21,581	21,581

1. Proposed project calculations based on RCH Group 2023b. kBTU = Thousand British Thermal Units. A cubic foot of natural gas has 1,015 BTUs.

As seen in Table E-2 above, although natural gas consumption could increase due to the operation of the one home compared to existing conditions, the proposed project is anticipated to be highly energy efficient due to Title 24 requirements, including additional energy efficiencies that may be realized through implementation of the design measures outlined above. Therefore, the project's natural gas consumption would not be considered wasteful, unnecessary, or inefficient. As a result, project impacts would be less than significant.

Fuel

Once the project is completed and occupied, fuel would continue to be consumed by residents traveling to and from the site. This minor increase in fuel consumption would not require the development of new petroleum supplies or construction of new production or distribution facilities. Project operations would not consume energy resources in a wasteful or inefficient manner and would therefore have a less than significant impact on the consumption of energy resources.

b. Less Than Significant Impact.

Electricity and natural gas are supplied to the project site by SDG&E. The sources of power for SDG&E include 33 percent renewable energy sources (solar, wind, and hydroelectric). The proposed project would construct one energy efficient home that meets current Title 24 standards at the time of project construction, which includes energy efficiency measures, sustainable design measures, and incorporates best practices for water conservation, and implementation of green construction methods. Furthermore, the proposed project would not require new or expanded energy generation or infrastructure facilities. As a result, the proposed project would not have an adverse effect on State or local plans for renewable energy or energy efficiency, and impacts would be less than significant.

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

Portions of the discussion below are summarized and based on the findings contained within the *Geotechnical Report Update (Geotech Report)* (SMS Geotechnical Solutions, Inc. [SMS] 2022) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

DISCUSSION

a1. No Impact. The purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to mitigate the hazard of surface faulting by preventing the construction of buildings used for human occupancy over an area with known faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the ground's surface. As discussed in the *Geotech Report* (SMS, 2022), the project site does not contain, nor is it adjacent to, an Alquist-Priolo Special Study Zone Area. Therefore, impacts from fault rupture would not be expected to occur within the project area, and no impacts would arise from implementing the project.

a2 – a3. Less than Significant Impact. The project area, like most of southern California, is subject to strong ground shaking from seismic events. Consequently, when the project is occupied, it could expose people and/or structures to potential impacts associated with seismic ground shaking. The ground motion characteristics of any future earthquakes in the region would depend on the characteristics of the generating fault, the distance to the epicenter, the magnitude of the earthquake, and the site-specific geologic conditions. Major faults in the region could be a source of a strong seismic-related movement at the project site. The closest known active fault is the Rose Canyon fault zone located about 10 miles (16 kilometers) southwest of the site. The site is not located in the Alquist-Priolo Earthquake Fault Zone. No active faults are known to underlie or project toward the site. Therefore, the probability of fault rupture is less than significant (SMS, 2022).

The residential lot is anticipated to support a future residence and on the site and would be constructed in compliance with the seismic safety standards set forth in the California Building Code (CBC), as amended.[1] Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structure so that it would withstand the effects of strong ground shaking. In addition, the COV's Building Department would review the building plans through building plan checks, issuance of building permits, and inspection of the residences during construction, which would ensure that all required CBC seismic safety measures are incorporated into any new home. Compliance with the CBC and the Building Department's review process, permit application, and inspection would result in less than significant impacts, and no mitigation measures are required.

The proposed project would not expose people and structures to potential seismic-related ground failure, including liquefaction. Liquefaction is a phenomenon in which a saturated cohesionless soil causes a temporary transformation of the soil to a fluid mass, resulting in a loss of support. Groundwater was not encountered during site investigations done for the *Geotech Report* (SMS, 2022 and according to the SWQMP (TWE, 2023b) is estimated to be greater than 20 feet below the ground surface. Because of the relatively dense/stiff nature of the materials underlying the site and the lack of shallow groundwater, the potential for liquefaction or seismically induced dynamic settlement at the site is considered low. Compliance with the CBC would include the incorporation of seismic safety features to minimize any potential for significant effects as a result of seismic-related ground failure, resulting in less than significant impacts.

1 The CBC incorporates relevant sections of the Uniform Building Code of the International Conference of Building Officials.

a4. Less Than Significant Impact. According to the *Geotech Report* (SMS, 2022), the site is steeply sloped through the underlying material is inherently stable crystalline bedrock with no evidence of landslides or slope instabilities. The potential for landslides or slope instabilities to occur at the site is considered less than significant given the underlying bedrock foundation. Based on the *Geotech Report*, the subsurface conditions were explored by excavating exploratory borings to a depth of about five and a half feet below the existing ground surface. An SMS representative logged the trenches and collected samples of the materials encountered for laboratory testing. Selected samples from the trenches were tested to evaluate pertinent soil classification and engineering properties to assist in developing geotechnical conclusions and recommendations. Depth of refusal occurred at five and a half feet. The *Geotech Report* (SMS, 2022) notes that the main soils/geotechnical considerations affecting the planned grading project are the presence of crystalline bedrock units at shallow depths, mantled by a section of thin to moderate soil cover and earthwork recommendations are provided. Groundwater was not observed in the trenches. Therefore, implementation of the proposed project would not be affected by landslides resulting in less than significant impacts.

b - d. Less than Significant Impact. As discussed above, the material encountered within the test trenches consists of topsoil consisting of red brown to brown silty clayey sand with rock fragments (topsoil), red brown to tan, grey rocks in a fine to course sand matrix (weathered bedrock) and dark brown locally rocky silty to sand clay (topsoil) to a depth of five and a half feet. These soils were underlain by native bedrock which was encountered at a depth of refusal ranging from one to five and a half feet. Based on the soil tests, the main geotechnical considerations affecting the planned grading are rippability and rock excavations due to the presence of hard rock outcroppings onsite. These materials will require large bulldozers, larger trackhoes and large rock breakers and other specialized excavation techniques to be used onsite and recommendations contained in the *Geotech Report* (SMS, 2022) will need to be followed. Groundwater was not encountered in any of the exploratory trenches.

As required under the City's Grading Ordinance (Municipal Code Chapter 17.56), the recommendations in the *Geotech Report* (SMS, 2022), or any additional geotechnical studies, must be followed during grading and site preparation activities. With implementation of these recommendations, as well as the required application of standard erosion control measures and storm water construction BMPs, less than significant impacts are anticipated regarding soil erosion or loss of topsoil during project construction.

As stated in the *Geotech Report* (SMS, 2022), the potential for on-site or off-site landslides, lateral spreading, liquefaction, or seismically induced dynamic settlement to occur is considered low, and therefore impacts are considered less than significant. Given the remedial grading requirements and other recommendations in the *Geotech Report* (SMS, 2022) that the COV requires in submittals for the Grading Permit, less than significant soils impacts would arise.

e. No Impact. No sewer connections are proposed at this time as this project includes only grading and no construction. Therefore, no impacts would occur.

f. No Impact. The probability of discovering paleontological resources depends on the geologic formation being excavated, and the depth and volume of the excavation. Sedimentary rocks, such as those found in coastal areas, usually contain fossils. Granite rocks, such as those found onsite, generally will not contain fossils. According to the *Geotech Report* (SMS, 2022), in general, the site is characterized as being underlain by granitic bedrock with a relatively thin layer of topsoil at the surface. Based on information from this report the Project site is located within the Batholith - a large mass of intrusive igneous rock. The rock that underlays the site is granite of Cretaceous age (145 to 66 million years before present). Therefore, the site has zero paleontological sensitivity and no impacts to fossils would occur with project implementation.

VIII. Greenhouse Gas Emissions *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

The discussion below is based on the findings contained within the *Greenhouse Gas Emissions Technical Report (GHG Report)* (RCH Group, 2023b) prepared for the proposed project. This report is on file and available for review in the COV's Planning Division office.

DISCUSSION

a - b. Less than Significant Impact.

BACKGROUND

Global climate change is a change in the average weather of the earth, which can be measured by wind patterns, storms, precipitation, and temperature. The earth's climate is in a state of constant flux with periodic warming and cooling cycles. Causes of global climate change can be attributed to naturally occurring events or processes and human activities.

The greenhouse effect is responsible for maintaining a habitable climate on Earth. The greenhouse effect is a collection of atmospheric gases called greenhouse gases (GHGs) that insulate the Earth and help regulate its temperature. These gases allow solar radiation into the Earth's atmosphere but act as insulation preventing radiative heat from escaping and warming the Earth's atmosphere. GHGs influence the amount of heat trapped in the Earth's atmosphere and play a critical role in determining the earth's surface temperature.

Since the Industrial Revolution around 1750, human activities including fossil fuel combustion, industrial processes, deforestation, landfills, and development have contributed GHGs to the atmosphere. GHG emissions caused by humans (i.e., anthropogenic) intensify the greenhouse effect leading to an unnatural warming trend of the Earth's climate, known as global climate change or global warming. There is strong scientific consensus that it is "extremely likely" that most of the changes in the world's climate during the last 50 years are the result of anthropogenic GHG emissions. This has led to a warming trend of the earth's atmosphere and oceans, with corresponding effects on global circulation patterns and climate (RCH Group, 2021b).

GREENHOUSE GASES AND GLOBAL WARMING POTENTIALS

Although there are dozens of GHGs, California state law defines GHGs as the following seven compounds: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3) (California Health and Safety Code Section 38505(g)).

GHGs have varying global warming potential (GWP), which is a comparison of the global warming impacts of different gases. GWP is a measure of how much energy the emissions of 1 ton of a gas will absorb over a given period of time, relative to the emissions of 1 ton of carbon dioxide (CO_2). The larger the GWP, the more that a given gas warms the Earth compared to CO_2. The GWP for CH_4 and N_2O is 25 and 298, respectively.[2]

REGULATORY FRAMEWORK

The *GHG Report* (RCH Group, 2021b) identifies a number of State and local requirements, regulations, and standards regarding GHG emissions.

STATE OF CALIFORNIA

The following subsections highlight certain legislation, regulations and standards that have been adopted by the State of California to address global climate change issues.

Solid Waste Sources - The California Integrated Waste Management Act of 1989, as modified by AB 341, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows: (1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities; (2) diversion of 50 percent of all solid waste on and after January 1, 2000; and (3) diversion of 75 percent of all solid waste on or after 2020, and annually thereafter. The California Department of Resources Recycling and Recovery (CalRecycle) is required to develop strategies, including source reduction, recycling, and composting activities, to achieve the 2020 goal.

CalRecycle published a discussion document, entitled *California's New Goal: 75 Percent Recycling,* which identified concepts that would assist the State in reaching the 75 percent goal by 2020. Subsequently, in August 2015, CalRecycle released the *AB 341 Report to the Legislature*, which identifies five priority strategies for achievement of the 75 percent goal: (1) moving organics out of landfills; (2) expanding recycling/manufacturing infrastructure; (3) exploring new approaches for State and local funding of sustainable waste management programs; (4) promoting State procurement of post-consumer recycled content products; and (5) promoting extended producer responsibility.

California Code of Regulations Title 24 - Although not originally intended to reduce greenhouse gas emissions, Title 24 of the California Code of Regulations, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow for the consideration and possible incorporation of new energy efficiency technologies and methods. Energy efficient buildings require less electricity, natural gas, and other fuels. Electricity production from fossil fuels and on-site fuel combustion (typically for water heating) results in GHG emissions. Therefore, increased energy efficiency results in decreased GHG emissions. Accordingly, Title 24 in the CALGreen Building Code is now a part of the statewide strategy for reducing GHG emissions and is the only statewide plan for reduction of GHG emissions that every local agency must adopt in a public hearing by adopting the state building code. Consistent with CALGreen, the state recognized that GHG reductions would be achieved through buildings that exceed minimum energy-efficiency standards, decrease consumption of potable water, reduce sold waste during construction and operation, and incorporate sustainable materials. Compliance with Title 24 of the CALGreen Building Code is thus a vehicle to achieve statewide electricity and natural gas efficiency targets, and lower GHG emissions from waste and water transport sectors. The Title 24 Building Energy Efficiency Standards were updated in 2019 and buildings whose permit application are dated on or after January 1, 2020 must comply with the 2019 Standards.

2 U.S. Environmental Protection Agency, September 9, 2013, http://www.epa.gov/climatechange/ghgemissions/.

Pavley Standards - California AB 1493 (Pavley) enacted on July 22, 2002, required the CARB to develop and adopt regulations that reduce greenhouse gases emitted by passenger vehicles and light duty trucks for model years 2009–2016, which are often times referred to as the "Pavley I" standards. The CARB obtained a waiver from the USEPA that allows for implementation of these regulations notwithstanding possible federal preemption concerns.

Executive Order (EO) S-3-05 - EO S-3-05, signed by Governor Schwarzenegger on June 1, 2005, calls for a reduction in GHG emissions to 1990 levels by 2020 and for an 80 percent reduction in GHG emissions below 1990 levels by 2050. EO S-3-05 also calls for the California EPA (CalEPA) to prepare biennial science reports on the potential impact of continued GCC on certain sectors of the California economy. The first of these reports, "Our Changing Climate: Assessing Risks to California", and its supporting document "Scenarios of Climate Change in California: An Overview" were published by the California Climate Change Center in 2006.

Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 - In September 2006, Governor Schwarzenegger signed AB 32 into law. AB 32 required that, by January 1, 2008, the California Air Resources Board (CARB) shall determine what the statewide GHG emissions level was in 1990 and approve a statewide GHG emissions limit that is equivalent to that level, to be achieved by 2020. The CARB adopted its *AB 32 Scoping Plan* in December 2008, which provided estimates of the 1990 GHG emissions level and identified sectors for the reduction of GHG emissions. In 2011, the CARB developed a *Supplement to the AB 32 Scoping Plan* which updated the emissions inventory based on current projections and included adopted measures such as the Pavley Fuel Efficiency Standards and 20 percent Renewable Portfolio Standard (RPS) requirement.

In 2014, the CARB published its *First Update to the Climate Change Scoping Plan.* This update indicated that the State is on target to meet the goal of reducing GHG emissions to 1990 level by 2020. The *First Update* tracks progress in achieving the goals of AB 32 and lays out a new set of actions that will move the State further along the path to achieving the 2050 goal of reducing emissions to 80 percent below 1990 levels. While the *First Update* discusses setting a mid-term target, the plan does not yet set a quantifiable target toward meeting the 2050 goal.

In January 2017, the CARB released the draft of *the 2017 Climate Change Scoping Plan Update: The Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target* (*Second Update*). This update addresses the statewide emissions reduction target established pursuant to Senate Bill (SB) 32 and Executive Order B-30-15, as discussed below. The major elements of the *Second Update*, as proposed in the CARB's January 2017 draft, include (but are not limited to) achieving the following milestones by 2030: a 50 percent Renewable Portfolio Standard (discussed below); a more stringent Low Carbon Fuel Standard (discussed below) that requires an 18 percent reduction in carbon intensity; deploying additional near-zero and zero emissions technologies in the transportation sectors; increasing the stringency of the SB 375 (discussed below) reduction targets for 2035; a 20 percent reduction in GHG emissions from the refinery sector; and, continued deployment of a declining emissions cap under the Cap-and-Trade Program.

Senate Bill (SB) 97 - SB 97, enacted in 2007, amends the CEQA statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. SB 97 directed the Governor's Office of Planning and Research (OPR) to develop draft CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of OPR published a technical advisory on CEQA and climate change on June 19, 2008. The guidance did not include a suggested threshold but stated that the OPR had asked the CARB to "recommend a method for setting thresholds which will encourage consistency and uniformity in the CEQA analysis of greenhouse gas emissions throughout the state."

The OPR technical advisory does recommend that CEQA analyses include the following components:

- Identification of greenhouse gas emissions;
- Determination of significance; and
- Mitigation of impacts, as needed and as feasible.

On December 31, 2009, the California Natural Resources Agency adopted the proposed amendments to the State CEQA Guidelines. These amendments became effective on March 18, 2010.

SB 375 – The Sustainable Communities and Climate Protection Act of 2008 (SB 375) finds that GHGs from autos and light trucks can be substantially reduced by new vehicle technology, but even so "it will be necessary to achieve significant additional greenhouse gas reductions from changed land use patterns and improved transportation. Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." Therefore, SB 375 requires that regions with metropolitan planning organizations adopt sustainable communities' strategies, as part of their regional transportation plans, which are designed to achieve certain goals for the reduction of GHG emissions from mobile sources.

SB 375 also includes CEQA streamlining provisions for "transit priority projects" that are consistent with an adopted sustainable communities' strategy. As defined in SB 375, a "transit priority project" shall: (1) contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 and 50 percent nonresidential uses, a floor area ratio of not less than 0.75; (2) provide a maximum net density of at least 20 dwelling units per acre; and (3) be within 0.5 mile of a major transit stop or high-quality transit corridor.

Low Carbon Fuel Standard - Executive Order S-1-07 requires a 10 percent or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by the CARB by 2020. In 2009, the CARB approved the Low Carbon Fuel Standard regulations, which became fully effective in April 2010. The regulations were subsequently re-adopted in September 2015 in response to related litigation.

Advanced Clean Cars Program - In 2012, the ARB approved the Advanced Clean Cars (ACC) program, a new emissions-control program for model years 2017–2025. (This program is sometimes referred to as "Pavley II.") The program combines the control of smog, soot, and GHGs with requirements for greater numbers of zero-emission vehicles. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs.

Zero Emission Vehicles - Zero emission vehicles (ZEVs) include plug-in electric vehicles, such as battery electric vehicles and plug-in hybrid electric vehicles, and hydrogen fuel cell electric vehicles. In 2012, Governor Brown issued Executive Order B-16-2012, which calls for the increased penetration of ZEVs into California's vehicle fleet in order to help California achieve a reduction of GHG emissions from the transportation sector equaling 80 percent less than 1990 levels by 2050. In addition, the Executive Order also requires the California Public Utilities Commission to establish benchmarks that will: (1) allow over 1.5 million ZEVs to be on California roadways by 2025, and (2) provide the State's residents with easy access to ZEV infrastructure. CALGreen requires new residential construction to be pre-wired to facilitate the future installation and use of electric vehicle chargers (Section 4.106.4 of 2019 CALGreen Standards).

EO B-30-15 - In April 2015, Governor Brown signed Executive Order B-30-15, which established the following GHG emission reduction goal for California: by 2030, reduce GHG emissions to 40 percent below 1990 levels. This Executive Order also directed all state agencies with jurisdiction over GHG-emitting sources to implement measures designed to achieve the new interim 2030 goal, as well as the pre-existing, long-term 2050 goal identified in Executive Order S-3-05.

Senate Bill 32 and Assembly Bill 197 - Enacted in 2016, SB 32 codifies the 2030 emissions reduction goal of Executive Order B-30-15 by requiring the ARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030. SB 32 was coupled with a companion bill: AB 197. Designed to improve the transparency of the CARB's regulatory and policy-oriented processes, AB 197 created the Joint Legislative Committee on Climate Change Policies, a committee with the responsibility to ascertain facts and make recommendations to the Legislature concerning statewide programs, policies and investments related to climate change. AB 197 also requires the ARB to make certain GHG emissions inventory data publicly available on its web site; consider the social costs of GHG emissions when adopting rules and regulations designed to achieve GHG emission reductions; and include specified information in all Scoping Plan updates for the emission reduction measures contained therein.

CITY OF VISTA

General Plan 2030 Update - In February 2012, the COV adopted *GP 2030* (City of Vista, 2012a) and certified the accompanying Program EIR (*PEIR*) (City of Vista, 2012b). The *GP 2030 PEIR* included Mitigation Measure MCC1, which required the COV to implement a quantified Climate Action Plan (CAP) within 24 months of adoption of GP 2030. GP 2030 includes a Resource Conservation and Sustainability Element, which includes the following: "RCS Goal 2: Reduce GHG emissions from community activities and municipal facilities and operations within the COV boundaries to support the State's efforts under Assembly Bill 32, Senate Bill 375, and other State and federal mandates, and to mitigate the community's contributions to global climate change." The GP 2030 policy that applies to the project includes the following:

> *RCS Policy 2.7: Through California Environmental Quality Act (CEQA) documents, evaluate and disclose the contribution new projects could have on climate change and require mitigation measures as appropriate.*

Climate Action Plan - The COV adopted its 2021 CAP in 2021, which updates the previously adopted 2012 CAP. The 2021 CAP provides a comprehensive roadmap to address the challenges of climate change in the Vista. COV dedicated resources and partnered with the San Diego Association of Governments (SANDAG) to create the 2021 CAP. The 2021 CAP includes a 2012 baseline GHG emissions inventory, which indicates Vista emitted 603,000 metric tons of CO2e in 2012, an increase from the approximately 547,000 metric tons of CO2e in 2005.

The 2021 CAP notes that the city would achieve its 2020 emissions reduction target under business-as-usual (BAU) conditions; thus, the primary focus of the 2021 CAP is on reducing emissions by 2030, consistent with state mandates. The 2021 CAP puts in place a number of locally based strategies and measures to reduce GHG emissions from municipal and community activities and achieve reduction targets.

THRESHOLDS OF SIGNIFICANCE

According to the California Natural Resources Agency (July 2009), "due to the global nature of GHG emissions and their potential effects, GHG emissions will typically be addressed in a cumulative impacts analysis." Significance criteria were developed in Appendix G of the CEQA Guidelines.

In the *GP 2030 PEIR* (City of Vista 2012b), the following criteria were used to establish the significance of GCC emissions:

The project would have a significant impact if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
- Expose property and persons to the physical effects of climate change, including but not limited to flooding, public health, wildfire risk or other impacts resulting from climate change.

The California Resources Agency adopted an Amendment to the State CEQA Guidelines to assist lead agencies in determining the significance of impact from GHG emissions. State CEQA Guidelines Section 15064.4, CEQA Guidelines for Determining the Significance of Impacts from Greenhouse Gas Emissions, states the following:

> *a) The determination of the significance of greenhouse gas 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 greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:*
>
> *1) Use a model or methodology to quantify greenhouse gas 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*
>
> *2) Rely on a qualitative analysis or performance-based standards.*
>
> *b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:*
>
> *1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;*
>
> *2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;*
>
> *3) 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.*

The COV Interim Policy on Evaluating GHG Emissions (City of Vista, 2016b) indicates that projects that are estimated to produce GHG emissions at or under the "bright line" threshold of 1,185 metric tons of CO_2e

would have a less than significant impact on climate change. The proposed project's emissions were evaluated based on this threshold.

GHG IMPACTS

As discussed in the *GHG Report* (RCH Group, 2023b), GHG emissions associated with the proposed project were estimated for six categories of emissions: (1) construction emissions; (2) area sources; (3) energy use, including electricity and natural gas usage; (4) water use, including consumption, use, and treatment; (5) solid waste management, and (6) mobile vehicles. The complete emissions inventory is included in the Appendix of the *GHG Report* (RCH Group, 2023b).

EXISTING GHG EMISSIONS

The project site is currently vacant. Therefore, this analysis assumes the existing baseline generates zero GHG emissions and no credit is factored into the GHG analysis for existing emissions.

CONSTRUCTION GHG EMISSIONS

Construction GHG emissions include emissions from heavy construction equipment, haul trucks and worker trips. GHG emissions from construction of the proposed project were estimated using the California Emissions Estimator Model (CalEEMod). Construction of the proposed project would generate approximately 328 metric tons of CO_2e. Table GHG-1 below presents the construction-related emissions associated with construction of the proposed project.

Per guidance from the SCAQMD, construction emissions are amortized over a 30-year period to account for the contribution of construction emissions over the lifetime of the proposed project. Amortizing the emissions from construction of the project over a 30-year period would result in an annual contribution of approximately 11 metric tons of CO_2e. These emissions are added to operational emissions to account for the contribution of construction to GHG emissions for the lifetime of the proposed project.

TABLE GHG-1 ESTIMATED CONSTRUCTION GHG EMISSIONS

Construction Phase	CO_2e Emissions metric tons
Total Construction Emissions	328

Source:RCH Group, 2023b

OPERATIONAL GHG EMISSIONS

The proposed project would generate a negligible amount of operational GHG emissions. Project operational GHG emissions assumed an operational year of 2025 and were modeled in CalEEMod and are shown in Table GHG-2 below.

OPERATIONAL GHG EMISSIONS SUMMARY

Table GHG-2 presents the annual GHG emissions that would be generated by the proposed project.

TABLE GHG-2 ESTIMATED OPERATIONAL GHG EMISSIONS (FIRST YEAR OF OPERATION - 2025)

Emission Source	Annual Emissions (Metric tons CO_2e per year)
Area Sources	0.01
Energy Use	3.1
Vehicle Trips	8.5
Solid Waste Disposal	0.6
Water/Wastewater Conveyance	0.4

Emission Source	Annual Emissions (Metric tons CO_2e per year)
Amortized Construction Emissions	10.9
Total CO_2 Equivalent Emissions	**23.5**
Significance Threshold	**1,185**

Source: RCH Group, 2023b

As shown in Table GHG-2, the total CO_2e emissions from the proposed project would be approximately 23.5 metric tons per year. The GHG emissions associated with the proposed project would therefore be below the COV's "bright line" threshold of 1,185 metric tons of CO_2e. Because the emissions are below the screening threshold, impacts would be less than significant, and no further analysis is required.

HORIZON YEARS 2030 AND 2050

As described above, Executive Order B-30-15 established a statewide emissions reduction target of 40% below 1990 levels by 2030, which has been implemented by SB 32. This measure was identified to keep the State on a trajectory needed to meet the 2050 goal of reducing GHG emissions to 80% below 1990 levels by 2050 pursuant to Executive Order S-3-05.

Further analyses were conducted to provide information on future GHG emissions in the years 2030 and 2050. Tables GHG-3 and GHG-4 present estimated emissions for 2030 and 2050 for the proposed project. Because there is no information on increases in energy efficiency regulations through Title 24, nor any information on additional plans and programs that may be implemented pursuant to SB 32, Tables GHG-3 and GHG-4 take into account the following additional GHG measures beyond the 2024 analysis:

- Various state regulations that reduce GHG emissions from vehicle trips are assumed within CalEEMod.
- Implementation of the 60% RPS by 2030, and net zero GHG emissions for SDG&E by 2045.

TABLE GHG-3 SUMMARY OF ESTIMATED 2030 OPERATIONAL GHG EMISSIONS

Emission Source	Annual Emissions (Metric tons CO_2e per year)
Area Sources	0.01
Energy Use	2.3
Vehicle Trips	7.4
Solid Waste Disposal	0.6
Water/Wastewater Conveyance	0.3
Amortized Construction Emissions	10.9
Total CO_2 Equivalent Emissions	**21.5**
Significance Threshold	**1,185**

Source: RCH Group, 2023b

TABLE GHG-4 SUMMARY OF ESTIMATED 2050 OPERATIONAL GHG EMISSIONS

Emission Source	Annual Emissions (Metric tons CO_2e per year)
Area Sources	0.01
Energy Use	1.2
Vehicle Trips	6.4

Emission Source	Annual Emissions (Metric tons CO_2e per year)
Solid Waste Disposal	0.6
Water/Wastewater Conveyance	0.1
Amortized Construction Emissions	10.9
Total CO_2 Equivalent Emissions	**19.2**
Significance Threshold	**1,185**

Source: RCH Group, 2023b

Tables GHG-3 and GHG-4 present the estimated GHG emissions for 2030 and 2050 with these measures in place. Because there is no efficiency metric recommended by the COV beyond 2020, no calculation of the efficiency of the project has been made. However, the emissions from the proposed project would be further reduced in 2030 and 2050 from the 2024 project emissions with implementation of the RPS and further reductions in GHGs from vehicles. Therefore, the proposed project would not conflict with the state's goals to reduce GHG emissions.

CONCLUSIONS

Emissions of GHGs were quantified for both construction and operation of the proposed project. The proposed project's GHG emissions would be below the COV's "bright line" threshold of 1,185 metric tons of CO_2e. Through the mobile source emission regulatory framework, Title 24 energy efficiency requirements, and RPS, emissions would be reduced further for the project to a level that is consistent with the State's goals. Therefore, the proposed project would not result in a cumulatively considerable global climate change impact, and impacts related to GHG emissions would be less than significant.

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

DISCUSSION

a - f. No Impact. As previously stated in this document, the project site is 2.93 gross acres in size, and is comprised of one parcel that will be rough graded. In addition, two existing roadways will be widened and a fire equipment access connection will be established at the terminus of Kings Road to the south. The nearest public school is located is the Twin Oaks Elementary School located at 1 Cassou Road in the City of San Marcos.

The project site is in a relatively natural condition and is surrounded by existing residences and roadways that provide access to the site. The northeastern part of the City where the site is located is urbanized with primarily residential land uses.

There are no improvements on the property and the site is part of a hillside that is considered part of the San Marcos Mountains. Due to the lack of existing structures on-site, there are no asbestos-containing materials (ACM) or lead based paints (LBP) onsite. There are no signs of contamination or piles of debris.

There is no septic system and no sewer connection is proposed at this time.

Typically, residential uses do not generate, store, dispose of, or transport quantities of hazardous substances. Likewise, construction equipment that would be used to build the proposed project also has the potential to release relatively small amounts of oils, greases, solvents, and other finishing materials through accidental spills. While the release of any of these materials could have the potential to impact surrounding land uses, a release of a significant amount of these hazardous substances is not likely due to the relatively small amount of material that would be stored or used on-site.

Nevertheless, federal, State, and local regulations would be in effect to reduce the effects of such potential hazardous materials spills. In addition, the Vista Fire Department (VFD) enforces city, State, and federal hazardous materials regulations for the COV through plan check reviews of Site Development Plans, Building Plans, etc. The COV's Uniform Fire Code (Chapter 16.40 of the Municipal Code) adopts the State of California's Fire Code, which includes regulations concerning hazardous materials spill mitigation, and containment and securing of hazardous materials containers to prevent spills. In addition, the State Fire Marshal enforces oil and gas pipeline safety regulations, and the federal government enforces hazardous materials transport pursuant to its interstate commerce regulation authority. Compliance with all of these requirements is mandatory as standard permitting conditions during plan reviews and inspections of completed projects and would minimize the potential for the accidental release or upset of the noted hazardous materials, thus ensuring public safety.

The closest existing public school to the project site is several miles away to the southeast. As stated above, the grading project is not anticipated to result in the release of any significant amounts of hazardous substances that could cause a public health hazard to anyone onsite or at this school. There is the potential for construction activities to expose construction workers and other land uses and residents to hazardous materials during the construction phase and the project will be required to comply with materials handling procedures required by the City and the RWQCB and related containment procedures for all equipment onsite to ensure there are no uncontrolled spills of fuel or other liquids. Therefore, given the size, location and nature of the proposed short-term grading project, no impacts would occur and no mitigation is required.

The surrounding land uses are residential in nature and unlikely to be businesses or operations that store, generate, or discharge hazardous materials. Based on the expected materials used at the site and close-proximity sites, current governmental regulations regarding the use of hazardous materials, the stratigraphic

conditions, drainage gradients and elevations, the probability of significant on-site contamination from these off-site sources should be considered to be low.

As stated in the Surrounding Land Use section in Chapter 2 of this document, the McClellan- Palomar Airport is located approximately ten miles to the southwest of the project site. The project site is also not located within the vicinity of a private airstrip. According to the McClellan Palomar Airport Land Use Compatibility Plan (San Diego County Regional Airport Authority, adopted 2010), the proposed project site is not located within a safety hazard area. Therefore, implementation of the proposed project would not result in a safety hazard for future residents living at the project site.

The proposed project is intended to improve emergency response access to the project site and surrounding community through roadway widening and through the establishment of an emergency equipment access point from the eastern terminus of Kings Road. The project would not impair or physically impact any adopted emergency response plan or evacuation plan.

Primary access to and from the site would be provided via Tierra Del Cielo and Las Lomas, which would be widened as part of the project. Emergency access (secondary) to the would be provided via a connection point from King's Road. The proposed project would not require the closure of any public or private streets or roadways and would not impede access of emergency vehicles to the project site or any surrounding areas. Therefore, no impacts to emergency access or emergency response would occur.

g. Less Than Significant Impact.

The project has been reviewed by the VFD, and it would provide all required emergency access in accordance with the requirements of the VFD. Therefore, significant impacts to emergency response are not anticipated to occur.

The project site is located within a Very High Fire Severity Zone; therefore, any future construction onsite would not be subject to defensible space requirements of the California Fire Code. In addition, the future home built on the site would be subject to the building construction requirements of the Fire Code. Accordingly, no significant risk of loss, injury or death would arise to people or structures from wildland fires where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

X. Hydrology and Water Quality *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
(iv) impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

The discussion below is summarized and based on the findings contained within the Preliminary Hydrology Study (Drainage Report) and *Storm Water Quality Management Plan* (*SWQMP*) both prepared by Tory Walker

Engineering, Inc. (TWE, 2023a and 2023b), respectively, for the proposed project. The reports are on file and available for review in the COV's Planning Division office.

DISCUSSION

a - e. Less than Significant Impact. The existing 2.93-acre site is relatively undisturbed and is surrounded by existing residential land uses as well as roadways and natural areas. Hydrologically, the project site is situated within the Buena Vista Hydrologic Subarea (HSA 904.22) and the Carlsbad Hydrologic Unit (HU) (904.0). According to the SWQMP (TWE, 2023b), in the existing condition, site drainage conveyance is urbanized, with undeveloped hillsides contributing runoff to the existing roadway along Las Lomas and Tierra Del Cielo. The existing roadway discharges offsite at two main locations: a northern discharge point just northwest of Las Lomas Road where runoff directly discharges into the King's View Estates private storm drain system, and a southern discharge point just west of the first easterly turn along Tierra Del Cielo where runoff drains through a natural drainage system until converging with the King's View Estates private storm drain system at Warmlands Avenue.

In addition, runoff from a portion of the proposed graded pad and three existing developed single-family residences contribute runoff onto Las Lomas Road as sheet flow and shallow concentrated roadside flow before intercepted by a corrugated metal pipe and draining as shallow concentrated flow to the northerly King's View Estates private storm drain system as described above. A portion of the proposed graded pad on APN 174-260-15 contributes runoff onto Tierra Del Cielo as sheet flow and shallow concentrated roadside flow before draining to the southerly natural drainage system.

The existing project site drainage conveyance network is described above as sheet flow, shallow concentrated roadside flow, pipe flow, and inlet flow at the designated ultimately discharge points described above. The pre-project drainage areas consist of approximately 16 acres of offsite and onsite area draining to the northerly discharge point at King's View Estates by way of the above-described flow path and approximately 5 acres of offsite and onsite area draining to the southerly discharge point at the natural drainage system by way of the separate above-described flow path.

POLLUTANTS OF CONCERN AND HYDROLOGIC CONDITIONS OF CONCERN

According to the *SWQMP* (TWE, 2023b), the primary pollutants of concern that could be generated by the development of the proposed project consist of sediment related to grading operations. Secondary pollutants of concern include nutrients, heavy metals, organic compounds, trash and debris, oxygen demanding substances, oil and grease, and bacteria and viruses. As stated in the *SWQMP* (TWE, 2023b), potential hydrologic conditions of concern have to do with impacts to the hydrologic regime resulting from development. This typically includes increased runoff volume and velocity; reduced infiltration; increased flow frequency, duration, and peaks; faster time to reach peak flow; and water quality degradation. Specifically, a change to the hydrologic regime of a priority project site is considered a condition of concern if the change impacts downstream channels and habitat integrity.

POTENTIAL WATER QUALITY IMPACTS

As previously noted, the applicant seeks approval of an LD and GP to conduct rough grading operations for a single-family residential lot and to widen existing roadways that provide access to the site. No construction of the home is proposed at this time. Once grading is finished, the current project is completed and thus this project has no long-term or post-construction operational phase.

Ultimately, it is anticipated that a single-family home will be constructed on the lot after rough grading onsite has been completed. Future related development would include utility connections, drainage improvements, landscaping, and vehicular parking.

The project site elevation ranges from 694 feet above mean sea level (AMSL) in the western portion of the site to 880 feet AMSL in the northeastern portion of the site. The project site has a steep slope to the northeast. According to the *Hydrology Study* (PLS, 2023b), in the existing condition, the existing impervious area onsite is 6,045 square feet or 0.14 acres which represents less than 10 percent of the total parcel acreage. According to the SWQMP (PLS, 2023b), the proposed drainage plan would not significantly alter the existing on-site flow patterns.

With project implementation, proposed impervious features of the project include asphaltic concrete (AC) along the approximate six-to- ten-foot widening of Tierra del Cielo and Las Lomas and the 20-foot-wide fire access road connection with Kings Road. According to the SWQMP, impervious surfaces onsite would increase to 0.47 acres. Proposed pervious features of the project not receiving runoff from impervious areas include vegetated roadside fill slopes, the proposed graded pad for future development, and vegetated swales atop upgradient roadside cut slopes. Proposed pervious features receiving runoff from impervious areas include roadside rock-lined swales along Tierra Del Cielo and Las Lomas and a gravel driveway approach between the fire access road and Kings Road to provide source control of stormwater, limit its transport and pollutant conveyance to the collection system, restore predevelopment hydrology to the extent possible, and provide environmentally enhanced roads in accordance with USEPA Green Streets Guidance and the San Diego Regional MS4 Permit.

The proposed site drainage conveyance will remain substantially similar to the existing condition as predominantly urbanized and steeply sloping shallow concentrated street flow along Las Lomas Road and Tierra Del Cielo (TWE, 2023b). Each roadway will drain sheet flow onto a proposed Green Streets roadside rock-lined swale via one-foot-wide curb cuts spaced every 15 feet along the existing road profile and proposed fire road. The proposed rock-lined swale will vary between 12 to 15 inches deep, comprised of 9-inch diameter rock underlain by a three-inch gravel filter layer (or filter fabric) and will vary between two to three feet in width. Proposed walls along the widened portion of Tierra Del Cielo and Las Lomas Road will intercept hillside runoff via vegetated swales and discharge concentrated flows onto the proposed Green Streets roadside rock-lined swales at select locations along the road profile.

Vegetated swales will be three-feet-wide, twelve-inches-deep, and comprised of Propex Pyramat 25 high performance turf reinforcement mat (HPTRM) (or equivalent). The proposed roadway widening will maintain existing points at the two main locations described previously: a northern discharge point just northwest of Las Lomas where runoff directly discharges into the King's View Estates private storm drain system, and a southern discharge point just west of the first easterly turn along Tierra Del Cielo where runoff drains through a natural drainage system until confluencing with the King's View Estates private storm drain system at Warmlands Avenue. The proposed fire road incorporates a gravel driveway approach that will effectively disperse runoff from its small local drainage area and drain as shallow sheet flow onto Kings Road.

Runoff from areas beyond the property limits will continue to drain onto Las Lomas Road and Tierra Del Cielo. A portion of the proposed graded pad on APN 174-260-15 and three existing developed single-family residences at 1988, 1966, and 1960 Las Lomas will continue to contribute runoff onto Las Lomas Road as sheet flow and shallow concentrated roadside flow before intercepted by a newly constructed Type A D-16 inlet and rock-lined swale draining shallow concentrated flow to the existing low point just east of the low point along the existing, undisturbed Tierra Del Cielo alignment to the north. Newly created roadway surfaces and existing areas tributary thereto will be hydraulically isolated and drain to a proposed detention basin to

mitigate potential increases in the 100-year peak flow rate due to the proposed widening. Detained outflows will drain just west of the existing Tierra Del Cielo sump, where they confluence with the remaining bypassed drainage area before reaching the existing King's View Estates private storm drain system as previously described.

Per the SWQMP, a portion of the proposed graded pad on APN 174-260-15 and an existing developed single-family residence at 1515 Tierra Del Cielo contribute runoff onto Tierra Del Cielo as sheet flow and shallow concentrated roadside flow as in the existing condition. Roadway runoff reaching the Tierra Del Cielo sump from the north will continue draining to the existing southerly natural drainage system as previously described (TWE, 2023b).

The proposed project site drainage conveyance network is described above as sheet flow, shallow concentrated roadside and swale flow, pipe flow, and inlet flow at the designated ultimately discharge points described above (TWE, 2023b).

The proposed-project drainage areas will remain similar and consist of approximately 17 acres of onsite and offsite area draining to the northerly discharge point at King's View Estates and approximately 4 acres of onsite (TWE, 2023b).

Per Regional MS4 Permit provision E.3.b.(3)(b), the Tierra Del Cielo and Los Lomas street widening and fire road will be designed and constructed in accordance with USEPA Green Streets guidance and are therefore exempt from the PDP structural BMP performance requirements set forth in provision E.3.b.(3)(b) at the discretion of the City Engineer. The design standard set forth by the USEPA Green Streets document referenced by the Regional MS4 Permit does not require the prescriptive numeric performance standard associated with PDP requirements, but rather provides a descriptive performance standard intended to, "provide source control of stormwater, limit its transport and pollutant conveyance to the collection system, restore predevelopment hydrology to the extent possible, and provide environmentally enhanced roads" (USEPA, 2008, p. 2). The proposed rock-lined swales along the existing steep (approximately 12 to 15 percent) private roadway and gravel driveway approach for the fire road will serve to intercept, slow and infiltrate stormwater runoff generated from the proposed widening to the MEP, and thereby provide source control, limits pollutant transport conveyance to the MS4, restore predevelopment hydrology to the MEP and ultimately provide environmentally enhanced roads. Therefore, the roadway widening and fire lane proposed herein meets the MS4 Permit Green Streets standard and is exempt from meeting numeric PDP structural BMP performance requirements.

According to the *SWQMP* (TWE, 2023b), BMPs would be implemented before and during construction and post-construction activities to address potential water quality impacts due to project development. Selected BMPs from the COV's *BMP Design Manual (2016a)* would be applied to reduce pollutants to maximum levels (see Table HWQ-1 for Post-Construction BMPs incorporated into the project's design).

CONSTRUCTION ACTIVITIES

Short-term erosion impacts during the construction phase of the project would be prevented through implementation of an erosion control plan. A grading and erosion control plan, and a SWPPP, is required in accordance with the COV's *Grading Ordinance* (Development Code Chapter 17.56) and the current NPDES General Construction Activities Permit and must be submitted for plan check and approval by the City Engineer, as well as the Planning Division, prior to final approval of the project.

The erosion control plan would include construction BMPs such as:

- Silt Fence, Fiber Rolls, or Gravel Bag
- Storm Drain Inlet Protection
- Stabilized Construction Entrance/Exit
- Vehicle and Equipment Maintenance, Cleaning, and Fueling
- Hydroseeding
- Material Delivery and Storage
- Stockpile Management
- Spill Prevention and Control
- Solid Waste Management

In addition, in accordance with the requirements of the most recent NPDES General Construction Activities Permit, a Notice of Intent filed with the SWRCB and preparation of a SWPPP would also be required before project construction commences.

POST-CONSTRUCTION ACTIVITIES

The roadway widening and fire lane redevelopment/retrofits proposed herein meets the MS4 Permit Green Types of Post-Construction BMPs

LID Site Design BMPs are intended to minimize impervious surfaces and promote infiltration and evaporation of runoff before it can leave the location of origination by mimicking the natural hydrologic function of the site. Integrated Management Practices (IMPs) facilities are used in conjunction with LID BMPs as they provide small-scale treatment, retention, and/or detention that are integrated into site layout, landscaping, and drainage design. Source Control BMPs are intended to minimize, to the maximum extent practicable, the introduction of pollutants and conditions of concern that may result in significant impacts generated from site runoff to off-site drain systems. Treatment Control BMPs are intended to treat storm water runoff before it discharges off-site. According to the COV's *Stormwater Standards Manual* (2015), specific localized treatment control BMPs are more effective at reducing or minimizing pollutants of concern than other types of BMPs. Each type of BMP that would be implemented is shown in Table HWQ-1, below.

TABLE HWQ-1 PROPOSED PROJECT BMPS

Type of BMP	Description of BMP
LID Site Design	**Maintain Natural Drainage Pathways and Hydrologic Features**: Site drainage mimics the existing condition drainage patter and discharge points.
	Conserve Natural Areas, Soils and Vegetation: Existing natural soils and vegetation will remain undisturbed.
	Minimize Impervious Areas: Proposed widening has been minimized to the smallest width possible to accommodate fire department road requirements.
	Runoff Collection: The proposed rock-lined swales along the existing steep (approximately 12 to 15 percent) private roadway and gravel driveway approach at the end of the fire road will serve to intercept, slow and infiltrate stormwater runoff generated from the proposed widening to the MEP, and thereby provide source control, limits pollutant transport conveyance to the MS4, restore predevelopment hydrology to the MEP and ultimately provide environmentally enhanced roads.

Type of BMP	Description of BMP
	Impervious Area Dispersion: The proposed rock-lined swales along the existing steep (approximately 12 to 15 percent) private roadway and gravel driveway approach at the end of the fire road will serve to intercept, slow and infiltrate stormwater runoff generated from the proposed widening to the MEP, and thereby provide source control, limits pollutant transport conveyance to the MS4, restore predevelopment hydrology to the MEP and ultimately provide environmentally enhanced roads.
Source Control	**Prevent Illicit Discharges into the MS4:** Privately maintained roadways are subject to City of Vista illicit discharge prohibitions
	Storm Drain Stenciling or Signage: Placards shall be placed atop the proposed D-16 Type A inlets.
	Additional BMPs Based on Potential Sources of Runoff Pollutants: On-site storm drain inlets will be privately maintained.

Source: SWQMP (TWE, 2023b)

Prior to designing BMPs into the proposed project, the Drainage Management Areas (DMAs) for the project site were defined.[3] The project site is defined into multiple DMA's (TWE, 2023b). The proposed drainage patterns would be similar to the existing drainage patterns with some modifications to incorporate the BMPs into the project design to mimic Pre-Development storm water runoff and quality.

Per the *Preliminary Hydrology Study* (TWE, 2023a), the proposed project would not substantially change the overall drainage patterns or two primary discharge points. The proposed residential lot and streets will drain to existing or enhanced stormwater infrastructure utilizing green street, rock lined swales to catch and direct stormwater flows.

Storm water flows would be controlled relative to the existing conditions and in a manner adequate to control erosion to the downstream reach. This development including the designed measures would not adversely affect the current property and surrounding parcels. The proposed development would not substantially alter existing drainage patterns in a manner which would increase erosion or siltation onsite or offsite. The proposed project would not alter 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 onsite or offsite.

HYDROLOGY/DRAINAGE IMPACTS

Groundwater was not encountered during site investigations done for the *Geotech Report* (SMS, 2022) and according to the SWQMP (TWE, 2023b) is estimated to be greater than 20 feet below the ground surface. Consequently, significant impacts to groundwater resources are not anticipated with development of the project.

Under existing (or pre-developed) conditions less than ten percent of the site is impervious, with the remaining 90 percent of the site made up of pervious areas including the vegetated slopes and surfaces and unpaved portions of the site (TWE, 2023b).

Under the proposed (or post-developed) conditions, the project pervious areas of the site would be 0.47 acres due to the installation rock lined roadway swales incorporated as part of the roadway widening efforts according to the SWQMP (TWE, 2023b).

In the developed condition, the proposed project would not substantially change the overall drainage patterns or discharge points and the site would continue to drain to two discharge points at storm drains to

[3] DMAs are areas delineated on a map of the development site showing how drainage is detained, dispersed, or directed to Integrated Management Practices.

the southwest and northwest of the site. Therefore, development of the proposed project would have a less than significant impact on water quality standards or waste discharge requirements.

Flood Hazard, Tsunami and Seiche Impacts

The project site is not identified on the COV's GIS map as an area within a 100- year flood plain according to the *Preliminary Hydrology Study* (TWE, 2023a). No habitable structures are proposed by the project within the 100-year flood hazard area, which would impede or redirect flood flows. The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam, as there are no levees or dams impacted by the project site.

In addition, the project site does not have the potential to produce mudflows due to the inherently stable bedrock beneath the site, and it is not in proximity to the ocean or other water bodies to be affected by a tsunami or seiche. Consequently, significant impacts would not occur.

Water Quality Control Plan and Groundwater management Plan Impacts

As discussed above, the proposed project would result in less than significant impacts to the capacity of existing or planned storm water drainage systems, or in providing substantial additional sources of polluted runoff or degrading water quality.

Groundwater was not encountered during site investigations done and according to the SWQMP (TWE, 2023b) is estimated to be greater than 20 feet below the ground surface. Consequently, significant impacts to groundwater resources are not anticipated with development of the project.

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

DISCUSSION

a. No Impact. The project site is 2.93 acres in size and is comprised of one parcel plus adjoining roadways that provide access to the site as shown in Figure 3, Aerial Photograph of the Existing Property and Surrounding Land Uses (Attachment A). The site is currently vacant and is located within a developed and developing residential area which is part of a larger residential community located to the east, south, west, and north of the project site. The proposed project involves rough grading to support the future development of a single family home and roadway improvements to enhance access to the site. The proposed project would not disrupt or divide the physical arrangement of the community.

The proposed project is somewhat of an infill project, and the site is surrounded by existing development to the east, south, west, and north consisting of large lot single family residential land uses. Land uses immediately surrounding the subject property, including their respective General Plan land use, and Zoning designations, are found below in Table LU-1.

TABLE LU-1 IMMEDIATELY SURROUNDING LAND USES

Direction	Land Use	General Plan Land Use Designation	Zoning Designation
North	Single Family Residential & Vacant	Open Space Residential (OSR)	Open Space Residential (O-R)
South	Single Family Residences	Open Space Residential (OSR)	Open Space Residential (O-R)
East	Single Family Residences	Open Space Residential (OSR)	Open Space Residential (O-R)
West	Single Family Residences	Open Space Residential (OSR)	Open Space Residential (O-R)

As indicated in Table LU-1, existing land use and zoning designations immediately adjacent to the north, west and south are similar to the existing and proposed single family residential designation of the site.

TABLE LU-2 CONSISTENCY WITH POLICIES IN THE LUCI ELEMENT OF THE GP 2030 UPDATE

LUCI Goals & Policies	Project Description	Consistent (Y/N)?
GOAL 2: Preserve and enhance the characteristics and features of neighborhoods that share common development patterns, topography, major streets, and zoning patterns.		
Policy 2.2: Provide flexibility in development standards to accommodate and enhance neighborhood variations within the City while ensuring that site and building design, landscaping and other amenities reflect neighborhood characteristics.	The proposed project would be required to be developed in character with the surrounding community and would be physically integrated within the surrounding hillside through sensitive site design to retain vegetation and natural slopes. The project also provides benefits and amenities to other property owners in the form of better, safer roadways, enhanced stormwater runoff and erosion control and improved emergency access for the community.	Y
GOAL 3: Preserve and protect existing residential neighborhoods from actions, activities, or land uses that may have an adverse impact upon the enjoyment of the residential living environment.		
Policy 3.1: Require all new development to be designed to minimize impacts on adjoining residential neighborhoods.	While no actual physical construction of the single family home is currently proposed, this project creates a lot that will provide a new home for residents in the future. The proposed development would provide setbacks from the adjacent development to help integrate the project into the visual pattern of the surrounding community thereby retaining community character.	Y
Policy 3.2: Mitigate unacceptable levels of noise, odors, pollution, dust, light, and glare upon residential areas and other sensitive receptors, such as schools and day care centers.	The project's Mitigated Negative Declaration (MND) provides avoidance or mitigation measures to ensure that all impacts are reduced to less than significant levels.	Y
GOAL 4: Promote sustainable and smart growth land use patterns and development regulations and guidelines.		
Policy 4.9: Ensure that new development complies with the California Green Building Standards Code (the CALGreen Code) to promote sustainable design and construction practices and positive environmental impacts in planning and design, energy efficiency, water efficiency and conservation, and material conservation and resource efficiency.	The project is an infill site that will be rough graded and includes roadways that are considered "green streets" that will improve stormwater management, flow and quality. The site design preserves a maximum amount of site characteristics including topography and natural resources. Impact mitigation will occur onsite.	Y

b. Less than Significant Impact. The applicant seeks approval of an LD and GP to allow rough grading for the future development of a single family residence on a lot that is 2.93 acres in size. The proposed project's consistency with *GP 2030* (adopted 2012), the Zoning Ordinance, and other land use plans and policies, and the surrounding land uses is discussed below.

GENERAL PLAN 2030 UPDATE

Land Use and Community Identity Element

As stated in Chapter 2, the project site is currently designated as Open Space Residential (OSR) and will remain unchanged with project implementation. The project would be consistent with the proposed *GP 2030* land use designations for the site.

The proposed project would accommodate the future development of a new single-family residence in keeping with the community character and enabling the City to continue to work towards meeting its share of the Regional Housing Need Allowance (RHNA) as proscribed by the San Diego Association of Governments (SANDAG) and the state Department of Housing and Community Development (HCD) for the 6th cycle Housing Element Update (2021-2029).

The site is accessed from Tierra Del Cielo and Las Lomas and the future home would be connected to existing wastewater, water, and utility systems. Future development would be one or two stories (not exceeding a height of 35 feet) likely with a conventional slab-on-grade foundation. Therefore, the proposed development would be compatible with the residential character of the surrounding areas within the city and would also be consistent with the land use designation in the Land Use and Community Identity Element of *GP 2030* (City of Vista, 2012a). As a result, significant impacts would not occur.

Circulation Element

The property is located off of Tierra Del Cielo and Las Lomas, both of which are private roadways that serve this existing residential community. Both roadways would be widened to City standards with the project. Primary access to and from the project site would be from Las Lomas and Tierra Del Cielo and emergency secondary access to the site would be from a new connection from Kings Road to the west.

As shown in the Table TT-3 in Section XVII (Transportation and Traffic) below, the future single-family home is anticipated to generate up to 12 daily vehicular trips. As shown in Table TT-2, Projects consistent with the General Plan that generate less than 1,000 daily vehicle trips (or 500 daily vehicle trips if they are inconsistent with the General Plan) are screened out from conducting a Vehicle Miles Travelled (VMT) impact analysis. As such, the Proposed Project would be considered to have a less than significant impact.

Section 6.0 of the City's *Transportation Impact Analysis Guidelines* prescribes the methods for screening out development projects based on size and differs from the small project screening criteria outlined in the California Governor's Office or Planning and Research's (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018 (Technical Advisory). Therefore, due to the size and nature of the project (grading only) , the project was screened out and no VMT analysis was conducted for the Proposed Project.

A site based VMT analysis was conducted for the Proposed Project utilizing the SANDAG Series 14 Transportation Forecast Screening Map (Base Year 2016 Conditions). Based on the census tract in which the project site is located (197.01), the Proposed Project is expected to generate an average VMT per Capita of 16.1 miles per day. This is 15.1% lower than the average regional VMT per Capita (19.0 miles) that is generated within the San Diego Region. Therefore, as outlined in Table TT-1 in Section XVII, Transportation (below), the Proposed Project will have a less than significant VMT related impact. As such, the Proposed Project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (Intersecting Metrics, 2021).

As noted in Table TT-1 in Section XVII (Transportation and Traffic), the proposed project trip generation, when the home is built, would be 12 ADT. The project is an infill project surrounded by existing residential uses. According to Office of Planning and Research (OPR) Guidelines, any project generating less than 110 daily trips should be considered less than significant. The proposed project includes one single family home that would be anticipated to generate 12 daily trips. This is a State of California recommendation. The City of Vista has established SB-743-compliant final VMT guidelines (adopted in October 2020) with a threshold of 1,000 ADT for general plan consistent projects such as the proposed project. Therefore, based both on current OPR VMT guidance as well as the City's own VMT thresholds the proposed project would not conflict

or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) and VMT impacts would be less than significant (Intersecting Metrics, 2021).

Housing Element

The proposed project meets or is compatible with two goals of the Housing Element: Goal 1.0 - Maintain and Enhance the Quality of Residential Neighborhoods in Vista and Conserve the Existing Supply of Affordable Housing; and Goal 2.0 - Encourage Adequate Provision of a Wide Range of Housing by Location, Type of Unit, and Price to Meet the Existing and Future Needs of Vista Residents. By developing new housing on an infill site planned and zoned for single family residential, the proposed project is compatible with Goal 1.0. Therefore, the proposed project would be compatible with the 5th cycle (adopted 2012) and the current in-progress Draft 6th cycle Housing Element of *GP 2030*, and significant impacts would not occur.

Resource Conservation and Sustainability Element

The applicable goals and policies that apply to the proposed project are as follows:

RCS Goal 2 Reduce GHG emissions from community activities and municipal facilities and operations within the city boundaries to support the State's efforts under Assembly Bill 32, Senate Bill 375, and other state and federal mandates, and to mitigate the community's contributions to global climate change.

RCS Policy 2.7 Through California Environmental Quality Act (CEQA) documents, evaluate and disclose the contribution new projects could have on climate change and require mitigation measures as appropriate.

RCS Goal 4 Preserve, protect, and enhance water quality in watersheds to which the City contributes storm water and urban runoff.

RCS Policy 4.6 Require the incorporation of Low Impact Development (LID) techniques in accordance with current storm water regulations to manage storm water and urban runoff, reduce runoff and pollution, reduce the footprint of development on the parcel, and assist in maintaining the existing hydrology of the site.

RCS Goal 12 Acknowledge, preserve, and protect the City's Native American heritage.

RCS Policy 12.2 In collaboration with NAHC and the locally features and Native American tribes, adopt procedures for protecting significant archeological features, and apply to projects requiring discretionary City approval.

RCS Policy 12.3 Ensure that locally affiliated native American tribes are notified of any proposed discretionary planning or grading applications affecting lands with potential archaeological resources.

The proposed project meets RCS Policy 2.7 and Goal 2 through the GHG Emissions analysis prepared in Section VIII, Greenhouse Gas Emission in this CEQA document. As described in Section X, Hydrology and Water Quality of this document, the design of the proposed project incorporates a number of LID techniques and facilities that meet RCS Policy 4.6 and Goal 4. As described in Section V, Cultural Resources, representatives of local native American tribes assisted in the cultural resources data collection and records search efforts conducted as part of the preparation of the cultural resources report and contributed to the procedures for protecting unknown potentially significant archeological features (RCS Policies 12.3 and 12.2). Therefore, implementation of the proposed project would be consistent with the goals and policies of the RCS Element of the *GP 2030*, and impacts would be less than significant.

OTHER GENERAL PLAN ELEMENTS

The proposed project would be conditioned to comply with all applicable noise standards and required mitigation measures, would be adequately served by existing public services, and would require compliance with the COV's building, and fire codes and with the seismic regulations within the CBC. Consequently, no inconsistencies with the COV's Noise Element, Public Safety Element, and Healthy Vista Elements are anticipated as a result of project implementation, and significant impacts would not occur.

Habitat Conservation Plan or Natural Community Preservation Plan

The city is part of the North County Multiple Habitat Conservation Program (MHCP), which is a comprehensive conservation planning process developed to identify and protect critical habitats for a wide range of plant and animal species within a 20,000-acre preserve system in North San Diego County. However, the COV has not yet adopted an MHCP sub-area plan. Instead, to implement the provisions of the MHCP within Vista, a Biological Preserve Overlay (BPO) has been created and identified as the City's regional habitat preservation system in the *GP 2030 Update*. All potential impacts to natural communities and species will be fully mitigated to less than significant levels as more fully described in Section IV. Biological Resources, of this IS/MND. Therefore, the development of the proposed project would not conflict with the provisions of the MHCP, and impacts related to the MHCP would not occur.

ZONING ORDINANCE

As stated above, the applicant is proposing a grading project to support the future development of a single-family home on a 2.93 gross acre site that is zoned O-R (Open Space Residential). The City's Development Code identifies the requirements for permitted uses; building heights; front, side, and rear yard setbacks; lot coverage; and utilities under the O-R designation. Any future single-family home that is developed onsite would be required to meet the requirements for the permitted use of a single-family residential community on this site. As a result, significant impacts would not occur.

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

DISCUSSION

a - b. No Impact. The California Department of Conservation's Division of Mines and Geology does not identify the project site as an area with high potential for aggregate or mineral resources. In addition, the GP 2030 (adopted 2012) does not identify the project site as a locally important mineral resource recovery site. As a result, implementation of the proposed project would not result in the loss of availability of a regionally or locally known mineral resource; therefore, no impacts would occur.

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

The discussion below is based on the findings contained within the *Noise Technical Report (Noise Study)* (RCH Group, 2023c) prepared for the proposed project. The document is on file and available for review in the COV's Planning Division office.

DISCUSSION

a. Less Than Significant With Mitigation

NOISE DESCRIPTORS

Sound is mechanical energy transmitted by pressure waves through a medium such as air. Noise is defined as unwanted sound. Sound pressure level has become the most common descriptor used to characterize the "loudness" of an ambient sound level. Sound pressure level is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 to 140 dB corresponding to the threshold of pain. Decibels are measured using different scales, and it has been found that A- weighting of sound levels best reflect the human ear's reduced sensitivity to low frequencies, and correlates well with human perceptions of the annoying aspects of noise. The A-weighted decibel scale (dBA) is cited in most noise criteria. All references to dB in this report will be A-weighted unless noted otherwise.

Several time-averaged scales represent noise environments and consequences of human activities. The most used noise descriptors are the equivalent A–weighted sound level over a given time period (Leq)[4]; average day–night 24-hour average sound level (Ldn)[5] with a nighttime increase of 10 dB to account for

[4] The Equivalent Sound Level (Leq) is a single value of a constant sound level for the same measurement period duration, which has sound energy equal to the time–varying sound energy in the measurement period.
[5] Ldn is the day–night average sound level that is equal to the 24-hour A-weighted equivalent sound level with a 10-decibel penalty applied to night between 10:00 p.m. and 7:00 a.m.

sensitivity to noise during the nighttime; and community noise equivalent level (CNEL)[6], also a 24-hour average that includes both an evening and a nighttime sensitivity weighting.

NOISE ATTENUATION

Stationary point sources of noise, including construction equipment, attenuate (lessen) at a rate of 6 to 7.5 dB per doubling of distance from the source, depending on ground absorption. Soft sites attenuate at 7.5 dB per doubling because they have an absorptive ground surface such as soft dirt, grass, or scattered bushes and trees. Hard sites have reflective surfaces (e.g., parking lots or smooth bodies of water) and therefore have less attenuation (6.0 dB per doubling). A street or roadway with moving vehicles (known as a "line" source), would typically attenuate at a lower rate, approximately 3 to 4.5 dB each time the distance doubles from the source, which also depends on ground absorption. Physical barriers located between a noise source and the noise receptor, such as berms or sound walls, will increase the attenuation that occurs by distance alone.

REGULATORY FRAMEWORK

City of Vista General Plan, Noise Element

The Noise Element of the COV's *GP 2030* includes a noise/land use compatibility matrix for assessing the suitability of different categories of planned land uses based on exterior noise level exposure (Table NE-3 from the COV's *GP 2030*). For Single Family Residential land uses, the Noise Element specifies exterior noise levels up to 65 dB, CNEL as normally acceptable and up to 70 dB, CNEL as conditionally acceptable. Noise levels exceeding 70 dB, CNEL are generally unacceptable for Single Family Residential land uses.

In addition, the COV defines specific maximum noise levels that shall not be exceeded for both interior and exterior use areas. A proposed project shall not generate noise levels that exceed these standards. The COV extends the provisions of the State of California Noise Insulation Standards (Title 24), limiting interior noise levels to 45 dB CNEL for Single Family Residential development. Table NOI-1, Interior and Exterior Noise Guidelines, provides maximum noise level limits for various types of land uses.

TABLE NOI-1 INTERIOR AND EXTERIOR NOISE GUIDELINES

Land Use	Maximum Noise Level (L_{DN} or CNEL, dBA)	
	Interior[1,2]	Exterior
Residential – Single Family, Multi-family, Duplex	45	65[3]
Residential – Nursing Homes, Hospital	45	65[3]
Private Offices, Church Sanctuaries, Libraries, Board Rooms, Conference Rooms, Theaters, Auditoriums, Concert Halls, Meeting Halls, etc.	45	-
Schools	45	65[4]
General Offices, Reception, Clerical, etc.	50	-
Bank Lobby, Retail Store, Restaurant, Typing Pool, etc.	60	-
Manufacturing, Kitchen, Warehousing, etc.	65	-
Parks, Playgrounds, etc.	-	65[4]
Golf Courses, Outdoor Spectator Sports, Amusement Parks, etc.	-	70[4]

[6] CNEL is the average A-weighted noise level during a 24-hour day, obtained by addition of 5 decibels in the evening from 7:00 to 10:00 p.m., and an addition of a 10–decibel penalty in the night between 10:00 p.m. and 7:00 a.m.

Notes:
1 Noise standard with windows closed. Mechanical ventilation shall be provided per UBC requirements to provide a habitable environment.
2 Indoor environment excluding bathrooms, toilets, closets, and corridors.
3 Outdoor environment limited to rear yard of single-family homes, multi-family patios and balconies (with a depth of 6 feet or more) and common recreation areas.
4 Outdoor environment limited to playground areas, picnic areas, and other areas of frequent human use.
LDN=Day-Night Level; CNEL=Community Noise Equivalent Level; dBA=A-weighted decibel

City of Vista Noise Ordinance (Municipal Code, Chapter 8.32, Noise Control)

Sections 8.32.010 through 8.32.060 of the COV's Municipal Code pertain to noise requirements and enforcement of violations. The COV has adopted the County's Noise Ordinance for the purpose of controlling excessive noise levels, including noise from construction activities.

Table NOI-2, Applicable Exterior Property Line Noise Limits, lists the applicable exterior property line noise limits. This table is specific to the COV and replaces the table in Section 36.404 of the County noise ordinance. It is unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level at any point on or beyond the boundaries of the property exceeds these limits. The sound level limit at a location on a boundary between two zones is the arithmetic mean of the respective limits for the two zones.

TABLE NOI-2 APPLICABLE EXTERIOR PROPERTY LINE NOISE LIMITS

Zone	Time	Applicable Limit One-hour Average Sound Level (dBA)
A-1, E-1, O, OSR R-1B, MHP	7:00 a.m. – 10:00 p. m. 10:00 p.m. – 7:00 a. m.	50 45
R-M	7:00 a.m. – 10:00 p.m. 10:00 p.m. – 7:00 a.m.	55 50
C-1, C-2, O-3, C-T, OP, M-U and Downtown Specific Plan	7:00 a.m. – 10:00 p.m. 10:00 p.m. – 7:00 a.m.	60 55
M-1, I-P, all areas of the Vista Business Park Specific Plan and Specific Plan 14	Any time	70

Source: City of Vista Municipal Code Section 8.32.40

A-1 = Agricultural; C-1 = Commercial; C-2 = Commercial; C-T = Commercial Transient; E-1 = Estate; I-P = Industrial; MHP = Mobile Home Park; M-U = Mixed Use; O = Open Space; O-3 = Office Park; OP = Office Professional; OSR = Open Space Residential; R-1B = Residence; R-M = Multi-Residential

The adopted County Noise Ordinance also stipulates controlling construction noise. San Diego County Code Sections 36.408 and 36.409, Construction Equipment, state that, except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment:

a) Between 7:00 p.m. and 7:00 a.m.

b) On Sunday or a holiday. For the purposes of this section, a holiday means January 1, the last Monday in May, July 4, the first Monday in September, December 25, and any day appointed by the President as a special national holiday or the Governor of the State as a special State holiday. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10:00 a.m. and 5:00 p.m. at the person's residence or for the purpose of construction of a residence for himself or herself, provided that the operation of construction equipment is not carried out for financial consideration or other consideration of any kind and does not violate the limits in Sections 36.409 and 36.410.

c) Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 dBA for an 8-hour period, between 7:00 a.m. and 7:00 p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

Section 36.410 of the County's ordinance provides additional limitation on construction equipment beyond Section 36.404 pertaining to impulsive noise. Except for emergency work or work on a public road project, no person shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in Table NOI-3*,* Maximum Sound Levels (Impulsive), when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period.

TABLE NOI-3 MAXIMUM SOUND LEVELS (IMPULSIVE)

Occupied Property Use	Decibels (dBA) LMAX
Residential, village zoning or civic use	82
Agricultural, commercial, or industrial use	85

Source: County of San Diego Municipal Code Section 36.410

The minimum measurement period for any measurement is one hour. During the measurement period, a measurement must be conducted every minute from a fixed location on an occupied property. The measurements must measure the maximum sound level during each minute of the measurement period. If the sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute, it will be deemed that the maximum sound level was exceeded during that minute.

ENVIRONMENTAL SETTING

Baseline Noise Levels

As stated in the *Noise Study* (RCH Group, 2023c), to quantify existing ambient noise levels, RCH Group conducted two long-term (72-hour) and several short-term (10-minute noise measurements) at the project site. Site visits for short-term noise measurements were conducted on Monday, February 7, 2022 and Friday, February 11, 2022. A total of nine ambient noise measurements were collected for approximately 10-minute periods at five locations in the project vicinity. Two long-term (72-hour) noise measurements were also conducted at two locations on the project site from 12:00 a.m. on February 8 to 11:59 p.m. on February 10, 2022. The first long term noise measurement location (Site 1 in the *Noise Study*) was along the southwestern area of the project site along Tierra Del Cielo, approximately 170 feet east of Kings Road, which had a CNEL of 50-51 dB for all three days. The second long term noise measurement location (Site 2 in the *Noise Study*) was along the northern access road, which had a CNEL of 51-53 for all three days. See *Noise Study* for more details including a noise measurement location figure, short term noise measurement data for additional sites, and detailed noise meter output data. The existing noise environment is characterized by vehicle and aircraft noise. Other minor noise sources included residents conversing, birds, and wind (RCH Group, 2023c).

Sensitive Land Uses

Noise-sensitive land uses (or sensitive receptors) are where frequent human use occurs and a lower level of sound is beneficial such as residences, schools, churches, hospitals, parks, hotels, libraries, or similar facilities where quiet is important. There are two residences immediately south/southeast of the project site. There are several residences west of the project site (opposite of Tierra Del Cielo) and four residences along Tierra Del Cielo to the south. There are no schools within 3,500 feet of the project site.

METHODOLOGY

The following equipment was used to measure existing noise levels at the project site:

- One Larson Davis SoundTrack LxT Sound Level Meter
- Two Metrosonics db308 Sound Level Meters
- Windscreens, tripods, and other standard equipment.

Sound Level Meters were all calibrated before and after the measurements.

The Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) Version 1.1 was used to evaluate the impacts of construction noise on nearby sensitive receptors (see *Noise Study* for more details) (RCH Group, 2023c).

NOISE IMPACTS

Potential noise impacts associated with the proposed project are primarily related to the short-term operation of conventional heavy-duty construction equipment, and long-term operational noise typical of residential land uses.

Construction Noise Impacts

Project construction activities would include demolition of the existing residence on-site and construction of the Project. Construction activities would occur during the construction hours contained in the adopted County of San Diego Noise Ordinance Sections 36.408 and 36.409 between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction is permitted on Sundays or on holidays.

Construction activities would require the use of numerous pieces of noise-generating equipment, such as excavating machinery (e.g., backhoes, excavators, front loaders, etc.) and other construction equipment (e.g., compactors, pavers, concrete mixers, trucks, etc.). The noise levels generated by construction equipment would vary greatly depending upon factors such as the type and specific model of the equipment, the operation being performed, the condition of the equipment. The nearest receptors to the construction would be the residential properties along Tierra Del Cielo that would be as close as 20 feet away from roadway construction (this is the approximate distance between the roadway and the nearest residential property lines) and a residence 280 feet east of APN 174-260-15 (this is the distance between the center of APN 174-260-15 and the nearest residential property line. The maximum noise levels at 20 and 280feet for various types of construction equipment that could be used during construction are provided in Table NOI-4.

TABLE NOI-4 CONSTRUCTION EQUIPMENT NOISE LEVELS

Construction Equipment	L_{MAX} at 20 feet[1]	L_{MAX} at 280 feet[2]
Backhoe	88	63
Compactor (ground)	93	68
Compressor	88	63
Concrete Mixer Truck	89	64
Dozer	92	67
Dump Truck	86	61
Excavator	84	59
Flat Bed Truck	87	62
Front End Loader	86	61

Construction Equipment	L_{MAX} at 20 feet[1]	L_{MAX} at 280 feet[2]
Generator	90	65
Grader	91	66
Jackhammer	91	66
Paver	95	70
Roller	90	65
Vibratory Concrete Mixer	89	64

Source: Federal Highway Administration (FHWA) Roadway Construction Noise Model User's Guide, 2006.

Notes:
1 This is the distance from the roadway to the nearest residential property line on Tierra del Cielo.
2 This is the distance from the center of APN 174-260-15 to the nearest residential property line (east and opposite of Tierra del Cielo).

Construction equipment would not all operate at the same time or location. Furthermore, construction equipment would not be in constant use during the 8-hour operating day. A dozer and an excavator may be working on the project site simultaneously but would not be working in close proximity to one another at a given time due to the nature of their respective operations. An excavator, loader, and dump truck were analyzed together for construction noise impacts (due to their likelihood of being used in conjunction with one another) using the FHWA's RCNM (See Noise Report for construction noise modeling).

Based on these assumptions, grading operations using an excavator, loader, and dump truck at the nearest residential property line would be 64.9 dB, Leq at 280 feet (8-hour standard) and 65.7 dB, Lmax. These noise levels would not exceed the COV's Noise Ordinance standard of 75 dB, Leq (8-hour standard) and the 82 dB, Lmax (maximum sound level) standard. However, for roadway improvements, construction operations using an excavator, loader, and dump truck at the nearest residential property line would be 87.8 dB, Leq at 20 feet (8-hour standard) and 88.7 dB, Lmax at 20 feet. Note that these estimated noise levels at a source-to-receiver distance of 20 feet are very conservative because the construction equipment noise is being modeled to the nearest residential property line and not the nearest residential façade (located approximately 50 feet or more from the roadway improvements). Furthermore, the modeling presumes that the noted pieces of equipment would each operate (on average at this distance) for a cumulative period of four hours a day. Using these assumptions, construction equipment used for roadway improvements could potentially exceed the COV's Noise Ordinance standard of 75 dB, Leq (8-hour standard) and 82 dB, Lmax (maximum sound level) standard. As a result, Mitigation Measure NOI-1 would be required to reduce noise levels from construction to a less-than-significant impact.

Operational Noise Impacts

Noise levels from single-family residences are typically quite low. The noise from development of the proposed project would not affect any surrounding sensitive receptors and the project would not contribute to any cumulative noise impacts. Therefore, the noise from the activities (operations) at the project site would result in a less-than-significant impact.

As previously stated, existing 24-hour noise levels at Site 1 are 50-51 dB, CNEL and 51-53 dB, CNEL at Site 2 (See Noise Report). Therefore, the project site is less than 65 dB and would be within the Normally Acceptable range for Single Family Residential uses. Interior noise levels would be considered significant if they exceed 45 dB, CNEL. Residential building facades typically provide a minimum exterior-to-interior noise reduction of 25 dB with windows closed (RCH Group, 2023c). Interior noise levels would be well below the 45 dB, CNEL threshold for interior noise standards in the General Plan. Therefore, the proposed project would be compatible with normally acceptable exterior and interior noise level planning criteria. In summary, the

project site is noise appropriate for single family residential use. The effect of existing noise on the project would result in a less-than-significant impact.

The proposed project would result in a negligible increase in operational traffic noise (See *Noise Report, RCH, 2023c*). Thus, traffic noise from project operations would result in a less-than-significant impact.

The proposed project would include heating, ventilating, and air conditioning equipment (HVAC). Noise generated by HVAC varies significantly depending on the equipment type, capacity, location, and enclosure design. Noise levels up to 60 dBA at a distance of 15 feet are typical for HVAC equipment (RCH Group, 2023c). Final Project design and development review would comply with the City's Exterior Property Line Noise limits outlined in Section 8.32.40 and would implement design features for mechanical equipment to not exceed the City's noise limits. Final design of the HVAC equipment would need to meet the most conservative threshold, which is the maximum nighttime (10:00 p.m.–7:00 a.m.) outdoor noise level of 45 dBA as measured at the adjacent receiving property. Therefore, noise impacts from stationary equipment from the project would result in a less-than-significant impact.

MITIGATION MEASURES

NOI-1 Construction Noise Management Plan: Noise levels from Project-related demolition, grading, and construction activities shall not exceed the noise limit specified in San Diego County Code (adopted by City of Vista) Sections 36.408 and 36.409 of 75 dBA (8-hour average), when measured at the boundary line of the property where the noise is located or any occupied property where noise is being received. A Construction Management Plan shall be submitted to the City of Vista Planning Division for approval prior to issuance of the Grading Permit. The following measures may be included to reduce construction/demolition noise:

1. Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices.
2. Diesel equipment shall be operated with closed engine doors and equipped with factory-recommended mufflers.
3. Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.
4. Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible.
5. Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited.
6. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise sensitive receptors.
7. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be used for safety warning purposes only.
8. No project-related public address or music system shall be audible at any adjacent sensitive receptor.
9. Prior to construction activities, designate a "Construction Noise Coordinator" who shall be responsible for responding to local complaints about construction noise. The Construction Noise Coordinator shall determine the cause of the complaint and shall

require that reasonable measures be warranted to correct the problem be implemented (potentially including temporary noise barriers). The telephone number for the Construction Noise Coordinator shall be conspicuously posted at the construction site.

10. Prior to construction activities, notify the adjacent residences of the construction schedule in writing and provide them with the contact information of the Construction Noise Coordinator.

b. Less Than Significant Impact. Construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. At the highest levels of vibration, damage to structures is primarily architectural and rarely results in any structural damage. A peak particle velocity (ppv) threshold of 0.5 inches per second or less is sufficient to avoid structural damage (RCH Group, 2023c). Project construction would utilize typical construction equipment and would not generate significant sources of vibration such as pile driving and/or blasting. Vibrational effects from typical construction activities are only a concern within 25 feet of existing structures (RCH Group, 2023c). Construction would not occur within 25 feet of an existing off-site structure. Therefore, vibration impacts would be less than significant.

c. Less Than Significant Impact. The project site is subject to some distant aircraft noise, though the project site is not within the vicinity of a public airport or private airstrip, or within an airport land use plan. The nearest airports are McClellan-Palomar Airport and Oceanside Municipal Airport, both located approximately 10 miles to the southwest. At this distance, airport noise impacts would be less than significant.

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

DISCUSSION

a - b. No Impact. The project proposes rough grading on a 2.93-acre site to support the future construction of a single-family home. The project also proposes roadway improvements to improve site access and roadway safety and a secondary, emergency fire equipment access point from Kings Road. The COV recently updated its General Plan Housing Element, a process that is required by state law, which demonstrates how the City's share of regional growth (i.e., regional housing needs allowance or RHNA) would be accommodated for the next eight years. The planning cycle for the *Housing Element Update* is 2021-2029.

The State forecasts the need for housing based on population projections, and then each region must show how it will accommodate that need. This includes updating the City's housing policies and designating space for the State's allocation of 2,561 new housing units by 2029, of which 1,205 units need to be affordable for people with very low to moderate incomes.

As stated in Chapter 2 of this document, all necessary utilities such as sewer, water, electricity, etc. are available either on-site or within the adjacent streets. Therefore, with the applicant's required City approvals in place, project construction would not result in potentially growth-inducing effects by extending utilities into an undeveloped area or displace substantial numbers of existing housing or people. As a result, significant direct or indirect population growth, or the need for replacement housing, would not occur with project implementation.

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

DISCUSSION

a1 – a3. Less than Significant Impact.

FIRE PROTECTION SERVICES

The proposed project would result in less than significant impacts to fire protective services. The project site is 2.93 acres in size and is comprised of one parcel plus adjacent the roadways of Tierra Del Oro and Las Lomas Road. The site is an infill project and is surrounded by large-lot single family homes on the east, south, west, and north. The project consists of grading the site to support the construction of a future home plus access and emergency response roadway improvements. Primary access and secondary emergency access to the site would be provided via Tierra Del Cielo and Las Lomas Road, and Kings Road, respectively.

All new homes are required to meet all of the applicable fire codes set forth by the State Fire Marshal, the VFD, and the COV's building code. Implementation of the proposed project may result in a slight incremental increase in the demand for emergency services; however, the size and location of the project would not place an undue hardship on the fire department since they are presently servicing the site and surrounding community. The closest fire station to the project site is Vista Fire Station #3 located approximately two miles to the northwest at 1070 Old Taylor Street. In addition, the VFD reviewed the project plans for the proposed project and provided recommendations to reduce potential impacts to fire protective services. These recommendations are included in the Conditions of Approval for the project. The VFD would also review the building and precise grading plans when they are submitted to the COV and would also identify and provide additional recommendations to reduce any potential impacts. In addition, prior to final project approval, the COV Fire Marshal would verify that the project has been designed to conform to code. Therefore, implementation of the proposed project would not exceed the capacity of VFD to serve the site with existing fire protection services and resources.

POLICE PROTECTIVE SERVICES

The proposed project would not result in significant impacts on police protective services. Increased demand for police protection is not expected since they are presently servicing the project site and general project areas as well as the areas adjacent to the site. For that reason, the proposed project would not exceed the capacity of the Vista Sheriff's Department to provide police protective services to the proposed project, and impacts would be less than significant.

SCHOOLS

No new residence is proposed at this time. The future home that would ultimately be built as a result of the implementation of the proposed project would not result in a significant direct increase in the city's population as development of the site given the size, scope and nature of the project. It is anticipated that a small incremental increase in the city's population over time could place cumulative demands on VUSD schools or school operations, which would require additional school facilities.

While the nearest school is in San Marcos, it is anticipated that any future students from the project site would be eligible to attend schools within the City of Vista such as Monte Vista Elementary on Monte Vista Drive, Rancho Minerva Middle School on Foothill Drive and Sierra Vista High School on E. Bobier Drive. Future residential construction would be required to offset potential impacts on schools through the payment of Residential Development School Fees as a condition of building permit approval, as authorized by Section 17620 of the Education Code and based on $4.08 per SF of assessable space (as of September 2023), no significant cumulative impacts to VUSD facilities are anticipated to arise.

a4 – a5. No Impact. The project site is located in northeast Vista with access from Warmlands Avenue which is currently maintained by the City's Department of Public Works. The proposed project includes private roadway enhancements to Tierra Del Cielo and Las Lomas Road and a secondary emergency access connection point from Kings Road to the west of the site. Primary access, and emergency access, to the site would be enhanced with the proposed project compared to the existing conditions. As a result, no significant impacts on the condition of the roads are anticipated from project implementation.

Due to the small size of the proposed project and the fact that there is no residential construction proposed as part of the Las Lomas Grading project, no impacts on libraries, senior centers, or other public facilities are anticipated to occur. Consequently, no impacts would occur.

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

DISCUSSION

a - b. No Impact. The proposed grading project would not affect any property currently zoned for recreational use or affect any recreational facilities. The project consists of rough grading of a 2.93-acre homesite and private roadway improvements to improve community and emergency access within an existing residential community. A small demand for existing recreational resources may be expected with any residential development within the city. However, no residential development is proposed at this time.

Development of a future new home on the project site would be consistent with the underlying general plan land use category and zoning designation for the site. This future development would not lead to a substantial physical deterioration of recreational facilities because the new residence would include a front yard and a back yard and onsite recreational amenities, thus likely offsetting any incremental recreational need that may be generated by the project. As a result, potential impacts to recreational resources would be less than significant.

The project does not propose the development of any public recreational facilities. As stated above, a small demand on existing recreational resources may be expected with any residential development within the city; however, this impact is anticipated to be minimal, and would not require the expansion of existing recreational facilities or the construction of new recreational facilities that might adversely affect the environment. As with all residential development projects in the COV, as a condition of approval, the applicant will be required to pay all COV development fees, including a Park Fee at such time as residential construction is proposed. However, due to the size, scope and nature of the proposed project, no impacts to recreational resources or facilities would occur with project implementation.

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

The discussion below is based on the findings contained within the Project Information Form (PIF) (Intersecting Metrics, 2023) prepared for the proposed project. The document is on file and available for review in the COV's Planning Division office.

DISCUSSION

a – No Impact. The Proposed Project will not construct, change, or improve any off-site transportation facilities. The Proposed Project will provide access via Las Lomas Road which is a private roadway located along the southern edge of the property. The Proposed Project will extend Las Lomas Road to the north where it will terminate in a cul-de-sac. The extension of Las Lomas Road will be designed and constructed based on City of Vista private roadway standards. Based on Figure 6-1 of the *City of Vista Bicycle Master Plan, January 2015,* there are currently no planned bicycle facilities along Las Lomas or on other roadways that are adjacent to the Proposed Project site; therefore, the Proposed Project is not required to construct or improve any bicycle facilities. Similarly, there are no transit facilities or services within a mile of the project site; as such, the Proposed Project will not have an effect or impact on any local or regional transit services.

Since the Proposed Project is not anticipated to make any changes to off-site transportation facilities and will design all of its internal transportation facilities to be consistent with City of Vista Standards, it will not conflict with any identified program, plan, ordinance, or policy addressing the circulation system.

b – Less than Significant.

THRESHOLD

The City of Vista developed and adopted their *Transportation Impact Analysis* Guidelines in December 2020 to establish transportation impact thresholds that are consistent with *CEQA Guidelines section 15064.3, subdivision (b)(2).* Section 6.0 of the guidelines established the vehicle miles traveled (VMT) significance thresholds, which determine when a land use development project would be associated with a significant VMT related impact. These thresholds are displayed below in Table TT-1.

TABLE TT-1 CITY OF VISTA VMT BASED THRESHOLDS

Project Type	Metric	Significance Threshold[1]
Residential	Resident VMT / Capita	15 % below regional average
Commercial	Employee VMT / Employee	15 % below regional average
Industrial	Employee VMT / Employee	15 % below regional average
Retail[2]	Net increase in the regional VMT	Net increase in regional VMT
Mixed-Use	Evaluate each land use separately	Based on proposed land use
Redevelopment[3]	Based on the proposed land use	Based on the proposed land use

Source: City of Vista Transportation Impact Analysis Guidelines, December 2020, Table 6-3

Notes
1. The City may request the applicant to analyze VMT using a more localized threshold if the project requires.
2. Locally serving retail is presumed to decrease VMT however retail projects over 50,000 square feet are considered regionally serving.
3. A redevelopment project that reduces VMT is presumed to have less than a significant impact and is screened out. The removal of affordable housing will require VMT analysis.

Section 7.0 of the City's *Transportation Impact Analysis Guidelines* establishes screening criteria which identify specific project types that are associated with VMT reducing characteristics, thus resulting in a less than significant impact. Table TT-2 displays the City's screening criteria.

TABLE TT-2 SCREENED OUT PROJECTS

Project Type	Project Type
Projects located in a Transit Priority Project Areas or Smart Growth Opportunity Area as identified in the most recent SANDAG Regional Plan and is consistent with the General Plan at the time of project application[1,2.]	Affordable housing projects[3]
Projects located in a low-VMT generating area identified on the most recent SANDAG SB 743 VMT Screening map	Assisted living facilities
Locally serving K-12 schools	Senior housing (as defined by HUD)
Daycare centers	Transit projects
Local parks	Bike projects
Locally serving retail uses less than 50,000 square feet, including: gas stations, banks, restaurants, grocery stores, and shopping centers	Pedestrian projects
Community institutions (Public libraries, fire stations, local government)	Safety improvement projects (e.g., RRFBs and high visibility crosswalks at uncontrolled locations, pedestrian count down timers, additionally projects identified through the Highway Safety Improvement Program)
Locally serving hotels (e.g., non-destination hotels, non-regionally serving)	Safe Routes to School
Student housing projects on or adjacent to college campuses	Projects generating less than 500 daily vehicle trips (if inconsistent with adopted General Plan)
Local serving community colleges that are consistent with the assumptions noted in the most recent SANDAG Regional Transportation Plan/Sustainable Communities Strategy	Projects generating less than 1,000 daily vehicle trips (if consistent with adopted General Plan)

Source: City of Vista Transportation Impact Analysis Guidelines, December 2020, Table 7-1

Notes
1 Projects located in a TPA must be able to access the transit station within a ½ mile walking distance or a 6 minute walk continuously without discontinuity of sidewalk or obstructions to the route. Qualifying transit stops means a site containing an existing rail transit station served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (OPR, 2017). A high-quality transit corridor may also be considered if a corridor with fixed route bus service has service intervals no longer than 15 minutes during peak commute hours (OPR, 2017).
2 Look up the most recent SANDAG Transit Priority Project Areas map and the SANDAG Smart Growth Concept Map (North County Subregion).
3 If a project is a mix of affordable housing and market rate housing or unscreened use, only the affordable housing component would qualify as screened out. Additionally, any removal of affordable housing automatically requires CEQA VMT analysis.

DAY TO DAY OPERATIONS

Trip Generation

Table TT-3 displays the anticipated daily and peak hour trip generation for the Proposed Project. Trip generation rates were derived from SANDAG's (*Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (April 2002)*.

TABLE TT-3 PROPOSED PROJECT TRIP GENERATION

Land Use	Units	Trip Rate	ADT	AM					PM				
				%	Trips	Split	In	Out	%	Trips	Split	In	Out
Single Family Housing (Estate)	1 DU	12/DU	12	8%	1	(3:7)	1	1	10%	1	(7:3)	1	1

As shown in the table, the Proposed Project is anticipated to generate 12 daily vehicular trips. As shown in Table TT-2, Projects consistent with the General Plan that generate less than 1,000 daily vehicle trips (or 500 daily vehicle trips if they are inconsistent with the General Plan) are screened out from conducting a VMT impact analysis. As such, the Proposed Project would be considered to have a less than significant impact.

VMT ANALYSIS

As shown in Table TT-3, the Proposed Project is anticipated to generate 12 daily trips. As per the *City of Vista Transportation Impact Analysis Guidelines,* Projects that generate less than 1,000 daily vehicle trips (if consistent with the adopted General Plan) are screened out from conducting a VMT impact analysis (See Table TT-2) and assumed to have a less than significant impact.

It should also be noted that the Proposed Project would also be screened out from conducting a detailed VMT analysis based on the Small Project Criteria outlined in the California Governor's Office or Planning and Research's *Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018*[7] (110 daily trips) as well. As such, the Proposed Project would be considered to have a less than significant impact.

PROJECT CONSTRUCTION

Construction worker VMT is not newly generated; instead, it is redistributed throughout the regional roadway network based on the different work sites in which construction workers travel to each day. Therefore, construction workers are not generating new VMT each day, only redistributing it. It is important to note that construction traffic is temporary and is not expected to significantly increase VMT in the region over any length of time. This redistribution is considered to have a nominal and momentary effect on the regional and citywide daily VMT. Consequently, it is assumed that there will be no major changes in regional circulation

[7]The OPR Technical Advisory recommends using a screening threshold of 110 trips per day based on ITE Trip Generation rates, as compared to the City of Vista which recommends using a threshold of 1,000 or 500 daily trips (See Table X.2) using SANDAG's trip generation rates.

during construction of the Proposed Project, resulting in no conflicts or inconsistencies with CEQA Guidelines section 15064.3, subdivision (b).

c. No Impact. The Proposed Project will not change any off-site transportation facilities and all on-site transportation facilities will be constructed to City of Vista standards. Additionally, the Proposed Project land use (single family home) is consistent with the surrounding land uses (also single family homes) within the area. Therefore, since the Proposed Project will maintain similar land uses on the project site and does not intend to make any off-site changes to the transportation network, it will not increase hazards due to a change in geometric design features or through the creation of incompatible uses.

d. Less Than Significant. The implementation of the Proposed Project will not result in any changes to the adjacent transportation network. The Proposed Project site will be designed in accordance with City of Vista Design Standards as well as the County of San Diego Consolidated Fire Code, thus, proper emergency access will be provided to the Proposed Project site. As such, the implementation of the Proposed Project will not result in inadequate emergency access to the Project Site or any adjacent land uses.

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

DISCUSSION

a. – c. Less Than Significant Impact.

RELOCATED, NEW OR EXPANDED UTILITY OR SERVICE SYSTEM INFRASTRUCTURE

The proposed project would result in the future construction of a single residential unit on an infill site in the northeastern area of the city. The proposed project also includes grading to widen existing roadways onsite and to improve stormwater flows through the construction of green streets that utilize a rock-lined swale edge design component.

The project site is generally surrounded by existing, low density residential development on all sides. All wet and dry public utilities, facilities and infrastructure are in place and available to serve the project site in the future without the need for relocated, new or expanded facilities. While new utility and service connections

would need to be extended to and from the project site (e.g., sewer, storm water runoff, electrical, etc.), these new connections would not result in a need to modify the larger off-site infrastructure.

As a result, implementation of the proposed project would have a less than significant impact on water, wastewater treatment, storm water drainage, electrical power, natural gas, or telecommunications facilities or infrastructure.

SUFFICIENT WATER SUPPLY

The proposed project does not include any residential construction at this time. The grading project will require some water for dust control purposes and that will likely be delivered to the site from water trucks. In the future, development of the homesite would increase the demand for potable water that is needed to serve the home. Water service for the project would be provided by the Vista Irrigation District (VID or District) from the nearest water main connection point. The District is a member agency of the San Diego County Water Authority (SDCWA). VID imports approximately 70 percent of its potable water supply from SDCWA, who in turn buys it from the Metropolitan Water District of Southern California (MWD). The remaining 30 percent of VID's supply is from Lake Henshaw, which is fed through precipitation from the San Luis Rey watershed. Proposed project water usage was developed with the computer modeling (CalEEMod) of the project's air quality and GHG emissions described in detail in Section III Air Quality and Section VIII, Greenhouse Gas Emissions. Based on CalEEMod, the project would consume approximately 0.1 million gallons of water annually.

Water supplies necessary to serve the demands of the proposed project, along with existing and other projected future users, and the actions necessary to develop these supplies (e.g., conservation via Senate Bill 7 of the Seventh Extraordinary Session (or SBX 7-7), efficiency standards, etc.) have been identified in the Urban Water Management Plans (UWMPs) of VID, the SDCWA, and MWD. California's urban water suppliers are required to prepare UWMPs in compliance with the Urban Water Management Planning Act (California Water Code §10610 et seq.) and the Water Conservation Bill of 2009 (SBX 7-7). UWMPs are prepared every five years by urban water suppliers to support their long-term resource planning and ensure adequate water supplies are available to meet existing and future water demands over a 20-year planning horizon, including the consideration of various drought scenarios and Demand Management Measures. The passage of SBX 7-7 in 2009 was enacted to require retail urban water agencies within California to achieve a 20 percent reduction in urban per capita water use by December 31, 2020 (Water Code Section 10608.20). As a result, SBX 7-7 also requires that UWMPs report base daily per capita water use (baseline), urban water use target, interim urban water use target, and compliance daily per capita water use. VID, SDCWA, and MWD calculate future demands within their respective service areas based on SANDAG's projected population and growth rate projections; SANDAG's projections are based on the land use policies in the general plans of the jurisdictions within San Diego County. These projections provide consistency between retail and wholesale agencies' water demand projections, thereby ensuring that adequate supplies are being planned for existing and future water users.

According to VID's *2015 Urban Water Management Plan* (*UWMP*) (June 2016), VID will use local water resources whenever possible; however, if there is a shortfall, they would rely on SDCWA supplies. In the analysis of a normal water supply year, as described in VID's *2015 UWMP* (June 2016), if SDCWA, MWD, and VID supplies are developed as planned and SBX 7-7 conservation targets are achieved, no shortages are anticipated within VID's service area in a normal year through 2040. That would mean that the District's entire projected potable water supply would meet the entire projected SBX 7-7 water demand of 24,147-Acre Feet in 2040.

In the analysis of a single-dry year through 2040, VID's *2015 UWMP* (June 2016) findings indicated that if SDCWA, MWD and VID supplies are developed as planned and SBX 7-7 conservation targets are achieved, no shortages are anticipated within VID's service area. However, for multiple-dry year reliability analyses, the conservative planning assumption used in VID's *2015 UWMP* (June 2016) expects that MWD would be allocating supplies to its member agencies. As a result, some level of shortage could be potentially experienced. As stated above, when shortages occur in VID's resources, the SDCWA would use various measures to cover the shortfall, as described below.

The SDCWA was established pursuant to legislation adopted by the California State Legislature in 1943 for the primary purpose of supplying imported water to San Diego County for wholesale distribution to its member agencies. These imported water supplies consist of water purchases from MWD, core water transfers from Imperial Irrigation District (IID) and canal lining projects that are wheeled through MWD's conveyance facilities to the SDCWA's pipelines (or aqueducts), and spot water transfers that are pursued on an as-needed basis to offset reductions in supplies from MWD. Following the major drought in California of 1987 - 1992, which led to severe water supply shortages throughout the state, the SDCWA and its member agencies vigorously developed plans to minimize the impact of potential shortages by diversifying its supplies and strengthening its conservation programs. SDCWA's *2015 UWMP* (June 2016) identifies a diverse mix of water resources projected to be developed over the next 25 years to ensure long-term water supply reliability for the region. For example, existing and planned supplies from the Imperial Irrigation District transfer, canal lining projects are considered "verifiable" sources, and planned supplies from the new seawater desalination project in Carlsbad would be considered a drought-resilient supply.

The SDCWA, as a wholesale supplier, is also required by law to support its retail member agencies' efforts to comply with SBX 7-7 through a combination of regionally and locally administered active and passive water conservation measures, programs, and policies, as well as the use of recycled water. Examples of active measures and programs include residential and commercial water use surveys and education programs. Examples of passive measures include programs that encourage long-term behavior change towards measurable reductions in outdoor water use; increase the landscape industry's basic knowledge regarding the interdependency between water efficiency design, irrigation design, and maintenance; and participation on statewide, national, and industrial committees to advance behavior-based conservation strategies. Additional passive programs and policies include outreach activities, plumbing code changes, legislation, and conservation-based rate structures.

According to the SDCWA's *2015 UWMP* (June 2016) section on water supply reliability, under a single dry-year assessment using a very conservative assumption regarding limited Metropolitan supplies during a single dry water year and assuming SDCWA and member agency supplies are maintained and developed as planned, along with achievement of the additional conservation target, no shortages are anticipated within the Water Authority's service area in a single dry year until 2035. These shortages would be eliminated should MWD supplies approach the supply levels projected in their *2015 UWMP* Single Dry Year Supply Capability. With the previous years leading up to the single dry year being wet or average hydrologic conditions, MWD should have adequate supplies in storage to cover potential shortfalls in core supplies and would not need to allocate. Therefore, it is anticipated that the SDCWA would be able to meet VID's increased demands during a single-dry water year. For SDCWA's 2015 *UWMP* (June 2016) multiple dry-year reliability analysis, the conservative planning assumption is that MWD will be allocating supplies to its member agencies. Because it is uncertain in the future how MWD will allocate supplies to its member agencies, the analysis in SDCWA's *2015 UWMP* (June 2016) assumes supplies are allocated based on preferential right to MWD supplies. If a shortage occurs, the SDCWA plans to utilize action measures in its Water Shortage and Drought Response Plan. These actions include dry-year supplies, carryover storage, and regional shortage

management measures to fill the shortfall. The SDCWA's dry-year supplies and carryover storage are components of managing potential shortages within the region and for increasing supply reliability for the region. The dry-year supplies assist in minimizing or reducing potential supply shortages from MWD. Over the last five years the SDCWA has developed a carryover storage program to manage supplies more effectively. This includes in-region surface storage currently in member agency reservoirs and increasing capacity through the recently completed raising of San Vicente Dam. The SDCWA also has an out-of-region groundwater banking program in the California central valley. Through these efforts, SDCWA can store water available during wet periods for use during times of shortage. In years where shortages may still occur, after utilization of carryover storage, additional regional shortage management measures, such as securing dry-year transfers and extraordinary conservation achieved through voluntary or mandatory water-use restrictions would also be undertaken.

On the local level, additional water conservation for new developments in Vista would be achieved through compliance with the Water Efficient Landscaping Ordinance in the COV's Development Code, Chapter 18.56. An Estimated Total Water Use (ETWU) Worksheet for the proposed project would be required to be submitted in the application for a Grading Permit, which would have to be under the Maximum Applied Water Allowance (MAWA) in compliance with the COV Water Efficient Landscaping Ordinance.

In addition to the noted UWMP's described above, other regional and/or State entities may also enact other measures during multiple-dry water years as well, including emergency regulations. As part of the Conditions of Approval for this project, compliance with any applicable VID emergency drought regulations regarding new development would be conducted by appropriate staff during review of project plans and various inspections prior to the approval of a Certificate of Occupancy. Therefore, as discussed in the above analysis the development of the project would not require new or expanded water entitlements from VID or require new water resources be found.

ADEQUATE WASTEWATER TREATMENT CAPACITY

At such time as residential construction is proposed for the site, new sewer lines would extend into the project site from the nearest existing COV sewer main. Wastewater would be treated at the Encina Water Pollution Control Facility (Encina Facility), which is a conventional activated sludge wastewater treatment plant with a treatment capacity of 43.3 million gallons per day (mgd). The COV sewer system and the Encina Facility operate in accordance with applicable wastewater treatment requirements of the San Diego Regional Water Quality Control Board. As proposed, the project would not have an operational phase as the current project involves grading only. Therefore, upon development, any future development would tie into existing wastewater/sewer lines and would be required to adhere to all wastewater treatment requirements specified by the COV and the San Diego Regional Water Quality Control Board so that significant impacts would not occur.

Based on the COV's *Sewer Master Plan 2017 Update* (August 2018), a future home would be expected to generate wastewater under the OSR *GP 2030* land use designation[8] and would connect to the COV's sewer main. The City's sewer system consists of approximately 215 miles of sewer collection pipelines and one pump station, serving approximately 16,000 parcels, and conveys an annual average flow of 6.53 mgd.[9] As stated above, wastewater from the project would be treated by the Encina Facility. Wastewater generation from the proposed project would not exceed the capacity of the Encina Facility to treat it. Therefore, the project's contribution of wastewater would not require new water/wastewater facilities to be built or existing facilities to expand; as a result, impacts would be less than significant.

[8] Table 3-10, Land Use Sewage Flow Generation Factors, *City of Vista Sewer Master Plan 2017 Update* (2018).
[9] City of Vista website, http://www.cityofvista.com/services/city-departments/engineering/construction-projects/sewer, 2016

d – e. Less than Significant Impact.

SOLID WASTE GENERATION

No structural development is currently proposed. A future new home would result in a negligible increase in domestic municipal solid waste generation. The construction phase may generate nominal construction waste. Once construction of the residential building was to occur, it would generate various types of debris, including asphalt, metal, wood, etc. In compliance with AB 939, Municipal Code Chapter 13.17 - Construction and Demolition Debris Recycling, the City would require the diversion of at least 50 percent of the total construction and demolition debris generated by a project via reuse or recycling via a Waste Management Plan.[10] To comply with this requirement, construction and demolition debris would typically be hauled to a Construction, Demolition and Inert (CDI) Recycling Facility, such as the Escondido Disposal Corporation's (EDCO) CDI facility in San Marcos. Any remaining debris that is not recyclable would be disposed at a licensed landfill such as the Sycamore Landfill in San Diego.

Once operational, the new single-family home is estimated to generate approximately 1.23 tons of solid waste per home per year (based on the computer modeling (CalEEMod) of the project's air quality and GHG emissions described in detail in Section III Air Quality and Section VIII, Greenhouse Gas Emissions). The potential new home would generate a total of approximately 1.23 tons of solid waste per year.[11] As discussed in the *GP 2030 PEIR* (City of Vista, 2012b), EDCO is the current contracted solid waste hauler for the City and would serve the project. EDCO has several recycling programs, and the company processes over 1,000 tons of recyclables each day within its three material recovery facilities. Once all recyclables are recovered, the remaining solid waste would be taken to the Sycamore Landfill, which has a permitted capacity of 5,000 tons per day (tpd), and an estimated remaining capacity of 113,972,637 cubic yards according to CalRecycle. Based on the projected future daily generation of solid waste, the Sycamore Landfill would be able to adequately accommodate future solid waste generated from the site. Therefore, due to the nature of the proposed grading project, the project would not generate any long-term, operational solid waste resulting in less than significant impacts to solid waste.

COMPLIANCE WITH SOLID WASTE STATUTES AND REGULATIONS

The COV complies with all federal, State, and local statutes and regulations related to solid waste, such as AB 939 and AB 341. EDCO also complies with all applicable federal and State solid waste regulations. The San Diego County DEH issues permits to all solid waste facilities in the county, including the Sycamore Landfill (37-AA-0023) which undergoes monthly inspections. As solid waste generated by the proposed project would be diverted to material recovery facilities, with the remaining waste hauled to the Sycamore Landfill (or any active, permitted landfill facility in the county), it would comply with existing regulations related to solid waste. Therefore, the project would comply with all applicable federal, State, and local management and reduction statues and regulations regarding solid waste, resulting in less than significant impacts.

[10] This is initiated through submission of a Waste Management Plan (WMP), which is part of the submittal package for a building permit. Prior to Final Building Approval, the applicant shall submit to the WMP Compliance Official documentation that it has met the Diversion Requirement for the project.

[11] Based on a solid waste generation rate of tons annually per household (source: Table 4.12-9, sub-section in the *GP 2030 PEIR* [City of Vista, 2012b]).

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

a. Less Than Significant Impact. In general, VHFHSZs (Very High Fire Hazard Severity Zones) exist in the City's Sphere of Influence (SOI) immediately adjacent to the city boundaries. There are relatively large areas of VHFHSZ in the southern, eastern, and northeastern portions of Vista. Properties located in areas defined as a VHFHSZ are subject to more stringent building and landscape code requirements than are properties outside of that zone (*GP 2030 PEIR*, 2012b).

The project site is located within the VHFHSZ according to the VistaGIS map (2023). Parcels immediately surrounding the project site have the same designation and are also within the area served by the Vista Fire Protection District (VFPD). The VFPD has adopted Emergency Evacuation Plans in its Community Wildfire Protection Plan to identify evacuation routes, emergency facilities, and available Vista Fire Department (VFD) personnel and equipment to effectively deal with emergency situations. As a result, no revisions to the adopted Emergency Evacuation Plans would be required due to the development of the proposed project.

The closest fire station to the project site is Vista Fire Station #3 located approximately two miles to the northwest at 1070 Old Taylor Street. Primary access to and from the site would be provided via Las Lomas Road and Tierra Del Cielo. Secondary/emergency access to the site would be provided via a new connection from Kings Road.

No residential construction is proposed at this time. Any future home proposed onsite would be subject to the California Fire Code construction requirements for structure hardening in a VHFHSZ subject to the review of the VFPD.

As discussed in Section IX Hazards and Hazardous Materials of this document, under resource topic F, the proposed project plans have been reviewed by the VFD, and the design would provide all required emergency access in accordance with the requirements of the Department. Therefore, implementation of the proposed project would not impair or physically interfere with an evacuation plan. As a result, impacts would be less than significant, and no mitigation is required.

b. Less Than Significant Impact. As discussed in the *GP 2030 PEIR* (City of Vista, 2012b), the combination of southern California's Mediterranean climate (winter and spring rainfall and hot dry summers), and the frequency of high wind velocity from Santa Ana winds (which generally blow east to west) creates optimum conditions for wildfires. Steep terrain also contributes to the rapid spread of wildfires. Slopes affect the behavior of fire because they can change the proximity of separate burns. Many hillside areas within Vista have slopes with a gradient greater than 30 percent, resulting in long, winding roads that terminate on the sides and tops of ridges leading to single-family residences.

The project site is located within an urbanized area in the northern portion of the city (see Figure 1, City Location Map, and Figure 3, Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A) and is located in a VHFHSZ. This VHFHSZ is within the VFPD service area. The VFD serves the VFPD and administers the Weed Abatement Program and Defensible Space requirements for new residential developments in the District, among other duties. The VFD and other City departments are active participants in the *Multi-Jurisdictional Hazard Mitigation Plan* (MJHMP) *for San Diego County* (San Diego County, 2017), which identifies risks by natural and human-made disasters and ways to minimize the damage from these disasters. The City's portion of the *MJHMP* (2017) includes goals, objectives, and actions to reduce wildfire hazards within Vista. The City is responsible for implementing these goals and actions, which includes such actions as "continue to promote cooperative vegetation management programs that encompass hazard mitigation in the city and unincorporated areas that threaten the city" (San Diego County, 2017).

As stated in Chapter 2 of this document, the project site experienced a fire in 2007 and onsite vegetation has regrown. Vegetation onsite will be reduced in order to clear an area for a future home. Vegetation clearing and thinning would occur to allow for defensible space onsite.

Design elements would be required consistent with Fire Department conditions. It is currently assumed that the areas to be graded and developed will include a fire clearance zone around each future structure and the first 30 feet to the east from the improved road. The next 50 ft around each structure (the 50-100-ft zone) will be cleared of vegetation to 50% with all shrubs limbed up.

The project has been designed to meet all applicable development and fire codes, including vegetation thinning and management requirements. Also, VFD has been involved in plan checks for the discretionary permit review process, and the proposed project has been approved. Once applications for building permits are submitted, VFD would review all construction plans for adequate fire suppression, fire access, and emergency evacuation.

As a result, adherence to standard COV and State policies and regulations regarding fire codes would not result in exacerbating wildfire risks and impacts from wildfire pollution would be less than significant.

c. Less Than Significant Impact. As previously discussed, all proposed project components would be located within the boundaries of the project site, and impacts associated with the grading project are analyzed throughout this document. As also noted above, the site is within a VHFHSZ which is within the VFPD. The

project has been designed to meet all applicable development and fire codes and VFD has been involved in plan review process and has preliminarily approved the project's compliance with its standards. As a result, adherence to standard COV policies and the installation or maintenance of associated infrastructure would not exacerbate fire risk, and potential impacts would be less than significant.

d. Less Than Significant Impact. As discussed above, the project site is located within a designated VHFHSZ. The proposed project has been designed to meet all applicable development and fire codes, including vegetation thinning and management and fuel modification requirements, and VFD has been involved in plan checks for the permit review process, and has preliminarily approved the project's compliance with its standards. As a result, adherence to standard COV policies in the installation or maintenance of associated infrastructure would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes; therefore, potential impacts would be less than significant.

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

DISCUSSION

a. Less than Significant with Mitigation Incorporated. With the incorporation of mitigation measures for biological and cultural resources, the proposed project would not have the potential to degrade the quality of the environment, reduce the habitat of any sensitive plant or animal species, or eliminate important examples of California history or prehistory.

Based on the potential for impacts to native habitat, plant species and nesting birds (Tierra Data, 2023), Mitigation Measures in Section IV in this chapter, have been included to ensure impacts are mitigated to less than significant levels. Based on the analysis in the *Cultural Report* (Helix, 2023), which included pedestrian surveys of the project site by an archaeologist, surficial or known cultural or tribal cultural resources were not identified on the site. Nonetheless, based on a number of factors indicating that the surrounding area is generally rich in cultural resources, unknown cultural and tribal cultural resources, and human remains, could be inadvertently discovered during ground-disturbing activities, which would be considered a potentially significant impact. However, with the implementation of Mitigation Measures in Section V in this chapter, these impacts would be reduced to less than significant levels.

b. Less than Significant Impact. Implementation of the proposed project would not result in individually limited, but cumulatively considerable significant impacts. All resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts, less-than-significant impacts, or less than significant impacts with mitigation (i.e., Biological Resources, Cultural Resources and Noise). In addition, taken in sum with other projects in the area the scale of the proposed project is small, and impacts to any environmental resource or issue areas would not be cumulatively considerable. Therefore, impacts would be less than significant.

c. Less than Significant Impact. The project would not consist of any uses or activities that would negatively affect any persons directly or indirectly. In addition, all resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts, less-than-significant impacts, or less than significant impacts with mitigation incorporated (i.e., Biological Resources, Cultural Resources and Noise). Consequently, the project would not result in any environmental effects that would cause substantial adverse effects on human beings directly or indirectly.

Chapter 4 - References and List of Preparers

References

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data. The documents listed below are hereby incorporated by reference. The pertinent material is summarized throughout this Initial Study where that information is relevant to the analysis of impacts of the proposed project. Referenced documents that are followed by a star (*) are on file and available for review at the City of Vista Planning Division office located at 200 Civic Center Drive, Vista.

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Attachment A – Figures

Figure 1 - City Location Map

Las Lomas Grading Project

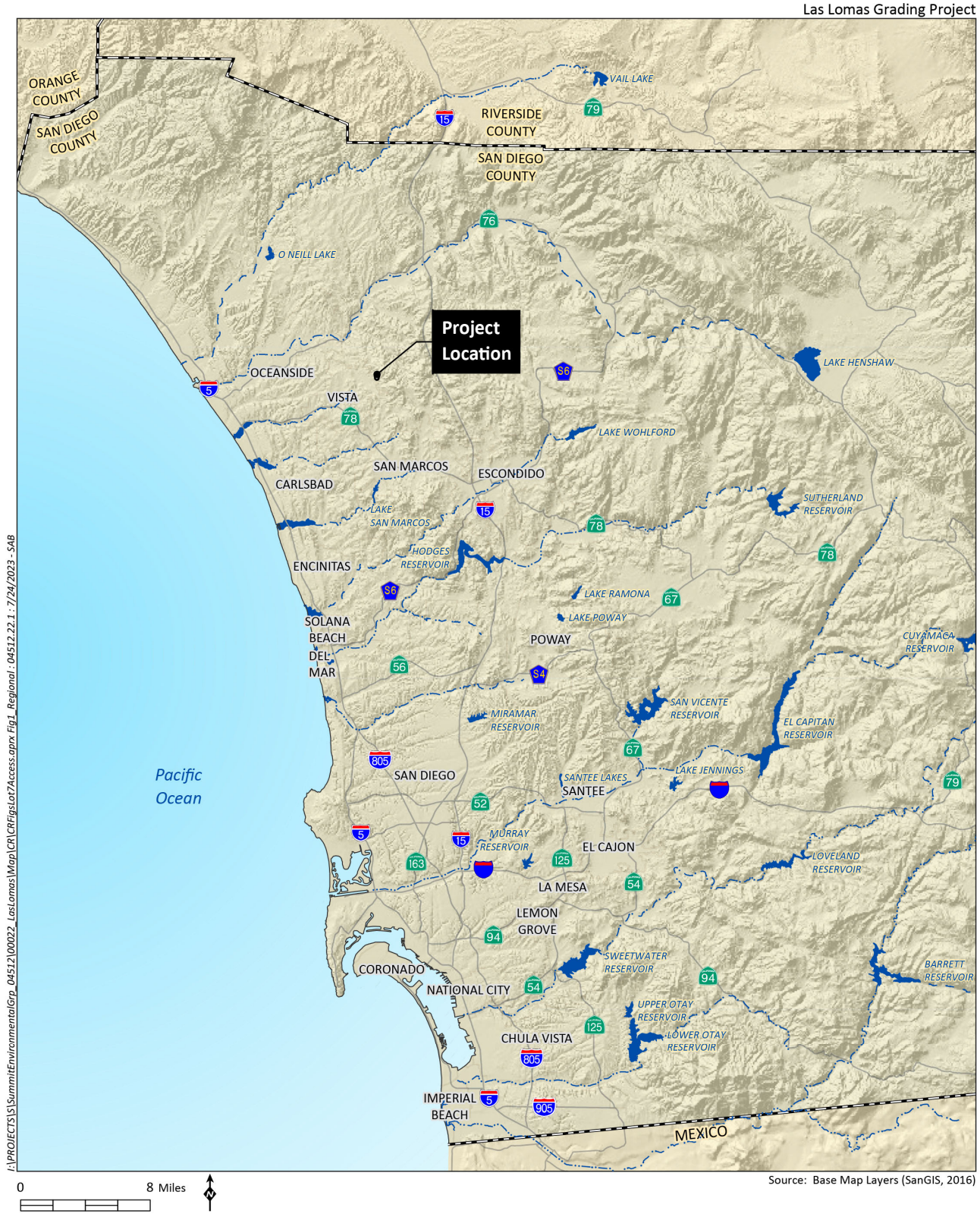


Figure 2 - Topographical Map of Project Site and Surrounding Area

Las Lomas Grading Project

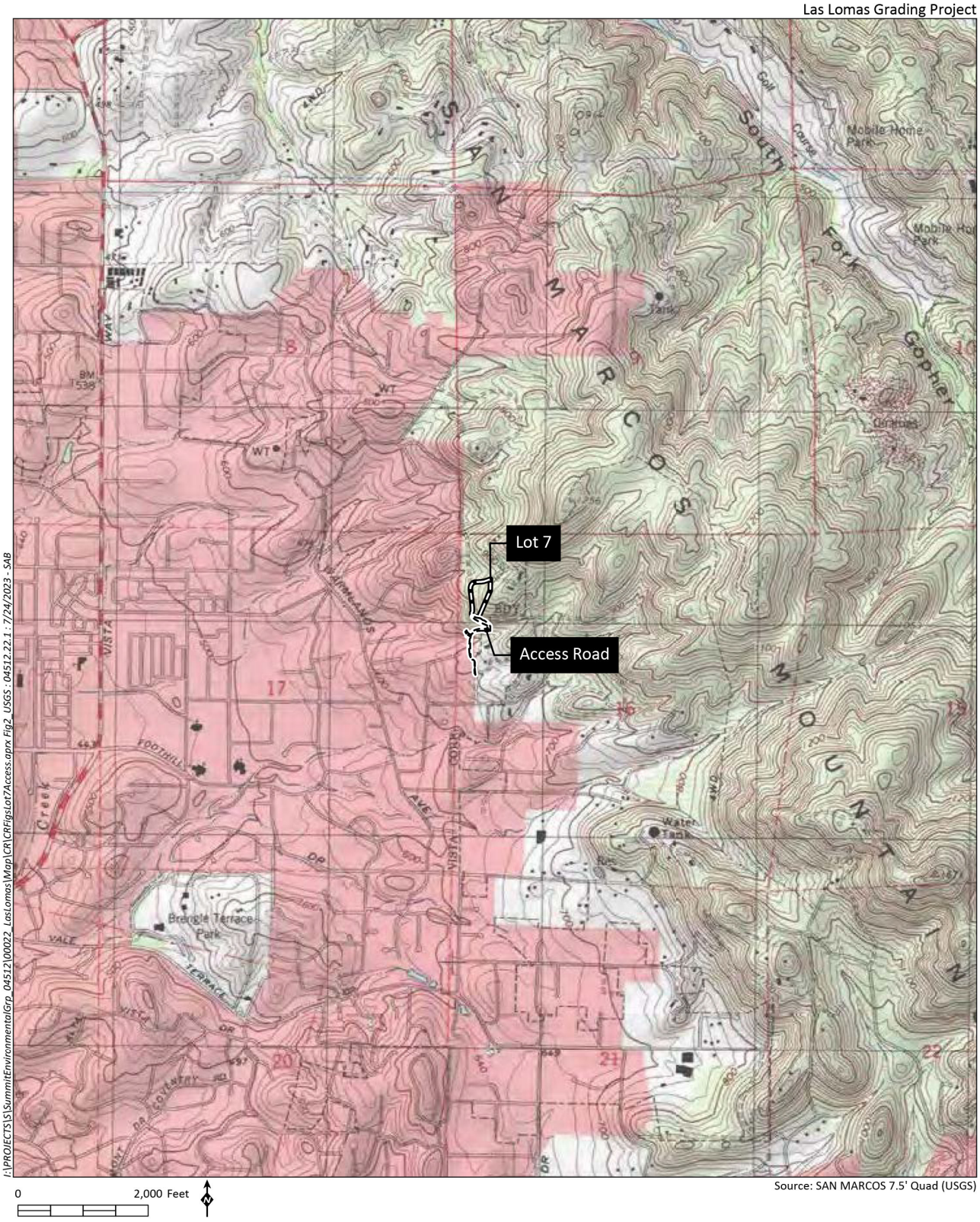
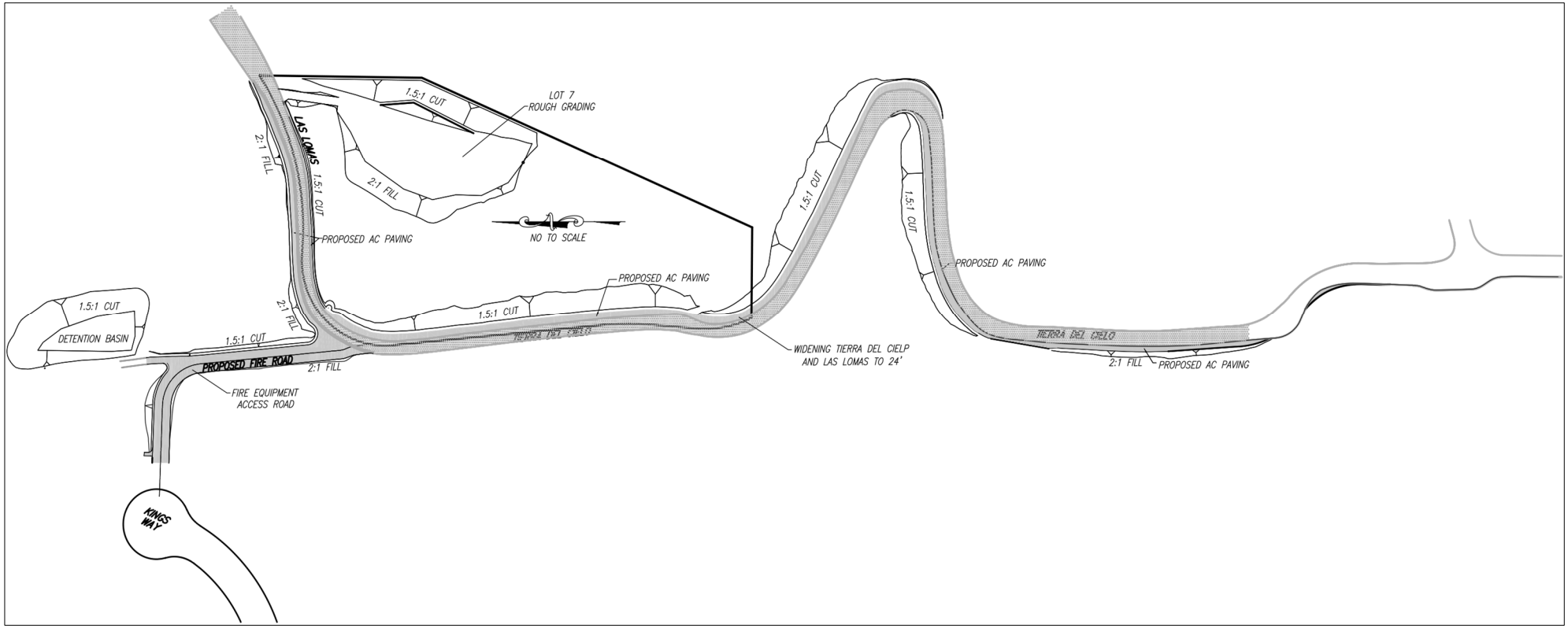


Figure 3 - Aerial Photo of Existing Property and Surrounding Area

Las Lomas Grading Project

Source: Aerial (SanGIS, 2023)

Figure 4 – Site Plan



Attachment B – Mitigation Monitoring & Reporting Program

City of Vista
Mitigation Monitoring and Reporting Program
Initial Study & Mitigated Negative Declaration LD 23-004 & GP 23-004
January 2024

Project Name:	Las Lomas Grading Project
Description:	The applicant seeks approval of an LD and GP to conduct rough grading of a 2.93 acre residential parcel, conduct roadway widening of Tierra Del Cielo and Las Lomas Road and to establish a fire equipment emergency access point from the eastern terminus of Kings way.
Location:	Tierra Del Cielo, APN 174-260-15 Parcel Map 14659, Parcel E Vista, CA 92084

The following Mitigation Measures have been incorporated into the project design or are to be implemented before or during construction in accordance with the project Conditions of Approval, thereby reducing all identified impacts to less than significant levels.

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
BIO-1	Impacts to all species shall be mitigated through the protection of existing native habitat on the undeveloped portion of the Lot 7 parcel and through the purchase of 0.64 acres of CSS mitigation credit from the Red Mountain Conservation Bank.	City Planner and/or City Engineer	Prior to any on-site ground disturbing activities	
BIO-2	Impacts to three individuals of Parry's tetracoccus shall be mitigated at a 3:1 ratio with the preservation of 12 of the 22 Parry's tetracoccus on the undeveloped portion of the Lot 7 parcel to be preserved. The additional ten Parry's tetracoccus on the Lot 7 parcel will also be preserved.	City Planner and/or City Engineer	Prior to any and all on-site ground disturbing activities	
BIO-3	Impacts to 1.92 acres of ashy spikemoss, orange-throated whiptail, San Diego desert woodrat and red diamond rattlesnake habitat on the Lot 7 parcel and along the fire access road shall be mitigated with preservation of 0.69 acre of habitat on the Lot 7 parcel for this project, that additional 0.29 acre of SMC habitat on the Lot 7 parcel, and the preservation of 0.64 acre of CSS habitat at the Red Mountain Conservation Bank.	City Planner and/or City Engineer	Prior to any and all on-site ground disturbing activities	
BIO-4	All shrub trimming, thinning, or removal will be performed prior to or after the bird-breeding season, January 1 through September 15 (i.e., only between September 16 and December 31). If clearing is planned to occur during the bird-breeding season, pre-construction nest surveys shall be conducted prior to any clearing. Work may proceed if no active bird nests are detected. By avoiding clearing during the bird-breeding season or performing surveys to ensure no active nests are present prior to clearing, the proposed Project will ensure compliance with the MBTA and pertinent sections of the CFG Code.	City Planner and/or City Engineer	Prior to any and all on-site ground disturbing activities	
CR-1	Cultural resource mitigation monitoring shall be conducted on the site to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a Qualified Archaeologist and a traditionally and culturally affiliated (TCA) Native American Monitor associated with a TCA tribe for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of any imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and any related road improvements, including, but not limited to, the installation of infrastructure, realignments, and/or expansions to parking lots. Other tasks of the monitoring program shall include the following: • The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. • The Qualified Archaeologist and TCA Native American Monitor shall attend at least one pre-construction meeting with the Contractor and/or associated Subcontractors (e.g., Grading Contractor) and a representative from the City of Vista's Engineering or Community Development departments to present the archaeological monitoring program as presented in these measures.	City Planner and/or City Engineer	Prior to any and all on-site ground disturbing activities, including any informal or formal solicitation of construction bids	

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
	• The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above. The Contractor or Grading Contractor shall notify the Director of Community Development & Engineering, preferably through e-mail, of the start and end of all ground-disturbing activities. • The Qualified Archaeologist and/or TCA Native American Monitor may halt ground-disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground-disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TCA Native American Monitor. If a determination is made that the unearthed artifact deposits or tribal cultural resources are considered potentially significant, the consulting TCA Tribe(s) shall be notified and consulted in regard to the respectful and dignified treatment of those resources. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the TCA Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources. • The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a data recovery plan may be authorized by the City as the Lead Agency under CEQA. If data recovery is required, then the consulting TCA Tribe(s) shall be notified and consulted in drafting and finalizing any such recovery plan.			
CR-2	Prior to the submission of a grading plan to City staff for review, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with a Traditionally and Culturally Affiliated Native American Tribe ("TCA Tribe"). A copy of the agreement shall be included in the grading plan submission. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant or Owner, and/or Contractor, and the TCA tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, off-site infrastructure installation, grading, and all other ground disturbing activities.	City Planner	Prior to issuance of a demolition or grading permit, and throughout all ground disturbing or altering activities	
CR-3	Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which shall comply with Government Code Section 6254(r), shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City Planner for the project administrative record.	City Planner	Prior to the issuance of a Grading Permit	

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
CR-4	All cultural materials that are associated with burial and/or funerary goods shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission (NAHC) per California Public Resources Code Section 5097.98.	Director of Community Development	Prior to the issuance of a Grading Permit	
CR-5	Recovered cultural material of historic significance, but not of tribal significance, shall be curated with accompanying catalog, photographs, and reports to a San Diego curation facility that meets federal standards per 36 CFR Part 79. Materials of Native American origin should be catalogued in the field by the archaeologist with the TCA monitor present. No materials are to leave the project site. The cultural material can then be returned to the Tribe(s) for reburial on the project site as detailed below. Recovered cultural material of tribal cultural significance shall be repatriated as stipulated in the pre-excavation agreement as described in CR-2. Onsite Resource Reburial: Upon completion of all ground-disturbing and grading activities on the Project site, the TCA monitor and representatives from the Tribe(s) will rebury any resources recovered from the Project site in an open space area that will remain free from any active recreational uses or any further excavation or ground disturbance. Any reburial site shall be culturally appropriate and explicitly approved in writing by the consulting Tribe(s). The reburial location will be covered first by a layer of geomat and then backfilled with clean fill dirt. Once reburial activities are completed, the site will be protected via a restrictive covenant or similar deed restriction that prohibits future excavation or disturbance of the reburial location.	City Planner	Prior to the release of the Grading Bond	
CR-6	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 Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission would then make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept in situ ("in place"), or in a secure location in close proximity to where they were found, until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendant is identified. The analysis of the remains shall only occur on-site in the presence of a Most Likely Descendant. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery	City Planner	Throughout all ground disturbing or altering activities	

Mitigation Measures		Staff Monitor	Timing of Compliance	Date of Compliance
	(Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply, and the mediation process will occur with NAHC. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).			
NOI-1	Construction Noise Management Plan: Noise levels from Project-related demolition, grading, and construction activities shall not exceed the noise limit specified in San Diego County Code (adopted by City of Vista) Sections 36.408 and 36.409 of 75 dBA (8-hour average), when measured at the boundary line of the property where the noise is located or any occupied property where noise is being received. A Construction Management Plan shall be submitted to the City of Vista Planning Division for approval prior to issuance of the Grading Permit. The following measures may be included to reduce construction/demolition noise: Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices. • Diesel equipment shall be operated with closed engine doors and equipped with factory-recommended mufflers. • Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment. • Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible. • Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited. • Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise sensitive receptors. • The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be used for safety warning purposes only. • No project-related public address or music system shall be audible at any adjacent sensitive receptor. • Prior to construction activities, designate a "Construction Noise Coordinator" who shall be responsible for responding to local complaints about construction noise. The Construction Noise Coordinator shall determine the cause of the complaint and shall require that reasonable measures be warranted to correct the problem be implemented (potentially including temporary noise barriers). The telephone number for the Construction Noise Coordinator shall be conspicuously posted at the construction site. • Prior to construction activities, notify the adjacent residences of the construction schedule in writing and provide them with the contact information of the Construction Noise Coordinator.	City Engineer and/or City Planner	Prior to any site disturbing activities	