Program Subsequent Environmental Impact Report for the Creek Plan Specific Plan Update, San Marcos, California

State Clearinghouse No. 2025090620

Specific Plan SP 24-0001

EIR 26-007

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List of Abbreviated Terms

°C	degrees Celsius
°F	degrees Fahrenheit
µg/m^3	micrograms per cubic meter
2007 EIR	San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report
2022 Scoping Plan	California Air Resources Control Board's *2022 Scoping Plan Update for Achieving Carbon Neutrality*
AB	Assembly Bill
ACC	Advanced Clean Cars
ACM	asbestos-containing materials
Adopted Specific Plan	San Marcos Creek Specific Plan
ADT	average daily trips
AFY	acre-feet per year
ATP	Active Transportation Plan
A-weighted decibels	dB(A)
BACM	best available control measure
Basin Plan	Water Quality Control Plan
BAU	business as usual
BMPs	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient Air Quality
CAFE	Corporate Average Fuel Economy
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CDFW	California Department of Fish and Wildlife
CEA	Clean Energy Alliance
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFD	Community Facilities District
CH_4	methane
Checklist	Climate Action Plan Consistency Checklist
City	City of San Marcos
CLOMR	Conditional Letter of Map Revision
CMCP	Comprehensive Multimodal Corridor Plan

CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
County	County of San Diego
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CUP	Conditional Use Permit
CWA	Clean Water Act
CWPP	Community Wildfire Protection Plans
dB	decibel
DDE	dichlorodiphenyldichloroethylene
District	San Marcos Creek District
DPM	diesel particulate matter
dwelling uniter per acre	du/ac
EB	Eastbound
EDCO	EDCO Waste & Recycling Services
EIR	environmental impact report
EO	Executive Order
EOP	Emergency Operations Plan
FBC	Form Based Code
FEMA	Federal Emergency Management Agency
FESA	federal Endangered Species Act
FHSZ	Fire Hazard Severity Zone
Fire Code	California Code of Regulations Title 24, Part 9
GHG	greenhouse gas
GHG Memorandum	*Guidance to Demonstrating Consistency with the City of San Marcos Climate Action Plan: For Discretionary Projects Subject to CEQA*
Guidance	State of California 2022 California Environmental Quality Act Guidance
GWP	global warming potential
JRMP	Jurisdictional Runoff Management Program
ksf	thousand square feet
LBP	lead-based paint
LEA	Local Enforcement Agency
L_{eq}	equivalent noise level
LID	low-impact development
LOMR	Letter of Map Revision
LOS	level of service
LTA	Local Transportation Analysis
Manual	City of San Marcos Best Management Practice Design Manual
MG	million gallons
MHCP	Multiple Habitat Conservation Program
MJHMP	San Diego County Multi-Jurisdictional Hazard Mitigation Plan

MMRP	Mitigation, Monitoring, and Reporting Program
MMT CO_2E	million metric tons of carbon dioxide equivalent
mph	miles per hour
MPO	Metropolitan Planning Organization
MS4	Municipal Separate Storm Sewer System
MT CO_2E	metric tons of carbon dioxide equivalent
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCTD	North County Transit District
NO_2	nitrogen dioxide
NOP	Notice of Preparation
NO_x	nitrous oxide
O_3	ozone
PFF	Public Facilities Fees
Planning Area	Creek District
PM_{10}	particulate matter with an aerodynamic diameter of 10 microns or less
$PM_{2.5}$	particulate matter with an aerodynamic diameter of 2.5 microns or less
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
PRC	Public Resources Code
Procedures	*State Policy for Water Quality Control: State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*
project	Creek Plan Specific Plan Update
RAQS	Regional Air Quality Strategy
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Needs Allocation
RMP	Risk Management Plan
ROW	right-of-way
RPS	Renewables Portfolio Standard
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
San Marcos Update Specific Plan	Adopted Specific Plan
SANDAG	San Diego Association of Governments
SB	Senate Bill
Scoping Plan	California Air Resources Board's *Climate Change Scoping Plan: A Framework for Change*
SCS	Sustainable Communities Strategy
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDCWA	San Diego County Water Authority
SDG&E	San Diego Gas & Electric

SDRWQCB	San Diego Regional Water Quality Control Board
SEIR	Subsequent Environmental Impact Report
SFE	single-family equivalency
SIP	State Implementation Plan
SMFD	San Marcos Fire Department
SMMC	San Marco Municipal Code
SMUSD	San Marcos Unified School District
SO_2	sulfur dioxide
Specific Plan Update	Creek Plan Specific Plan Update
SR-78	State Route 78
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCA	Traditionally and Culturally Affiliated
TCM	Transportation Control Measures
TCR	Tribal Cultural Resources
TDM	Transportation Demand Management
TIAG	Transportation Impact Analysis Guidelines
TMDL	Total Maximum Daily Load
U.S. EPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
UST	underground storage tank
UWMP	Urban Water Management Plan
VMT	vehicle miles traveled
VOC	volatile organic compounds
VWD	Vallecitos Water District
WB	Westbound
WMA	Watershed Management Area
WQIP	Water Quality Improvement Plan

Executive Summary

This Subsequent Program Environmental Impact Report (SEIR; State Clearinghouse No. 2025090620) for the Creek Plan Specific Plan Update (Specific Plan Update; project) has been prepared by the City of San Marcos (City) in compliance with the California Environmental Quality Act (CEQA) Statute and Guidelines (Public Resources Code, Section 21000 et seq. and California Code of Regulations, Title 14, Section 15000, et seq.).

As described in Section 15168 of the CEQA Guidelines, program-level environmental review documents are appropriate when a project consists of a series of actions related to the issuance of rules, regulations, and other planning criteria. As further described in CEQA Guidelines Sections 15162 and 15163, when substantial changes are proposed to a previously approved project or plan, or when new information or changed circumstances result in new or more severe significant environmental effects than previously analyzed, a subsequent or supplemental EIR may be required. Because the Specific Plan Update proposes revisions to the previously approved San Marcos Creek Specific Plan (Adopted Specific Plan) and has the potential to result in new or more severe environmental impacts in certain resource areas, the City has prepared this SEIR to evaluate those changes while relying on and incorporating, as appropriate, the analysis contained in the certified San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR).

The purpose of this SEIR is to inform decision-makers and the public of the potential significant environmental impacts of the project. This SEIR also considers the availability of mitigation measures as required by CEQA Guidelines Section 15100 to minimize the project's significant impacts, and evaluates reasonable alternatives to the project that may reduce or avoid one or more significant environmental effects.

S.1 Project Overview

The Specific Plan Update is an update to the Adopted Specific Plan to establish a renewed vision for a distinct, mixed-use district that would serve as the City's cultural focal point and provide a mix of residential opportunities combining urban living with a connection to nature. Based on the buildout projections of the proposed development districts, the project would provide up to 2,300 dwelling units and a total of 655,856 square feet of commercial space, which would result in a population of 6,831 residents and 1,312 jobs. All future development within the proposed Creek District (Planning Area) would be reviewed for consistency with the project's Guiding Principles, as well as all relevant goals and policies. The project proposes nine distinct land use districts, each intended to support, as relevant to the district, a cohesive mix of housing, commercial activity, cultural amenities, and open space while maintaining compatibility with surrounding uses. The framework is designed to facilitate a new downtown mixed-use district and an updated approach to creating a more cohesive community with greater open space and integration with San Marcos Creek.

The project includes development standards that would apply to all development projects within the Planning Area, including remodeling and rehabilitation of existing development. The Specific Plan Update establishes quantitative development standards for each land use district, including permitted densities, development areas, maximum building heights, and other land use regulations

that guide future development. These standards define the allowable scale and intensity of development, while the subsequent design standards establish the qualitative requirements governing site planning, architecture, landscaping, open space, and sustainability. The project would establish five street categories, each with specified widths, travel lanes, speed limits, and bike lanes. The intent of the project's proposed mobility improvements is to create a mobility framework that improves internal circulation and connections to existing and planned bike routes, pedestrian walkways, and light rail and regional transit networks. A "park once" approach is encouraged, along with paid and shared parking along certain streets and districts of the Planning Area.

The project includes plans for infrastructure and landscaping improvements, including a proposal for a comprehensive infrastructure and storm water management strategy that addresses longstanding flood constraints within the Planning Area while supporting future development. The City completed construction of flood control improvements in 2024, which resolved most flooding impacts and created new habitat and recreation space. The project identifies design options for a district-wide, multi-benefit naturalized flood conveyance channel to safely convey storm water while improving flood protection and reducing development constraints.

Upon selection of conceptual storm water plans, future development within any property crossed by the channel would be required to prepare detailed engineering plans to support its incremental construction of the improvement plan. Likewise, while the project would establish conceptual designs for the public improvements necessary to serve the Planning Area, detailed engineering design plans would be required in conjunction with individual development applications. Project applicants would prepare improvement plans, as directed by the City, consisting of comprehensive engineering designs and supporting documentation for all circulation and utility infrastructure needed to serve the proposed development. Thoroughfare design would include full streetscape improvements consistent with the standards, design criteria, and guidelines of the Specific Plan Update. Proposed best management practices and project design features are required components of the project and would be implemented as project conditions of approval to minimize project environmental impacts.

S.2 SEIR Process

The Notice of Preparation (NOP) for the Draft SEIR was circulated from September 15, 2025 to October 15, 2025, for a 30-day public review and comment period. Scoping meetings were held on September 25, 2025, at 10:00 a.m. and 6:00 p.m. The NOP, related letters received, and comments made during the scoping meeting are included as Appendix A of this SEIR.

The Draft SEIR was circulated for public review August 19, 2026, through October 5, 2026, for a 45-day comment period.

S.3 Areas of Controversy

Section 15123(b)(3) of the CEQA Guidelines requires that an environmental impact report address issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. Regarding the project, the major issues to be resolved include decisions by the lead agency as to:

1. Whether this SEIR adequately describes any new or more severe environmental impacts of the project.

2. Whether the benefits of the project override the environmental impacts that cannot be feasibly avoided or mitigated to a level of insignificance.

3. Whether there are any alternatives to the project that would substantially lessen any of the significant impacts of the project and achieve most of the basic project objectives.

In accordance with Section 15123(b)(2) of the CEQA Guidelines, the EIR summary must identify areas of controversy known to the lead agency, including issues raised by agencies and the public. Public comments received during the NOP public review period addressed the following: protection and preservation of habitat within the San Marcos Creek corridor; ensuring adequate Tribal consultation; protections against hazardous materials, hazardous wastes, and contaminated soils; and transportation improvements and vehicle miles travelled.

S.4 Project Alternatives

To fully evaluate the environmental effects of the project, CEQA mandates that alternatives to the project be analyzed. Section 15126.6 of the CEQA Guidelines requires the discussion of "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project" and the evaluation of the comparative merits of the alternatives. The alternatives discussion is intended to "focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project," even if these alternatives would impede to some degree the attainment of the project objectives.

Project alternatives are evaluated in further detail in Chapter 6.0, Alternatives. The evaluations analyze the ability of each alternative to further reduce or avoid the significant environmental effects of the project. Each major issue area included in the impact analysis of this SEIR has been given consideration in the alternatives analysis. A Reduced Density/Lower Intensity Alternative was considered but rejected, primarily because it failed to advance key project objectives. The alternative which is wholly considered is the No Project (Adopted Specific Plan) Alternative.

S.4.1 No Project Alternative

The No Project (Adopted Specific Plan) Alternative would not meet the updated project objectives to the same level as the Specific Plan Update, including: promote a balanced community with an updated development pattern able to support the needs of the City both socially and economically; promote and support variety in housing design, cost, and density, with a firm commitment to integrate affordable housing districtwide; reinforce connections to the regional transportation network; and highlight San Marcos Creek as a community amenity, including open space and trail connections for passive and active recreation.

S.5 Summary of Environmental Impacts and Significance Conclusions

Table S-1 summarizes the conclusions of the environmental analysis of this SEIR. Impacts are identified as less than significant, less than significant after incorporation of mitigation, or significant and unavoidable. An analysis of each environmental issue resulting in the identified conclusions is detailed within Chapter 4.0.

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
4.1 Aesthetics			
Would the project have a substantial adverse impact on a scenic vista? Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State Scenic Highway?	The Creek District (Planning Area) does not include or obstruct designated scenic highways, ridgelines, or identified scenic vistas, and building heights evaluated in the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR) were determined not to obstruct views of nearby hillsides or the San Marcos Creek corridor. While the Creek Plan Specific Plan Update (Specific Plan Update; project) includes revised development standards, including changes to allowable building heights and development intensity in certain land use areas, it also establishes comprehensive development and design standards that apply to all future development within the Planning Area. Consistent with the 2007 EIR, impacts associated with scenic vistas and scenic resources and historic buildings within a State Scenic Highway would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	Although the Specific Plan Update modifies the regulatory framework and development standards applicable within the Planning Area, it does not introduce new visual resources, alter designated scenic vistas, or result in a new significant impact or substantial increase in the severity of impacts related to visual quality or visual/community character beyond those evaluated in the 2007 EIR. Consistent with the 2007 EIR, impacts associated with visual character and quality would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Since certification of the 2007 EIR, the City of San Marcos (City) has updated the Municipal Code and Zoning Ordinance to refine lighting and glare standards, with increased emphasis on shielding, directionality, and avoidance of excessive illumination. The Specific Plan Update reinforces conformance with these updated standards and applies land use-based development standards throughout the Planning Area. No new land uses would be introduced beyond those evaluated in the 2007 EIR. As a result, the proposed modifications would not introduce new lighting sources or operational characteristics that differ substantially from those previously analyzed. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to light and glare. Consistent with the 2007 EIR, impacts associated with visual character and quality would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
4.2 Air Quality			
Would the project conflict with or obstruct implementation of the applicable air quality plan?	The Specific Plan Update would result in less development and less traffic generation when compared to the San Marcos Creek District Specific Plan (Adopted Specific Plan). As a result, the Specific Plan Update would result in a decrease in emissions when compared to build-out of the Adopted Specific Plan for all criteria pollutants. Therefore, the project would not result in an increase in emissions that are not already accounted for in the 2022 Regional Air Quality Strategy . The project would not obstruct or conflict with implementation of the Regional Air Quality Strategy . Accordingly, the Specific Plan Update would not result in new significant impacts or a substantial increase in the severity of impacts related to the project's consistency with air quality plans. Consistent with the 2007 EIR, impacts associated with air quality plans would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for O_3 precursors)?	**a. Construction Emissions** Maximum daily construction emissions associated with the hypothetical construction project are projected to be less than the applicable thresholds for all criteria pollutants. Additionally, all future projects within the Planning Area would be required to adhere to applicable regulations during construction to protect air quality, including existing state regulations and San Diego Air Pollution Control District (SDAPCD) rules and regulations. Through implementation of SDAPCD rules and regulations and existing state regulations, construction emissions associated with development consistent with the Specific Plan Update would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment. Construction-related impacts would be less than significant.	**a. Construction Emissions** Impacts associated with construction-related air quality standards and criteria pollutant emissions would be less than significant. The mitigation measures MM 3.2-1 and MM 3.2-2, and MM 3.2-9 through MM 3.2-11, identified in the 2007 EIR, would no longer apply to the project. No new mitigation measures would be required. **b. Operational Emissions** **S-AQ-1: Daily Operational Emissions:** For individual projects that may exceed the daily operational emissions thresholds established by the City and the SDAPCD, the owner/permitee shall conduct an analysis of the project's operational air quality impacts using the latest available CalEEMod mode, or other analytical method determined in conjunction	**a. Construction Emissions** Less than Significant **b. Operational Emissions** Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
	b. Operational Emissions As shown in Table 4.2-7, operational emissions under the Specific Plan Update would be less than those associated with the Adopted Specific Plan for all criteria pollutants. Additionally, all future projects would be evaluated for consistency with federal, state, and local frameworks focused on implementing air quality protection measures. The City's process for evaluation of future development that could be implemented under the project would also include environmental review and documentation pursuant to the California Environmental Quality Act (CEQA), as well as an analysis of those site-specific projects for consistency with the goals, policies, and recommendations of the City General Plan, Specific Plan Update, and Climate Action Plan (CAP). However, it is possible that for certain projects, adherence to the regulations may not adequately protect air quality, and such projects would require additional measures to avoid or reduce significant air quality impacts. In such a situation, operational impacts would be potentially significant. Future projects would implement mitigation measure S-AQ-1, which would replace 2007 EIR mitigation measure MM 3.2-12. With implementation of S-AQ-1, impacts would be less than significant.	with the City. If such analyses identify potentially significant regional or local air quality impacts, project-level mitigation and/or project design features would be required to reduce operational impacts to less than significant. Mitigation to reduce operational impacts depends on the specific project, but may include measures such as, but not limited to the following: • Demonstration of net zero energy expenditure. • Implementation of transportation demand management measures. • Prohibition of the installation of woodstoves, hearths, and fireplaces in new construction. • Expansion and facilitation of the completion of planned networks of active transportation infrastructure. • Implementation of electric vehicle charging infrastructure beyond requirements set forth in the 2025 California Green Building Standards Code mandatory measures, such as Tier 2 voluntary measures, or future more stringent standards. • Implementation of traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and providing car/bike sharing services, that will reduce daily individual car usage and reduce project VMT.	
Would the project expose sensitive receptors to substantial pollutant concentrations?	**a. Carbon Monoxide (CO) Hot Spots** Maximum peak hour intersection turning volumes would occur at the intersection of San Marcos Boulevard and Grand Avenue under buildout of both the Adopted Specific Plan and the project. With buildout of the Adopted Specific Plan, peak hour turning volumes at this intersection would be 5,970 vehicles per hour. With buildout of the project, peak hour turning volumes at this intersection would be 5,560 vehicles per hour. Peak hour turning volumes would be less than CO hotspot screening criteria of 44,000 vehicles per hour. Therefore, impacts related to CO hot spots would be less than significant. **b. Diesel Particulate Matter– Construction** Construction-related toxic air contaminant emissions were evaluated for DPM from heavy-duty equipment. CalEEMod was used to estimate equipment exhaust emissions, and AERSCREEN dispersion modeling was performed to estimate worst-case one-hour ground-level concentrations, which were converted to annual averages. Health risk was evaluated consistent with Office of Environmental Health Hazard Assessment methodology, including age-specific exposure factors and cancer potency factors. A conservative scenario assumed three simultaneous construction projects operating near a sensitive receptor over the 25-year buildout period. Modeling results indicated a maximum excess cancer risk of 1.79 in one million and a chronic hazard quotient of 0.0005. These values are below commonly applied significance thresholds of 10 in one million for cancer risk and a hazard quotient of 1.0 for non-cancer effects. Additionally, construction equipment would be subject to the California Air Resource Board's (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation, further reducing emissions over time. Accordingly, construction-related DPM impacts to sensitive receptors would be less than significant. **c. DPM – Freeway Exposure** Consistent with CARB guidance recommending avoidance of siting sensitive receptors within 500 feet of freeways carrying 100,000 or more vehicles per day, the analysis evaluated the project's proximity to State Route 78. No sensitive receptors are proposed within 500 feet of State Route 78; the nearest sensitive land uses are approximately 950 feet away. Therefore, long-term operational exposure to freeway-related DPM would be less than significant.	**a. Carbon Monoxide (CO) Hot Spots** Impacts would remain less than significant. No mitigation is required. **b. Diesel Particulate Matter– Construction** Impacts would remain less than significant. No mitigation is required. **c. DPM – Freeway Exposure** Impacts would remain less than significant. No mitigation is required.	**a. Carbon Monoxide (CO) Hot Spots** Less than Significant **b. Diesel Particulate Matter– Construction** Less than Significant **c. DPM – Freeway Exposure** Less than Significant
Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	**a. Construction Odors** During construction activities, diesel equipment may generate some nuisance odors from equipment exhaust. Odors would also be generated during paving activities and during the	**a. Construction Odors** Impacts would remain less than significant. No mitigation is required.	**a. Construction Odors** Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
	application of architectural coatings. Sensitive receptors throughout the Planning Area include residential uses and schools, and on-site residents would be exposed to construction-related odors as development occurs. However, exposure to odors associated with construction would be temporary in nature. In addition, all construction activities would be required to comply with SDAPCD Rule 51, which prohibits the discharge of odorous emissions that would create a public nuisance. Further, per CARB's Airborne Toxic Control Measures 13 (California Code of Regulations Chapter 10 Section 2485), contractors shall not allow idling time to exceed five minutes unless more time is required per engine manufacturers' specifications or for safety reasons. Compliance with this regulation would reduce odors from equipment exhaust. Given the short-term nature of construction near any given receptor and compliance with these regulations, construction would not generate odors that would affect a substantial number of people, and impacts would be less than significant. **b. Operational Odors** The Specific Plan Update's proposed residential, commercial, and retail uses are not typically characterized as uses that create an objectionable odor. Therefore, project operation would not generate odors adversely affecting a substantial number of people, and impacts would be less than significant.	**b. Operational Odors** Impacts would remain less than significant. No mitigation is required.	**b. Operational Odors** Less than Significant
4.3 Biological Resources			
Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS? Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	**a. Sensitive Natural Communities** Future projects would be required to comply with the 2007 EIR mitigation measure MM 3.3-6, which requires habitat-based mitigation for impacts to sensitive habitat. Notwithstanding implementation of 2007 MM 3.3-6, impacts could remain significant. To ensure impacts are reduced to less than significant levels, future projects would be required to implement subsequent mitigation measures S-BIO-1 and S-BIO-2. **b. Special-Status Plants** Future projects that impact tarplant would be required to comply with the 2007 EIR mitigation measure MM 3.3-8, which requires specific measures focused on the relocation of individual plants. Notwithstanding implementation of 2007 MM 3.3-8, impacts could remain significant. To ensure direct impacts are reduced to less than significant levels, future projects would be required to implement subsequent mitigation measure S-BIO-3a, S-BIO-3b, and S-BIO-3c. To ensure indirect impacts to other special-status plants are reduced to less than significant levels, future projects would be required to implement MM 3.3-9. **c. Special-Status Wildlife** Future grading within the Planning Area would result in potentially significant impacts to sensitive natural communities, special-status plants, and special-status wildlife species. This potential was anticipated in the 2007 EIR, and the project would be subject to existing mitigation measures MM 3.3-6, MM 3.3-8, MM 3.3-10, and MM 3.3-11. To ensure impacts are reduced to less than significant levels, future projects would be required to implement subsequent mitigation measures S-BIO-4a, S-BIO-4b, S-BIO-5, S-BIO-6, and S-BIO-7.	**a. Sensitive Natural Communities** **MM 3.3-6 (Impacts to Sensitive Upland Habitat):** Future development within the Specific Plan area (Phase 2) would result in impact to 0.74 acre of disturbed coyote brush scrub and 0.02 acre of disturbed isocoma scrub. This habitat would be mitigated at a proposed ration of 1:1 in accordance with the City's Draft Subarea Plan. Therefore, a total of 0.76 acres of mitigation is required for impacts to these vegetation communities. This mitigation shall be the responsibility of future developers within the Specific Plan Area, if the habitat identified above occurs on their specific project area. **S-BIO-1 (Biological Resource Surveys):** Prior to the construction of any project phase or component sited within or adjacent to undeveloped and undisturbed areas (i.e., an area supporting naturalized habitat, sensitive habitat, and/or habitat potentially suitable for special-status species), the City or project applicant shall retain a qualified biologist to perform a general biological survey/habitat assessment to verify existing biological resources on and adjacent to the impact area. The general biological survey/habitat assessment shall occur within 100 100 feet of the proposed project components where access is allowed, with binocular surveys conducted to the extent possible in areas where access is not secured. The City or project applicant shall provide the biologist with a copy of project plans that clearly depict the construction work limits, including construction staging, storage, and access areas, to determine which specific portion(s) of the proposed project activities will require inspection. The survey shall verify whether sensitive natural communities, including habitat suitable for special-status species, in addition to potential jurisdictional aquatic resources, occur within 100 feet from planned project activities. The biologist shall perform a visual inspection of the survey area, characterize the existing habitat types, and determine the likelihood for special-status species to occur, including but not limited to special-status plants, western spadefoot, Crotch's bumble bee, tricolored blackbird, Crotch's bumble bee, and non-listed mammals and reptiles. The survey results shall be submitted to the City or project applicant to determine the need to implement project-specific mitigation measures to avoid, minimize, and mitigate impacts to	**a. Sensitive Natural Communities** Less than Significant **b. Special-Status Plants** Less that Significant **c. Special-Status Wildlife** Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		such resources. The report shall verify whether the construction activities result in direct or indirect impacts to sensitive natural communities, special-status species, and potential jurisdictional aquatic resources. **S-BIO-2 (Mitigation for Upland Habitat):** The City or project applicant shall mitigate for permanent and temporary impacts to habitat types according to the mitigation ratios listed in Table 4-6 in the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003) and Table 10 of the City of San Marcos Subarea Plan. This mitigation shall occur through off-site creation, restoration, enhancement, preservation, or purchase of credits at an approved mitigation bank. **b. Special-Status Plants** **(Direct Impacts to Tarplant)** **MM 3.3-8 (Impacts to Sensitive Plants – Southern Tarplant):** Impact to 1,600 southern tarplant due to future development in the Specific Plan area (Phase 2), shall be mitigated through relocation to suitable on- and off-site locations. This would be achieved through a combination of direct transplanting of mature plants, direct seeding, and planting of southern tarplant grown from seeds collected from the project area. Southern tarplant salvage areas shall be flagged for seed collection and individual plant salvaging during the appropriate collection period. Seed shall be collected from populations to be impacted and stored for subsequent seeding efforts at proposed translocation sites. A portion of the seed shall be propagated at a native plant nursery to produce container plants for out-planting at the proposed translocation sites. Each southern tarplant translocation site shall be designed in a location(s) where long-term viability of the populations can be assured (size of translocation site to be based upon original impacts to the existing population, estimated at 1,600 individuals). Soils and solar exposure shall be comparable to the original donor site. The translocated populations shall border native areas or shall be established in context to the native plant revegetation effort, to help avoid invasion of non-native plant species. Proof of habitat acquisition shall be provided to the Planning Director prior to issuance of a grading permit. **S-BIO-3a (Rare Plant Surveys):** If it is confirmed through the implementation of **mitigation measure S-BIO-1** that project components could impact suitable habitat for special-status plant species, the City or project applicant shall retain a qualified biologist to conduct focused presence/absence surveys for rare plants prior to project construction within at least 100 feet of project work activities, if accessible. Surveys shall follow protocols and guidelines approved by the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and/or California Native Plant Society and shall be conducted by qualified biologists. Surveys for sensitive plants should occur during the blooming period of target species which may require two surveys to cover the spring and summer blooming species. One survey should occur in the spring (March to April), and a second survey should occur in summer (late May to early July). The specific timing shall be determined by the qualified biologist. **S-BIO-3b (Rare Plant Avoidance):)**: If any special-status plants are identified within a project impact area, then the City or project applicant shall avoid impacts to the occurrence to the extent feasible through project-level design changes and/or construction methods.	

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		Prior to initiating construction activities, the City or project applicant shall require that the plant locations detected during focused rare plant surveys that are intended to be avoided are provided to the construction contractor and that the locations also are demarcated in the field by a qualified biologist. The rare plant locations to be avoided shall be protected-in-place through the installation of temporary construction fencing or alternative means that are approved by qualified biologists. Staking and installation of construction fencing shall be monitored by the qualified biologist to help ensure avoidance of the demarcated areas and to ensure the fencing is kept in good condition. **S-BIO-3c (Rare Plant Mitigation):** If the project design (See S-BIO-3b) cannot be modified to avoid impacts to rare plant species, the City or project applicant will consult with a qualified biologist to determine the extent of those impacts. Mitigation will be required if more than five percent of a mapped rare plant occurrence (i.e., all individuals mapped within at least 100 feet of Project work activities) of a CRPR 1 or 2 species or a regionally-significant population of CRPR 4 species (i.e., one of particularly large size or unique geographic location) will be permanently impacted (i.e., removed). If more than five percent of a mapped rare plant occurrence is impacted, the City or project applicant shall provide mitigation for those significant impacts that include one or a combination of the following: 1. Purchase of preservation credits at a 1:1 mitigation ratio for habitat occupied by that species from a conservation bank approved by the U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife; 2. Acquisition and preservation of off-site mitigation land containing occupied habitat for that species; and/or 3. Preparation and implementation of a rare plant salvage and relocation plan, to include the following requirements, at a minimum: • Evaluation of options for plant salvage and relocation, including native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within existing or proposed preserved lands; • Seed collection and/or transplantation to a suitable receptor site based on the most reliable methods of successful relocation; • Recommendation for the method of salvage and relocation/application based on feasibility of implementation and likelihood of success; and • Implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. In addition, a post-construction monitoring report shall be prepared by the qualified biologist and submitted to the City or project applicant for their records summarizing monitoring activities conducted for any special-status plants. The post-construction report shall be prepared within one month of the completion of construction activities and shall document what impacts occurred, if any, to special-status plant species. The report shall provide documentation showing where and how many special-status plants were (1) observed during	

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		pre-construction surveys, and (2) were impacted and/or avoided. Details on the duration and frequency of monitoring also shall be provided. **(Direct Impacts to Other Special-Status Plants)** **MM 3.3-9 (Sensitive Plants- Southwestern Spiny Rush)**: Direct impacts to southwestern spiny rush shall be mitigated through replanting within the project area. Southwestern spiny rush individuals potentially impacted would be planted within the project area within suitable riparian habitat. **c. Special-Status Wildlife** **MM 3.3-10 (Impacts to Sensitive Wildlife):** To reduce indirect impacts to migratory birds, the City shall retain a qualified biologist to provide biological monitoring while work occurs within San Marcos Creek to assure that sensitive species present within the creek are not directly impacted by the proposed work. Construction would be phased, where feasible, to avoid work during the breeding season (i.e., January through September). If construction activity is to commence during the breeding season (January 1 through September 15), a one-time preconstruction biological survey for nesting bird species must be conducted within the proposed impact area 72 hours prior to construction. This survey is necessary to assure avoidance of impacts to nesting raptors (i.e., Cooper's hawk) and/or birds projected by the federal Migratory Bird Treaty Act. If any active nests are detected, the area would be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum buffer of 300 feet for raptors, as determined by the project biologist, and would be avoided until the nesting cycle is complete. **MM 3.3-11**: Prior to issuance of grading permit, a protocol California coastal gnatcatcher survey shall be required. The survey shall be conducted by a permitted CAGN biologist. If the habitat is found to be occupied by a California gnatcatcher, no clearing or construction shall be allowed during the breeding season (February 15 – August 31). If construction should occur during the breeding season, a 300-foot buffer shall be established between construction activities and any occupied habitat. Protocol survey results shall be submitted to the Planning Director and USFWS for review. **S-BIO-4a (Federal and State Wildlife Species Surveys and Avoidance):** If it is confirmed through implementation of **S-BIO-1** that project activities would impact suitable habitat for federally or state listed (including state candidate) wildlife species, the City or project applicant shall retain a qualified biologist to conduct focused, protocol-level surveys for those species prior to commencement of construction activities. This applies to the following species, at a minimum: tricolored blackbird nesting colonies, least Bell's vireo and Crotch's bumble bee. Surveys shall follow protocols and guidelines approved by U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife and shall be conducted by qualified biologists permitted by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, as applicable. If listed wildlife species are identified within a project impact area, the City or project applicant shall avoid impacts to species and their habitat through project-level design changes and/or construction methods or implement **S-BIO-4b** if avoidance is infeasible. **S-BIO-4b (Listed Wildlife Species Permitting):** If impacts to listed wildlife cannot be avoided, the City or project applicant shall seek incidental take authorization described below. The City	

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		or project applicant may elect to seek incidental take authorization from the U.S. Fish and Wildlife Service (USFWS) pursuant to Federal Endangered Species Act Sections 7 or 10 and/or California Department of Fish and Wildlife (CDFW) under California Fish and Game Code Sections 2080.1 and 2081(b), as applicable. • Where species protected under federal law may be impacted, the City or project applicant shall either consult directly with the USFWS to develop and implement a habitat conservation plan and obtain an Incidental Take Permit pursuant to Federal Endangered Species Act Section 10(a) or, in the case of projects with a federal action agency, the City or project applicant shall adhere to the requirements of Federal Endangered Species Act Section 7, which requires the federal action agency to consult with the USFWS to obtain a Biological Opinion and Incidental Take Statement for the proposed project; and/or • Where species protected under state law may be impacted, the City or project applicant shall consult with the CDFW pursuant to Sections 2081 or 2080.1 of the California Endangered Species Act. For projects with direct or indirect impacts to species that are only state listed and not federally listed as endangered or threatened, the City or project applicant shall obtain a California Endangered Species Act Section 2081 Incidental Take Permit from the CDFW. For projects with impacts to species that are both state and federally listed as endangered or threatened, the City or project applicant shall obtain a California Endangered Species Act Section 2080.1 Consistency Determination from the CDFW, unless otherwise required by the CDFW. **S-BIO-5 (Direct Impact Avoidance for Crotch's Bumble Bee):** To avoid direct impacts to Crotch's bumble bee (*Bombus crotchii*), the following seasonal restrictions shall be implemented: • Removal, trimming, or trampling of habitat (i.e., any areas with floral resources) in the proposed area of disturbance must occur outside of the flight season between February 15 and September 30. If removal of floral resources in the proposed area of disturbance must occur during the flight season, a foraging bumble bee survey shall be conducted within a year of project or phase commencement. • Within potential overwintering or nest sites, no soil disturbance (grading, digging, etc.) will occur between October 1 and February 14. If ground disturbance must occur between October 1 and February 14, a qualified biologist shall conduct an overwintering/nest survey to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance. The surveys shall be conducted within 300 feet of project work resulting in removal, trimming, or trampling of habitat within one year prior to the initiation of project activities (including removal of vegetation). Survey methods will be developed in consultation with the California Department of Fish and Wildlife (CDFW) and follow their existing guidance (e.g., Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, dated June 6, 2023). Consistent with CDFW guidance in effect at the time of survey, surveys may consist of three separate visits spaced two to four weeks apart. Survey results will be considered valid until the start of the next colony active period. Survey methods that involve lethal take of species are not acceptable. The qualified biologist shall submit the results (including positive or negative survey results) of the pre-activity survey to CDFW for review.	

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		If pre-activity surveys identify Crotch's bumble bee individuals on-site, the qualified biologist shall notify and consult with CDFW to determine whether an avoidance plan would be an option. If it is determined that project activities would result in impacts to Crotch's bumble bee, an Incidental Take Permit (ITP) may be required. Take of any endangered, threatened, or candidate species that results from the Planning Area is prohibited, except as authorized by state law (California Fish and Game Code Sections 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, Title 14, Section 786.9) under the California Endangered Species Act. Regardless of the outcome of the pre-activity survey, a qualified biologist shall conduct a pre-construction survey for Crotch's bumble bee within 14 days prior to ground-disturbing or vegetation removal activities within suitable habitat, during suitable weather conditions. Surveys shall follow existing guidance (e.g., Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species) for pre-construction surveys. If Crotch's bumble bee or their nests are observed, the biologist shall defer to the avoidance plan (if applicable) and/or ITP (if applicable). If there are no existing Crotch's bumble bee avoidance plan or ITP conservation measures, a 50-foot no-disturbance buffer around the observation or nest site will be established until the completion of the nest. **S-BIO-6 (Non-Listed Special-Status Wildlife Species Mitigation):** For non-listed wildlife species, particularly reptiles and small mammals, an analysis shall be made after biological resource surveys are conducted in accordance with the S-BIO-1 to determine if there are special-status species present. Unless there is a regionally significant population of a non-listed special-status wildlife species (e.g., multiple species within high-quality habitat, etc.) mitigation measures MM 3.3-6, MM 3.3-10, and S-BIO-2 shall be sufficient to reduce impacts to non-listed wildlife species. If a regionally significant population of non-listed special-status wildlife are noted during surveys, the City or project applicant shall consult with California Department of Fish and Wildlife to determine if additional compensatory mitigation is required. **S-BIO-7 (Maternal Bat Roost Avoidance):** Prior to construction, the City or project applicant shall have a qualified biologist conduct a survey of potential bat roosts located within and/or immediately adjacent to the areas where project activities have the potential to directly impact active roosts or disrupt bat breeding activities. Potential roost sites (e.g., palm fronds, trees, rock crevices, abandoned buildings, etc.) will be identified by a qualified bat biologist and searched for signs of bat use, such as urine streaking, grease marks and droppings, moth wings, and dead bats. If any project activities are proposed during the bat maternity season (April 1 through August 31), a qualified biologist will conduct a dusk emergent bat survey of potential roost sites that have signs of bat use no more than two weeks prior to construction. Dusk emergence count surveys shall be conducted on a warm night when nighttime lows are not less than 45 degrees Fahrenheit and during dry weather conditions. Surveys should be conducted from approximately 15 minutes before sunset to 1 hour after sunset. Prior to any dusk emergence count, the lead biologist shall identify the primary locations where bats may be roosting so these locations can be targeted during the emergence count. Surveys should include both a visual component using night vision googles as appropriate, as well as an electronic acoustic monitoring device/bat detector (e.g., AnaBat). If bats are detected during the dusk emergence surveys, the City or project applicant will not trim or remove the roost (e.g., palm trees) until it can be determined that the bats are no	

<table>
<tr><th colspan="4">Table S-1
Summary of Environmental Impacts</th></tr>
<tr><th>Threshold</th><th>Impact Discussion</th><th>Mitigation Measure</th><th>Significance After Mitigation</th></tr>
<tr><td></td><td></td><td>longer are present. In addition, if a maternal roost is identified, no construction will occur within 200 feet of the maternal roost during the pupping season (typically April 1 through August 31).

S-BIO-8a (Biological Monitoring and Temporary Construction Fencing): If it is confirmed through pre-construction surveys that implementation of an individual project would occur within or immediately adjacent to sensitive habitat areas (including aquatic resources) and/or habitat occupied by special-status species, then the City or project applicant shall retain a qualified biologist to monitor construction activities and supervise the installation of temporary construction fencing, which clearly delineates the edge of the approved limits of grading and clearing, and the edges of environmentally sensitive areas that occur beyond the approved limits. This fencing shall be installed prior to construction and maintained for the duration of construction activity. Fencing shall be installed in a manner that does not impact habitats to be avoided. Once the fencing is installed, the City or project applicant and qualified biologist shall determine the need for additional inspections and monitoring activities throughout the duration of construction, not to be less than once per week. If determined necessary by the City and qualified biologist, the monitoring shall include the inspection of construction work areas, including staging and storage areas, to confirm that activities are kept within the approved limits and that Best Management Practices are in place to prevent incidental animal entrapment and burrow and nest establishment within equipment and staged materials. If work occurs beyond the fenced or demarcated limits of impact, or if a trapped animal or burrow or nest is found, work in the affected areas shall cease until the problem has been remedied and mitigation identified by the City and qualified biologist. Temporary construction fencing shall be removed upon completion of construction of the project.

S-BIO-8b: Worker Environmental Awareness Training. Immediately prior to the start of any necessary biological monitoring or installation of temporary construction fencing identified in S-BIO-8a (i.e., project activities within or immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species), the City of project applicant shall retain a qualified biologist to prepare and present a worker environmental awareness training to inform construction crews of the sensitive resources and associated avoidance and/or minimization requirements.</td><td></td></tr>
<tr><td>Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td><td>The Specific Plan Update does not propose new or intensified ground-disturbing activities beyond those evaluated in the 2007 EIR and does not alter the locations or intensity of development in a manner that would increase the likelihood or severity of impacts to jurisdictional wetlands. Future projects throughout the Planning Area, specifically within proximity to San Marcos Creek, would be required to implement project-specific construction Best Management Practices (BMPs) and project design features (see Section 3.6.2 of this SEIR), the implementation of which would minimize potentially significant indirect and temporary impacts due to edge effect of the development. Notwithstanding implementation of 2007 EIR mitigation measures MM 3.3-2, MM-3.3-3, and MM-3.3-4, impacts could remain significant. To ensure impacts are reduced to less than significant levels, future projects would be required to implement subsequent mitigation measures S-BIO-9a and S-BIO-9b.</td><td>MM 3.3-2 (Jurisdictional Waters): Permanent impacts to jurisdictional waters of the U.S., including wetlands, totaling 0.78 acres due to Phase 2 development, shall be mitigated per the ratios identified in the table below. This mitigation would be the responsibility of future developers within the Specific Plan Area, if the habitat identified in the table below occurs on their specific project area.

<table>
<tr><th>Habitat Type</th><th>Permanent Impacts (acres)</th><th>Mitigation Ratio</th><th>Mitigation Required</th></tr>
<tr><td>Southern willow scrub</td><td>0.07</td><td>3:1</td><td>0.21</td></tr>
<tr><td>Herbaceous wetlands</td><td>0.55</td><td>1:1</td><td>0.55</td></tr>
<tr><td>Disturbed herbaceous wetlands</td><td>0.16</td><td>1:1</td><td>0.16</td></tr>
<tr><td>Total</td><td>0.78</td><td></td><td>0.92</td></tr>
</table>

MM 3.3-3 (Temporary Impacts): Temporary impacts during Phase 1 to vegetated wetlands, totaling 7.20 acres, shall be restored at a 1:1 ratio to pre-construction contours and vegetation types.</td><td>Less than Significant</td></tr>
</table>

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		MM 3.3-4 (Site Revegetation): A weed eradication program shall also be implemented during the revegetation site preparation procedures and would continue throughout the long-term maintenance period. The mitigation areas, through expansion of the riparian zone, should provide increased benefits to native wildlife by providing additional buffering effects from the adjacent developments, increasing habitat diversity and increasing foraging opportunities, thus increasing the overall habitat function and value of this portion of San Marcos Creek. Several mitigation measures were applicable to potentially significant impacts associated with floodway and infrastructure improvements; these mitigation measures would not be applicable to the Specific Plan Update and are not included herein. **S-BIO-9a (Acquire Permits for Impacts to Jurisdictional Aquatic Resources)**: Prior to construction or ground-disturbing activities occurring within potentially jurisdictional aquatic resources for any phase or component of the Specific Plan, the City or project applicant shall apply for and obtain the following regulatory permits and approvals from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife, as applicable: • Clean Water Act Section 404 Permit; • Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirement; and/or • California Fish and Game Code Section 1602 Streambed Alteration Agreement. **S-BIO-9b (Mitigation for Jurisdictional Impacts)**: The City or project applicant shall mitigate for permanent and temporary impacts to jurisdictional aquatic resources off-site in accordance with the applicable permit condition(s) described in mitigation measure BIO-8a, estimated at no less than a 1:1 ratio. Temporary impacts are to be restored in place and permanent impacts shall include a minimum 1:1 establishment/re-establishment component, unless otherwise negotiated by the City or project applicant with the regulatory agencies.	
Would the project Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Although the 2007 EIR concluded that impacts to wildlife corridors would be less than significant, it did not fully evaluate the significance of impacts to several special-status wildlife species with potential to occur within the Planning Area, including western spadefoot, tricolored blackbird, Crotch's bumble bee, special-status bats, San Diego desert woodrat, American badger, and certain non-listed mammals and reptiles. Many of these species rely on riparian, marsh, floodplain, and upland habitats within and adjacent to San Marcos Creek that also function as movement corridors. If present, these species could utilize the creek corridor and associated uplands for dispersal, foraging, roosting, nesting, or seasonal movement. Project activities occurring within suitable habitat could therefore not only result in direct impacts to these species, but could also result in a potentially significant impact to species movement and wildlife corridors. Implementation of subsequent mitigation measures S-BIO-2, S-BIO-4a, S-BIO-6, S-BIO-9a, and S-BIO 9b would collectively reduce potentially significant impacts to wildlife corridor functions to less than significant.	See subsequent mitigation measures **S-BIO-2, S-BIO-4a, S-BIO-6, S-BIO-9a,** and **S-BIO 9b**.	Less than Significant
Would the project conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	The project would incorporate 2007 mitigation measures MM 3.3-6, MM 3.3-8, MM 3.3-10, and MM 3.3-11, and subsequent mitigation measures S-BIO-1, S-BIO-2, S-BIO-4a, S-BIO-4b, S-BIO-8a, and S-BIO-8b. Collectively, these measures protect biological resources, maintain the functional value of riparian areas and habitat linkages, and ensure consistency with applicable Conservation and Open Space policies.	See mitigation measures **MM 3.3-6, MM 3.3-8, MM 3.3-10, MM 3.3-11**, and subsequent mitigation measures **S-BIO-1, S-BIO-2**, **S-BIO-4a**, **S-BIO-4b**, **S-BIO-8a**, and **S-BIO-8b**.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
Would the project 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 Subarea Plan remains in draft status and has not been adopted or finalized through execution of an implementing agreement. Accordingly, the project would not result in new significant impacts related to consistency with the Multiple Habitat Conservation Program .	Impacts would remain less than significant. No mitigation is required.	Less than Significant
4.4 Cultural and Tribal Cultural Resources			
Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe?	While future grading within the Planning Area could still result in the discovery of unknown archaeological resources or Tribal Cultural Resources (TCRs), particularly in proximity to San Marcos Creek, this potential was anticipated in the 2007 EIR. However, since 2007, the City has adopted stronger measures to ensure potentially significant project-level impacts are reduced to less than significant. Therefore, subsequent mitigation measures S-TCR-1, S-TCR-2, and S-TCR-3 supersede 2007 EIR mitigation measures MM 3.4-2a and MM 3.4-2b and would be included in the Modified Mitigation, Monitoring, and Reporting Program to ensure that potential significant impacts on cultural resources and TCRs are reduced to a level less than significant with implementation of mitigation.	**S-TCR-1 (Cultural Resources):** Prior to the issuance of a Grading Permit, or ground disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resources Treatment and Repatriation Agreement (Pre-Excavation Agreement) with a Traditionally and Culturally Affiliated Native American Tribe (TCA Tribe), identified in consultation with the City. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection, treatment, and repatriation of Native American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas, and other tribal cultural resources. Such resources may be located within and/or discovered during ground disturbing and/or construction activities for the proposed project, including any additional culturally appropriate archaeological studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and other ground disturbing activities. Any project-specific Monitoring Plans and/or excavation plans prepared by the project archaeologist shall include the TCA Tribe requirements for protocols and protection of tribal cultural resources that were agreed to during the tribal consultation. The landowner shall relinquish ownership of all non-burial related tribal cultural resources collected during construction monitoring and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The requirement and timing of such release of ownership, and the recipient thereof, shall be reflected in the Pre-Excavation Agreement. If the TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation. **S-TCR-2 (Construction Monitoring):** Prior to the issuance of a Grading Permit or ground disturbing activities, the Applicant/Owner or Grading Contractor shall provide written documentation (either as signed letters, contracts, or emails) to the City's Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA Native American monitor) have been retained at the Applicant/Owner or Grading Contractor's expense to implement the construction monitoring program, as described in the Pre-Excavation Agreement. The Qualified Archaeologist and TCA Native American monitor shall be invited to attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to present the construction monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on site during grubbing, grading, trenching, and/or other ground disturbing activities that occur in areas of native soil or other permeable natural surfaces that have the potential to unearth any evidence of potential archaeological resources or tribal cultural resources. In areas of artificial paving, the Qualified Archaeologist and TCA Native American monitor shall be present on site during grubbing, grading, trenching, and/or other ground disturbing activities that have the potential to disturb more than six inches below the original pre-project ground surface to identify any evidence of potential archaeological or tribal cultural resources. No monitoring of fill material, existing or imported, will be required if the General Contractor or developer can provide documentation	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		to the satisfaction of the City that all fill materials being utilized at the site are either: 1) from existing commercial (previously permitted) sources of materials; or 2) are from private or other non-commercial sources that have been determined to be absent of tribal cultural resources by the Qualified Archaeologist and TCA Native American monitor. The Qualified Archaeologist and TCA Native American monitor shall maintain ongoing collaborative coordination with one another during all ground disturbing activities. The requirement for the construction monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall provide written notice to the Planning Division and the TCA Tribe, preferably through e-mail, of the start and end of all ground disturbing activities. Prior to the release of any grading bonds, or prior to the issuance of any project Certificate of Occupancy, an archaeological monitoring report, which describes the results, analysis, and conclusions of the construction monitoring shall be submitted by the Qualified Archaeologist, along with any TCA Native American monitor's notes and comments received by the Qualified Archaeologist, to the Planning Division Manager for approval. Once approved, a final copy of the archaeological monitoring report shall be retained in a confidential City project file and may be released, as a formal condition of Assembly Bill (AB) 52 consultation, to [INSERT TRIBE] or any parties involved in the project specific monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, will also be submitted to the South Coastal Information Center after approval by the City. **S-TCR-3 (Unanticipated Discovery Procedures):** Both the Qualified Archaeologist and the TCA Native American monitor may temporarily halt or divert ground disturbing activities if potential archaeological resources or tribal cultural resources are discovered during construction activities. Ground disturbing activities shall be temporarily directed away from the area of discovery for a reasonable amount of time to allow a determination of the resource's potential significance. Isolates and clearly non-significant archaeological resources (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA Tribe), and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. If a determination is made that the archaeological resources or tribal cultural resources are considered potentially significant by the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor, then the City and the TCA Tribe shall determine, in consultation with the Applicant/Owner and the Qualified Archaeologist, the culturally appropriate treatment of those resources. If the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of CEQA and California Public Resources Code Section 21083.2(b) with respect to archaeological resources and California Public Resources Section 21704 and 21084.3 with respect to tribal cultural resources, and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe.	

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If avoidance of the resource is determined to be infeasible by the City as the Lead Agency, then the City shall require additional culturally appropriate mitigation to address the negative impact to the resource, such as, but not limited to, the funding of an ethnographic study and/or a data recovery plan, as determined by the City in consultation with the Qualified Archaeologist and the TCA Tribe. The TCA Tribe shall be notified and consulted regarding the determination and implementation of culturally appropriate mitigation and the drafting and finalization of any ethnographic study and/or data recovery plan, and/or other culturally appropriate mitigation. Any archaeological isolates or other cultural materials that cannot be avoided or preserved in place as the preferred mitigation shall be temporarily stored in a secure location on site (or as otherwise agreed upon by the Qualified Archaeologist and TCA Tribe), and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The removal of any artifacts from the project site will be inventoried with oversight by the TCA Native American monitor. If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the TCA Native American monitor may, at their discretion, collect said resources for later reburial or storage at a local curation facility, as described in the Pre-Excavation Agreement. In the event that curation of archaeological resources or tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved local facility within San Diego County and the curation shall be guided by California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections. The City shall provide the Applicant/Owner final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The Applicant/Owner shall be responsible for all repatriation and curation costs and provide to the City written documentation from the TCA Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed. Tribes were afforded 30 days to request consultation. Consultation, if requested, was undertaken in good faith and focused on the identification and protection of tribal cultural resources, consistent with CEQA requirements. Any agreed-upon mitigation measures or avoidance strategies are incorporated into this environmental document, as applicable.	
Would the project cause a substantial averse change in the significance of a historical resource as defined in Section 15064.5?	Although local policies and procedural guidance for evaluating historical resources have been updated since certification of the 2007 EIR, these changes do not alter the conclusions of the prior analysis or result in new or more severe impacts. The City's 2012 General Plan policies and 2024 Archaeological and Historical Resources Consultant Guidelines strengthen protection of historical and architectural resources through clearer evaluation procedures and higher professional standards, but they do not modify the thresholds of significance under CEQA or introduce new potential impact mechanisms. The CEQA definitions of historical resources under Section 15064.5 also remain substantively unchanged since 2007. It is noted that the Meyer-Doran House has since been relocated; however, it still sits within the boundary of the Planning Area and remains subject to existing mitigation measures MM 3.4-3 and MM 3.4-4.	**MM 3.4-3:** Prior to relocation of the residence at 918 Discovery Street, a Historic American Building Survey (HABS) shall be conducted. The survey shall be prepared by a qualified historian and shall include large-format black and white photography of the exterior elevations and interior of the house. The survey shall also include a ground plan of the building, additional archive research and preparation of a detailed history of the building and its occupants. **MM 3.4-4:** Prior to any surface disturbance activities associated with the floodway improvement project, the residence at 918 Discovery Street shall be relocated to another location within the City of San Marcos. Upon relocation, the residence shall be rehabilitated.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
	However, because the Specific Plan Update would allow future development within areas that may contain structures that are now over 50 years of age, implementation of future discretionary projects could result in impacts to potentially eligible historical resources if such structures have not yet been formally evaluated. Under CEQA, structures 50 years of age or older may qualify as historical resources if they meet applicable criteria. Impacts to such structures could result in a significant impact. Accordingly, to ensure continued consistency with CEQA and updated City guidance, subsequent mitigation measure S-HIST-1 is incorporated into the Modified Mitigation, Monitoring, and Reporting Program to address evaluation of built-environment resources prior to demolition or substantial alteration.	Rehabilitation shall occur in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation. **S-HIST-1 (Historical Built Environment Review):** Prior to issuance of any demolition permit or approval of discretionary development that would alter or remove a structure 50 years of age or older within the Planning Area, the City shall require preparation of a historic resource evaluation by a qualified professional meeting the Secretary of the Interior's Professional Qualification Standards. The evaluation shall determine whether the structure qualifies as a historical resource under CEQA Guidelines Section 15064.5. If the structure is determined to be a historical resource, appropriate avoidance, preservation, or mitigation measures shall be identified and implemented to reduce potential impacts to a less than significant level.	
Would the project disturb or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Since certification of the 2007 EIR, there have been no changes in the regulatory framework, site conditions, or scientific understanding related to paleontological resources that would alter the prior conclusions. The Specific Plan Update does not propose new or intensified ground-disturbing activities beyond those previously evaluated, and future development would continue to be subject to existing mitigation measure MM 3.4-5. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to paleontology.	**MM 3.4-5**: Prior to the issuance of the grading permit for any grading within the project area (including Caltrans right-of-way), a qualified paleontologist shall review the proposed project area to determine the potential for paleontological resources to be encountered. If there is a potential for paleontological resources to occur, the paleontologist shall identify the area(s) where these resources are expected to be present, and a qualified paleontological monitor shall be retained to monitor the initial cut in any areas that have the potential to contain paleontological resources. If fossils are discovered during project construction, the paleontologist shall recover them. In most cases, this fossil salvage can be completed in short period of time. However, some fossil specimens may require an extended salvage period. Under this scenario, the paleontologist shall be allowed to temporarily divert or direct grading and excavation to allow for recovery of fossil remains.	Less than Significant
Would the project disturb any human remains, including those interred outside of formal cemeteries?	Subsequent mitigation measure S-TCR-4 would be applied, as relevant, to ensure potentially significant impacts to human remains, if identified during ground-disturbing activities, would be reduced to less than significant. With the implementation of this mitigation measure, impacts would be less than significant.	**S-TCR-4 (Human Remains):** As specified by California Health and Safety Code Section 7050.5, if human remains, or remains that are potentially human, are found on the project site during ground disturbing activities or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission will make a determination as to the Most Likely Descendent, who shall be afforded 48 hours from the time access is granted to the discovery site to make recommendations regarding culturally appropriate treatment. If suspected Native American remains are discovered, the remains shall be kept in situ (in place) until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendent is identified, at which time the archaeological examination of the remains shall only occur on site in the presence of the Most Likely Descendent. The	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the Applicant/Owner and the Most Likely Descendant are in disagreement regarding the disposition of the remains, State law will apply, and the mediation process will occur with the NAHC. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).	
4.5 Hazards and Hazardous Materials			
Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Since certification of the 2007 EIR, the City has implemented the latest state-adopted performance standards for the handling, use, and disposal of hazardous materials. The Specific Plan Update would not allow industrial uses, but does contemplate local commercial uses that could involve controlled hazardous materials. Any such uses would be subject to a Conditional Use Permit under San Marcos Municipal Code (SMMC) Chapter 20.520, ensuring compliance with federal, state, and local requirements and allowing the City to impose site-specific conditions to protect public health and safety. Although Discovery Elementary School is located less than 0.25 miles from the Planning Area, it would not be affected because Conditional Use Permit requirements and existing regulations would minimize risks to nearby sensitive receptors. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to accidental release of hazardous materials.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Since certification of the 2007 EIR, there have been no changes in the physical or regulatory setting that would result in new or more severe impacts related to the transport, use, or disposal of hazardous materials. All future projects within the Planning Area would continue to be required to comply with existing federal, state, and local regulations governing hazardous materials handling, transportation, and disposal. Additionally, future grading activity is anticipated to be the same and would be subject to existing mitigation measure MM 3.5-1b, requiring the preparation and approval of a Risk Management Plan (RMP) prior to project grading to protect against soil and groundwater. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to transport, use, or disposal of hazardous materials.	**MM 3.5-1b**: Prior to the issuance of any grading, demolition, or building permits for the project site, a Risk Management Plan (RMP) shall be prepared for the project site. At a minimum, the RMP shall establish soil and groundwater mitigation and control specifications for grading and construction activities at the site, including health and safety provisions for monitoring exposure to construction workers, procedures to be undertaken in the event that previously unreported contamination is discovered, and emergency procedures and responsible personnel. The RMP shall also include procedures for managing soils and groundwater removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of in accordance with applicable regulations and permits. The RMP shall also include an Operations and Maintenance Plan component, to ensure that health and safety measures required for future construction and maintenance at the project site shall be enforced in perpetuity. The RMP shall be submitted to the City Fire Department for review and approval.	Less than Significant
Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	Because no new hazardous materials sites have been identified and the status of previously listed sites remains unchanged, the potential for encountering contaminated soil or groundwater during future grading remains the same as evaluated in the 2007 EIR. Furthermore, implementation of existing mitigation measures MM 3.5-2 through MM 3.5-5 would continue to ensure that development does not occur in areas affected by contamination unless cleanup has been completed or approved remediation measures are in place. These measures, combined with applicable state and federal cleanup standards, would ensure that any residual contamination is addressed prior to or during construction, preventing potential exposure of workers or future residents to hazardous materials. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to hazardous material sites.	**MM 3.5-2 (USTs)**: Prior to initiation of any grading, it shall be confirmed that there are no hazardous materials on the project site. In the event that hazards materials are found on the project site, the materials shall be remedied in accordance with all federal and state requirements. Remediation shall be completed prior to construction within the impacted area. **MM 3.5-3 (USTs)**: Project construction in areas where leaking underground storage tanks have been identified shall be avoided until proper clean up of the tanks pursuant to adopted state regulations has occurred. All clean up shall occur under a Workplan approved and overseen by the appropriate regulatory agency that has jurisdiction for the clean up. The Workplan shall include a summary of any Phase 1 and Phase II investigations and a summary table of sampling results for which hazardous materials were found. **MM 3.5-4 (ACMs/LBPs)**: Prior to demolition of any facilities or relocation of any buildings on the project site, a licensed asbestos inspector shall be retained to determine the presence of asbestos and asbestos containing materials (ACMs) within structures. The inspection shall be consistent with the federal and state occupational exposure standards for asbestos and ACMs.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
		The applicant shall comply with all applicable state and federal abatement policies and procedures for removal of ACMs present on the site. **MM 3.5-5 (ACMs/LBPs)**: Prior to demolition of any facilities or relocation of any buildings on the project site, a licensed lead-based paint (LBP) inspector shall be retained to determine the presence of lead-based paint and lead-based paint containing materials (LBPCM) within structures. The inspection shall be consistent with federal and state occupational exposure standards for LBP and LBPCM. The applicant shall comply with state and federal abatement policies and procedures for removal of LBP and LBPCM present on the site. Mitigation measures specifically related to impacts to State Route 78 are not included herein because hydraulic improvements have been completed.	
For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Because there are no airports or private airstrips in the vicinity of the Planning Area, implementation of the project would not expose people or structures to safety hazards related to aircraft operations. The physical conditions and land uses have not changed in a way that would introduce or increase aviation-related risks. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to airport hazards.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	While the Planning Area is not within a designated high and very high Fire Hazard Severity Zone (FHSZ), the importance of maintaining active ingress and egress is a priority. Discovery Street and Bent Avenue are both identified as evacuation corridors. To protect against interference with emergency response plans, future development would be reviewed to ensure consistency with the General Plan Safety Element, specifically Policy S-3.3, which requires development to provide safe access of emergency equipment and civilian evacuation. To further enhance the City's emergency response programs, future development would be designed, constructed, and maintained in accordance with applicable standards associated with San Diego County's Multi-Jurisdictional Hazard Mitigation Plan and the City's Annex, including the provision of adequate emergency access and access to evacuation routes. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of people and vehicles through/around any required road closures. Adherence to applicable emergency planning standards and General Plan and Specific Plan Update policies would ensure that the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.	Impacts would be less than significant. No mitigation is required.	Less than Significant
Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Since certification of the 2007 EIR, there have been no changes in the physical or regulatory setting that would result in new or more severe impacts from wildland fire hazards. Pursuant to the 2025 FHSZ maps, the Planning Area remains outside of high and very high FHSZs. All future development would be required to comply with the Specific Plan Update, participate in the City Community Facilities District, and adhere to applicable fire protection standards. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to wildland fire hazards.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
4.6 Hydrology/Water Quality			
Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	**a. Construction Activities** Construction activities associated with future development and redevelopment would involve grading, paving, utility installation, building construction, and landscaping installation, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other pollutants with the potential to affect water quality. In addition, refueling and parking of construction vehicles and other construction equipment may result in oil, grease, or other related pollutant leaks or spills that may discharge into the storm drain system.	**a. Construction Activities** Impacts would remain less than significant. No mitigation is required. **b. Post-Development Activities** Impacts would remain less than significant. No mitigation is required.	**a. Construction Activities** Less than Significant **b. Post-Development Activities** Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
	To minimize potential water quality impacts during construction, future development and redevelopment would be required to comply with the Municipal Separate Storm Sewer System permit, including preparation and implementation of a Stormwater Pollution Prevention Plan. A Stormwater Pollution Prevention Plan requires the identification and implementation of BMPs to control sediment, erosion, tracking, non-stormwater, and waste management during construction and prevent such contaminants and materials from entering receiving water bodies. Future construction would be required to provide site-specific BMPs consistent with the City's Storm Water Standards, the adherence to which during construction would ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged. Additionally, all projects would be subject to General Plan and SMMC compliance relating to reducing runoff and managing pollutant runoff. Therefore, compliance with City regulations, standard BMP design requirements, and General Plan and Specific Plan Update policies would ensure that future development and redevelopment would not result in construction-related water quality impacts, and impacts would be less than significant. **b. Post-Development Activities** Post-construction activities associated with the operation of future development and redevelopment throughout the Planning Area could have long-term impacts on stormwater quality, subsequently impacting downstream water quality. For example, future development and redevelopment could create new sources of runoff contamination from changing land uses which could increase impervious surfaces. As a result, development within the key opportunity areas, as well as throughout the Planning Area, may increase post-construction pollutants, significantly degrading water quality. To reduce potentially significant post-construction water quality impacts, future development and redevelopment would be required to comply with the SMMC Section 14.15.500, which requires new development and redevelopment activities comply with the stormwater pollution prevention requirements. Additionally, pursuant to the City's BMP Design Manual, all future projects are required to comply with specific design measures related to permanent stormwater BMPs based on the performance standards presented in the Municipal Separate Storm Sewer System Permit. Therefore, compliance with City regulations, standard BMP design requirements, and General Plan and Specific Plan Update policies would ensure that future development and redevelopment would not result in post-development water quality impacts, and impacts would be less than significant.		
Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in a substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?	Construction and operation of future site-specific projects would be required to comply with applicable regulations and City standards and implement their respective portions of the drainage system improvements. Compliance with these regulations would ensure that future site-specific projects would not 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. Previous mitigation measures MM 3.6-3a and MM 3.6-3b were not considered necessary to support the creek improvements. Impacts associated with drainage patterns under the Specific Plan Update would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?	Since certification of the 2007 EIR, the levee and associated floodway improvements analyzed in the 2007 EIR have been constructed. In conjunction with completion of these improvements, Federal Emergency Management Agency (FEMA) mapping for the area has been revised to reflect updated floodplain boundaries. Nonetheless, several existing parcels located on the north side of the creek are located within the FEMA special flood hazard area. These parcels would be required to implement existing mitigation measure MM 3.6-4 to ensure Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR) processes are completed prior to development activity. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to flood hazards.	**MM 3.6-4**: Before any specific plan development may be approved by the City of San Marcos within properties currently within the 100-year floodplain, the applicant must demonstrate that a Letter of Map Revision (LOMR) removing the affected parcels from the floodplain or CLOMR has been obtained from the Federal Insurance Administration of FEMA.	Less than Significant
Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Consistent with the 2007 EIR, impacts associated with water quality plans would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
4.7 Land Use and Planning			
Would the project physically divide an established community?	The Specific Plan Update would not divide an established community. Similar to the 2007 Specific Plan, the update retains the overall mixed-use development pattern within the Planning Area and does not propose new physical barriers that would separate existing neighborhoods or impede pedestrian, bicycle, or vehicular connectivity. Instead, the update refines land use designations, expands housing opportunities, updates development standards, and enhances the mix of residential, commercial, entertainment, and open space uses while maintaining the existing street network and creek-oriented circulation framework. The Specific Plan Update also continues to emphasize pedestrian-oriented development, improved access to San Marcos Creek, and connectivity between neighborhoods and activity centers. Accordingly, implementation of the Specific Plan Update would not physically divide an established community.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	**a. City of San Marcos General Plan** As summarized in Table 4.7-1, the Specific Plan Update would not cause a significant environmental impact due to a conflict with applicable goals of the General Plan Land Use, Mobility, Conservation and Open Space, Mobility (other than operational standards), Safety, or Noise Elements. **b. Mobility Element- Operational Standards** Implementation of the Specific Plan Update would result in inconsistencies with the City's Mobility Element and Transportation Impact Analysis Guidelines because several roadway segments and intersections would not meet the City's level of services standard and the improvements necessary to achieve compliance are largely infeasible. Therefore, impacts associated with consistency with applicable land use plans and policies would be potentially significant **c. 2021-2029 Housing Element** As summarized in Table 4.7-4, the Specific Plan Update would be consistent with relevant Housing Element goals and policies. Impacts associated with conflicts with the Housing Element would be less than significant. **d. 2025 Regional Plan** The Specific Plan Update would be consistent with the goals of the 2025 Regional Plan. Impacts associated with conflicts with the Regional Plan would be less than significant.	**a. City of San Marcos General Plan** Impacts would remain less than significant. No mitigation is required. **b. Mobility Element Consistency** **S-LU-1:** Future projects that have the potential to improve travel time for the roadways listed above, where capacity cannot be increased, shall evaluate transportation systems management and operations solutions to include, but not be limited to, the following: adaptive signal timing, transit signal priority, and active transportation demand management. **c. 2021-2029 Housing Element** Impacts would remain less than significant. No mitigation is required. **d. 2025 Regional Plan** Impacts would be less than significant. No mitigation is required.	**a. City of San Marcos General Plan** Less than Significant **b. Mobility Element- Level of Service (LOS)** Less than Significant **c. 2021-2029 Housing Element** Less than Significant **d. 2025 Regional Plan** Less than Significant
4.8 Noise			
Would the project generate 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	**a. Construction Noise** Pursuant to SMMC Section 10.24.020(i), construction activities are limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays. Future construction would be required to comply with SMMC Sections 10.24 (Noise Ordinance) and 17.32.180 (regulation of permissible construction hours). Additionally, General Plan Policies N-3.1 and N-3.2 require	**a. Construction Noise** **MM 3.8-1**: A condition on the improvement plans and within construction contracts which require: • Exterior construction, hauling, or delivery activities shall be scheduled to occur during normal daytime working hours, i.e. 7:00 a.m. and 6:00 p.m., Monday through	**a. Construction Noise** Less than Significant **b. Traffic Noise** Less than Significant

Table S-1
Summary of Environmental Impacts

Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
noise ordinance, or applicable standards of other agencies?	developers and contractors to employ noise-reduction techniques during construction and maintenance operations and limit the hours of construction and maintenance operations located adjacent to noise-sensitive land uses. By limiting the hours in which construction can occur, early morning and evening noise nuisances related to construction activities can be reduced. Nonetheless, construction activities may have a significant short-term noise impact. Additionally, construction activities could have a significant impact on sensitive wildlife species located within habitats adjacent to development sites. Future projects would implement mitigation measures MM 3.8-1, MM 3.8-2, and MM 3.3-11 identified in the 2007 EIR, which would continue to apply to the project. Implementation of these mitigation measures would reduce impacts to less than significant. Regarding noise-sensitive avian habitats, studies on the noise effects on bird behavior have demonstrated a negative impact on nesting and breeding behavior when noise levels exceed 60 A-weighted decibels equivalent noise level [dB(A) L_{eq}]. Breeding birds can be significantly affected by short-term construction-related noise, which can result in the disruption of foraging, nesting, and reproductive activities. Therefore, indirect impacts from construction-related noise may occur to sensitive wildlife if construction occurs during the breeding season (i.e., February 15 through August 31 for most bird species, and January 1 through August 31 for raptors). While BMPs are in place to reduce construction-related indirect impacts, impacts resulting from construction noise would still occur, representing a potentially significant impact. **b. Traffic Noise** The 2007 EIR evaluated traffic noise increases associated with buildout of the Specific Plan and identified +3 decibels (dB) as the threshold for a substantial worsening of the noise environment. Because traffic noise increases logarithmically, a doubling of traffic volumes is generally required to reach this level. Although future noise levels along Discovery Street were projected to reach approximately 71 dB Community Noise Equivalent Level (CNEL), the increase over existing conditions was less than +3 dB. The 2007 EIR concluded that traffic noise impacts to sensitive receptors would be less than significant. The project would increase traffic volumes on local roadways. However, the project would not substantially alter the vehicle classifications mix on local or regional roadways, nor would the project alter the speed on an existing roadway or create a new roadway. Thus, the primary factor affecting off-site noise levels would be increased traffic volumes. Future projects would result in a significant impact related to ambient vehicle noise if it would cause a roadway noise level to exceed the applicable normally compatible noise standard at land uses adjacent to the segment or cause a 3 dB(A) or more increase on a roadway segment that would exceed the compatibility standard without the project. In summary, the increase in ambient noise levels would not result in a significant increase in vehicle traffic noise. When compared to the horizon year without the project, an overall decrease in vehicle traffic noise would occur because the project would result in less development and traffic when compared to the Adopted Specific Plan. Accordingly, the Specific Plan Update would not result in new significant impacts or a substantial increase in the severity of impacts. **c. Noise Compatibility**	Friday, and 8:00 a.m. and 5:00 p.m. on Saturday. No construction would occur on Sundays and legal holidays. These criteria shall be included in the improvement plans prior to initiation of construction. Exceptions to allow expanded construction activity hours shall be reviewed on a case-by-case basis as determined by the Planning Director. • All heavy construction equipment and all stationary noise sources (such as diesel generators) shall be fitted with factory-specified mufflers. • Truck routes, equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from existing residences, schools and other sensitive receptors, as is feasible. The condition shall be reviewed and approved by the Development Services prior to the issuance of permits. **MM 3.8-2:** The applicant shall prepare and post readily visible informational signs at each entrance of the construction area indicating that the site is a "Noise Controlled Zone" and that person, vehicles, machinery and equipment may be barred from the site for violations of the noise regulations. A Noise Complaint Hotline telephone number shall appear prominently on the sign. The overall sign, including format, size, style and content shall be pre-approved by the City prior to posting. See **MM 3.3-11** for noise-sensitive avian habitats. **b. Traffic Noise** Impacts would be less than significant. No mitigation is required. **c. Noise Compatibility** Impacts would be less than significant. No mitigation is required. **d. Stationary Noise** **MM 3.8-3 (Future Residential Exterior Noise Levels):** As development proposals come forward for the Specific Plan area, noise attenuation shall be required to reduce noise levels to acceptable standards. In the event that patios and balconies are determined to occur within the 65 dBA noise contour, noise attenuation would be required to reduce noise levels to 65 dBA CNEL or lower. This may include the use of architectural treatments, barriers, or other noise attenuating measures. The mitigation measures shall provide sound level reductions so that future uses within the Specific Plan area are consistent with the CNEL levels identified in the San Marcos General Plan. **MM 3.8-4 (Future Residential Interior Noise Levels):** Residential uses adjacent to project site roadways shall have dual-paned windows and supplemental ventilation (e.g., air conditioning systems) on their facades facing exterior roads. **MM 3.8-5 (Future Residential Interior Noise Levels):** Noise-sensitive uses within 500 feet of San Marcos Boulevard shall be shielded by intervening structures, or shall employ upgraded noise mitigation (e.g., premium windows, etc.). The hierarchy of structural noise reduction is shown in Section 4.8.4.1 d, and shall be employed as needed to meet interior noise level of 45 dB.	**c. Noise Compatibility** Less than significant **d. Stationary Noise** Less than significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
	The 2007 EIR evaluated the Specific Plan's consistency with the Noise Element of the San Marcos General Plan and concluded that with the implementation of mitigation measures, the project would be consistent with applicable goals, policies, and implementing strategies. Accordingly, the 2007 EIR determined the Specific Plan to be consistent with the Noise Element of the General Plan. A noise compatibility impact would occur if the Specific Plan Update resulted in development of new receptors that would be exposed to noise levels in excess of the applicable standards in General Plan Noise Element Tables 7-3 and 7-4 (see Table 4.8-3 in Section 4.8.2.1). The Specific Plan Update would include multi-family residential, mixed use, park, commercial, and retail land uses. As shown in Table 4.8-3, these land uses are compatible with noise levels up to 65 CNEL and conditionally compatible with noise levels from 65 to 75 CNEL. The interior noise level standard for residential uses is 45 CNEL, and the interior noise level standard for commercial and retail uses is 50 dB(A) L_{eq}. While some restrictions are identified indicating where residential uses cannot occur on the ground floor, it is possible that residential uses could be adjacent to one of the segments within the 65 CNEL contour as identified in Figure 4.8-2. Private yards are not expected for the residence units; rather, usable outdoor space would be provided by patios and balconies. At this programmatic level, detailed development plans for future development projects are not available. These plans would come forward as individual site-specific projects are proposed. Absent project plans, there is a potential for balcony and patio areas to exceed 65 CNEL. Additionally, while interior noise levels can be reduced through standard construction techniques, at this programmatic level of review interior noise levels could exceed the 45 dB CNEL requirement. Therefore, exterior and interior noise impacts would be potentially significant. **d. Stationary Noise** The 2007 EIR evaluated stationary noise impacts associated with buildout of up to 2,300 residential units within the Planning Area. Because residential uses are considered noise-sensitive receptors, the analysis assessed potential exposure to roadway traffic noise and mixed-use operational noise. Buildout traffic noise levels along several roadways were projected to extend the 65 dB CNEL contour (the threshold for acceptable outdoor residential use areas) into portions of the Planning Area. Due to the conceptual nature of the land use plan and absence of detailed site designs, balconies and patio areas for some residential units could potentially exceed 65 dB CNEL. In addition, interior noise levels could exceed the 45 dB CNEL standard. These conditions were identified as potentially significant impacts requiring mitigation at the time of project-level development. Mixed-use developments, such as those proposed by the project, can result in potential noise conflicts at the interface between retail commercial development and residential uses. In mixed-use, urban-character environments, the source of noise conflict may be more vertical when residential uses are constructed above commercial uses. The project would be required to adhere to all Uniform Building Code standards for sound transmission control (Chapter 12, Section 1208), including for airborne sound insulation and impact sound insulation on separate dwelling units. Implementation of existing mitigation measure MM 3.8-6 (see Chapter 9, Modified Mitigation, Monitoring, and Reporting Program) would continue to reduce impacts related to stationary noise. Accordingly, the project would not result in new significant impacts, and impacts related to stationary noise would be reduced to less than significant.	**MM 3.8-6 (Commercial Residential Interface):** As development proposal come forward for the Specific Plan area, a site specific noise study shall be prepared for the development. The noise study shall analyze the impact of co-locating residential and commercial uses on the project site. Mitigation measures shall be identified and incorporated into the Conditional Use Permits, to reduce noise impacts associated with these uses. The mitigation measures shall provide sound level reductions so that future uses within the Specific Plan area are consistent with the CNEL levels identified in the San Marcos General Plan.	

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
Would the project generate excessive groundborne vibration or groundborne noise levels?	The project does not propose any uses that would be characterized as capable of causing excessive groundborne vibration or groundborne noise during operation. Further, the performance measure in Section 20.300.070 (F) of the SMMC prohibits the generation of vibration that is discernable to a person of normal sensitivity. Impacts associated with project operation would be less than significant.	Impacts would be less than significant. No mitigation would be required.	Less than significant
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 aircraft noise levels?	The closest airport is the McClellan-Palomar Airport, located approximately four miles west of the project site. Noise contours for the McClellan-Palomar Airport are provided in the Airport Land Use Compatibility Plan (San Diego County Airport Land Use Commission 2011). The project site is located 2.2 miles east from the 60 CNEL airport noise contour; thus, aircraft noise levels at the Planning Area would be well less than 60 CNEL. Impacts associated with airport noise would be less than significant.	Impacts would be less than significant. No mitigation would be required.	Less than significant
4.9 Public Services and Recreation			
Would 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 Fire Protection?	The project would not require new or physically altered fire department facilities beyond what was anticipated in the 2007 EIR. Implementation of the City's updated fee structure under the Public Facilities Fees (PFF) ensures that adequate funding for fire and emergency services will continue to be provided as development proceeds. Consistent with the 2007 EIR, impacts associated with fire services would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would 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 Police Protection?	The project would not require new or physically altered police facilities beyond what was anticipated in the 2007 EIR. Existing funding mechanisms remain in place to offset project-related demand. Consistent with the 2007 EIR, impacts associated with police services would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would 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 Schools?	The project would not require new or physically altered schools beyond what was anticipated in the 2007 EIR. Impacts related to the provision of school services would continue to be less than significant with the implementation of school mitigation fees. Consistent with the 2007 EIR, impacts associated with schools would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would 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 Library Services?	The project would not require new or physically altered libraries beyond what was anticipated in the 2007 EIR. Consistent with the 2007 EIR, impacts associated with library services would remain less than significant, and no new mitigation measures would be required.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
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?	The Specific Plan Update includes areas designated for parkland, including: West End Gateway Park, Discovery Park, Creekside Overlook, Water Plaza, Amphitheater Plaza, Town Center Paseo, and Paseo del Arroyo Park,. the development of which would increase the Planning Area and City's parkland inventory. Additionally, the project is designed to include multiple opportunities for parks, trails, and open space. Future developers would be required to pay the City's PFF, which is required by all projects that increase the demand for park and recreation needs in the City. The PFF money	Impacts would remain less than significant. No mitigation is required.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	would go towards the acquisition and development of local and community park facilities throughout the City to offset the demand on public park space generated by the project, as described in SMMC Chapters 17.36 and 17.44. The PFF payment would ultimately contribute to development of new parks and recreational facilities and would offset the increase in demand of parks and recreational facilities generated by the project, such that existing facilities would not be substantially deteriorated. Impacts would be less than significant and accordingly, the project would not result in new impacts compared to those identified in the 2007 EIR.		
4.10 Transportation			
Would the project conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	The Specific Plan Update would be consistent with the City's Active Transportation Plan and Transportation Demand Management (TDM) Ordinance, as it incorporates multimodal transportation improvements, including bicycle and pedestrian facilities, mobility hubs, and project-level TDM measures to reduce vehicle trips and support alternative modes of transportation. However, the Specific Plan Update would not be consistent with City-applicable land use plans and policies related to circulation because several roadway segments and intersections would not meet the City's standard, and the improvements necessary to achieve compliance would be infeasible. Therefore, impacts associated with consistency with applicable land use plans and policies would be potentially significant.	See mitigation measure **S-LU-1**.	Less than significant
Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Implementation of the Specific Plan Update would result in mixed outcomes with respect to vehicle miles traveled (VMT). The residential component of the project would generate VMT per Capita that is below the applicable regional threshold, and therefore, impacts associated with residential VMT would be less than significant. In contrast, the commercial component of the Specific Plan Update would result in a net increase in total citywide VMT which exceeds the City's threshold for commercial uses. As such, the project would result in a significant impact.	Residential VMT: Impacts would be less than significant. No mitigation is required. Commercial VMT: **S-VMT-1 (Project Level VMT Analysis):** Applications for future commercial development under the San Marcos Creek Plan Specific Plan Update (Specific Plan Update) shall conduct a project level vehicle miles traveled (VMT) analysis that determines whether the proposed development would meet the screening criteria outlined in the City of San Marcos's (City) Transportation Impact Analysis Guidelines (November 16, 2020), or any subsequent updates to these guidelines. If the proposed development does not meet any of the screening criteria outlined in the City's Transportation Impact Analysis Guidelines, the applicant shall conduct a project-level VMT analysis and identify VMT impacts associated with the proposed development. The project applicant shall reduce project-induced VMT impacts through implementation of VMT-reducing infrastructure and/or strategies that would mitigate the project's VMT-related impacts that would be incorporated into the commercial development. In addition, the applicant shall also prepare and submit a Transportation Demand Management (TDM) Plan, , consistent to the City's TDM Ordinance (Chapter 20.350 of the Municipal Code), to the City for approval and/or participate in a local, regional, or stateside VMT mitigation program, if available. The TDM Plan shall be consistent with the City's TDM Ordinance and include a series of measures to reduce project-related VMT. Measures may include strategies such as ridesharing initiatives (e.g., carpooling), promoting alternative work schedules and telework, subsidizing employee use of public transit, and promoting bicycling, walking, and the use of public transit. The TDM Plan will be subject to the City's review and approval, and no development shall proceed until the TDM Plan is deemed acceptable by the City.	Residential VMT: Less than Significant Commercial VMT: Significant and unavoidable
Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	The 2007 EIR determined there would be no impacts related to hazards due to a geometric design feature or incompatible uses. The Specific Plan Update does not introduce changes to the roadway network or land use patterns that would alter this conclusion.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project result in inadequate emergency access?	The 2007 EIR determined that impacts related to emergency access would be less than significant. The Specific Plan Update does not introduce changes that would alter this conclusion.	Impacts would remain less than significant. No mitigation is required.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
4.11 Utilities and Service Systems			
Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Mitigation measure MM 3.11-1, identified in the 2007 EIR, would continue to apply to future projects and remain effective in addressing water and wastewater facilities. Impacts associated with stormwater, electric power, natural gas, and telecommunications would be less than significant. With mitigation measure MM 3.11-1 carried forward, the findings and determinations of the 2007 EIR would remain.	**MM 3.11-1**: Future developers within the Specific Plan area shall be responsible for the payment of fair share fees for the necessary water and sewer infrastructure upgrades.	Less than Significant
Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	The Specific Plan Update would not increase overall development potential beyond that previously planned and evaluated; rather, it would allow for a similar or reduced level of development intensity. As such, projected water demands associated with buildout of the Planning Area are within the range of demand already accounted for in the Urban Water Management Plan . Future projects would be reviewed for consistency with the City's General Plan, including policies related to ensuring sufficient water capacity and encouraging water conservation. For example, Goal LU 13 encourages implementation of policies that manage and conserve domestic water resources by reducing water usage and ensures the adequacy of water supply for existing and future residents. Therefore, based on the 2020 Urban Water Management Plan's conclusion that sufficient water supplies are available to meet projected demands through 2045 under all conditions, impacts related to water supply would be less than significant.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	The Specific Plan Update would not increase overall development potential beyond that evaluated in the 2007 EIR and would allow for a similar or reduced level of development intensity. As such, wastewater generation under the Specific Plan Update would be within the range of flows previously analyzed. In addition, wastewater treatment and conveyance services are provided by Vallecitos Water District, which plans for and maintains sufficient capacity to serve existing and projected development through capital improvement planning, system upgrades, and ongoing coordination with regional treatment facilities. With completion of the City Interceptor project and implementation of the remaining measures included in existing mitigation measure MM 3.11-1 (see Chapter 9, Modified Mitigation, Monitoring, and Reporting Program), including preparation of project-level sewer studies and payment of applicable development impact fees, sufficient wastewater conveyance and treatment capacity is available to serve development within the Planning Area. Future projects would be reviewed for consistency with the City's General Plan, including policies related to ensuring sufficient wastewater capacity. For example, Goal LU-14 encourages implementation of policies that ensure an adequate wastewater system for existing and future development. Therefore, the Specific Plan Update would not result in a new significant impact or a substantial increase in the severity of the previously identified impact. Impacts related to wastewater system capacity would be less than significant.	See Mitigation Measure **MM 3.11-1**.	Less than Significant
Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	The Specific Plan Update would be consistent with applicable federal, state, and local solid waste regulations related to maintaining an innovative and sustainable solid waste collection, recycling, and disposal system. Therefore, the Specific Plan Update would not result in a new significant impact or a substantial increase in the severity of the previously identified less than significant solid waste impact.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	The project is consistent with the General Plan and federal, state, and local management and reduction statutes and regulations. Therefore, the project would comply with these statutes and regulations, and impacts would be less than significant.	Impacts would remain less than significant. No mitigation is required.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
4.12 Greenhouse Gas Emissions			
Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?	Buildout of the Specific Plan Update would generate approximately 52,563 metric tons of carbon dioxide equivalent (MT CO_2E) per year, which is 22,000 MT CO_2E less than the 74,563 MT CO_2E projected for buildout of the Adopted Specific Plan. Because the Specific Plan Update results in reduced development and associated greenhouse gas (GHG) emissions compared to the Adopted Specific Plan, the emissions are accounted for within the projections of the City's CAP, which is a qualified GHG reduction plan under CEQA Guidelines Section 15183.5. Consistent with City standards, future development would be required to demonstrate consistency with the CAP. Impacts would be less than significant.	Impacts would remain less than significant. No mitigation is required.	Less than Significant
Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs?	Construction and operation of future development implemented under the project would not result in emissions that would adversely affect statewide attainment of GHG emission reduction goals as described in Assembly Bill 32, Executive Orders s S-3-05 and B-30-15, and Senate Bill 32. With the inclusion of VMT-reducing project features and implementation of subsequent mitigation measure S-VMT-1, the project's potentially significant impacts associated with conflicts with implementation of statewide GHG reduction goals, the 2022 Scoping Plan, the 2025 Regional Plan, and the City General Plan would be less than significant.	See mitigation measure **S-VMT-1.**	Less than Significant
4.13 Energy			
Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Energy conservation measures required by applicable energy conservation regulations (e.g., California Green Building Standards Code, Title 24) and energy conservation policies included in the existing General Plan and Specific Plan, Update as well as implementation of the CAP Update reduction measures (see Section 4.12), would support the minimization of energy consumption from operations associated with future development. VMT and building energy use associated with buildout of the Specific Plan Update would be less than the VMT and building energy use associated with buildout of the existing General Plan. Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant.	Impacts would be less than significant. No mitigation is required.	Less than Significant
Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Future development under the Specific Plan Update would implement applicable regulations and be reviewed for compliance with policies that would ensure development would be energy efficient. Therefore, the project would not conflict with or obstruct implementation of the California Green Building Standards Code, the California Energy Code, or with San Diego Gas & Electric's implementation of the Renewables Portfolio Standard, and impacts would be less than significant.	Impacts would be less than significant. No mitigation is required.	Less than Significant
4.14 Wildfire			
Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?	The Specific Plan Update reinforces the placement of future development and redevelopment in areas and along existing and proposed transportation corridors that would continue to allow for evacuation and emergency response. Future projects would also be required to be planned consistently with the Specific Plan Update, participate in the City Community Facilities District, and adhere to applicable fire protection standards. This would include the review of development plans by the San Marcos Fire Department to ensure fire risks are minimized, including the ability to support and maintain emergency responses. Through regulatory compliance and consistency with City planning strategies, including goals and policies contained in the Specific Plan Update, future development and redevelopment throughout the Planning Area would allow for evacuation and response. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.	Impacts would be less than significant. No mitigation is required.	Less than Significant
Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant	The Planning Area is not mapped as a FHSZ. Nonetheless, future development and redevelopment throughout the Planning Area would be designed to implement the City's fire mitigation strategies,	Impacts would be less than significant. No mitigation is required.	Less than Significant

Table S-1 Summary of Environmental Impacts			
Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
concentrations from a wildfire or the uncontrolled spread of a wildfire?	including ensuring adequate fuel breaks and defensible space, relevant to the fire safety goals from the City's Fire Code. Future projects would also be required to be planned consistently with the Specific Plan Update. This would include the review of development plans by the San Marcos Fire Department to ensure fire risks are minimized, water distribution systems are adequate to support fire suppression, and funds are available to assist in the expansion of fire and emergency medical services. Through regulatory compliance and consistency with City planning strategies, including the Specific Plan Update, impacts related to risk of loss, injury, or death involving wildland fires would be less than significant.		
Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Future projects within the Planning Area would result in an increase in density and intensity of uses compared to the existing condition. The Specific Plan Update includes objectives, policies, and design measures focused on ensuring that construction of future site-specific infrastructure requirements are developed consistent with the requirements of the General Plan Safety Element. The Specific Plan Update does not require the installation or maintenance of infrastructure that may exacerbate fire risk; rather, compliance with Specific Plan Update and City General Plan objectives would ensure that individual projects would include infrastructure (i.e., water lines and/or access roads) that would reduce fire risk. Therefore, future infrastructure development would not exacerbate fire risk, and impacts would be less than significant.	Impacts would be less than significant. No mitigation is required.	Less than Significant
Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	While large portions of the Planning Area are designated as regulatory floodways, with additional areas mapped within the 100- and 500-year floodplains, even areas that are not traditionally flood-prone are at risk due to changes to the landscape caused by fire. Flooding after fire is also often more severe because rainwater picks up debris and ash left from the fire, along with loose soil and sediment. Landslides can likewise occur post-wildfire as a result of increased water absorption of burnt soil and the loss of plant roots which hold soil in place. In post-fire conditions, the potential risk associated with flooding or landslides from runoff or drainage changes would not be increased. All future development and redevelopment within the Planning Area would be required to comply with the SMMC, which includes regulations applicable to all new development to reduce stormwater runoff flood hazards (SMMC Section 14.15.050). Furthermore, the City General Plan includes goals, policies, and actions related to flooding hazards. Implementation of the Specific Plan Update would also require individual project proponents to ensure adequate infrastructure design measures to improve flood control. Through the requirement for project-specific hydrological improvements, the project 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, and impacts would be less than significant.	Impacts would be less than significant. No mitigation is required.	Less than Significant

Chapter 1.0
Introduction

1.1 Type of EIR

This Program Subsequent Environmental Impact Report (SEIR) (State Clearinghouse No. 2025090620) has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), including Sections 15162 and 15163. The SEIR supplements the certified San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR; State Clearinghouse No. 2006121080; certified June 24, 2007).

Consistent with CEQA Guidelines Sections 15162 and 15163, this SEIR evaluates whether implementation of the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental impacts or a substantial increase in the severity of previously identified impacts compared to those disclosed in the 2007 EIR.

The Specific Plan Update, which is the subject of this SEIR, consists of changes and refinements to the San Marcos Creek Specific Plan (Adopted Specific Plan). These updates are intended to guide growth and development within the Planning Area consistent with the following updated Guiding Principles:

- Demand Distinctive Design: Quality, distinctive design attracts residents, visitors, and investors. Require all buildings and public realm improvements to incorporate high-quality site planning, architecture, and climate-appropriate landscaping.

- Create a Destination: Leverage the presence of San Marcos Creek and the district's centralized location to create a unique arts, cultural, retail, and entertainment destination that celebrates outdoor life.

- Achieve Housing: Variety Promote and support variety in housing design, cost, and density, with a firm commitment to integrate affordable housing district-wide..

- Accommodate All Travel Modes: Create a multimodal network within the district that promotes walking, biking, and "park once" strategies, and that transitions easily to the surrounding street system.

- Merge City and Nature: Highlight San Marcos Creek as a community amenity. Provide open space, mobility, and commercial land use creek connections that invite interactions, enjoyment, and respect. Encourage Partnerships Use creative approaches to funding infrastructure and public realm improvements that will expedite their implementation.

The purpose of this SEIR is to inform decision-makers and the public of the potential environmental effects of the Specific Plan Update that are new or more severe than those identified in the 2007 EIR. Because this document supplements the prior EIR, the 2007 EIR and this SEIR must be considered together to fully evaluate the environmental effects of the proposed project.

1.2 List of Project Approvals

The Specific Plan Update would require approval, coupled with certification of this SEIR, by the City of San Marcos (City) City Council, after a recommendation by the City Planning Commission. Subsequent project-specific development consistent with this SEIR may require the approval of federal, state, and Responsible or Trustee Agencies that may rely on this SEIR for decisions in their areas of expertise. Permits and approvals that could be required are presented Section 3.7 this SEIR.

1.3 Statement of Legal Authority

The City is the Lead Agency for the project pursuant to CEQA Guidelines Article 4 (Sections 15050 and 15051). The Lead Agency, as defined by CEQA Guidelines Section 15367, is the public agency which has the principal responsibility and authority for carrying out or approving a project. The analysis and findings in this document reflect the independent, impartial conclusions of the City.

1.4 Notice of Preparation

Pursuant to CEQA Guidelines Section 15082, the lead agency is required to send a Notice of Preparation (NOP) stating that an EIR will be prepared to the Responsible and Trustee Agencies, as well as to the public, including affected local agencies, organizations, and interested parties who may wish to provide comments on the scope and content of the EIR. Agency and public comments received in response to the NOP, which was circulated for public comment from September 15, 2025 to October 15, 2025, are included as Appendix A of this SEIR. These comments were reviewed and considered in the preparation of this SEIR.

1.5 SEIR Scope

The scope of analysis for this SEIR was established by the City based on a review of the proposed project, considering the content and conclusions of the 2007 EIR, as well as agency and public comments received during the NOP process. A brief overview of each SEIR chapter is provided below.

Executive Summary: This chapter summarizes the SEIR by providing an overview of the project; a summary of the potentially significant environmental impacts that could result from the project; a list of mitigation measures (both carried over from the 2007 EIR and newly required) identified to reduce or avoid such impacts; and a review of the alternatives to the project, including the identification of an environmentally superior alternative.

1.0 Introduction: This chapter provides an overview of the applicable legal authority, introduces the purpose for the SEIR, and explains the SEIR process and the intended uses of the SEIR.

2.0 Environmental Setting: This chapter provides a description of the project's regional context, location, and existing physical characteristics. More detailed descriptions of the environmental context pertaining to specific environmental topics are provided in each section of Chapter 4.0: Supplemental Environmental Analysis.

3.0 Project Description: This chapter provides a detailed description of the project, including the purpose and objectives of the project and descriptions of each component of the project. This chapter also provides a discussion of the development potential and components of the Specific Plan Update compared to the Adopted Specific Plan.

4.0 Supplemental Environmental Analysis: This chapter analyzes the supplemental environmental impacts of the project. Impacts are organized by the following topic areas:

4.1 Aesthetics and Visual Quality
4.2 Air Quality
4.3 Biological Resources
4.4 Cultural and Tribal Cultural Resources
4.5 Hazards and Hazardous Materials
4.6 Hydrology/Water Quality
4.7 Land Use/Planning
4.8 Noise
4.9 Public Services and Recreation
4.10 Transportation
4.11 Utilities and Service Systems
4.12 Greenhouse Gas Emissions
4.13 Energy
4.14 Wildfire

Sections 4.1 through 4.11 provide a contextual description comparing the project's current environmental setting, regulatory framework, significance criteria, and potential impacts to the 2007 EIR. Since certification of the 2007 EIR, the CEQA Guidelines were revised to include thresholds of significance related to greenhouse gas, energy, and wildfire. Therefore, Sections 4.12 through 4.14 provide new analyses relative to the current baseline. It is noted that a significance threshold related to tribal cultural resources was also added to the CEQA Guidelines after 2007; however, this discussion is included in Section 4.4 as a supplement to the cultural resources analysis.

5.0 Cumulative Impact Analysis: This chapter supplements the 2007 EIR by providing an analysis of the potential cumulative environmental impacts of the project in combination with other past, present, and reasonably foreseeable future projects.

6.0 Project Alternatives: This chapter presents alternatives to the project and includes the following:

- a discussion of the environmental impacts associated with each alternative,
- a comparison of the relative impacts of each alternative to those of the project,
- a discussion of the relationship of each alternative to the project's objectives, and

- identification of the environmentally superior alternative.

7.0 Effects Found Not to be Significant: This chapter identifies all the issues determined in the 2007 EIR to be not significant based on CEQA criteria and briefly summarizes the basis for these determinations. An additional summary is provided to ensure that there have been no new significant environmental effects or a substantial increase in the severity of previously identified significant effects. These topics include agricultural and forestry resources, geology and soils, mineral resources, and population and housing.

8.0 CEQA Mandated Analysis: This chapter summarizes the project's significant and unavoidable environmental impacts, significant irreversible environmental changes, and growth-inducing impacts per CEQA Guidelines Section 15065.

9.0 Mitigation, Monitoring, and Reporting Program (MMRP): This chapter identifies the mitigation measures applicable to the Specific Plan Update and describes the procedures for monitoring and verifying compliance. The MMRP assigns responsibility for implementation, establishes timing requirements, and identifies monitoring actions to confirm that mitigation measures are carried out as intended. The MMRP will be adopted by the City in conjunction with project approval.

10.0 References: This chapter lists documents and other information sources relied upon in the preparation of the SEIR.

11.0 List of Preparers: This chapter lists persons involved in the preparation of the SEIR.

Technical appendices, used as a basis for portions of the environmental analysis in the SEIR, have been summarized in the SEIR and are included as attachments to the SEIR.

1.6 SEIR Intended Use and Review Process

1.6.1 SEIR Intended Use

This SEIR is intended to be used by the City, as Lead Agency, in evaluating the project and to ensure compliance with applicable regulations and mitigation framework identified herein. As an SEIR, this document is intended to be used in conjunction with the 2007 EIR when subsequent applications within the Planning Area are considered. The City intends for the SEIR to be used for the following purposes:

- To inform the public and decision-makers of the potential environmental consequences of the implementation of the project and on the range of reasonable alternatives and mitigation measures that may feasibly reduce or avoid the any potentially significant environmental effects; and

- To facilitate CEQA compliance by agencies with discretionary authority over the project or future projects within the Planning Area.

1.6.2 SEIR Process

The SEIR review and certification process occurs in two basic stages. The first stage is the Draft SEIR, which offers agencies and the public the opportunity to comment on the document. The second stage is the Final SEIR, which provides the basis for approving the project.

1.6.2.1 Draft SEIR

In accordance with Sections 15085 and 15087(a)(1) of the CEQA Guidelines, upon completion of the Draft SEIR, a Notice of Completion is filed with the State Office of Planning and Research, and a Notice of Availability of the Draft SEIR is issued in a newspaper of general circulation in the area.

The Draft SEIR is distributed for review to the public and interested and affected agencies for the purpose of providing comments "on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the proposed Project might be avoided or mitigated" (Section 15204, CEQA Guidelines).

The Draft SEIR was circulated for public review for a period beginning August 19, 2026 The Draft SEIR and all related appendices have been made available for public review and inspection during the Public Review Period at the Development Services Department's public information counter during normal business hours and on the City's website:

https://www.sanmarcosca.gov/Business-Services/Development/Planning/Community-Input/CEQA-Documents

The document will also be available at the San Diego County Library at 2 Civic Center Drive, San Marcos.

1.6.2.2 Final SEIR

Following public review of the Draft SEIR, the City will provide written responses to comments per CEQA Guidelines Section 15088 and will consider all comments in making its decision whether to certify the Final SEIR. Responses to the comments received during public review, associated revisions to the Draft SEIR sections, an MMRP, Findings of Fact, and a Statement of Overriding Considerations (if applicable for any impacts identified in the Draft SEIR as significant and unmitigated) will be prepared and compiled as part of the Final SEIR.

The culmination of this process is a public hearing where the City Council will determine whether to certify the Final SEIR as being complete and in accordance with CEQA. The Final SEIR will be available for public review at least 10 days before the City makes its final decision, in order to provide commenters the opportunity to review the written responses to the SEIR comment letters.

1.6.3 Subsequent Environmental Review

Consistent with CEQA Guidelines Section 15168, future development proposals within the Planning Area will be evaluated for consistency with the Specific Plan Update and the analysis contained in the 2007 EIR and this SEIR. Where a future project is consistent with the Specific Plan Update and does not result in new or more severe significant impacts than those identified in the prior environmental documents, CEQA review may be streamlined using tiering, addenda, or other appropriate mechanisms, as provided in CEQA Guidelines Sections 15152, 15162, and 15164.

If a future development proposal could result in potentially significant environmental effects that were not examined in the 2007 EIR or this SEIR, or would substantially increase the severity of previously identified significant impacts, additional environmental review shall be required. In such cases, an Initial Study shall be prepared to determine the appropriate level of environmental documentation, which may include a Mitigated Negative Declaration, Focused EIR, SEIR, or Subsequent EIR, as appropriate.

Where additional environmental documentation is required, the 2007 EIR and this SEIR may be incorporated by reference, as appropriate, to address regional context, cumulative impacts, alternatives, and other environmental considerations that remain applicable to the project.

Chapter 2.0
Environmental Setting

This section describes the environmental setting for the Creek Plan Specific Plan Update (Specific Plan Update; project) and provides the baseline context for the analysis presented in this Subsequent Environmental Impact Report (SEIR). Consistent with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), including Section 15125, the environmental setting establishes the physical and regulatory baseline against which potential changes resulting from implementation of the project are evaluated.

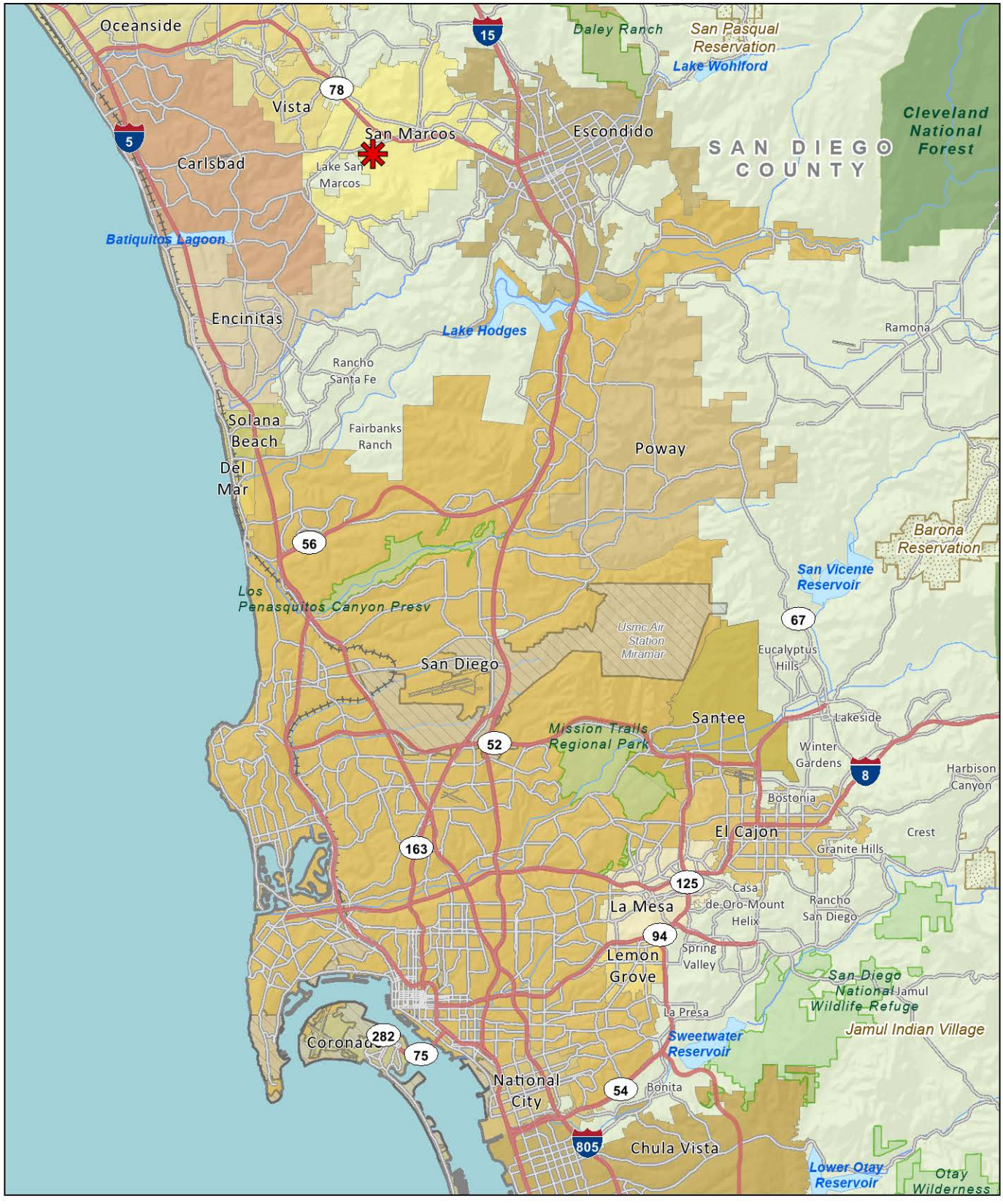
The environmental setting is based on the planning framework established by the San Marcos Creek Specific Plan (Adopted Specific Plan), which defines the land use designations, development standards, and environmental considerations applicable to the Creek District (Planning Area). The Adopted Specific Plan was previously evaluated in the certified San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR; State Clearinghouse No. 2006121080; certified June 24, 2007), which provides the foundational environmental and regulatory context for development within the project area.

This SEIR builds upon that foundation by summarizing relevant aspects of the environmental setting described in the 2007 EIR and identifying any changes to the physical, regulatory, or environmental conditions that have occurred since its certification. Consistent with CEQA Guidelines Sections 15162 and 15163, the intent is not to restate the prior analysis, but to provide sufficient updated context to support evaluation of whether the Specific Plan Update would result in new significant impacts or a substantial increase in the severity of previously identified impacts. Accordingly, the 2007 EIR and this SEIR together provide the comprehensive baseline for environmental review of the project. Applicable regulatory requirements relevant to each environmental topic are described within the corresponding sections of Chapter 4, Supplemental Environmental Analysis.

2.1 Planning Context

2.1.1 Project Location

There are no changes proposed to the boundaries of the Planning Area compared to the Adopted Specific Plan. The Planning Area is in the southwest central portion of the City of San Marcos (City), approximately one mile southwest of the City's Town Center, and one mile northwest of California State University, San Marcos. The Planning Area is generally bounded on the north by San Marcos Boulevard, on the south and west by Discovery Street, and on the east by Grand Avenue and State Route 78 (SR-78) Figure 2-1 shows the project area's regional context and vicinity. Figure 2-2 shows the boundaries of the Planning Area on an aerial photo.



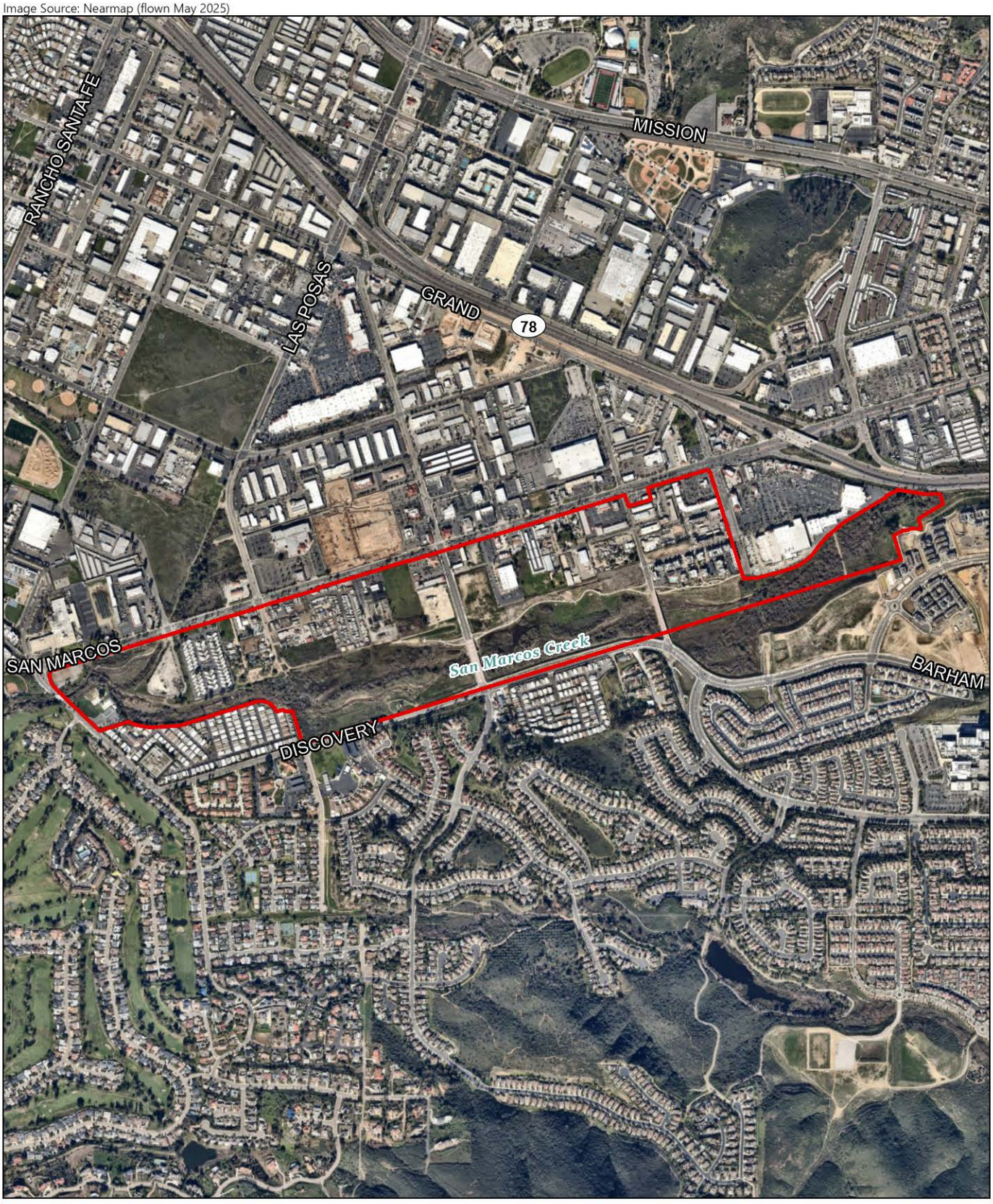
Project Location

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FIGURE 2-1
Regional Location

Image Source: Nearmap (flown May 2025)



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FIGURE 2-2
Project Location on Aerial Photograph

2.1.2 Planning Area Land Use Concept

The Adopted Specific Plan is the existing governing land use plan for the Planning Area, which introduced a mixed-use downtown concept intended to support a pedestrian-oriented, mixed-use commercial center. The existing concept supports future development of residences, employment, retail, entertainment and services promoting a "park once" strategy. Table 2-1 presents the breakdown of current land uses within the Planning Area.

Table 2-1
Existing Distribution of Land Uses

Land Use Designation	Acres	Development Area (sf)
Mixed-Use	81.3	Residential: 2,760,000 (2,300 dwelling units) Retails: 1,265,000 Office: 589,000
Parks	20.6	—
Open Space	73.6	—
Right-of-Way	38.5	—
Total	**214**	**4,614,000 sf**

As shown in Figure 2-3, the Adopted Specific Plan establishes a single "Mixed Use" land use designation for the entire Planning Area, with the balance designated as either "Open Space" or "Park." In addition to the general land use designation, the Adopted Specific Plan created seven sub-districts, each with defined characteristics based on planned or existing neighborhood identities. As shown in Figure 2-4, the sub-districts include the following: Downtown Core; Bent Avenue Center; San Marcos Boulevard; Creekside; West End; Midtown; and East End. Specific details related to the sub-districts are included in Section 3.2.3 of the Adopted Specific Plan.

The Adopted Specific Plan also focuses on opportunities for redevelopment of existing underutilized, outdated, and/or nuisance uses or businesses, encouraging the replacement of non-conforming uses (City of San Marcos 2007). Residential development is incorporated into the Planning Area to achieve mixed-use, higher density housing to support the City's vision for the Planning Area, as well as state housing requirements (see Section 4.7.5.3.c for a discussion of the City's Regional Housing Needs Allocation).

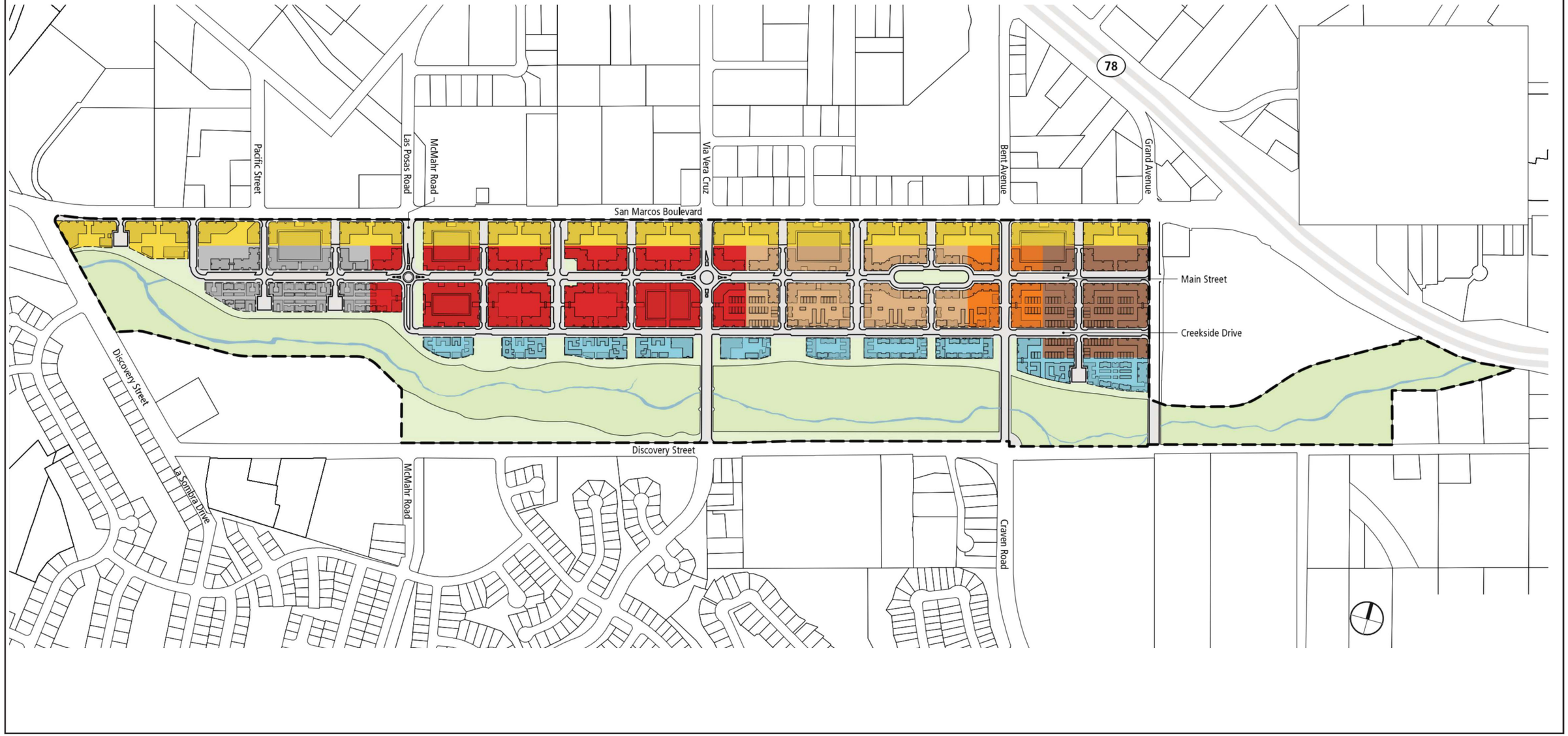
While the basic land use concept would remain similar under the Specific Plan Update, specific changes are proposed to land use designations (see Figure 3-1 and Table 3-2), development standards, and commercial buildout. Overall residential density would remain the same, with a cap of 2,300 new dwelling units. A comparison of the Adopted Specific Plan and Specific Plan Update is discussed in Section 2.5.



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FIGURE 2-3
Adopted Specific Plan Land Use Plan



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FIGURE 2-4
Sub-district Designations

2.1.3 Transit Oriented Development

The Adopted Specific Plan incorporates land use and circulation strategies intended to reduce reliance on automobiles and promote alternative modes of transportation. These strategies include mixed-use development, pedestrian-oriented design, and support for public transit.

The overall transit-oriented development concept would remain similar under the Specific Plan Update; however, modifications to roadway classifications and circulation within the Planning Area are proposed (see Table 3-8).

2.1.3 Open Space

The Adopted Specific Plan incorporates land use and circulation strategies intended to reduce reliance on automobiles and promote alternative modes of transportation. These strategies include mixed-use development, pedestrian-oriented design, and support for public transit.

The overall transit-oriented development concept would remain similar under the Specific Plan Update; however, modifications to roadway classifications and circulation within the Planning Area are proposed (see Table 3-8).

2.2 Hydrologic Context

The Planning Area is located within the alluvial plain of San Marcos Creek and is characterized by relatively flat topography, with an average slope of approximately 2 percent. The area historically included riparian habitat along the creek channel and upland grasslands transitioning into developed areas. Due to its topography and location within the 100-year floodplain, the Planning Area has historically been subject to flooding.

Since certification of the 2007 EIR, floodway improvement projects have been implemented to address flood risks within the Planning Area. Table 3-1 summarizes the improvements evaluated in the 2007 EIR, their current status, and their relevance to the impact analysis in this SEIR. These modifications to flood control infrastructure represent a key change in the environmental setting and are considered in the evaluation of hydrology and flood-related impacts.

2.3 Natural Environment

2.3.1 Air Quality and Climate

The Planning Area is located within the San Diego Air Basin (SDAB), which encompasses all of San Diego County and is regulated by the San Diego Air Pollution Control District (SDAPCD). The SDAB covers approximately 4,260 square miles and is bounded by the Pacific Ocean to the west, the international border with Mexico to the south, the San Diego County line to the north, and the Salton Sea Air Basin to the east.

2.3.2 Biological Resources

Vegetation within the Planning Area was previously mapped in 2005 for the 2007 EIR. Since that time, the area has undergone substantial change, including urban development and restoration of riparian and wetland habitats along San Marcos Creek. Much of the Planning Area is now developed or disturbed, with natural vegetation primarily confined to the creek corridor.

The San Marcos Creek corridor supports riparian and wetland habitats, including southern willow scrub, alkali seep, Diegan coastal sage scrub, and freshwater marsh. Restoration efforts have enhanced portions of the creek corridor, contributing to habitat connectivity and ecological function within the Planning Area.

2.3.3 Cultural and Tribal Cultural Resources

The Planning Area contains documented evidence of Native American occupation, including archaeological resources associated with Kumeyaay/Diegueño and Luiseño cultural groups. Cultural resource investigations conducted in support of the 2007 EIR identified sites within and adjacent to the Planning Area.

In support of this SEIR, consultation was initiated with the Native American Heritage Commission to request a search of the Sacred Lands Inventory and to obtain a list of Native American contacts. Notification letters were subsequently provided to identified tribes in accordance with applicable consultation requirements. Consultation outcomes are documented in Chapter 5.

2.3.4 Other Environmental Topics

Additional environmental topics, including geology and soils, noise, hazards and hazardous materials, wildfire, and utilities, were evaluated in the 2007 EIR and are addressed in this SEIR, as appropriate, based on changes in environmental conditions or regulatory requirements. Detailed analysis of these topics is provided in Chapter 4, Supplemental Environmental Analysis.

2.4 Summary

The environmental setting described above, in combination with the analysis presented in the 2007 EIR, establishes the baseline for evaluating the Specific Plan Update. This SEIR focuses on identifying changes in environmental conditions and determining whether such changes would result in new significant impacts or a substantial increase in the severity of previously identified impacts. Detailed evaluation of environmental topics is provided in Chapter 4, Supplemental Environmental Analysis.

Chapter 3.0
Project Description

This chapter provides a description of the Creek Plan Specific Plan Update (Specific Plan Update) referred to herein as the "project," which is evaluated in this Subsequent Environmental Impact Report (SEIR). As a program-level EIR, this document evaluates the broad policy framework, land use changes, and implementation actions associated with the project, providing a level of review appropriate for program-level decisions and subsequent, tiered environmental analysis pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168. As an SEIR, this document builds upon and updates the analysis presented in the previously certified San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR; State Clearinghouse No. 2006121080; certified June 24, 2007), addressing only those changes to the project, its environmental setting, or applicable regulations that could result in new or more severe environmental effects as defined in CEQA Guidelines Sections 15162 and 15163. Together, these approaches ensure that this SEIR provides both an updated and comprehensive understanding of the environmental implications of the project within the context of the adopted framework.

3.1 Project Background and History

This chapter describes the project and defines the parameters of the subsequent environmental analysis as it relates to the 2007 EIR. The project analyzed in the 2007 EIR included three component parts: (1) a program-level analysis of implementation of the San Marcos Creek Specific Plan (Adopted Specific Plan); (2) project-level analyses of floodway improvements to San Marcos Creek, including hydraulic improvements to State Route 78 (SR-78); and (3) roadway and infrastructure improvements.

3.1.1 San Marcos Creek Specific Plan

The Adopted Specific Plan was adopted in 2007 to provide a comprehensive vision for the Creek District (Planning Area), along with goals, policies, and development standards to guide future public and private actions relating to the Planning Area's development and conservation of open space and natural resources (City of San Marcos 2007a). The Adopted Specific Plan was found to be consistent with, and currently serves as an extension of, the San Marcos General Plan. The 2007 EIR included a programmatic evaluation of potential environmental impacts resulting from buildout of the Adopted Specific Plan. This programmatic approach was adequate because specific development projects were not proposed within the Planning Area at the time of project approval/certification of the 2007 EIR.

Since 2007, several major events have impeded ongoing private development in the Planning Area, including:

- Economic uncertainty, starting with the 2008 global financial crisis

- Dissolution of redevelopment agencies by the State of California (taking away an important funding source)
- Significant new construction within the nearby University District/North City area
- Shifting market demands for retail and office space following the COVID-19 pandemic

The Adopted Specific Plan includes goals and policies specific to the Planning Area, as well as design guidelines and development standards focused on a transformation from its uncoordinated and underutilized condition into a vibrant, commercial, mixed-use town center.

The project proposes amendments to the Adopted Specific Plan to establish a renewed vision for a distinct, mixed-use district that would serve as the City of San Marcos's (City) cultural focal point and provide a mix of residential opportunities that combines urban living with a connection to nature.

3.1.2 Flood Control Improvements

Since future development within the San Marcos Creek watershed (both within and upstream of the Planning Area) would exacerbate existing flood conditions by adding impervious surfaces that would increase both the rate and volume of stormwater runoff, the 2007 EIR included project-level analysis of flood control improvement projects to provide flood protection for existing streets and existing and future uses within the Planning Area. The proposed flood control improvements were designed to accommodate a Federal Emergency Management Agency (FEMA) 100-year storm event and ensure that future development in the Planning Area would not increase potential for downstream flooding or harm the biological and aesthetic qualities of the community (City of San Marcos 2007b).

An overview of the floodway improvement plan is shown in Figure 2.3-1 of the 2007 EIR. The improvement strategy was to establish a broad overflow area on either side of the creek channel by building up the adjacent areas with levees, flood walls, and fill, as shown in Figure 2.3-2 of the 2007 EIR. Another component of the flood control improvements proposed in 2007 included a new bridge to supplement the capacity of the San Marcos Creek culverts that cross beneath SR-78. The proposed bridge would be approximately 272 feet long and 155 feet wide, accommodating four 12-foot lanes and two 10-foot shoulders in both the westbound and eastbound directions. A bicycle/pedestrian pathway would extend approximately 18 additional feet and consist of two 7-foot travel lanes, a concrete barrier to separate the pathway from traffic, and an outside concrete railing. Details of the improvement plans are discussed in Section 2.3.10.c, below. The 2007 EIR covered the environmental effects of the flood improvement projects, including temporary construction and long-term operational impacts.

Construction of the flood control improvements was completed in 2024, resolving most flooding impacts and creating new habitat and recreation space. Specifically, the City's 2020–2024 investment of $114 million in levees, bridges, habitat restoration, and recreation improvements has produced conditions that support additional redevelopment opportunities within the Planning Area.

3.1.3 Roadway and Infrastructure Improvements

The 2007 EIR included project-level analysis associated with roadway improvements. Figure 2.3-4 of the 2007 EIR shows the conceptual adopted circulation plan in the Planning Area. Table 3-1 provides a summary of the improvements included in the 2007 EIR, an update of their completion, and the relationship to the evaluation of potential impacts within the context of this SEIR.

Table 3-1
2007 Roadway and Infrastructure Improvements

Summary of Proposed Improvements in 2007 EIR	Status of Improvement Project	Included in Subsequent Analysis
ROADWAY IMPROVEMENTS		
Discovery Street between McMahr Road and Craven Road: A road segment would be raised in sections to be consistent with flood control elevations on the south side of the street and improved to urban street standards. The improved roadway would include two 11-foot travel lanes in each direction, a 10-foot center turn lane, two 5-foot bike lanes, and an 8-foot parking lane on the north side of the roadway.	**Completed**. Craven Road to Via Vera Cruz has been upgraded to two travel lanes: one center turn lane and a sharrow lane on the north side of Discovery Street. A separate, shared trail has been constructed along the bank of San Marcos Creek. **Not completed**. Via Vera Cruz to McMahr Road is not yet upgraded; no change to proposed improvements.	**No**. The 2007 EIR analysis of the road improvements remains adequate.
McMahr Road would be extended through the project area as the extension of Las Posas Road. From San Marcos Boulevard to Creekside Drive, McMahr Road would be designed as special four-lane Creekside District arterial with an 84-foot interim right-of-way (ROW) and 98-foot ultimate ROW. From Main Street to Creekside Drive, McMahr would be designed as a two-lane collector with an 84-foot ROW.	**Not completed**. Planned now as an 80-foot ROW between San Marcos Blvd and Creekside Drive with two travel lanes, bike lanes, and on-street parking.	**No**. The 2007 EIR analysis of the road improvements remains adequate.

Table 3-1 2007 Roadway and Infrastructure Improvements		
Summary of Proposed Improvements in 2007 EIR	Status of Improvement Project	Included in Subsequent Analysis
Via Vera Cruz, between San Marcos Boulevard and Discovery Street, would be improved to have an 84-foot ROW with four 11-foot travel lanes and a 10-foot left-turn pocket or landscaped median. Additionally, there would be two 5-foot bicycle lanes and 10-foot sidewalks. The improvements to Via Vera Cruz include a bridge that would be approximately 450 feet in length, 84 feet in width, and would include four 11-foot-wide travel lanes, 5-foot bike lanes, and multi-use trails on both sides.	**Completed**. Sidewalks on Via Vera Cruz are approximately six feet in width.	**No**. The 2007 EIR analysis of the road improvements remains adequate.
Bent Avenue, between San Marcos Boulevard to Discovery Street, would be upgraded to urban street standards consistent with their designations in the General Plan Circulation Element. Bent Avenue would be designed as a two-lane collector with a 68-foot interim and 76-foot ultimate ROW. The improvements to Bent Avenue also include construction of an Arizona crossing at San Marcos Creek.	**Completed**. A bridge, rather than an Arizona crossing, has been installed across San Marcos Creek. Bent Avenue has been improved as noted as a two-lane roadway with bicycle lanes.	**No**. The 2007 EIR analysis of the road improvements remains adequate.
PEDSTRIAN IMPROVEMENTS		
A 12-foot pedestrian bridge would be constructed to enhance pedestrian opportunities within the Planning Area. The pedestrian bridge was proposed midway between McMahr Road and Via Vera Cruz, and would be in-line with a north-south trending street.	**Not completed**. Planned as proposed.	**No**. The 2007 EIR analysis of the pedestrian improvements remains adequate.

Table 3-1 2007 Roadway and Infrastructure Improvements		
Summary of Proposed Improvements in 2007 EIR	Status of Improvement Project	Included in Subsequent Analysis
INFRASTRUSTURE IMPROVEMENTS		
Water line improvements included construction of an approximately 12-inch waterline within Creekside Drive. Additional improvements would expand the water infrastructure into the Planning Area. These water lines would also be approximately 12-inch. Figure 2.3-6 of the 2007 EIR depicts the conceptual water plan.	**Not completed**. Future development would be required to include project level/fair share improvements to support the proposed water plan.	**No**. The 2007 EIR analysis of the infrastructure improvements remains adequate.
Sewer line improvements included construction of an approximately eight-inch sewer line within Creekside Drive. Additional improvements would expand the sewer infrastructure into the Planning Area.	**Completed**. Vallecitos Water District completed a 42-inch interceptor line parallel to the creek.	**No**. The 2007 EIR analysis of the infrastructure improvements remains adequate.
Drainage improvements included approximately 5,900 feet of a new North Storm Drain System. The North Storm Drain System would begin at the north levee alignment and extend to the confluence of San Marcos Creek and Las Posas Creek. All flows north of San Marcos Creek would be routed through the new storm drain system, which would ultimately discharge directly into San Marcos Creek. That runoff would pass through a bio filter before it is discharged into the storm drain system.	**Partially completed**. Drainage improvements have been completed in the form of levees, but not all flooding issues have been resolved.	**Yes**. The project includes options for conceptual plans to resolve flooding issues across the Planning Area via an above-ground, soft-bottom, and soft-sided channel that extends from San Marcos Boulevard to the creek.

Table 3-1 2007 Roadway and Infrastructure Improvements		
Summary of Proposed Improvements in 2007 EIR	Status of Improvement Project	Included in Subsequent Analysis
Additionally, a new South Storm Drain System, approximately 4,000 feet in length, would be placed along the length of Discovery Street from Bent Avenue to McMahr Road. The proposed widening of Discovery Street includes existing storm drains and routes them through the new South Storm Drain System. This system would discharge directly into San Marcos Creek near McMahr Road. Figure 2.3-8 of the 2007 EIR depicts the conceptual drainage plan.		
Existing above-ground utility lines along Bent Avenue, Via Vera Cruz, McMahr Road, and a portion of Discovery Street would be undergrounded.	Partially completed. The improvements along Bent Avenue have been completed; however, the rest are outstanding.	No. The 2007 EIR analysis of the infrastructure improvements remains adequate.

3.2 Project Objectives

In accordance with CEQA Guidelines Section 15124(b), the following primary objectives have been crafted to support the purpose of the project, which is to refine and update the Adopted Specific Plan. The objectives also assist the City in developing a reasonable range of alternatives to be evaluated in this SEIR and ultimately aid decision-makers in preparing findings and overriding considerations, if necessary.

The following project objectives, stated in subsection 2.3.2 of the 2007 Program EIR, remain applicable to the project:

- Protect the biological resources in San Marcos Creek through habitat creation and restoration.
- Develop a "24-hour" mixed use neighborhood including residential, retail, and office uses.
- Establish a distinct, regionally identifiable "downtown."
- Establish a "walkable," pedestrian-friendly district.

The following supplement the previous, providing a refined focus related to project objectives:

- Promote a balanced community with an updated development pattern able to support the needs of the City both socially and economically.
- Promote and support variety in housing design, cost, and density, with a firm commitment to integrate affordable housing district-wide.
- Reinforce connections to the regional transportation network.
- Highlight San Marcos Creek as a community amenity, including open space and trail connections for passive and active recreation.

3.3 Project Description

3.3.1 Supplement to San Marcos Creek Specific Plan

This SEIR is focused on the evaluation of proposed changes and refinements to the Adopted Specific Plan. Except as described herein, the project remains as analyzed in the 2007 EIR. The intent of this SEIR is to evaluate the potential for new or substantially more severe significant environmental effects resulting from the proposed modifications. The following subsections provide a summary of the project's component parts as detailed in the Specific Plan Update.

3.3.2 Guiding Principles

The following guiding principles provide the planning framework underlying the project and inform assumptions used in the environmental analysis. These principles are intended to guide future development patterns and implementation decisions within the plan area.

- Demand Distinctive Design: Quality, distinctive design attracts residents, visitors, and investors. Require all buildings and public realm improvements to incorporate high-quality site planning, architecture, and climate-appropriate landscaping.
- Create a Destination: Leverage the presence of San Marcos Creek and the district's centralized location to create a unique arts, cultural, retail, and entertainment destination that celebrates outdoor life.
- Achieve Housing Variety: Promote and support variety in housing design, cost, and density, with a firm commitment to integrate affordable housing district-wide.
- Accommodate All Travel Modes: Create a multimodal network within the district that promotes walking, biking, and "park once" strategies, and that transitions easily to the surrounding street system.

- Merge City and Nature: Highlight San Marcos Creek as a community amenity. Provide open space, mobility, and commercial land use creek connections that invite interactions, enjoyment, and respect.

- Encourage Partnerships: Use creative approaches to funding infrastructure and public realm improvements that will expedite their implementation.

The Specific Plan Update is organized into chapters addressing land use, development and design standards, mobility, public realm and open space, infrastructure, and administration/implementation. Each chapter contains objectives, goals, and policies that would specifically guide future development and public improvements within the Planning Area. Consistent with the Specific Plan Update, future development applications and proposed public investments would be reviewed for consistency with these provisions. Applicable goals, policies, design standards, and implementation measures are referenced throughout the environmental analysis in this SEIR, where relevant.

The Planning Area is organized into nine distinct land use districts, each intended to support a cohesive mix of housing, commercial activity, cultural amenities, and open space while maintaining compatibility with surrounding uses. Together, these districts establish a graduated range of residential intensities, mixed-use and commercial areas, parkland, and protected open space along San Marcos Creek. The framework is designed to promote walkability, economic vitality, community gathering spaces, and environmental stewardship.

Housing (H-1): This district would accommodate lower-intensity, small-scale residential development featuring a variety of housing types, including small-lot subdivisions, cottage clusters, townhomes, duplexes, triplexes, and fourplexes. Developments are encouraged to integrate multiple compatible housing types within a single project to respond to site conditions, expand housing choice, and create varied streetscapes that reinforce a cohesive neighborhood character. Limited neighborhood-serving commercial uses are permitted as a secondary use, provided they do not involve late-night operations or activities that generate excessive noise .

Housing (H-2): This district would allow for medium-intensity housing consisting of garden apartments, stacked flats, and units wrapped around a parking structure. Commercial uses would be allowed as a secondary use. .

Housing (H-3): This district would allow for the highest-density housing within the plan area, at an urban scale, consisting of multi-level apartments and condominiums, generally constructed over a podium containing commercial uses and parking. Fully integrated mixed-use buildings are encouraged, with commercial and office uses occupying the ground floor and offices allowed on upper floors as well. The district would also accommodate horizontal mixed-use development approaches, where stand-alone commercial buildings are constructed on the same site as residential, with the uses able to share parking facilities..

Entertainment, Arts, and Culture (EAC): This district would provide areas for live entertainment venues, museums, art galleries, community centers, public plazas, and similar facilities serving a broad community. Complementary commercial uses are allowed

Commercial (C): This district would incorporate a broad array of retail commercial, dining, service-oriented, and office business uses that serve local residents and San Marcos visitors. The focus would be on active commercial uses. Specifically prohibited are self-storage facilities and drive-through establishments.

Creekside Promenade (CSP): This district would apply to properties fronting Creekside Drive, where the back parts of properties may have a separate district applied. Commercial uses are required along the Creekside Drive frontage, with ground-floor uses consisting of those that benefit from views to the creek, such as restaurants and cafes with an outdoor dining component. Given the pedestrian-oriented character of this district, drive-through establishments would not be allowed. Rooftop active uses would be encouraged.

Unmodified Specific Plan Area (USPA): The USPA designation would apply to properties developed prior to 2025 and pursuant to the Adopted Specific Plan. As these properties would not be subject to redevelopment, the use regulations reflect the original intent of this sub-district: mixed-use development combining moderate-density housing with ground-floor commercial uses, with new flexibility for ground-floor uses.

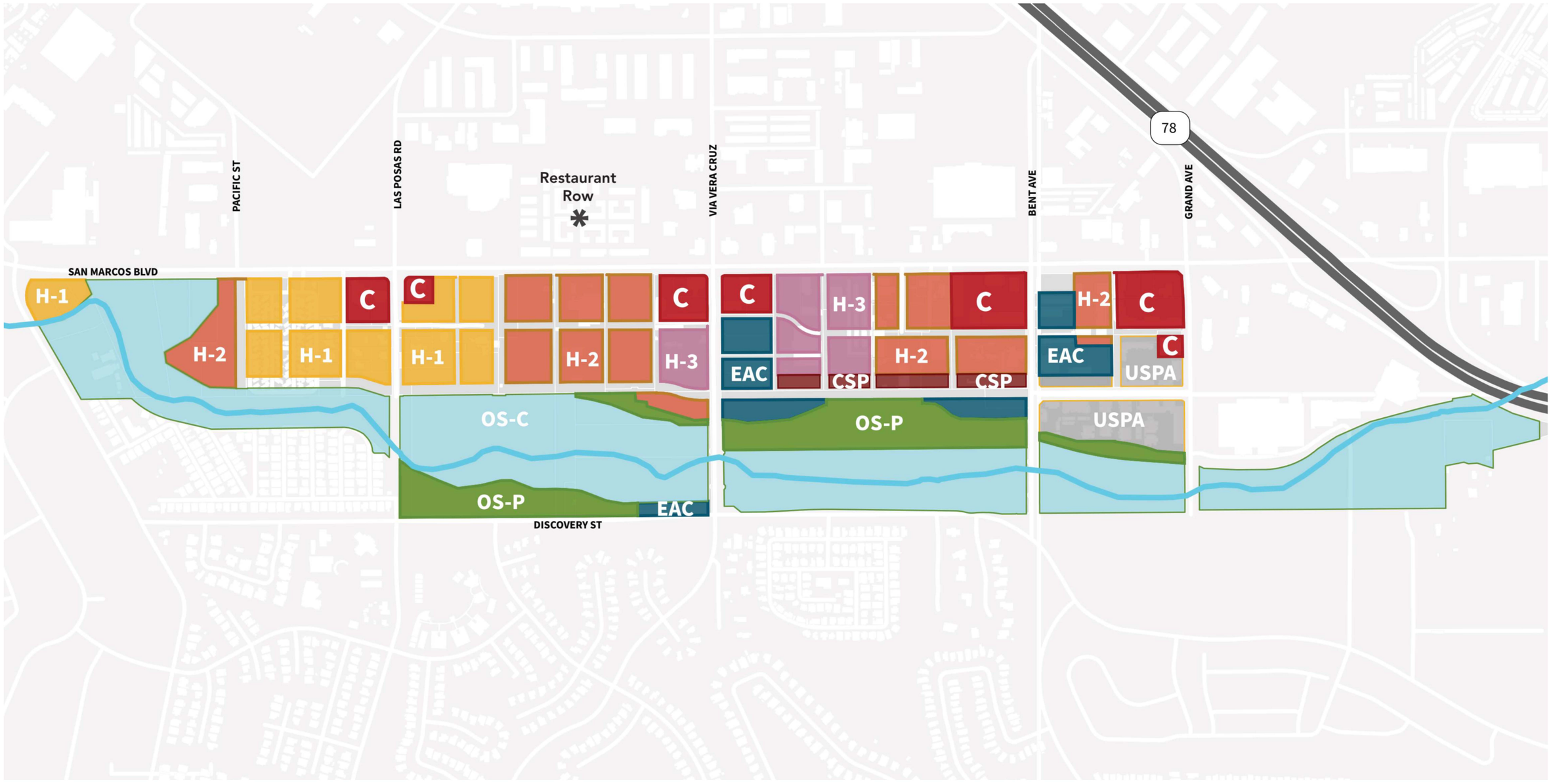
Open Space – Parks (OS-P): This district would reflect existing park space and recreation uses along San Marcos Creek and allows for any future enhancement. The intent of this district would be development of trails, green space, and recreation equipment within these public spaces, with full public access. Parks and recreation uses would also be permitted within any of the other land use districts, except for Open Space-Conservation.

Open Space – Conservation (OS-C): In contrast to the Open Space-Parks district, the Open Space-Conservation district consist consists of natural open space areas that would not allow public access. The designated areas are intended to support habitat and flood control areas, including properties subject to conservation easements.

The Specific Plan Update proposed land use plan is shown in Figure 3-1, and Table 3-2 identifies the eight districts with dedicated acreages.

Table 3-2
Land Use Districts/Acreages

Land Use District	Area (acres)
H-1 (Lowest Intensity Housing Focused)	15.87
H-2 (Medium Intensity Housing Focused)	24.42
H-3 (Highest Intensity Housing Focused)	8.31
EAC (Entertainment, Arts, and Culture)	9.44
C (Commercial)	12.18
CSP (Creekside Promenade)	2.47
USPA (Unmodified Specific Plan Area)	8.01
OS-P (Open Space – Parks)	17.89
OS-C (Open Space – Conservation)	83.45
Right-of-Way	31.39
TOTAL	213.43



Plan Area Boundary
Creek

H-1: Lowest Intentisity Housing Focused
H-2: Medium Intensity Housing Focused
H-3: Highest Intensity Housing Focused
USPA: Unmodified Specific Plan Area

C: Commercial
CSP: Creekside Promenade
EAC: Entertainment, Arts, and Culture
OS-P: Open Space - Parks
OS-P: Open Space - Conservation

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FIGURE 3-1
Proposed Land Use Plan

Specific building types and permitted uses allowed for each district are set out in Table 3-3 of the Specific Plan Update.

3.3.3 Development and Design Standards

The Specific Plan Update includes development and design standards that would supersede those included in the Adopted Specific Plan. These regulations would apply to all new developments, including remodels and rehabilitation projects, within the Planning Area.

Standards would apply to all development projects within the Planning Area, including remodeling and rehabilitation of existing development. The Specific Plan Update establishes quantitative development standards for each land use district, including permitted densities, development areas, maximum building heights, and other land use regulations that guide future development. These standards define the allowable scale and intensity of development, while the subsequent design standards establish the qualitative requirements governing site planning, architecture, landscaping, open space, and sustainability. Detailed development standards presented in Section 4.3 of the Specific Plan Update are summarized below in Table 3-3.

Table 3-3
Specific Plan Update Development Standards

Standard	H-1 Lowest Intensity Housing	H-2 Medium Intensity Housing	H-3 Highest Intensity Housing	EAC Entertainment, Arts & Culture	C Commercial	CSP Creekside Promenade
Maximum Floor Area Ratio	n/a	n/a	n/a	2.25	1.0	1.0
Residential Density (du/ac)	12–25	24-45	40-65	15	n/a	n/a
Minimum Lot Area	2,500 sq ft	7,500 sq ft	10,000 sq ft	n/a	n/a	n/a
Open Space Requirement	Resident and/or tenant open space: 100 sq ft per unit Private Open Space: 50 sq ft per unit	Publicly Accessible Open Space: 50 sq ft per unit or 2,000 sq ft (whichever is greater) Resident and/or tenant open space: 125 sq ft per unit	Publicly Accessible Open Space: 50 sq ft per unit or 2,000 sq ft (whichever is greater) Resident and/or tenant open space: 150 sq ft per unit Private Open Space: 50 sq ft per unit	Housing: per H-2; Not applicable to nonresidential developments	Not applicable to commercial-only projects	Not applicable to commercial-only projects

Table 3-3 Specific Plan Update Development Standards						
Standard	H-1 Lowest Intensity Housing	H-2 Medium Intensity Housing	H-3 Highest Intensity Housing	EAC Entertainment, Arts & Culture	C Commercial	CSP Creekside Promenade
		Private Open Space: 50 sq ft per unit				
Front Setback – San Marcos Boulevard	15 ft min / 25 ft max	Residential: 10–25 ft; Commercial: 0–10 ft	Residential: 15–25 ft; Commercial: 0–10 ft	10 ft min / 15 ft max	10 ft min / 15 ft max	n/a
Front Setback – Other Streets	5 ft min / 15 ft max	0 ft min / 10 ft max	0 ft min / 10 ft max	0 ft min / 5 ft max	0 ft min / 5 ft max	0 ft min / 10 ft max
Side Street Setback	Up to 10 ft	5–10 ft	5–10 ft	0–5 ft	0-5 ft	0-5 ft
Side Yard Setback	5–10 ft	5–10 ft	5–10 ft	5–10 ft	5–10 ft	5-10 ft
Rear Setback	15 ft min	5–15 ft	5–15 ft	15–25 ft	15–25 ft	15-25 ft
Alley / Paseo Setback	5 ft min	5 ft min	5 ft min	5 ft min	5 ft min	5 ft min
Maximum Building Height	45 ft/ 3 stories	50 ft/ 4 stories	70 ft/6 stories	50 ft/4 stories	50 ft/ 4 stories	40 ft/ 3 stories
Additional Height Allowance[1]	Up to an additional 8 ft	Up to an additional 10 ft	Up to an additional 10 ft	Up to an additional 10 ft	Up to an additional 10 ft	Up to an additional 10 ft

Source: Specific Plan Update, Chapter 4

FAR=Floor Area Ratio; du=dwelling unit; ac=acre; sq ft= square feet ; ft=feet

[1] Additional building height may be permitted by the Planning Director for special architectural features such as tower elements, roof line variation, landscape features, and rooftop access provided this additional height is not designed or used to create additional conditioned leasable or habitable space

3.3.3.1 Floodplain Development Incentives

The Specific Plan Update establishes development incentives for properties constrained by FEMA-designated floodplains to facilitate redevelopment while maintaining compliance with flood protection requirements. The standards would allow flood control infrastructure to serve multiple functions by counting toward setback and open space requirements where integrated with public amenities, and provide a mechanism to preserve development potential by allowing density or floor area displaced by flood control improvements to be transferred elsewhere on the same site. These incentives are intended to support redevelopment of flood-constrained properties while enhancing flood resilience and preserving overall development capacity.

3.3.3.2 Parking Standards

Parking for automobiles and bicycles is addressed in Chapter 4 of the Specific Plan Update and summarized below. Future development within the Planning Area would be required to provide automobile and bicycle parking in accordance with the parking ratios established under the Specific Plan Update, Parking Standards. Parking spaces would be provided either on the same site as the use served or within 500 feet of the uses served. Shared parking arrangements could be utilized for mixed-use developments or for separate uses located on the same block, subject to approval. Where publicly or privately operated parking facilities are established for general use within the Planning Area, the City may allow a reduction in required parking for adjacent uses, subject to City approval. Table 3-4 summarizes required automobile and bicycle parking for proposed use type.

Table 3-4
Specific Plan Update Parking Standards

Use Type	Automobile Spaces	Bicycle Spaces
Residential	*Per dwelling unit*	*Per dwelling unit*[1]
Studio Units (less than 600 sq. ft.)	1.0	0.5
One-Bedroom Units and other Studio Units	1.25	0.5
Two-Bedroom Units	1.75	0.75
Three or More-Bedroom Units	2.0	1.0
Senior Housing	0.8	0.5
Live-Work Units	*Per Unit*	*Per Unit*[1]
<2,000 sq. ft	*1*	*0.75*
<2,000 sq. ft	*2*	*1*
Lodging	*Per room*	*Per room*
Hotel / Bed and Breakfast	1.2	1
Commercial	*Per 1,000 sq. ft.*	*Per 1,000 sq. ft.*
Retail Sales and Services	2.5	1
Full-Service Restaurant	8	2
Limited-Service Restaurant	6.5	3
Public Parks/ Open Space/ Recreation	n/a	n/a
Recreation and Entertainment	6.0[3]	1.25
Office	3	1.0

[1] For residential uses, bicycle parking may be co-located with vehicular spaces if at least one such space is provided per unit. Bicycle parking is not required if automotive parking is provided in a garage space accessible solely to the tenants of the associated unit.

3.3.3.3 Design Standards

The Specific Plan Update includes design standards that would apply to future development within the Planning Area. These standards regulate site planning, building design, landscape/open space, stormwater, and lighting, and are intended to be implemented in conjunction with the applicable

development standards. The standards establish minimum requirements for building placement, orientation, and spacing to ensure consistent application across future projects.

Site planning standards require minimum building separation distances, orientation of building entrances toward public streets or internal common areas, and the provision of pedestrian pathways connecting buildings, parking areas, open spaces, sidewalks, and transit stops. Vehicle access and parking standards regulate driveway locations, internal circulation, parking lot size and landscaping, and alley and paseo dimensions. Utilities and mechanical equipment are required to be screened from public view, and new development must relocate overhead utilities underground.

Building design standards address building massing, façade articulation, roof treatments, and exterior materials. These standards limit uninterrupted building planes, require periodic façade modulation and openings, regulate balconies and projections, and require screening of rooftop equipment. Certain materials, including chain-link fencing, vinyl siding, reflective glazing, and unfinished concrete masonry units, are prohibited.

Landscape and open space standards require a minimum proportion of landscaped and pervious surfaces within required open space areas and landscaped setbacks. Plant materials must be selected from adopted plant palettes or otherwise approved by the City.

Stormwater standards require compliance with the City's stormwater regulations and specify the design, alignment, and materials for open flow channels. Details for the planned floodway channels are included in Chapter 7 of the Specific Plan Update (Infrastructure).

Lighting would be required to comply with applicable provisions of the San Marcos Municipal Code. Additional details regarding these requirements are provided in Chapter 4 of the Specific Plan Update, and all future development would be required to comply with these standards and all other applicable City regulations in effect at the time of project review.

3.3.3.4 Commercial Signage

The Specific Plan Update would establish a comprehensive commercial tenant signage program intended to complement the architectural character of the Planning Area while creating a vibrant, pedestrian-oriented environment. Signage is encouraged to be creative, high quality, and visually distinctive, using imaginative graphics, materials, and design to reinforce tenant identity and enhance the overall visitor experience. The standards would apply to nonresidential uses within the Commercial, Creekside Promenade, Entertainment Arts and Culture, USPA, and H2/H3 mixed-use districts, with the San Marcos Municipal Code governing any signage provisions not specifically addressed by the Specific Plan.

The Specific Plan Update identifies the allowable tenant sign types and limits each tenant to one primary, one secondary, and one alternative sign (with certain building identification signs permitted separately), while also establishing a list of prohibited sign types to maintain a cohesive visual environment. Prohibited signs include pole signs, cabinet signs, inflatable signs, exposed raceway signs, mobile signs, repetitive signs, and other temporary or visually intrusive signage, with additional prohibited signs governed by the San Marcos Municipal Code. Table 4-8 of the Specific Plan Update provides a categorical list of signs permitted by land use district.

3.3.3.5 Open Space Requirements

The Specific Plan Update would require all new developments to provide a combination of open space types to enhance livability, recreation, and environmental function. Required open space categories include: (1) private open space for individual residential units (e.g., balconies, patios, rooftops, or small yards); (2) resident/tenant common open space for shared amenities such as fitness rooms, pools, gardens, and recreation areas, generally located on podiums, upper levels, or rooftops; (3) flood control open space, including open flow channels or stormwater management features such as bioswales and rain gardens; and (4) publicly accessible open space, including plazas, parks, habitat gardens, and other publicly available gathering and recreation areas.

Future development within the Planning Area would be required to provide the appropriate amount of each open space type, although required resident/tenant common open space may be converted to publicly accessible open space at an 80 percent credit. Open spaces not dedicated to or maintained by a public agency would remain the responsibility of the property owner, developer, or property manager. Table 4-12 of the Specific Plan Update identifies the specific open space requirements associated with each district.

3.3.3.6 Sustainability Standards

Environmental sustainability refers to a holistic approach to reduce negative impacts and increase positive benefits to natural systems and human quality of life. The Specific Plan Update promotes green building practices and outlines an approach to achieve specific performance metrics in the following categories: increasing renewable energy, reducing carbon footprints, sustainable construction materials, and improving water conservation. Table 4-13 of the Specific Plan Update identifies the specific sustainability standards associated with each district.

3.3.4 Mobility Concepts

The Specific Plan Update includes a framework aimed at improving the internal circulation within the Planning Area. The planned street network consists of a grid of new collector and local access streets interconnected within the existing framework of primary, major and secondary arterials that serve the Planning Area. The street network is designed to balance these key objectives:

- Creating block sizes that are comfortable for pedestrians to walk and that establish intersection spacing that allows for consistent vehicular flow with reduced travel speeds and controlled pedestrian crossings;

- Implement street standards focused on encouraging lower vehicle speeds and increasing pedestrian confidence for lower risk and convenient pedestrian crossings

- Align future roads with existing easements, private roads, and parcel boundaries to prioritize development feasibility and avoid creating undevelopable parcels; and

- Discourage cut-through traffic

The Specific Plan Update would improve opportunities that would serve as a catalyst for commercial development by promoting pedestrian-scale streetscapes, including wider sidewalks; encouraging designing "park once" development and strategies; and creating multi-modal opportunities to connect to planned regional bike routes and enhance access for cyclists and pedestrians. Additional connections to both light rail and regional transit would be encouraged. The proposed circulation system and its relationship to surrounding city and regional roadways is shown in Figure 3-2.

3.3.4.1 Summary of Transportation Modifications

Proposed modifications to Planning Area study area roadway segments include the following proposed functional classification of Planning Area roadways.

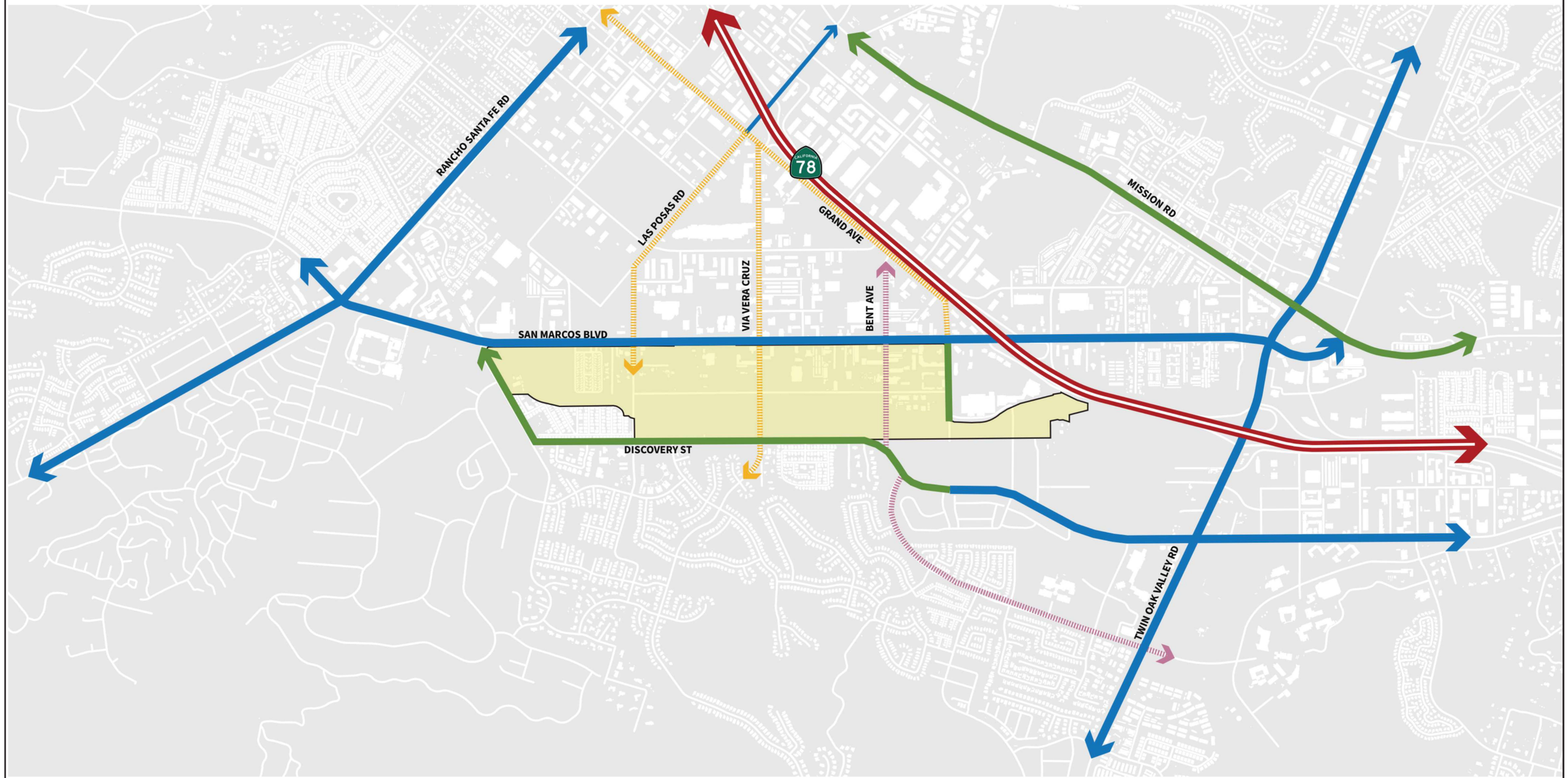
- Via Vera Cruz, from San Marcos Boulevard to Discover Street: Secondary Arterial/Collector (4 Lanes – Center Lane): This segment will be maintained as a Secondary Collector with four travel lanes and a center left-turn lane. However, the overall right-of-way will be expanded to improve the existing bicycle facilities from Class II Bicycle Lanes to Class IV Cycle Tracks with on-street parking. This would require widening existing curb-to-curb width from 64 feet to 90 feet.

- Bent Avenue, from San Marcos Boulevard to Creekside Drive: Collector (2 Lanes –Center Lane): This segment is planned to be widened from the existing Collector configuration with two travel lanes to a two-lane roadway with a center left-turn lane. Class IV Cycle Tracks with on-street parking are also proposed along this segment. This would require widening existing curb-to-curb width from 32 feet to 80 feet.

- Creekside Drive, from Pacific Street to Bent Avenue: Collector (2 Lanes): Creekside Drive between Bent Avenue and Grand Avenue is currently a Two-Lane Collector with fronting multi-family development. As part of the project, Creekside Drive will be extended westward from Bent Avenue to Pacific Street with two travel lanes and on-street parking. This will require a curb-to-curb width of 70 feet. This improvement was identified as a mitigation measure for the Adopted Specific Plan.

- McMahr Road, from San Marcos Boulevard to Creekside Drive: Collector (2 Lanes –Center Lane: McMahr Road is the southern leg of the Las Posas Road and San Marcos Boulevard intersection with the roadway terminating in a residential area. As part of the project, McMahr Road will be extended to connect to the Creekside Drive extension as a Two-Lane Collector roadway with a center left-turn lane. Class IV Cycle Tracks with on-street parking are proposed along this segment. This would require a curb-to-curb width of 80 feet.

- Pacific Street, from San Marcos Boulevard to Creekside Drive: Collector (2 Lanes): Pacific Street south of San Marcos Boulevard is currently closed to vehicular traffic. As part of the project, Pacific Street will be extended from San Marcos Boulevard to the Creekside Drive extension with two travel lanes and on-street parking, which will require a curb-to-curb width of 70 feet.



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FIGURE 3-2
Proposed Circulation System Use

- San Marcos Boulevard, from Knights Realm to Discovery Street: Major Arterial (6 Lanes – Raised Median) and San Marcos Boulevard, from Discovery Street to Bent Avenue: Multi-Way Boulevard: This segment is located outside of the Planning Area. However, the City's General Plan identified this segment planned to be improved from its existing Major Arterial configuration with four travel lanes and a raised median to a Multi-Way Boulevard. The City's San Marcos Boulevard Multi-Way Complete Streets project plans to transform the roadway to provide complete streets elements, including a multiway path on both sides of the roadway to provide a safe space for pedestrians, cyclists, and vehicles accessing the commercial and residential uses. The existing curb-to-curb width along this segment varies between 80 feet and 94 feet. Implementation of the Multi-Way Boulevard would require a width of up to 158 feet.

- Additional modifications are included to Planning Area intersections to ensure acceptable operations at buildout, as follows: Discovery Street/San Marcos Boulevard: The lane configuration for the westbound approach is maintained with a left-turn lane, two through lanes, and a right turn.

- Pacific Street /San Marcos Boulevard: Add a right-turn lane for the eastbound and westbound directions since San Marcos Boulevard is improved to a Multi-Way Boulevard. Pacific Street south of San Marcos Boulevard is extended to connect to the Creekside Drive extension. The south leg at this intersection will be configured with one receiving lane and one northbound shared left-through-right turn lane.

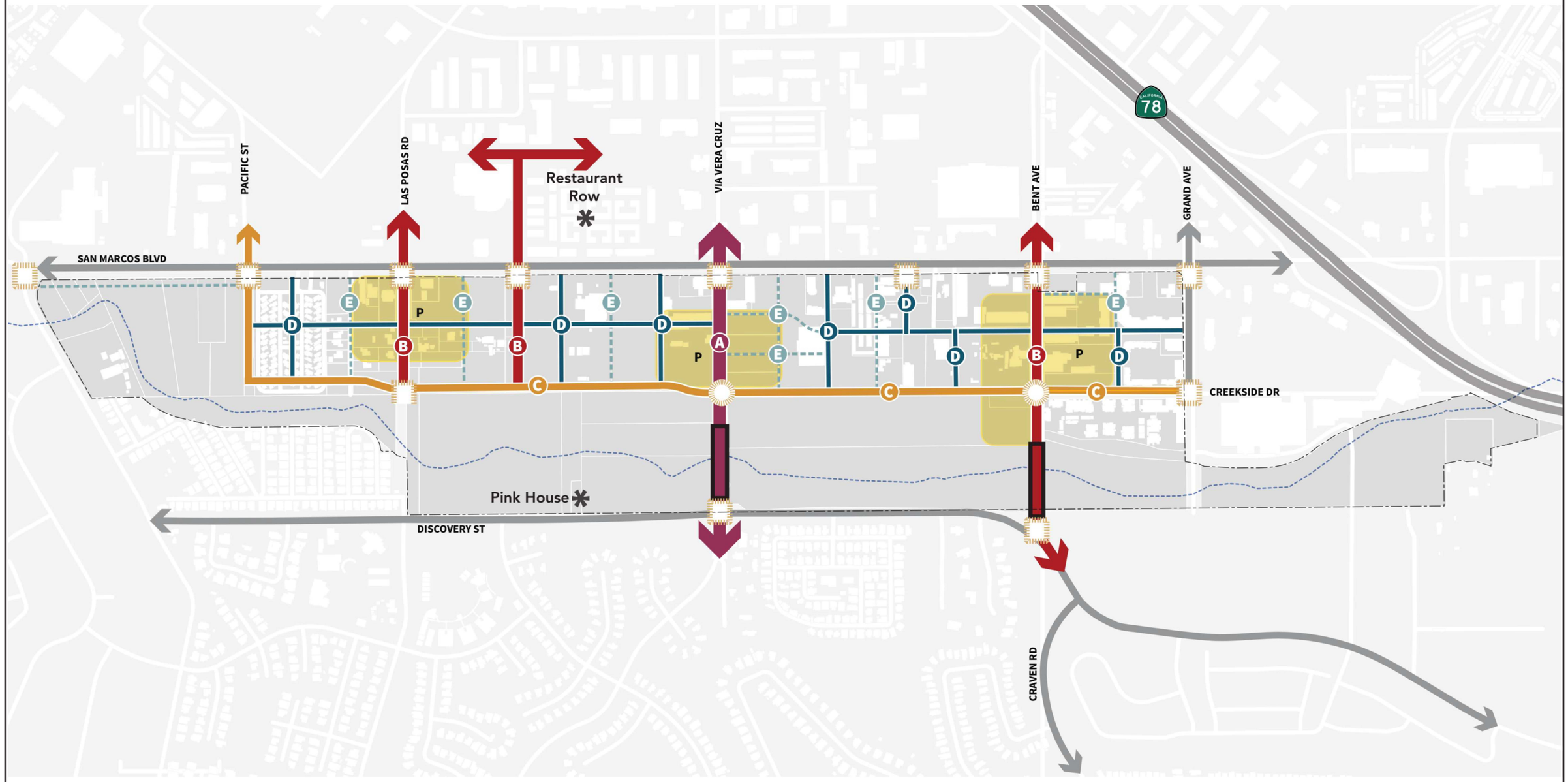
- Las Posas Road/San Marcos Boulevard: Add a right-turn lane for the eastbound direction and maintain the lane configuration for the westbound approach (left-turn lane, two through lanes, and a right-turn lane) since San Marcos Boulevard is improved to a Multi-Way Boulevard. The south leg of this intersection will be extended to connect to the Creekside Drive extension and will maintain the existing lane configuration of a left-turn, through, and right-turn lane configuration.

- Via Vera Cruz/San Marcos Boulevard: Add a right-turn lane for the eastbound and westbound directions since San Marcos Boulevard is improved to a Multi-Way Boulevard. A second northbound left-turn lane and a northbound right-turn lane will be added to the intersection. The full lane configuration for the northbound approach will be dual left-turn lanes, dual through lanes, and a right-turn lane.

- Bent Avenue/San Marcos Boulevard: Add a right-turn lane in the eastbound direction. The eastbound approach is now configured as Multi-Way Boulevard. A second northbound left-turn lane will be added to the intersection. The full lane configuration for the northbound approach will be dual left-turn lanes, one through lane, and a right-turn lane.

3.3.4.2 Roadway Circulation

To meet its mobility goals, the Specific Plan Update establishes five street categories, each with its own design standards. Figure 3-3 shows the street classification plan throughout the Planning Area; Table 3-5 summarizes the roadway standards for each.



Plan Area Boundary

Creek

Roadway Outside Specific Plan Area

A 4 travel lanes, bike lanes, on-street parking (90')

B 2 travel lanes, bike lanes, on-street parking (80')

C 2 travel lanes, on-street parking (70')

D Curbless/Rolled Curb Pedestrian Street (55')

E Pedestrian Paseo/Promenade w/ Emergency Access (40')

Crosswalk (vehicle signal/crossing)

Potential Roundabout

Via Vera Cruz Bridge & Bent Avenue Bridge*

P Potential Public Parking Areas

*Roadway configuration over bridges to remain as existing

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FIGURE 3-3
Road Design Standards

Table 3-5 Specific Plan Update Roadway Standards					
Standards	Roadway Type A (Boulevard) (Via Vera Cruz)	Roadway Type B (Community Connector)	Roadway Type C (Creekside Link)	Roadway Type D (Flex Street)	Roadway Type E (Paseos)
Road Width (Right-of-Way)	90-112 feet	80-88 feet	66 to 70 feet	55 feet	40 feet

Type A (Boulevard): Via Vera Cruz is envisioned as the primary route to and from the Planning Area, providing a direct connection to the SR-78/Las Posas Road interchange. The Via Vera Cruz bridge connects to residential neighborhoods south of the Planning Area. Via Vera Cruz would continue to provide four lanes for motor vehicles with no parking along the curb lanes to allow for improved pedestrian and cyclist accommodation. Applicable Streets: Via Vera Cruz between San Marcos Boulevard and Creekside Drive.

Type B (Community Connector): Community Connectors would serve as north-south connectors, with protected bike lanes on both sides of the streets intended to link to the regional bike network. South Los Posas Road, Bent Avenue, and a new roadway central to the Planning Area would be designated as Protected Bicycle Streets. These streets would feature wide sidewalks that create opportunities for business fronting on the streets to provide outdoor dining and public gathering spaces. On-street parking is allowed only along one side. Applicable Streets: McMahr Road between San Marcos Boulevard and Creekside Drive; Bent Avenue between San Marcos Boulevard and Creekside Drive; new internal streets (see Figure 3-3)

Type C (Creekside Link): Creekside Links would be located along Creekside Drive and would align with the Paseo del Arroyo multi-use path on one side. This planned street, which is an extension of Creekside Drive westward, would provide the only east-west through route for cars, connecting to San Marcos Boulevard at Pacific Street (signalized). Applicable Streets: Creekside Drive between Grand Avenue and San Marcos Boulevard.

Type D (Flex Street): Flex Streets would provide internal circulation among development sites, with direct, local access to individual properties. Notably, none of these streets would extend entirely through the Planning Area because they are intended for low vehicular travel speeds and comfortable pedestrian use. Parallel, on-street parking could be established along one side of the street. These new streets follow established property lines and some existing private roads, such as Eastgate Drive and Law Street, which would be reconfigured as Shared Rolled/Curbless Streets. Applicable Streets: new internal streets (see Figure 3-3)

Treatments along these roads would vary based on whether the frontage use is residential or commercial, with wide sidewalks provided for commercial frontages. A six-foot-wide parkway on one side (where on-street parking is not provided) can be used as linear park space.

Type E (Paseos): Paseos would extend throughout the Planning Area to provide dedicated, pedestrian-only connections and access between destinations. Bicycle lanes could be provided where needed to link to on-street bike facilities. Where adjacent to commercial uses, programmable space could be provided beyond the sidewalk width. Applicable Streets: new internal streets (see Figure 3-3)

While the paseos do not follow existing street alignments, some private lanes, such as Tamarisk Lane, are envisioned to be transformed into pedestrian paseos. The precise alignments would vary depending upon the development plan proposed for individual properties, but in all cases the Pedestrian Paseo would be provided in a manner that allows for connections between properties and continuous paths. Surfaces would be all-weather, Americans with Disabilities Act-compliant, and capable of supporting emergency access vehicles.

3.3.4.3 Pedestrian and Bicycle Circulation

a. Pedestrian Facilities

The project would provide a coordinated system of pedestrian facilities throughout the Planning Area to accommodate pedestrians alongside vehicular traffic. Facilities would include sidewalks and supportive streetscape features such as landscaping, lighting, crosswalks, and street furniture. Traffic-calming measures, including curb extensions, raised intersections, roundabouts, and enhanced crosswalks, would be incorporated at intersections and selected mid-block locations, subject to approval by the City Engineer, to reduce vehicle speeds and prioritize pedestrian safety. The project would also include pedestrian-only Paseos, illustrated as Roadway Type E on Figure 3-3.

b. Bicycle Facilities

The project would include bicycle facilities designed to improve safety, connectivity, and access throughout the Planning Area and to surrounding areas. These facilities would support reduced vehicle trips, enhance access to public open spaces, and connect to existing and planned bicycle infrastructure consistent with the City's Active Transportation Plan. The proposed bicycle infrastructure is shown in Figure 3-3.

3.3.4.4 Streetscape Design

Elements that contribute to the streetscape and community character of the Planning Area include paving, light fixtures, and street furnishings such as benches, trash receptacles, planters, and banners. The City will develop a Streetscape Plan that identifies specific fixtures, furnishings, and paving to be used within the public right-of-way, with appropriate location and spacing. Specifications related to paving, street furnishings, bike racks, trash receptacles, wayfinding, lighting, and traffic calming are based on the guidelines expressed in Section 5.6 of the Specific Plan Update.

3.3.4.5 Transit Service

The project would provide for transit connections to nearby activity centers, including the SPRINTER light rail station on East Mission Road, Cal State San Marcos, North City, the City Hall complex, Kaiser Medical Center, and San Marcos High School. Transit services would be implemented through coordination with the North County Transit District and other major institutions.

3.3.4.6 Parking Management

The project would implement a parking management strategy within the Planning Area designed to reduce land consumption for surface parking, promote efficient use of parking resources, and support a walkable, mixed-use environment. The project would employ a "park once" approach that allows visitors to park in a single location and access multiple destinations within walking distance. This strategy would include the provision of short-term, paid, on-street parking to encourage turnover, and shared parking arrangements to reduce the amount of parking required for individual developments. Shared parking may be provided through private agreements, privately developed shared facilities, or publicly accessible parking facilities. Parking pricing would be used to manage demand, encourage efficient turnover, and support the use of transit, walking, and bicycling.

3.3.5 Public Realm and Open Space Framework

The Specific Plan Update includes design standards and guidelines that would be applied to public properties and private developments to create outdoor spaces that (1) contribute to the overall quality of the Planning Area, (2) include features that accommodate and prioritize pedestrians, and (3) develop a visually and aesthetically distinctive design element that links San Marcos Creek and open space amenities. Specific development standards are included in Chapter 6 of the Specific Plan Update. All future parks, trails, and open space designs within the Planning Area should be guided by the following core objectives:

- Parks and Open Space
    - Create multifunctional spaces that accommodate a variety of activities, from passive relaxation to active recreation, designed for all ages and abilities.
    - Support everyday use and special events, incorporating flexible areas that can adapt to different community needs.
    - Highlight and preserve existing natural assets, especially visual and physical connections to the creek.
    - Incorporate amenities such as seating, shade, and furnishings that encourage lingering and community interaction throughout the day.

- Trails
    - Link residential and commercial areas to natural open spaces, providing convenient access to the creek, parks, and outdoor plazas.
    - Designed to allow safe, intuitive movement throughout the Creek District by using consistent material and wayfinding.
    - Encourage walking and cycling as primary modes of local transportation by offering wide, well-lit, and durable paving surfaces.
    - Place amenities such as benches, shade structures, and water fountains to provide comfort to trail users, especially in high-use areas.

Figure 3-4 shows the Open Space Plan. As illustrated therein, the Specific Plan Update emphasizes creating a high-quality, pedestrian-oriented public realm through well-designed outdoor spaces that contribute to the Planning Area's character and longevity. Development would establish a cohesive, human-scaled environment supported by safe and attractive streets, parks, and civic spaces, while incorporating distinctive landscape and design elements that connect to San Marcos Creek and its open space amenities. The Specific Plan Update also promotes design strategies that strengthen the community's connection to nature and celebrate the area's unique historical and cultural identity.

Specific planned open space areas prominent in the Planning Area are called out in Figure 3-4 as Areas (A) though (E), summarized as follows:

(A) West End Gateway Park: The West End Gateway Park is envisioned as a passive park that would emphasize the Planning Area's connection to the naturalized San Marcos Creek while accommodating periodic flooding. The park would incorporate low-impact recreational features, native landscaping, interpretive elements, and stormwater-sensitive design that complement the adjacent riparian corridor.

(B) Discovery Park: Discovery Park is planned as a neighborhood park providing active recreational amenities, a pedestrian bridge, and preservation of the historic "Pink House" through potential adaptive reuse. Because much of the site is located outside the 100-year floodplain, the park can accommodate a broader range of permanent recreational facilities.

(C) West Creekside Trail Space: Situated south of Creekside Drive, this trail segment will extend the existing multi-use trail network originating at Paseo del Arroyo Park. The extension is designed to facilitate active trail use by incorporating recreational amenities.

(D) Paseo del Arroyo Park: Situated along Creekside Drive, Paseo del Arroyo Park incorporates the existing park and envisions a creekside overlook, water plaza, and plazas to balance active recreation and preservation. The following paragraphs further expand on the existing park and park spaces, detailing how each area contributes to the overall function.



Plan Area Boundary
Creek
Tree
Existing Building
Open Space
Creek Promenade
Building
Paseo
Trail

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FIGURE 3-4
Conceptual Open Space Plan

- Creekside Overlook: Located along Paseo del Arroyo Park, the Creekside Overlook offers connectivity to both Creekside Drive and the EAC area. This vantage point features an elevated viewing platform outfitted with educational interpretive elements, granting visitors panoramic views across San Marcos Creek toward Discovery Park. To protect the sensitive riparian environment, all built structures and foundations must be carefully designed to ensure they do not encroach upon the protected OS-C zone.

- Water Plaza: The Water Plaza is envisioned as a terraced public gathering space that provides a visual and physical transition between urban uses and the naturalized creek corridor. The plaza is designed to improve pedestrian connectivity between Creekside Drive and Paseo del Arroyo Park.

- Amphitheater Plaza: The Amphitheater Plaza is planned as a small outdoor community gathering space integrated into the existing levee, incorporating informal performance space, seating, and educational water features related to flood management. The plaza expands recreational opportunities while reinforcing public awareness of the creek's floodway functions.

(E) Town Center Paseos: The Town Center Paseos would consist of a network of pedestrian-oriented public corridors designed to support outdoor dining, retail activity, and public gathering throughout the EAC. The paseos would be designed to accommodate service and emergency vehicle access through designated clearances and operational requirements.

3.3.5.1 Landscape

The Specific Plan Update establishes landscape design standards intended to create a connected network of safe, accessible, and sustainable public spaces that reinforce the identity of the Planning Area and its relationship to San Marcos Creek. The standards address the design of plazas, streetscapes, landscaping, wayfinding, and public art, emphasizing pedestrian-oriented amenities, native and drought-tolerant planting, consistent landscape character, and sustainable practices such as stormwater management and habitat enhancement to support an attractive and functional public realm. To further this vision, Table 6-2 of the Specific Plan Update lists suitable trees, shrubs, and groundcovers for the Planning Area.

3.3.6 Infrastructure

The Infrastructure chapter establishes the framework for utility and stormwater systems needed to support implementation of the Specific Plan Update while integrating with the proposed land use and mobility networks. The Specific Plan Update focuses on floodway and stormwater management, water infrastructure, and wastewater collection systems to support future development, improve system efficiency, protect public infrastructure, and enhance long-term resilience within the Planning Area.

3.3.6.1 Potable Water

Water demands associated with development under the Adopted Specific Plan were included in the Vallecitos Water District (VWD) 2018 Water, Wastewater, and Recycled Water Master Plan. The Specific Plan Update does not increase residential or non-residential capacity beyond what was previously planned.

The project's conceptual water distribution system is depicted in Figure 3-5. As depicted therein, the Specific Plan Update would accommodate future development through a water distribution system that expands and connects to the existing VWD network through a gridded system of new water mains designed to provide reliable domestic water service, fire flow, and system redundancy. While adequate capacity exists to serve the Planning Area, future citywide growth may require additional regional water storage improvements, which would be funded, in part, through developer fees collected by VWD.

3.3.6.2 Sewerage System

The project's conceptual sewerage system is depicted in Figure 3-6. The conceptual sewerage system would include minor sewer lines in the proposed north-south streets connecting to gravity mains flowing from east to west along central spines within the Planning Area. The conceptual system design connects to existing structures at several locations along the interceptor. All final pipe sizes, locations, and points of connections would be determined in compliance with applicable VWD standards as new development proceeds.

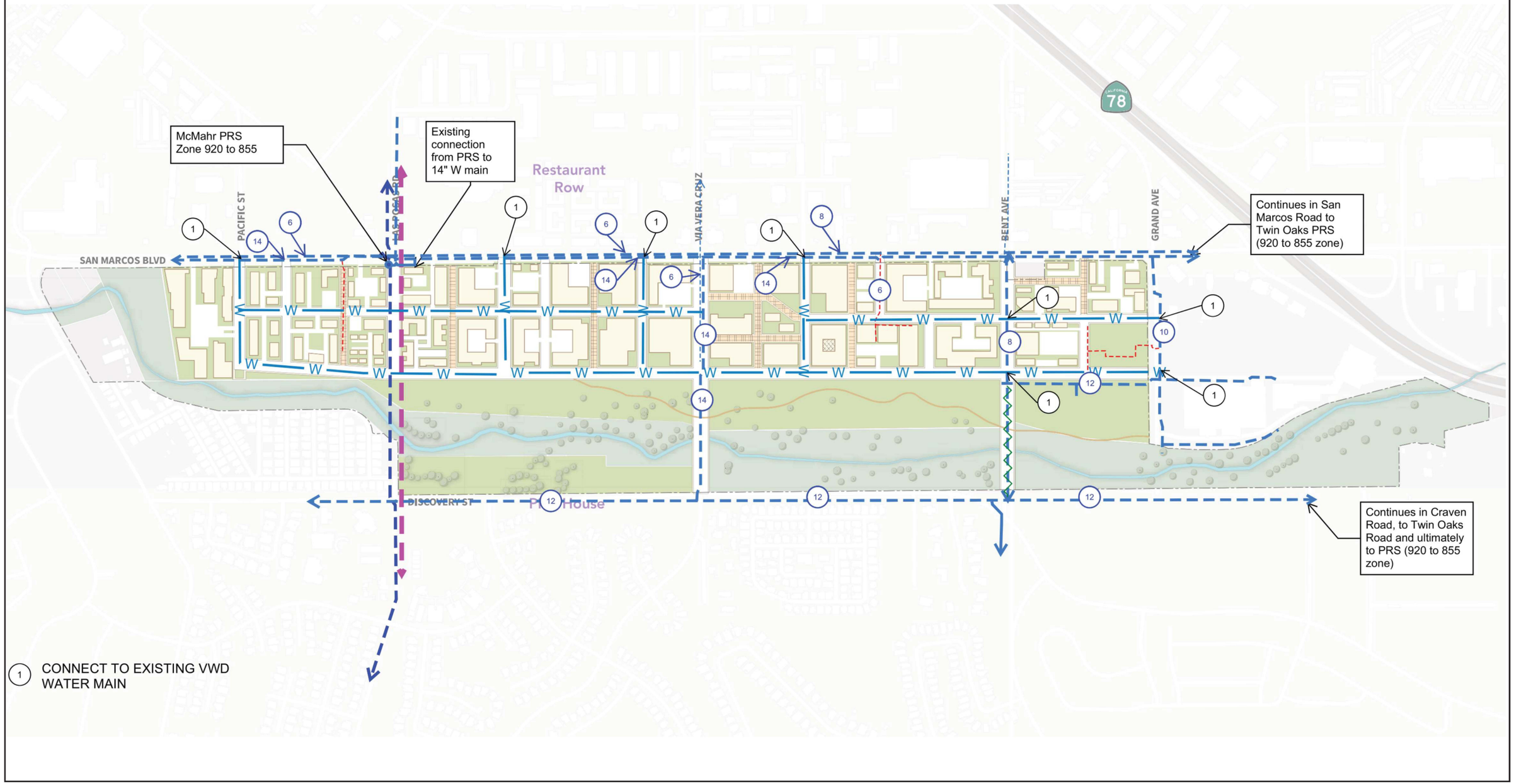
3.3.6.3 Stormwater Control

The Specific Plan Update includes descriptions of three design options that were studied for a district-wide, multi-benefit naturalized flood conveyance channel to safely convey stormwater while improving protection and reducing development constraints. Ultimately, a preferred alternative was selected and is presented as the recommended approach for stormwater control in the flood constrained areas of the Planning Area. The options are described as follows:

- Option 1: For an open channel with a vertical depth of 4 to 5 feet, an approximate bottom width of 17 feet and 13.5 feet, respectively, would be required. This scenario assumes a vertical sidewall channel made of concrete material.

- Option 2: This option includes a 4-foot-deep open channel with 1:1 side slopes, also made of concrete, and would result in a bottom width of 12.75 feet.

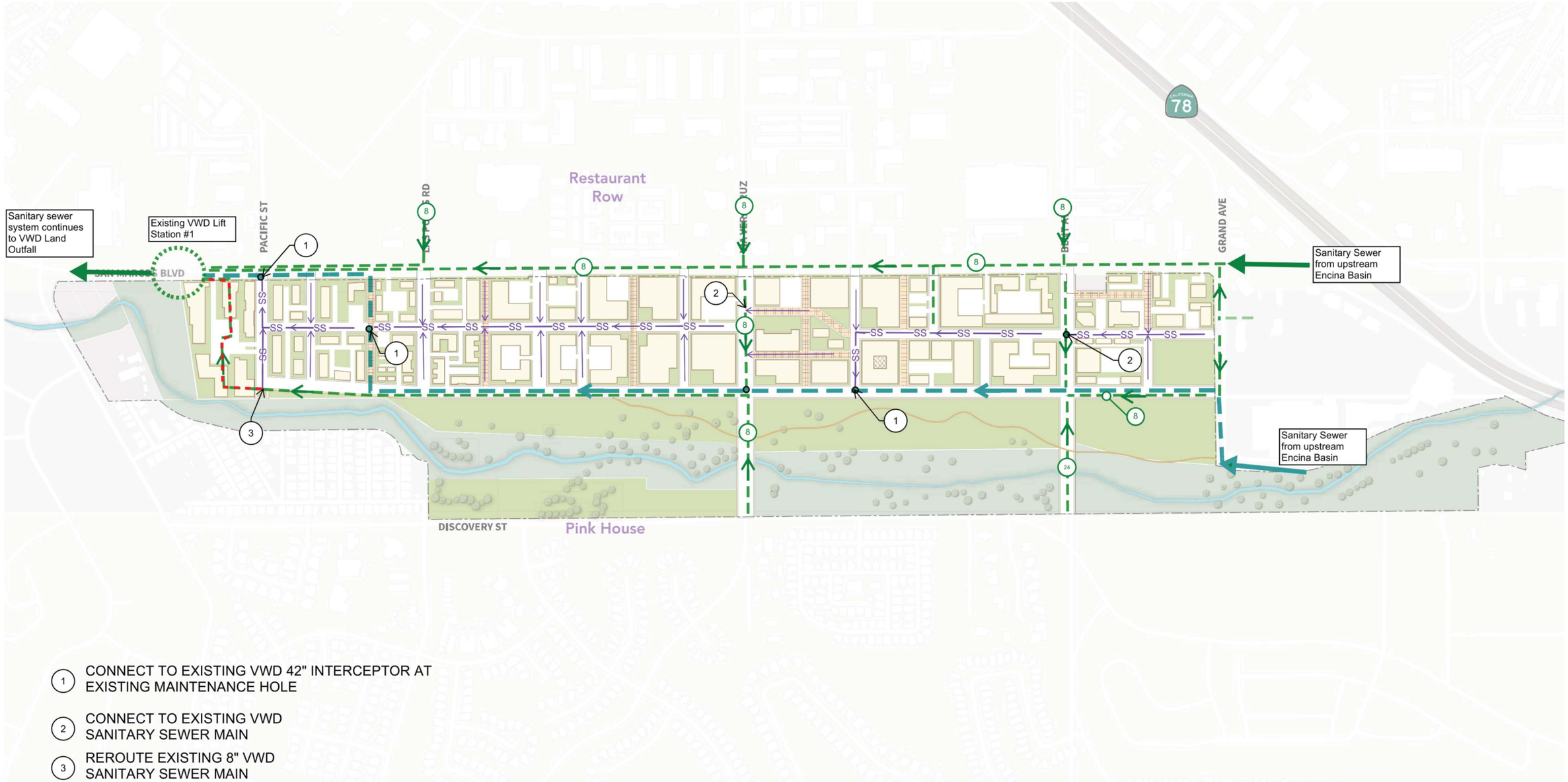
- Option 3: The last open channel configuration evaluated was with an earthen bottom, which is more aesthetically pleasing but would require 2:1 side slope. This alternative would require a minimum bottom width of 28 feet.



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FIGURE 3-5
Conceptual Water Distribution System



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FIGURE 3-6
Conceptual Sewerage System

- The proposed channel is designed to function as both flood control infrastructure and a community amenity by incorporating naturalized landscaping, trails, and open space features. The Specific Plan Update also establishes implementation mechanisms that allow the channel to satisfy open space requirements and support transfer of development potential from channel areas to the remainder of affected properties, thereby preserving development capacity while facilitating coordinated, flood-resilient redevelopment. The channel may be constructed as a single capital improvement project or implemented incrementally as redevelopment occurs, subject to applicable engineering and flood control requirements. The project's conceptual sewerage system is depicted in Figure 3-7.

Potential flooding is discussed in Section 4.6 of this SEIR. Upon selection of conceptual plans, future development within any property crossed by the channel would be required to prepare detailed engineering plans to support its incremental construction of the improvement plan.

3.3.6.4 Electricity, Natural Gas, and Communications

Under the Specific Plan Update, undergrounding of the existing overhead lines would be performed as new development occurs, with costs borne by developers. New gas lines and joint utilities trenches would be installed as determined by the utility providers. Any associated above-ground infrastructure including transformers, fuse boxes, and switches would not be allowed to be placed in any manner that obstructs pedestrian and bicycle circulation or in any location that occupies required open space or landscaped areas.

3.3.6.5 Solid Waste

Solid waste collection within the City is provided by private franchise haulers serving residential, commercial, and industrial uses, including collection of solid waste, recyclables, and organic waste. Given the Planning Area's proximity to San Marcos Creek, the Specific Plan Update also encourages the use of educational signage to promote stewardship of the creek ecosystem and emphasize the importance of preventing litter and debris from entering the waterway.

3.3.7 Administration and Implementation

The Specific Plan Update establishes the regulatory framework and implementation procedures governing future development within the Planning Area. The Specific Plan would serve as the zoning regulations for the Planning Area, with all future development projects reviewed for consistency with the Specific Plan Update, applicable provisions of the San Marcos Municipal Code, and required discretionary permits. The Specific Plan Update would also establish an administrative Substantial Conformance Determination process that allows the Planning Director to approve qualifying minor modifications that remain consistent with the intent of the plan without requiring a Specific Plan Amendment.



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FIGURE 3-7
Conceptual Stormwater Plan

The Specific Plan Update anticipates that implementation would occur incrementally through individual development applications and associated public improvements. Development projects would be subject to applicable subdivision, engineering, infrastructure, and agency permitting requirements, including preparation of public improvement plans and coordination with responsible agencies as necessary.

Future development projects would also be subject to review under CEQA. The Specific Plan Update is supported by this SEIR, which, together with the previously certified 2007 EIR, is intended to provide a program-level environmental analysis for anticipated development within the Planning Area. As individual development projects are proposed, the City will determine the appropriate level of environmental review, including whether a project is consistent with the 2007 EIR and this SEIR and therefore eligible to rely on those documents pursuant to applicable CEQA provisions, or whether additional environmental review is required.

3.4 Buildout Projections

Buildout represents a reasonably foreseeable projection of the total number of residents, housing units, and jobs anticipated to occur because of growth under the project. Buildout estimates should be considered a prediction for growth, but not a guarantee, as the actual amount of development that would occur is based on many factors outside of the City's control, including changes in regional real estate and labor markets and the decisions of individual property owners. Therefore, buildout estimates represent one potential set of outcomes rather than definitive figures. Additionally, the designation of a site for specific land use under the project does not guarantee that a site would be developed or redeveloped as assumed, as future development and redevelopment would rely on each property owner's initiative and on market forces.

Buildout projections were estimated using California Department of Finance Table E-5, which assumes average household size of 2.97 per dwelling unit and two jobs per 1,000 square feet. Based on this, buildout under the Specific Plan Update (up to 2,300 dwelling units totaling 2,231,929 square feet, and a total of 655,856 square feet of commercial use) would result in a population of 6,831 residents and 1,312 jobs.

3.5 Comparison of Adopted Specific Plan and Specific Plan Update

The following summarizes key differences between the project approved and evaluated in the 2007 EIR and the proposed modifications included in the Specific Plan Update addressed in this SEIR. The comparison focuses on changes to the project description and development framework that may result in new or more severe environmental effects than those previously analyzed, or that involve new or substantially different project features. Elements of the project that remain unchanged from the approved plan are not reevaluated except where necessary to provide context for the proposed modifications.

3.5.1 Development Potential

The general mix of land uses within the 214-acre Planning Area would remain the same under the Specific Plan Update compared to the Adopted Specific Plan. The Planning Area would continue to support commercial and mixed-use residential development, along with designated open space and community amenities. Where the Adopted Specific Plan divides the Planning Area into seven distinct neighborhoods, with a focus on facilitating a new downtown mixed-use district, the Specific Plan Update provides an updated approach to creating a more cohesive community with greater open space and integration between nature and urban living. Tables 3-6 and 3-7 summarize modification to the land use mix and development potential under both plans.

Table 3-6
Development Acreages

Districts	Adopted Specific Plan (acres)	Specific Plan Update (acres)
Developable Areas (includes residential, commercial uses)	81.3	72.69
USPA	Included in acreages for development and parks	8.01
Open Space - Parks	20.6	17.89
Open Space - Conservation	73.6	83.45
ROW	38.5	31.39
Total	**214**	**213.43**

Table 3-7
Build-Out Projections

Use	Adopted Specific Plan	Specific Plan Update
Population	6,831 residents	6,831 residents
Employment	2,530 jobs	1,312 jobs
Residential	2,760,000 sf/ 2,300 DU	2,261,701 sf/ no greater than 2,300 DU
Commercial	1,265,000 sf	655,856 sf
DU = dwelling units sf=square feet		

3.5.2 Roadway Classifications

Table 3-8 provides a comparison of the existing functional classifications of roadways within the Planning Area with the proposed functional classifications under the Specific Plan Update. Functional classifications define the intended role of each roadway within the broader circulation system, including its balance between mobility and access. The proposed classifications reflect updated land use assumptions, circulation objectives, and multimodal considerations within the planning area.

Table 3-8 Comparison of Existing Functional Classifications/Proposed Functional Classifications		
Street	Functional Classification as described in the Adopted Specific Plan	Proposed Functional Classification
State Route 78: Twin Oaks Valley Road to Las Posas Road	Freeway	Same
San Marcos Boulevard: SR 78 to Discovery Street	Primary Arterial	Same
Discovery Street: San Marcos Boulevard to Twin Oaks Valley Road	Major Arterial/ Primary Arterial	Same
Grand Avenue: San Marcos Boulevard to Discovery Street	Major Arterial	Same
McMahr Road: SR 78 to Creekside Drive	Multiple	Secondary Arterial
Via Vera Cruz: San Marcos Boulevard to Discovery Street	Secondary Arterial	Same
Bent Avenue/Craven Road: San Marcos Boulevard to Twin Oaks Valley Road	Secondary Connector	Collector
MPG = miles per gallon; ROW = right-of-way		

As summarized in Table 3-8, two internal roadway segments, McMahr Road: SR-78 to Creekside Drive, and Bent Avenue/Craven Road: San Marcos Boulevard to Twin Oaks Valley Road, would be reduced in function compared to the Adopted Specific Plan.

3.6 Future Implementation of the Specific Plan Update

3.6.1 Purpose and Intended Use of the SEIR

The purpose of this SEIR is to evaluate only those changes to the Adopted Specific Plan, or changes in environmental or regulatory conditions, that have occurred since certification of the 2007 EIR. Consistent with CEQA Guidelines Sections 15163 and 15168(c), this SEIR provides additional analysis only where necessary to address new or more severe impacts, or those circumstances that were not previously evaluated.

This SEIR supplements the 2007 EIR to ensure that CEQA coverage remains adequate for the Specific Plan Update. It is intended that future implementing projects within the Planning Area would tier from both the 2007 EIR and this SEIR, demonstrating consistency with their findings and mitigation measures. This framework is intended to streamline future project-level review. Subsequent projects would be reviewed by the City for consistency with the 2007 EIR and this SEIR, with additional environmental analysis limited to impacts not previously evaluated. The analysis contained within the 2007 EIR, supplemented by this SEIR, assumes maximum buildout of 2,300 dwelling units and 655,856 square feet of commercial development. Should future development of the Planning Area

exceed this maximum, tiering pursuant by CEQA Section 15162, 15163, and 15164 may not be available, and additional subsequent environmental review would be required.

This SEIR, coupled with the 2007 EIR, is likewise intended to serve as the environmental document for use by other agencies that have permitting or approval authority over aspects of the project. These agencies may rely on the analyses contained in this SEIR to support their independent CEQA findings and decisions for future project-related approvals.

3.6.2 Best Management Practices/Project Design Features

The following Best Management Practices (BMPs) and project design features (taken from the 2007 EIR) are included as components of the project and would be implemented as project conditions of approval to minimize project environmental impacts.`

3.6.2.1 BMPs

All project grading within the Planning Area would be subject to the typical restrictions and requirements that address erosion and runoff, including the federal Clean Water Act (CWA), National Pollution Discharge Elimination System, and preparation of a Stormwater Pollution Prevention Plan. The following BMPs will be implemented during construction of future projects:

- A qualified project biologist shall inspect all construction fencing prior to construction and shall monitor construction (grading) activities to avoid unauthorized impacts.
- Prior to construction activities, all wetland areas within or adjacent to construction areas shall be encompassed by orange environmental fencing to protect them from construction.
- Silt fencing or other sediment trapping devices shall be installed and maintained to prevent runoff from entering the water systems during construction activities.
- Erosion control shall be adequate to ensure that areas disturbed by the project remain stable and do not erode during rain events.
- Spoil, trash, or any debris shall be removed off-site to an appropriate disposal facility.
- No equipment maintenance shall be conducted within or near any drainage where petroleum products or other pollutants from equipment may enter these areas under any flow.
- No equipment maintenance shall be conducted near riparian areas where petroleum or ethylene glycol pollutants from the equipment may enter these areas under flow.
- All construction area limits shall be clearly delineated prior to construction activity with orange construction fencing or silt fencing to ensure that construction activity remains within the defined construction limits. Fencing shall not interfere with wildlife movement.

3.6.2.2 Project Design Features

The following features would be required to be implemented as part of future project design:

- Install directional lighting (i.e., use of cut-off type fixtures that focus light down and shield surrounding areas) to minimize lighting impacts within the creek.
- Implement landscape controls (i.e., install native landscaping wherever feasible in areas adjacent to preserved habitat).
- Any plants that are defined by the California Native Plant Society (1996) as being able to proliferate and aggressively alter or displace indigenous biological communities, or any exotic plant species listed in the "Invasive Plant Inventory," published by the California Invasive Plant Council in February 2006, shall be excluded from the project's landscaping design.
- Imported soils shall be free of seed from invasive species.
- Select, design, and utilize BMPs including source control BMPs (i.e., parking lots, signage, and trash enclosures), treatment control BMPs (i.e., constructed wetlands, filter inserts, bio-swales, and catch basins), and site design BMPs (i.e., landscaping).
- Access controls including the construction of permanent physical barriers (fences/walls and gates) and signage to control the access of unauthorized people, vehicles, and pets into and within designated open space would be required. This would include the construction of boundary fencing and signage, trail fencing and signage, and the placement of appropriate gates at accessible points to provide direct access to creek locations. Plans for fencing and/or other preventative measures and signage would be submitted to the Wildlife Agencies for approval at least 30 days prior to initiating project impact.

3.6.3 Public Improvement Plans

While the Specific Plan Update would establish conceptual designs for the public improvements necessary to serve the Planning Area, detailed engineering design plans would be required in conjunction with individual development applications. Project applicants would prepare improvement plans, as directed by the City, consisting of comprehensive engineering designs and supporting documentation for all circulation and utility infrastructure needed to serve the proposed development. Thoroughfare design would include full streetscape improvements consistent with the standards, design criteria, and guidelines of the Specific Plan Update.

For larger or multi-phase projects, required submittals would also include an infrastructure sequencing program to ensure the orderly and efficient buildout of the Planning Area. The sequencing program would identify roadway, sewer, water, drainage, and other utility facilities that must be constructed and operational prior to the approval or occupancy of specified levels or phases of development. This approach ensures that infrastructure capacity keeps pace with growth and that public services are delivered in a coordinated and fiscally responsible manner.

Reliance on the certified 2007 EIR and the SEIR is intended to further streamline environmental review of infrastructure and public improvement issues through CEQA tiering and consistency-based review. The EIRs evaluate the environmental effects associated with full buildout of the Planning Area, including circulation, utilities, drainage, and public service systems, at a programmatic level pursuant to CEQA Guidelines Section 15168. The EIRs establish mitigation measures, infrastructure assumptions, and performance standards that are intended to guide subsequent project-level design and implementation.

Future development projects and their associated improvement plans would be reviewed for consistency with the Specific Plan Update and the certified EIRs consistent with CEQA Guidelines Sections 15168(c) and 15183. Where a project is determined to be within the scope of the EIRs and consistent with its land use, intensity, and infrastructure assumptions, the intent is that no additional environmental review would be required, thus streamlining project approval. As deemed appropriate at the time an application is submitted, the City may require additional environmental review only to focus on site-specific effects and any new or more severe impacts rather than reanalyzing impacts already addressed in the EIRs. This approach reduces duplication, shortens review timelines, and provides regulatory certainty while ensuring that detailed engineering design and infrastructure phasing remain aligned with the environmental analysis and mitigation framework adopted for the Specific Plan.

3.6.4 Responsible and Trustee Agencies

Like the 2007 EIR, the City is the Lead Agency pursuant to CEQA Guidelines Section 15367, meaning the City is the public agency which has the principal responsibility for carrying out and approving the project. Other public agencies that have additional discretionary approval power (i.e., permit approval) are known as a Responsible Agency (see CEQA Guidelines Section 15381). Those agencies having jurisdiction by law over natural resources affected by a project are known as Trustee Agencies (see CEQA Guidelines Section 15386). The following public agencies are considered Responsible and/or Trustee Agencies for the project. It is noted that these are the same agencies identified in the 2007 EIR, and no new Responsible and/or Trustee Agencies have been identified.

3.6.4.1 California Department of Fish and Wildlife[1] (Trustee Agency)

The California Department of Fish and Wildlife (CDFW) has the authority to reach an agreement with an agency or private party proposing to affect intermittent or permanent wetlands habitat, pursuant to Sections 1601-1616 of the State Fish and Game Code. The CDFW generally evaluates information gathered during preparation of the environmental documentation and attempts to satisfy their permit concerns in these documents. In accordance with its policy of "no net loss of wetland habitats," CDFW requires mitigation for all impacts to any wetlands, regardless of acreage.

[1] Referred to as the California Department of Fish and Game (CDFG) in the 2007 EIR. The CDFG changed its name to the California Department of Fish and Wildlife on January 1, 2013. This change was mandated by Assembly Bill 2402, which was signed by Governor Edmund G. Brown Jr. on September 25, 2012. The name change aimed to better reflect the department's evolving responsibilities and mission.

3.6.4.2 Regional Water Quality Control Board (Responsible Agency)

The San Diego Regional Water Quality Control Board (RWQCB) is one of nine regional boards within the state. The RWQCB exercises authority to regulate the discharge of "waste" into waters of the United States within its San Diego region of influence. Regulation in part is through Section 401 Water Quality Certification, which is based on a finding that the project would comply with all pertinent water quality standards as established by the RWQCB. As part of Section 401 Certification, conditions may be required by the RWQCB to mitigate potential impacts to water quality standards.

3.6.4.3 Vallecitos Water District (Responsible Agency)

VWD may use this SEIR in connection with its discretionary approvals for water and sewer infrastructure required to serve the project, including extensions, connections, capacity verification, and related system improvements. In this role, VWD would consider the environmental analysis in this SEIR when issuing permits or approvals under its jurisdiction and would rely on this document to inform its decision-making. Any additional environmental review conducted by VWD would be limited to issues within its jurisdiction that were not previously analyzed or that are specific to the facilities it approves.

3.6.4.4 United States Fish and Wildlife Service (Trustee Agency)

The United States Fish and Wildlife Service is responsible for enforcing the federal Endangered Species Act, and reviews and comments on applications for Section 404 CWA permits submitted to the United Stated Army Corps of Engineers. If the project is determined to have an adverse effect on a species that is federally listed as threatened or endangered, consultation with the United States Fish and Wildlife Service would be required. If the project may result in "take" of a federally listed species, an incidental take permit would be required. "Take" is defined in the Endangered Species Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct."

3.6.4.5 United Stated Army Corps of Engineers (Responsible Agency)

The United Stated Army Corps of Engineers has jurisdiction over development pursuant to the CWA. Projects that include potential dredge or fill impacts to the "waters of the U.S." (including wetlands) are subject to Section 404 of the CWA and require a permit.

3.6.4.6 Federal Emergency Management Authority (Responsible Agency)

Future projects could alter the 100-year storm flooding patterns and require review and acceptance by the FEMA to revise the current floodplain maps of the area. FEMA's review and comment on a project that is proposed within a flood hazard area is referred to as a Conditional Letter of Map Revision (CLOMR). A CLOMR comments on whether the proposed project meets the minimum floodplain management criteria of the National Flood Insurance Program and, if so, what revisions would be made to the community's National Flood Insurance Program map when the project is

completed as proposed. FEMA would review and comment and, if appropriate, issue a CLOMR for any proposed project when requested by a participating community.

3.7 Discretionary Actions

The SEIR would be used by the City Council to provide environmental clearance for the following discretionary actions, if required:

- General Plan Circulation Element Amendment
- Rezone

The SEIR would also be used by the following agencies for the issuance of listed permits:

- United Stated Army Corps of Engineers: Section 404 Permit
- CDFW: Section 1602 Permit
- RWQCB: Section 401 Water Quality Certification
- VWD: Future sewer/water improvements

3.8 Tribal Consultation

The City conducted tribal consultation for the Specific Plan Update in accordance with Assembly Bill (AB) 52 (Public Resources Code [PRC] Section 21080.3.1 et seq.) and Senate Bill (SB) 18 (Government Code Section 65352.3). On April 22, 2025, the City sent notification letters to 19 California Native American tribes identified by the Native American Heritage Commission or that had previously requested notification pursuant to PRC Section 21080.3.1(d). The notices included a description of the proposed project, its location, City contact information, and an invitation to request consultation within the statutory 30-day period. Because the project includes amendments to the Adopted Specific Plan, the City also initiated consultation under SB 18 by sending separate consultation invitations to the same tribes.

Three tribes requested consultation under AB 52: the San Luis Rey Band of Mission Indians, the Rincon Band of Luiseño Indians, and the Pechanga Band of Indians. Consultation with the San Luis Rey Band and the Rincon Band has occurred through the City's ongoing government-to-government consultation process, including monthly coordination meetings, exchange of project information, and discussion of potential Tribal Cultural Resources, culturally significant landscapes, project alternatives, and appropriate avoidance, minimization, and mitigation measures. The Rincon Band also participated in a site visit on April 17, 2026, and provided written comments identifying the San Marcos Creek corridor as part of a broader Traditional Cultural Landscape and Area of Historic Interest associated with the Luiseño people. The Tribe requested that the Specific Plan recognize and evaluate potential effects on the broader cultural landscape in addition to archaeological resources and recommended measures to protect cultural values through project design, interpretation, native

landscaping, incorporation of Luiseño cultural themes and language where feasible, and continued tribal involvement during implementation.

The City responded in writing to the Rincon Band, acknowledging the Tribe's cultural connection to the Planning Area and confirming that the Specific Plan Update and SEIR would evaluate potential impacts to Tribal Cultural Resources and the broader Traditional Cultural Landscape. The City also expressed support for incorporating, where feasible, tribal recommendations related to cultural interpretation, educational features, landscaping, and ongoing consultation during future project implementation. Consultation with both the Rincon Band and the San Luis Rey Band will remain ongoing in accordance with PRC Section 21082.3 through certification of the Final SEIR.

The Pechanga Band of Indians requested consultation and project information under AB 52. The City provided the requested information, clarified that the Specific Plan Update does not itself authorize new development, and added the Tribe to the project notification list for future public notices and environmental documents. No additional correspondence was received, and consultation was concluded in accordance with PRC Section 21082.3(d)(2).

The remaining invited tribes did not request consultation within the applicable statutory timeframes. Accordingly, the City considers consultation with those tribes concluded pursuant to PRC Section 21082.3(d)(3). The City satisfied the procedural requirements of AB 52 prior to release of the Draft SEIR for public review and will complete consultation with participating tribes before certification of the Final SEIR. The City also initiated consultation pursuant to SB 18 and will complete all applicable consultation and notification requirements before taking action on the Specific Plan Update.

Chapter 4.0
Subsequent Environmental Analysis

This document has been prepared as a Subsequent Environmental Impact Report (SEIR) for the Creek Plan Specific Plan Update (Specific Plan Update). The City of San Marcos previously certified the San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report in 2007 (2007 EIR), which evaluated development of the Creek District Planning Area under the adopted San Marcos Creek Specific Plan.

Consistent with the California Environmental Quality Act and CEQA Guidelines §15162, an SEIR is required when substantial changes are proposed to a project or when new information becomes available such that the previously certified EIR may no longer adequately address potential environmental effects. As described herein, the Specific Plan Update introduces changes to land uses, regulatory context, and environmental conditions that warrant re-evaluation under CEQA.

Accordingly, this SEIR evaluates whether implementation of the Specific Plan Update would result in:

- New significant environmental impacts not identified in the 2007 EIR;
- A substantial increase in the severity of previously identified significant impacts; or
- The need for additional or modified mitigation measures.

This document incorporates, by reference, the analysis and conclusions of the 2007 EIR, consistent with CEQA Guidelines §15150 and CEQA Guidelines §15168, and focuses on environmental topic areas where changes in the project or regulatory setting require updated analysis. Where appropriate, the 2007 EIR findings are relied upon and are not repeated in detail.

4.1 Aesthetics and Visual Quality

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with aesthetics and visual quality in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project), would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of impacts to aesthetics and visual quality, this section of the SEIR should be reviewed in tandem with Section 3.1 of the 2007 EIR.

4.1.1 Existing Conditions

The Creek District (Planning Area) remains largely the same as under the San Marcos Creek District Specific Plan (Adopted Specific Plan), generally bounded on the north by San Marcos Boulevard, on the south and west by Discovery Street, and on the east by Grand Avenue and State Route 78. A mix of commercial and industrial land uses are located north and east of the Planning Area, and residential uses and schools are located south and west of the Planning Area. The northern portion of the Planning Area is generally developed with a mix of commercial, industrial, and residential uses and undeveloped lots, and the southern portion of the Planning Area is preserved as park and open space. Since 2007, the following development and proposed development have occurred within the Planning Area:

- All of the creek improvements identified in the Adopted Specific Plan have been completed;
- New creek crossing bridges at Bent Avenue and Via Vera Cruz;
- Two affordable housing/mixed-use projects on City of San Marcos (City)-owned land west of Bent Avenue, facing Creekside Drive;
- The City is reviewing development proposals on two City-owned sites for affordable housing development;
- The City is reviewing development proposals for two market-rate housing projects: one at far west end at Discovery Street /San Marcos Boulevard, the other at Tamarisk Lane; and
- A Starbuck's drive-through at Bent Avenue/San Marcos Boulevard; and
- A parcel, developed as a Starbucks, was removed from the SP boundary.

Additionally, north of San Marcos Boulevard, outside of the Planning Area, Restaurant Row is being redeveloped with approximately 200 dwelling units and 10,000 square feet of commercial/restaurant space.

4.1.2 Regulatory Framework

This section summarizes new and updated local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the 2007 EIR, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.1.2.1 Local Regulations

a. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to aesthetics and visual quality. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Land Use and Community Design Element

- **Goal LU-5: Promote community design that produces a distinctive, high-quality built environment with forms and character that create memorable places and enrich community life.**
    - Policy LU-5.4: Require building and site design that respects the natural topography and iconic ridgelines that serve as the visual backdrop for San Marcos.

Conservation and Open Space Element

- **Goal COS-3: Protect natural topography to preserve and enhance the natural beauty of San Marcos.**
    - Policy COS-3.2: Encourage and maintain high-quality architectural and landscaping designs that enhance or complement the hillsides, ridgelines, canyons, and view corridors that comprise the visual character in San Marcos.
    - Policy COS-3.4: Evaluate potential impacts to visual and aesthetic resources, including the potential to create new light sources, while still maintaining and being sensitive to rural lighting standards.

b. City of San Marcos Municipal Code

Since certification of the 2007 EIR, the following code sections have been codified into the San Marcos Municipal Code (SMMC). Future projects within the Planning Area would be required to adhere to all relevant regulations in effect at the time of project processing.

Title 20, Zoning Ordinance

SMMC Section 20.300.080 was amended in 2023 by Ordinance No. 2023-1539 to update lighting and glare standards. The City Street Lighting Standards and Specifications describes the lighting and glare standards for the city. These standards require lighting to be directed downward and limit the type and spacing of lighting to maintain reasonable lighting levels that do not contribute to light pollution. The City uses International Dark Sky Association thresholds to inform its own testing, leading to a policy that allows for the use of energy-efficient lighting sources that include, but are not limited to, light emitting diode and induction lighting technologies.

Title 20, Chapter 20.260, Ridgeline Protection and Management Overlay Zone

The City adopted a Ridgeline Protection and Management Overlay Zone in November 2008, set forth in Ordinance 2008-1314, to minimize visual impacts to important ridgelines. These guiding principles are in place to protect natural viewsheds, minimize physical impacts to ridgelines, and establish innovative site and architectural design standards. The ordinance identifies primary and secondary ridgelines within the City, as well as buffer zones and Ridgeline Overlay Zones surrounding these ridgelines. The intent of the ordinance is to minimize visual impacts to important ridgelines, protect natural viewsheds, and guide development through context-sensitive site planning and architectural design standards.

4.1.3 2007 EIR Thresholds of Significance

Subsection 3.1 of the 2007 EIR evaluated impacts based on whether the Adopted Specific Plan would:

a. Have a substantial adverse impact 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. Substantially degrade the existing visual character or quality of the site and its surroundings; and/or

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. project would have a substantial adverse impact on a scenic vista.

4.1.4 Thresholds a and b: Scenic Vistas/Scenic Resources

Would the project (a) have a substantial adverse impact on a scenic vista; or (b) substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

4.1.4.1 Summary of Prior Analysis

The 2007 EIR concluded that the Adopted Specific Plan would not result in a substantial adverse effect on scenic vistas. The Planning Area is adjacent to State Route 78; however, State Route 78 is not designated as a State Scenic Highway. While the Planning Area includes views of nearby hillsides and the San Marcos Creek corridor, these were not identified as significant scenic vistas or ridgelines. The analysis determined that project implementation would result in localized changes in visual character but would not substantially obstruct or degrade views of any identified scenic resources. Under the Adopted Specific Plan, building heights within the Planning Area would range between 25 to 70 feet, depending on location; however, the 2007 EIR determined that no scenic views of nearby hillsides, ridgelines, or the San Marcos Creek corridor would be obstructed. The Adopted Specific Plan also includes implementation guidelines for creek revegetation and construction of new parks and trails to enhance visual amenities and provide new vantage points of the surrounding area. Therefore, the 2007 EIR found that impacts on scenic vistas and scenic resources would be less than significant, and no mitigation measures were required.

4.1.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City adopted additional policies to protect visual quality and ridgeline resources. In November 2008, the City adopted the Ridgeline Protection and Management Overlay Zone (Ordinance 2008-1314), which identifies primary and secondary ridgelines, establishes buffer zones, and applies Ridgeline Overlay Zones around these features. The intent of the ordinance is to minimize visual impacts to important ridgelines, protect natural viewsheds, and guide development through context-sensitive site planning and architectural design standards. The City's Zoning Ordinance (Title 20 of the SMMC) has also been updated since 2007 to strengthen design and development review provisions that support visual resource protection.

The adopted General Plan provides a framework which includes goals and policies focused on maintaining scenic resources. These scenic resources include mountains, ridgelines, creek corridors, eucalyptus stands, rock outcroppings, landmark or historic buildings, and ocean views. For example, implementation of Policy LU-5.4 would require future projects to consider the City's resources, natural topography, and ridgelines. Likewise, Policy COS-3.2 directs future development to enhance the City's commitment to maintaining architectural and landscaping designs that enhance or complement the hillsides, ridgelines, canyons, and view corridors. To further direct the future policy framework related to visual resources, predominant ridgelines are shown in General Plan Figure 4-5. No primary or secondary ridgelines are located within or adjacent to the project site.

b. Specific Plan Update

All future development within the Planning Area would be reviewed for consistency with the Specific Plan Update. Building on the City's regulations, the project envisions enhancing visual quality and natural connections to the San Marcos Creek. Project development and design standards are set forth in Sections 4.3 and 4.4 of the Specific Plan Update. Examples specifically related to scenic vistas and visual resources include the following:

- Building height limits throughout the Planning Area would be between 40–70 feet in height;
- Design and development standards that preserve and enhance visual connections to San Marcos Creek; and
- Site planning that ensures at least 30 percent of the required open space area consists of live landscape materials.

The Specific Plan Update includes several goals and policies intended to address the protection and preservation of scenic vistas and scenic quality. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal OS.2: An attractive creekside open space corridor that provides scenic views within an open, high-quality park setting.
    - Policy OS.2.3: Create vista points and seating areas at key viewing points along the Creekside Promenade and Discovery Greenway trails to enhance the public's enjoyment of the District's scenic resources.

4.1.4.3 Environmental Analysis

This section evaluates whether the Specific Plan Update would introduce new or substantially more severe impacts to scenic vistas or visual resources beyond those analyzed in the 2007 EIR. The 2007 EIR concluded that implementation of the Adopted Specific Plan would not result in a substantial adverse effect on scenic vistas or scenic resources, and that impacts would be less than significant. The Planning Area does not include or obstruct designated scenic highways, ridgelines, or identified scenic vistas, and building heights evaluated in the 2007 EIR were determined not to obstruct views of nearby hillsides or the San Marcos Creek corridor.

While the Specific Plan Update includes revised development standards, including changes to allowable building heights and development intensity in certain land use areas, it also establishes comprehensive development and design standards that apply to all future development within the Planning Area. These standards require high-quality site planning, building design, architectural articulation, landscaping, open space, pedestrian-oriented design, lighting controls, and streetscape improvements intended to create a coordinated and visually attractive built environment consistent with the vision of the Specific Plan. Future implementing development projects would be reviewed

by the City for consistency with all applicable development standards, design standards, goals, and policies of the Specific Plan Update prior to approval.

The Planning Area remains substantially urbanized, and no new designated scenic vistas or scenic resources have been identified since certification of the 2007 EIR. Implementation of the Specific Plan Update would continue to be subject to the City's development review process and objective design requirements, which would ensure that future development is compatible with the surrounding urban environment and the San Marcos Creek corridor. Accordingly, the Specific Plan Update would not result in new significant impacts or a substantial increase in the severity of impacts related to scenic vistas or scenic resources beyond those previously evaluated in the 2007 EIR.

4.1.4.4 Conclusion

Consistent with the 2007 EIR, impacts associated with scenic vistas and scenic resources and historic buildings within a State Scenic Highway would remain less than significant, and no new mitigation measures would be required.

4.1.5 Threshold c: Visual Character and Quality

Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

4.1.5.1 Summary of Prior Analysis

The Adopted Specific Plan introduced urban uses and structures up to 70 feet in height into the Planning Area, within seven interconnected neighborhoods whose different land use and physical characteristics would complement each other as well as their connection to the rest of the City's Urban Core Focus Area. Similar to the General Plan's establishment of Focus Areas, each Sub-District stresses different land uses and physical characteristics based on the vision to create and reinforce distinct neighborhood identities. The 2007 EIR found that while this would change the visual character of the Planning Area, it would not degrade visual quality. Each Sub-District's objectives are summarized as follows:

- San Marcos Boulevard Sub-District: To transform the existing pattern of automobile-oriented "strip" malls into a high-end commercial corridor. Allowed uses include retail, office, entertainment, lodging, and residential uses; however, the emphasis is on office and other commercial uses. Ground-floor uses are be restricted to commercial uses.

- Downtown Core Sub-District: To establish a citywide and regional retail and entertainment destination with the highest intensity of uses within the Planning Area. An assortment of land uses are to be allowed (e.g., retail, office, entertainment, lodging, and residential), but the emphasis is on retail and entertainment

- Creekside Sub-District: To transition between the creek open space amenity and adjacent urban development through emphasis on the Creekside Promenade and adjoining parks and open space areas. Uses include a mix of retail, entertainment, lodging, and residential, with the emphasis being on uses that enhance and benefit from the adjacent promenade and creek corridor.

- Bent Avenue Center Sub-District: To create a gateway to the Creekside Sub-district, including a neighborhood commercial center that provides a complementary but distinctly different character from the Downtown Core. Uses include retail, office, entertainment, lodging, and residential, but to a lesser degree of intensity than in the Downtown Core.

- Midtown, East End, and West End Sub-Districts: To build upon the existing characters of these areas. Uses include retail, office, entertainment, and residential, but the mixed-use setting includes a higher proportion of residential uses and local services.

The Adopted Specific Plan included policy guidance, as well as detailed design standards, architectural guidelines, and landscaping requirements tailored for each Sub-district, to preserve individual visual characteristics. Additionally, through adherence to specific building design requirements, the 2007 EIR determined that landscaping, massing, facades, building entrances, roof lines, materials and colors, windows, doors, and lighting standards applied to future development would ensure visual quality throughout the Planning Area. The 2007 EIR determined that the visual character of the Planning Area would not be degraded under the Adopted Specific Plan. Therefore, the 2007 EIR found that impacts related to visual character would be less than significant and no mitigation measures were required.

4.1.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

The adopted General Plan provides a framework which includes goals and policies focused on visual character and quality. For example, Goal LU-5 promotes the development of distinctive, high-quality built environments. Additionally, implementation of Policy COS-3.2 encourages new development to be supported by high-quality architectural and landscaping designs that enhance or complement the City's visual character.

b. Specific Plan Update

The Specific Plan Update would establish a new land use framework for the Planning Area that would not retain the individual Sub-Districts identified in the Adopted Specific Plan. Instead, the Specific Plan Update would create nine district area that would serve as the focus of the City's social, cultural, and commercial life. Unlike the established Sub-districts, the Specific Plan Update would allow the Planning Area to grow as a compact, linear, mixed-use district integrated around San Marcos Creek and the Unmodified Specific Plan Area. Higher-intensity commercial and employment uses are strategically clustered along the primary roadway frontage to create an active edge and concentrate activity where access and visibility are greatest. Residential districts are arranged immediately adjacent to these activity centers, transitioning in scale and intensity to support walkability and

internal connectivity. This sequencing of land uses results in a cohesive, efficient layout that minimizes separation between daily destinations, reinforces a strong sense of place, and supports a compact development pattern oriented around multimodal circulation and shared open space. Development standards are based on land use rather than individual Sub-districts to provide recurring design and open space features that provide visual and functional consistency throughout the Planning Area.

4.1.5.3 Environmental Analysis

The 2007 EIR concluded that implementation of the Adopted Specific Plan would alter the visual and community character of the Planning Area through the introduction of urban land uses and building forms, but would not degrade visual quality or community character due to the application of building height limits, land use controls, and detailed Sub-District-specific design standards. Based on these standards, impacts related to visual quality and visual/community character were found to be less than significant.

The Specific Plan Update represents an evolution in the previously adopted planning approach which may result in changes to the form and character of future development. The Specific Plan Update includes comprehensive standards governing site planning, building design, massing, articulation, pedestrian orientation, landscaping, open space, lighting, and architectural quality. These standards would create a coordinated, visually attractive, and pedestrian-oriented environment throughout the Planning Area, while reinforcing the identity of the San Marcos Creek corridor. Future implementing development projects would be reviewed by the City for consistency with all applicable goals, policies, development standards, and design standards of the Specific Plan Update prior to approval.

Although the Specific Plan Update modifies the regulatory framework and development standards applicable within the Planning Area, it does not introduce new visual resources, alter designated scenic vistas, or result in a new significant impact or substantial increase in the severity of impacts related to visual quality or visual/community character beyond those evaluated in the 2007 EIR. Therefore, impacts would remain less than significant.

4.1.5.4 Conclusion

Consistent with the 2007 EIR, impacts associated with visual character and quality would remain less than significant, and no new mitigation measures would be required.

4.1.6 Threshold d: Light and Glare

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

4.1.6.1 Summary of Prior Analysis

The 2007 EIR found the Adopted Specific Plan to be consistent with City requirements in place at that time, which required use of downward-directed, shielded fixtures and review through the City's development process. The 2007 EIR determined that the Adopted Specific Plan would not create a new source of light or glare. Therefore, the 2007 EIR found that impacts related to light and glare would be less than significant, and no mitigation measures were required.

4.1.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City has updated the SMMC, including revisions to the Zoning Ordinance (Title 20), that refine lighting and glare regulations (for details of the updated regulations, see Chapter 3.0). These updates emphasize shielding, directionality, and avoidance of excessive illumination, strengthening control over lighting intensity and spillover to adjacent properties and the night sky (SMMC: Title 20, Section 20.300.080, Light and Glare Standards).

b. Specific Plan Update

The Specific Plan Update provides specific site design standards applicable to all future development within the Planning Area. Specifically, Specific Plan Update Section 4.4(e) reinforces conformance to SMMC Chapter 20.300.080 - Light and Glare Standards.

4.1.6.3 Environmental Analysis

The 2007 EIR concluded that implementation of the Adopted Specific Plan would not create new sources of light or glare and would be consistent with City requirements for downward-directed, shielded lighting reviewed through the City's development process. Based on these requirements, the 2007 EIR determined that impacts related to light and glare would be less than significant and that no mitigation measures were required.

Since certification of the 2007 EIR, the City has updated the Municipal Code and Zoning Ordinance to refine lighting and glare standards, with increased emphasis on shielding, directionality, and avoidance of excessive illumination. The Specific Plan Update reinforces conformance with these updated standards and applies land use-based development standards throughout the Planning Area. No new land uses would be introduced beyond those evaluated in the 2007 EIR. As a result, the proposed modifications would not introduce new lighting sources or operational characteristics that differ substantially from those previously analyzed. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to light and glare.

4.1.6.4 Conclusion

Consistent with the 2007 EIR, impacts associated with visual character and quality would remain less than significant, and no new mitigation measures would be required.

4.2 Air Quality

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with air quality in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of impacts to air quality, this section of the SEIR should be reviewed in tandem with Section 3.2 of the 2007 EIR.

4.2.1 Existing Conditions

Most of the general existing conditions related to air quality have not changed since certification of the 2007 EIR; however, this section provides a summary of current conditions as detailed in the Air Quality Analysis prepared for the project (RECON 2026a; Appendix B).

4.2.1.1 Existing Air Quality

Air quality at a particular location is a function of the kinds, amounts, and dispersal rates of pollutants being emitted into the air locally and throughout the basin. The major factors affecting pollutant dispersion are wind speed and direction, the vertical dispersion of pollutants (which is affected by inversions), and the local topography.

Air quality is commonly expressed as the number of days in which air pollution levels exceed state standards set by the California Air Resources Board (CARB) or federal standards set by the U.S. Environmental Protection Agency (U.S. EPA). The San Diego Air Pollution Control District (SDAPCD) currently maintains nine air quality monitoring stations located throughout the greater San Diego metropolitan region. Air pollutant concentrations and meteorological information are continuously recorded at these stations. Measurements are then used by scientists to help forecast daily air pollution levels.

The Camp Pendleton monitoring station, located at 21441 West B Street, approximately 13 miles northwest of the Creek District (Planning Area), is the nearest station to the project site. The Camp Pendleton monitoring station measures ozone (O_3), nitrogen dioxide (NO_2), and particulate matter with an aerodynamic diameter of 2.5 microns or less ($PM_{2.5}$). The closest station of the Planning Area that has more complete $PM_{2.5}$ data is the San Diego–Kearny Villa Road monitoring station located at 6125A Kearny Villa Road, approximately 20 miles south of the Planning Area. The San Diego–Kearny Villa Road monitoring station measures O_3, NO_2, and $PM_{2.5}$. Table 4.2-1 provides a summary of measurements collected at the Camp Pendleton and Kearny Villa Road monitoring station for the years 2020 through 2024.

Table 4.2-1
Summary of Air Quality Measurements Recorded at the Camp Pendleton and Kearny Villa Road Monitoring Stations

Pollutant/Standard	2020	2021	2022	2023	2024
CAMP PENDLETON MONITORING STATION					
O_3					
Federal Max 8-hr (ppm)	0.074	0.059	0.067	0.077	0.065
Days 2015 Federal 8-hour Standard Exceeded (0.07 ppm)	3	0	0	1	0
Days 2008 Federal 8-hour Standard Exceeded (0.075 ppm)	0	0	0	1	0
State Max 8-hr (ppm)	0.074	0.059	0.067	0.077	0.065
Days State 8-hour Standard Exceeded (0.07 ppm)	3	0	0	1	0
Max. 1-hour (ppm)	0.094	0.074	0.076	0.090	0.074
Days State 1-hour Standard Exceeded (0.09 ppm)	0	0	0	0	0
Nitrogen Dioxide					
Max 1-hour (ppm)	0.058	0.059	0.0504	0.0632	0.0454
Days State 1-hour Standard Exceeded (0.18 ppm)	0	0	0	0	0
Days Federal 1-hour Standard Exceeded (0.100 ppb)	0	0	0	0	0
Annual Average (ppm)	0.006	--	0.005	0.005	0.004
$PM_{2.5}$*					
Federal Max. Daily ($\mu g/m^3$)	--	--	17.0	26.5	25.8
Measured Days Federal 24-hour Standard Exceeded (35 $\mu g/m^3$)	--	--	0	0	0
Calculated Days Federal 24-hour Standard Exceeded (35 $\mu g/m^3$)	--	--	--	0.0	0.0
Federal Annual Average ($\mu g/m^3$)	--	--	--	7.8	7.6
State Max. Daily ($\mu g/m^3$)	61.1	20.7	17.7	--	--
State Annual Average ($\mu g/m^3$)	9.5	--	--	--	--
SAN DIEGO – KEARNY VILLA ROAD MONITORING STATION					
O_3					
Federal Max 8-hr (ppm)	0.102	0.071	0.083	0.079	0.080
Days 2015 Federal 8-hour Standard Exceeded (0.07 ppm)	10	1	2	3	3
Days 2008 Federal 8-hour Standard Exceeded (0.075 ppm)	6	0	1	1	1
State Max 8-hr (ppm)	0.102	0.072	0.083	0.080	0.081
Days State 8-hour Standard Exceeded (0.07 ppm)	12	2	2	3	3
Max. 1-hour (ppm)	0.123	0.095	0.095	0.091	0.112
Days State 1-hour Standard Exceeded (0.09 ppm)	2	1	1	0	2
Nitrogen Dioxide					
Max 1-hour (ppm)	0.052	0.060	0.0512	0.0384	0.0421
Days State 1-hour Standard Exceeded (0.18 ppm)	0	0	0	0	0
Days Federal 1-hour Standard Exceeded (0.100 ppb)	0	0	0	0	0
Annual Average (ppm)	0.007	0.007	0.008	0.006	0.005
$PM_{2.5}$*					
Federal Max. Daily ($\mu g/m^3$)	57.5	20.9	13.9	24.5	21.1
Measured Days Federal 24-hour Standard Exceeded (35 $\mu g/m^3$)	2	0	0	0	0
Calculated Days Federal 24-hour Standard Exceeded (35 $\mu g/m^3$)	5.8	0.0	0.0	0.0	0.0
Federal Annual Average ($\mu g/m^3$)	8.7	7.6	6.8	7.0	8.0
State Max. Daily ($\mu g/m^3$)	--	--	--	--	--
State Annual Average ($\mu g/m^3$)	--	--	--	--	--

SOURCE: CARB 2025.
ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter; -- = Not available.
* Calculated days value. Calculated days are the estimated number of days that a measurement would have been greater than the level of the standard had measurements been collected every day. The number of days above the standard is not necessarily the number of violations of the standard for the year.

For a detailed discussion of individual air quality pollutants, including how they develop, their designations within the San Diego Air Basin (SDAB), and adverse health risks associated with each, refer to Section 4.3 of Appendix A.

4.2.1.2 Existing Climate and Meteorology

The climate and meteorological patterns of the Planning Area remain similar as discussed in the 2007 EIR. The Planning Area has a Mediterranean climate characterized by warm, dry summers and mild winters. The mean annual temperature for the Planning Area is 63 degrees Fahrenheit (°F). The average annual precipitation is 10 inches, falling primarily from November to April. Winter low temperatures in the Planning Area average about 47°F, and summer high temperatures average about 75°F (National Oceanic and Atmospheric Administration 2024).

The dominant meteorological feature affecting the region is the Pacific High Pressure Zone, which produces the prevailing westerly to northwesterly winds. These winds tend to blow pollutants away from the coast toward the inland areas. Consequently, air quality near the coast is generally better than that which occurs at the base of the coastal mountain range.

Fluctuations in the strength and pattern of winds from the Pacific High Pressure Zone interacting with the daily local cycle produce periodic temperature inversions that influence the dispersal or containment of air pollutants in the SDAB. Beneath the inversion layer pollutants become "trapped" as their ability to disperse diminishes. The mixing depth is the area under the inversion layer. Generally, the morning inversion layer is lower than the afternoon inversion layer. The greater the change between the morning and afternoon mixing depths, the greater the ability of the atmosphere to disperse pollutants.

Throughout the year, the height of the temperature inversion in the afternoon varies between approximately 1,500 and 2,500 feet above mean sea level. In winter, the morning inversion layer is about 800 feet above mean sea level. In summer, the morning inversion layer is about 1,100 feet above mean sea level. Therefore, air quality generally tends to be better in the winter than in the summer.

The prevailing westerly wind pattern is sometimes interrupted by regional "Santa Ana" conditions. A Santa Ana occurs when a strong high pressure develops over the Nevada-Utah area and overcomes the prevailing westerly coastal winds, sending strong, steady, hot, dry northeasterly winds over the mountains and out to sea.

Strong Santa Anas tend to blow pollutants out over the ocean, producing clear days. However, at the onset or during breakdown of these conditions, or if the Santa Ana is weak, local air quality may be adversely affected. In these cases, emissions from the South Coast Air Basin to the north are blown out over the ocean, and low pressure over Baja California draws this pollutant-laden air mass southward. As the high pressure weakens, prevailing northwesterly winds reassert themselves and send this cloud of contamination ashore in the SDAB. When this event does occur, the combination of transported and locally produced contaminants produce the worst air quality measurements recorded in the basin.

4.2.2 Regulatory Framework

This section summarizes new and updated federal, state, and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the 2007 EIR, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.2.2.1 Federal Regulations

As discussed in the 2007 EIR, under the purview of the Clean Air Act (42 United States Code 7401; CAA), the U.S. EPA develops primary and secondary National Ambient Air Quality Standards (NAAQS) which represent the maximum levels of background pollution considered safe, with an adequate margin of safety, to protect public health and welfare. The six criteria pollutants of primary concern have been designated: O_3, carbon monoxide (CO), sulfur dioxide (SO_2), NO_2, lead, and respirable particulate matter (PM_{10} and $PM_{2.5}$).

An air basin is designated as either attainment or non-attainment for a particular pollutant. Once a non-attainment area has achieved the ambient air quality standards for a particular pollutant, it is redesignated as an attainment area for that pollutant. To be redesignated, the area must meet air quality standards for three consecutive years. After redesignation to attainment, the area is known as a maintenance area and must develop a 10-year plan for continuing to meet and maintain air quality standards, as well as satisfy other requirements of the federal CAA. The SDAB is a non-attainment area for the federal O_3 standard.

There have been recent congressional actions that affect California emission standards. They include the following:

a. Public Law No. 119-15

On June 12, 2025, Public Law 119 15, enacting House Joint Resolution 87, was signed into law. The law used the Congressional Review Act to nullify U.S. EPA's rule that had granted California a waiver to enforce stricter emissions standards for heavy-duty vehicles under the CAA. The disapproved rule included programs such as the Advanced Clean Trucks regulation and zero-emission requirements for airport shuttles. Passed under the Congressional Review Act, the law prevents U.S. EPA from implementing or reissuing the same or similar rules without new congressional authorization. This effectively blocks California, and other states that follow its standards, from enforcing these specific vehicle emission and warranty regulations.

b. Public Law No. 119-16

Similarly, on June 12, 2025, Public Law No. 119-16, enacting House Joint Resolution 88, became law. The law also relied on the Congressional Review Act to void the U.S. EPA's December 2024 waiver under the CAA that allowed California to implement and enforce the Advanced Clean Cars (ACC) II regulation. ACC II included a zero-emission vehicle mandate targeting 100 percent new light-duty zero-emission vehicle sales by 2035. Public Law No. 119-16 marks the first ever occurrence that waivers under the CAA have been revoked under the Congressional Review Act. The implications of this law on the state's capability to enforce its independent fuel economy standards are uncertain at this time, as the California Attorney General is pursuing legal action challenging Public Law No. 119-16.

c. Public Law No. 119-17

Public Law 119–17, enacted on June 12, 2025, disapproves, under the Congressional Review Act, the U.S. EPA's rule titled "California State Motor Vehicle and Engine and Nonroad Engine Pollution Control Standards; The 'Omnibus' Low NO_X Regulation; Waiver of Preemption; Notice of Decision." The law nullifies the U.S. EPA's January 6, 2025, Low NO_X rule that would have granted California a waiver to enforce stricter emissions standards for both on-road and non-road heavy-duty engines. Similar to the other Congressional Review Act resolutions listed above targeting emissions waivers, this law prohibits the U.S. EPA from reissuing the same or substantially similar rule without new authorization from Congress. The law effectively blocks California, and any states following its standards, from implementing this omnibus Low NO_X regulatory package.

4.2.2.2 State Regulations

a. California Ambient Air Quality Standards

The U.S. EPA allows states the option to develop different (stricter) standards. The state of California has developed the California Ambient Air Quality Standards (CAAQS) and generally has set more stringent limits on the criteria pollutants (Table 4.2-2). In addition to the federal criteria pollutants, the CAAQS also specify standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl chloride (see Table 4.2-2). Similar to the federal CAA, the state classifies specific geographic areas as either "attainment" or "nonattainment" areas for each pollutant based on the comparison of measured data with the CAAQS. The California CAA, which became effective on January 1, 1989, requires all areas of the state to attain the CAAQS at the earliest practicable date. The California CAA has specific air quality management strategies that must be adopted by the agency responsible for the non-attainment area.

Table 4.2-2
Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		National Standards[2]		
		Concentration[3]	Method[4]	Primary[3,5]	Secondary[3,6]	Method[7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	–	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.07 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM_{10})[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		–		
Fine Particulate Matter ($PM_{2.5}$)[9]	24 Hour	–	–	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	9 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-dispersive Infrared Photometry	35 ppm (40 mg/m^3)	–	Non-dispersive Infrared Photometry
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	–	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		–	–	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemi-luminescence	100 ppb (188 µg/m^3)	–	Gas Phase Chemi-luminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		53 ppb (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	–	Ultraviolet Fluorescence; Spectro-photometry (Pararosaniline Method)
	3 Hour	–		–	0.5 ppm (1,300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	–	
	Annual Arithmetic Mean	–		0.030 ppm (for certain areas)[11]	–	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	–	–	High Volume Sampler and Atomic Absorption
	Calendar Quarter	–		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	–		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chroma-tography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chroma-tography			

See footnotes on next page.

Table 4.2-2
Ambient Air Quality Standards

SOURCE: California Air Resources Board (CARB) 2024

ppm = parts per million; ppb = parts per billion; µg/m^3 = micrograms per cubic meter; – = not applicable.

[1] California standards for O_3, CO (except 8-hour Lake Tahoe), SO_2 (1 and 24 hour), NO_2, particulate matter (PM_{10}, $PM_{2.5}$, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

[2] National standards (other than O_3, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The O_3 standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. Environmental Protection Agency (U.S. EPA) for further clarification and current national policies.

[3] Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25 degrees Celsius (°C) and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

[4] Any equivalent measurement method which can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.

[5] National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

[6] National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[7] Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

[8] On October 1, 2015, the national 8-hour O_3 primary and secondary standards were lowered from 0.075 to 0.070 ppm.

[9] On February 7, 2024, the national annual $PM_{2.5}$ primary standard was lowered from 12.0 µg/m^3 to 9.0 µg/m^3. The existing national 24-hour $PM_{2.5}$ standards (primary and secondary) were retained at 35 µg/m^3, as was the annual secondary standards of 15 µg/m^3. The existing 24-hour PM_{10} standards (primary and secondary) of 150 µg/m^3 also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

[10] To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national standards are in units of ppb. California standards are in units of ppm. To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

[11] On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated non-attainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
Note that the 1-hour national standard is in units of ppb. California standards are in units of ppm. To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

[12] The CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

[13] The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 µg/m^3 as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated non-attainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

[14] In 1989, the CARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

b. Toxic Air Contaminants

In April 2005, CARB published the *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB 2005). The handbook makes recommendations directed at protecting sensitive land uses from air pollutant emissions while balancing a myriad of other land use issues (e.g., housing, transportation needs, economics). It notes that the handbook is not regulatory or binding on local agencies and recognizes that application takes a qualitative approach. As reflected in the CARB handbook, there is currently no adopted standard for the significance of health effects from mobile sources. Therefore, the CARB has provided guidelines for the siting of land uses near heavily traveled roadways. Of pertinence to this study, the CARB guidelines indicate that siting new sensitive land uses within 500 feet of a freeway or urban roads with 100,000 or more vehicles per day should be avoided when possible.

However, transit-oriented, infill, and compact development characterizes many communities located near heavily traveled roadways. This type of development pattern has many benefits, including reducing traffic. To address these issues, in April 2017, CARB published the *Technical Advisory: Strategies to Reduce Air Pollution Exposure Near High Volume Roadways* (CARB 2017). The Technical Advisory acknowledges the benefits of transit-oriented infill development, which often occurs adjacent to high-volume roadways, and identifies strategies to reduce exposure, including practices and technologies that reduce traffic emissions, increase dispersion of traffic pollution, and remove pollution from the air. Strategies that reduce traffic emissions include speed reduction mechanisms (e.g., reduced speed limits, speed bumps, roundabouts) and traffic signal management. Strategies that increase the dispersion of traffic emissions include land use designs that promote airflow and pollutant dispersion along street corridors, solid barriers (such as sound walls), and vegetation. Strategies that remove pollution from the air include indoor high efficiency filtration.

As an ongoing process, CARB will continue to establish new programs and regulations for the control of diesel particulate matter (DPM) and other air-toxics emissions as appropriate. The continued development and implementation of these programs and policies will ensure that the public's exposure to DPM will continue to decline.

c. State Implementation Plan

The State Implementation Plan (SIP) is a collection of documents that set forth the state's strategies for achieving the NAAQS. In California, the SIP is a compilation of new and previously submitted plans, programs (air quality management plans, monitoring, modeling, permitting, etc.), district rules, state regulations, and federal controls. The CARB is the lead agency for all purposes related to the SIP under state law. Local air districts and other agencies, such as the Department of Pesticide Regulation and the Bureau of Automotive Repair, prepare SIP elements and submit them to CARB for review and approval. The CARB then forwards SIP revisions to the U.S. EPA for approval and publication in the Federal Register. All the items included in the California SIP are listed in the Code of Federal Regulations at 40 CFR 52.220.

The SDAPCD is responsible for preparing and implementing the portion of the SIP applicable to the SDAB. The SIP plans for San Diego County specifically include the Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County (SDAPCD 2012), the

2004 Revision to the California State Implementation Plan for Carbon Monoxide–Updated Maintenance Plan for Ten Federal Planning Areas (CARB 2004), and the 2020 Plan for Attaining the National Ambient Air Quality Standard for Ozone in San Diego County (SDAPCD 2020).

4.2.2.3 Regional Regulations

a. San Diego Air Pollution Control District

The SDAPCD is the agency that regulates air quality in the SDAB. The SDAPCD first prepared the Regional Air Quality Strategy (RAQS) in response to the requirements set forth in the California CAA Assembly Bill (AB) 2595 (SDAPCD 1992) and the federal CAA. Motor vehicles are San Diego County's leading source of air pollution (SDAPCD 2022). In addition to these sources, other mobile sources include construction equipment, trains, and airplanes. Reducing mobile source emissions requires the technological improvement of existing mobile sources and the examination of future mobile sources, such as those associated with new or modification projects (e.g., retrofitting older vehicles with cleaner emission technologies). In addition to mobile sources, stationary sources also contribute to air pollution in the SDAB. Stationary sources include gasoline stations, power plants, dry cleaners, and other commercial and industrial uses. Stationary sources of air pollution are regulated by the local air pollution control or management district, in this case the SDAPCD.

Regional Air Quality Standards

The SDAPCD is responsible for preparing and implementing the RAQS. As part of the RAQS, the SDAPCD developed Transportation Control Measures (TCMs) for the air quality plan prepared by the San Diego Association of Governments (SANDAG) in accordance with AB 2595 and adopted by SANDAG on March 27, 1992, as Resolution Number 92 49 and Addendum. The RAQS and TCM set forth the steps needed to accomplish attainment of NAAQS and CAAQS. The most recent update of the RAQS and TCM occurred in 2022 (SDAPCD 2022).

Table 4.2-3 updates the SDAPCD current attainment designations for each of the criteria pollutants compared to that reported in the 2007 EIR.

Table 4.2-3
SDAPCD Attainment Designations

Criteria Pollutants	2007 EIR Designation		Current Designations	
	Federal	State	Federal	State
Ozone (one hour)	Attainment	Non-Attainment	Attainment[1]	Non-Attainment
Ozone (eight hours)	Non-Attainment	(No state standard)	Non-Attainment	Non-Attainment
Carbon Monoxide	Attainment	Attainment	Attainment	Attainment
PM_{10}	Unclassifiable	Non-Attainment	Unclassified[2]	Non-Attainment
$PM_{2.5}$	Attainment	(To be designated)	Attainment	Non-Attainment[3]
Nitrogen Dioxide	Attainment	Attainment	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment	Attainment	Attainment
Lead	Attainment	Attainment	Attainment	Attainment
Sulfates	(No federal standard)	Attainment	(No federal standard)	Attainment

Table 4.2-3 SDAPCD Attainment Designations				
	2007 EIR Designation		Current Designations	
Criteria Pollutants	Federal	State	Federal	State
Hydrogen Sulfide	(No federal standard)	Unclassified[2]	(No federal standard)	Unclassified[2]
Visibility Reducing Particles	(No federal standard)	Unclassified[2]	(No federal standard)	Unclassified[2]

SOURCE: 2007 EIR, SDAPCD 2026.

[1]The federal 1-hour standard of 12 parts per hundred million was in effect from 1979 through June 15, 2005. The revoked standard is referenced here because it was employed for such a long period and because this benchmark is addressed in State Implementation Plans.

[2]At the time of designation, if the available data does not support a designation of attainment or nonattainment, the area is designated as unclassifiable.

[3]The California Air Resources Board (CARB) has not reclassified the region to attainment yet due to (1) incomplete data, and (2) the use of non-California Approved Samplers (CAS). While data collected does meet the requirements for designation of attainment with federal $PM_{2.5}$ standards, the data completeness requirements for state $PM_{2.5}$ standards substantially exceed federal requirements and mandates, and have historically not been feasible for most air districts to adhere to given local resources. SDAPCD has begun replacing most regional filter-based $PM_{2.5}$ monitors as they reach the end of their useful life with continuous $PM_{2.5}$ air monitors to ensure collected data meets stringent completeness requirements in the future. SDAPCD anticipates these new monitors will be approved as "CAS" monitors once CARB review the list of approved monitors, which has not been updated since 2013.

Rules and Regulations

The SDAPCD has also established a set of rules and regulations initially adopted on January 1, 1969, and periodically reviewed and updated. The following rules and regulations are applicable to the project:

- SDAPCD Regulation IV: Prohibitions; Rule 50: Visible Emissions. Prohibits discharge into the atmosphere from any single source of emissions whatsoever any air contaminant for a period or periods aggregating more than three minutes in any period of 60 consecutive minutes that is darker in shade than that designated as Number 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or of such opacity as to obscure an observer's view to a degree greater than does smoke of a shade designated as Number 1 on the Ringelmann Chart.

- SDAPCD Regulation IV: Prohibitions; Rule 51: Nuisance. Prohibits the discharge, from any source, of such quantities of air contaminants or other materials that cause or have a tendency to cause injury, detriment, nuisance, annoyance to people and/or the public, or damage to any business or property.

- SDAPCD Regulation IV: Prohibitions; Rule 55: Fugitive Dust. Regulates fugitive dust emissions from any commercial construction or demolition activity capable of generating fugitive dust emissions, including active operations, open storage piles, and inactive disturbed areas, as well as track-out and carry-out onto paved roads beyond a project site.

- SDAPCD Regulation IV: Prohibitions; Rule 67.0.1: Architectural Coatings. Requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce volatile organic compounds (VOC) emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

- SDAPCD Regulation XII: Toxic Air Contaminates; Rule 1200: Toxic Air Contaminants – New Source Review. Requires new or modified stationary source units with the potential to emit TACs above rule threshold levels to either demonstrate that they will not increase the maximum incremental cancer risk above one in one million at every receptor location, or demonstrate that toxics best available control technology will be employed if maximum incremental cancer risk is equal to or less than 10 in one million, or demonstrate compliance with SDAPCD's protocol for those sources with an increase in maximum incremental cancer risk at any receptor location of greater than 10 in one million but less than 100 in one million.

- SDAPCD Regulation XII: Toxic Air Contaminates; Rule 1210: Toxic Air Contaminant Public Health Risks – Public Notification and Risk Reduction. Requires each stationary source that is required to prepare a public risk assessment to provide written public notice of risks at or above the following levels: maximum incremental cancer risks equal to or greater than 10 in one million, or cancer burden equal to or greater than 1.0, or total acute non-cancer health hazard index equal to or greater than 1.0, or total chronic non-cancer health hazard index equal to or greater than 1.0.

4.2.2.4 Local Regulations

a. City of San Marcos Climate Action Plan

The City's Climate Action Plan (CAP) was first adopted in 2013 in compliance with the adopted policies in the General Plan and consistent with the State of California's AB 32. On December 8, 2020, the City adopted an updated CAP. The updated 2020 CAP contains a baseline 2012 City Greenhouse Gas (GHG) inventory and establishes projected GHG emissions and reduction targets for the year 2030 to meet the state's GHG reduction goals mandated by Senate Bill 32, and to make reasonable progress towards the state's post-2030 GHG reduction goals, including achieving carbon neutrality statewide by 2045. The City plans to achieve the following municipal and community GHG emissions reductions (City of San Marcos 2020):

- 4 percent below 2012 levels by 2020, and

- 42 percent below 2012 levels by 2030.

The CAP identifies eight strategies and 22 measures to achieve these GHG emissions reduction targets and achieve proportionate progress towards the state's post-2030 GHG reduction goals. The City's CAP is a qualified GHG reduction plan consistent with California Environmental Quality Act (CEQA) Guidelines Section 15183.5. Development projects consistent with an applicable local qualified GHG reduction plan are eligible for streamlined GHG analysis.

b. City of San Marcos General Plan

Since certification of the 2007 EIR, the City of San Marcos (City) adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to air quality. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Conservation and Open Space Element

- Goal COS-4: Improve regional air quality and reduce greenhouse gas emissions that contribute to climate change.
    - Policy COS-4.1: Continue to work with the U.S. Environmental Protection Agency (EPA), California Air Resources Board, SANDAG, and the San Diego Air Pollution Control District (SDAPCD) to meet State and federal ambient air quality standards.
    - Policy COS-4.2: Require new sensitive-use development, such as schools, day care centers and hospitals, located near mobile and stationary toxic air contaminants be designed with consideration of site and building orientation, location of trees, and incorporation of appropriate technology (i.e., ventilation and filtration) for improved air quality to lessen any potential health risks.

Environmental Justice Element

- Goal EJ-1: Reduce greenhouse gas emissions, enhance air quality, and reduce impacts associated with climate change.
    - Policy EJ-1.9: Continue to work with the U.S. EPA, CARB, SANDAG, and the SDAPCD to meet State and federal ambient air quality standards.

c. City of San Marcos Municipal Code

Since certification of the 2007 EIR, the following code sections have been codified into the San Marcos Municipal Code (SMMC).

Title 17, Building Construction and Related Activities

SMMC Section 17.32 was amended in 2022 by Ordinance No. 2022-1522. Specifically, Section 17.32.080, Import and Export of Earth Material; Stockpiling was amended to include dust prevention measures where an excess of 5,000 cubic yards of earth per site project is moved on public roadways from or to a development site. In these situations, grading operations require either water or dust palliative or both to be applied to the transported material to alleviate or prevent excessive dust resulting from the loading or transportation of earth from or to the project site on public roadways (SMMC Section 17.32.080 (F)).

4.2.3 2007 Thresholds of Significance

Subsection 3.2 of the 2007 EIR evaluated impacts based on whether the San Marcos Creek Specific Plan (Adopted Specific Plan) would:

a. Conflict with or obstruct implementation of the applicable air quality plan;

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation;

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for O_3 precursors);

d. Expose sensitive receptors to substantial pollutant concentrations; and/or

e. Create objectionable odors affecting a substantial number of people.

4.2.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the CEQA Guidelines Thresholds of Significance have been updated to remove Threshold b. However, to ensure a comprehensive supplemental analysis, Threshold b is included with the supplemental analysis of Threshold c.

4.2.3.2 Local Significance Thresholds

The City has not adopted air quality significance thresholds. The SDAPCD also does not provide specific numeric thresholds for determining the significance of air quality impacts under CEQA. However, the SDAPCD does specify Air Quality Impact Analysis trigger levels for new or modified stationary sources (SDAPCD Rules 20.1, 20.2, and 20.3). The SDAPCD does not consider these trigger levels to represent adverse air quality impacts; rather, if these trigger levels are exceeded by a project, the SDAPCD requires an air quality analysis to determine if a significant air quality impact would occur. While these trigger levels do not generally apply to mobile sources or general land development projects, for comparative purposes these levels are used to evaluate the increased emissions that would be discharged to the SDAB if the project were approved. The air quality impact screening levels used in this analysis are shown in Table 4.2-4.

Table 4.2-4 Air Quality Impact Screening Levels			
Pollutant	Emission Rate		
	Pounds/Hour	Pounds/Day	Tons/Year
NO_X	25	250	40
SO_X	25	250	40
CO	100	550	100
PM_{10}	--	100	15
Lead	--	3.2	0.6
VOC, ROG[1]	--	250	--
$PM_{2.5}$	--	67	10
SOURCE: SDAPCD, Rules 20.1, 20.2, 20.3. [1]ROG threshold based on federal General Conformity *de minimus* levels for O_3 precursors.			

4.2.3.3 Methodologies and Air Quality Calculations

All details related to methodologies for calculating project emissions are discussed in Section 6.0 of Appendix A and summarized as relevant within Section 4.2.6.3. This section includes all assumptions and modeling specifics used to evaluate construction, operational, mobile source, area source, and energy source emissions. Readers are encouraged to review each methodology noting air emissions were calculated using California Emissions Estimator Model (CalEEMod) 2022.1.37 (California Air Pollution Control Officers Association 2022). The CalEEMod program is a tool used to estimate air emissions resulting from land development projects based on California-specific emission factors. The model estimates mass emissions from two basics sources: construction sources and operational sources, which also includes area, energy, and mobile sources.

Air pollutants generated by future development within the Planning Area would vary depending upon the number of projects occurring simultaneously and the size of each individual project. The exact number and timing of all development projects that could occur under project build-out are unknown. As such, construction-related emissions cannot be accurately determined at the program level of analysis. However, typical construction emissions associated with a typical project that could be developed were calculated to illustrate the potential construction-related air quality impacts that could occur. The hypothetical project analyzed is a five-acre mixed-use development consisting of the demolition of a 20,000-square-foot structure, the export of 10,000 cubic yards of soil, and the construction of 275 multi-family residential units (which is based on the maximum density of 55 dwelling units per acre in the H-3 land use district) and 20,000 square feet of retail uses. As the project does not specifically identify any specific development project, CalEEMod default estimates were used to develop the construction scenario. Emissions were modeled for the soonest construction start year of 2027. This is conservative since statewide regulations on construction fleets generally result in emissions that decrease over time.

4.2.4 Thresholds a: Air Quality Plans

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

4.2.4.1 Summary of Prior Analysis

The 2007 EIR analyzed the Adopted Specific Plan for consistency with the RAQS and SIP based on applicable land use and growth assumptions. Although the Adopted Specific Pan was consistent with relevant General Plan goals and policies, it required a General Plan Amendment and therefore was determined to not be fully consistent with the General Plan growth projections incorporated into regional air quality planning.

The traffic analysis prepared for the Adopted Specific Plan determined that buildout of the Adopted Specific Plan would result in a net increase of approximately 9,792 average daily trips, including 1,177 a.m. peak hour trips and 1,087 p.m. peak hour trips compared to General Plan build-out conditions. This increase represents approximately 11 percent additional daily trips. While incrementally adverse, the increase was determined not to constitute a significant impact and was considered a minimal change in projected air emissions.

4.2.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, there have been no changes in the regulatory framework, site conditions, or scientific understanding that would affect the conclusions regarding the RAQs.

b. Specific Plan Update

Since certification of the 2007 EIR, the City has adopted an updated General Plan which includes the adopted land uses assumed under the Adopted Specific Plan.

4.2.4.3 Environmental Analysis

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

As discussed, the RAQS is based in part on the land uses established in the City's General Plan, which includes the adopted land uses assumed under the Adopted Specific Plan. The Specific Plan Update would result in less development and less traffic generation when compared to the Adopted Specific Plan. As a result, the Specific Plan Update would result in a decrease in emissions when compared to build-out of the Adopted Specific Plan for all criteria pollutants. Therefore, the project would not result in an increase in emissions that are not already accounted for in the 2022 RAQS. The project would not obstruct or conflict with implementation of the RAQS. Accordingly, the Specific Plan Update would not result in new significant impacts or a substantial increase in the severity of impacts related to the project's consistency with air quality plans.

4.2.4.4 Conclusion

Consistent with the 2007 EIR, impacts associated with air quality plans would remain less than significant, and no new mitigation measures would be required.

4.2.5 Thresholds b and c: Violate Air Quality Standards and Criteria Pollutant Emissions

Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for O_3 precursors)?

4.2.5.1 Summary of Prior Analysis

The 2007 EIR air quality analysis evaluated two primary components of the overall program: floodway and infrastructure improvements (Phase 1) and development under the Specific Plan (Phase 2). The floodway and infrastructure improvements have since been completed and are not part of the current project. Accordingly, the following summary focuses solely on the air quality analysis related to Specific Plan development.

a. Construction Emissions

PM_{10} Grading Activity

The Adopted Specific Plan was expected to be built out over the course of 20 years. Therefore, the Planning Area would not be under simultaneous disturbance. Since at the time of the 2007 EIR specific information on projects, including grading acreage, was unknown, disturbance footprints were calculated. Based on guidance from the SCAQMD CEQA Handbook, uncontrolled grading activities could generate approximately 26.4 pounds of PM_{10} per acre per day. Implementation of best available control measures (BACMs), such as soil watering and other dust suppression techniques, was assumed to reduce PM_{10} emissions to approximately 10 pounds per day per acre

disturbed. Grading operations exceeding 10 acres per day would exceed this threshold, and a significant impact relating to PM_{10} would occur.

PM_{10} Construction Equipment Emissions

Exhaust emissions from construction equipment were evaluated for 10- and 20-acre disturbance scenarios. Daily emissions of CO, reactive organic gas (ROG), nitrous oxide (NOx), sulfur oxide, and PM_{10} from equipment exhaust were found to be below applicable significance thresholds. Nevertheless, due to the nonattainment status of the air basin and proximity of sensitive receptors, implementation of BACMs was required.

$PM_{2.5}$

Note that the 2007 EIR did not calculate emissions of $PM_{2.5}$ even though $PM_{2.5}$ NAAQS were adopted in 1997 and CAAQS were adopted in 2002 because no screening-level thresholds for this pollutant were identified.

Diesel Particulate Matter

DPM emissions from construction equipment were evaluated for cancer risk. The analysis concluded that DPM-related health risks would be less than significant due to the short-term duration of construction, evolving fleet emission standards, and phased development over time.

Architectural Coatings

Architectural coating activities were identified as a potential source of ROG emissions. Because project-specific building sizes and phasing were unknown, ROG emissions could not be fully quantified at the program level, and potentially significant impacts were identified.

Conclusions

In summary, the 2007 EIR concluded that even with implementation of identified BACMs, construction-related PM_{10} and ROG emissions associated with development of the Planning Area would be significant. The 2007 EIR included mitigation measures MM 3.2-1 and MM 3.2-2, the implementation of which would reduce potentially significant impacts to PM_{10}; however, not to less than significant levels. The 2007 EIR concluded that impacts associated with construction-related PM_{10} would remain significant and unavoidable.

The 2007 EIR also included mitigation measures MM 3.2-9 through MM 3.2-11 to address construction related ROG emissions. Implementation of these measures were determined to reduce potentially significant impacts to ROG to less than significant levels.

MM 3.2-1: The total disturbance acreage during demolition or new construction involving surface disturbance (clearing, excavation or grading) shall not exceed 10 acres per day.

MM 3.2-2: In addition to mandatory compliance with SCAQMD Rule 403, surface disturbance shall occur only in conjunction with the use of BACMs, including, but not limited to, those presented in Table 3.2-14, BACM Requirements for Proposed Project.

b. Operational Emissions

The 2007 EIR evaluated long-term operational air quality impacts associated with build-out of the Planning Area using the URBEMIS2002 model. Emissions from mobile and area sources (e.g., household products, landscape maintenance, water heaters) were calculated for build-out conditions with and without the project. Project-related emissions were determined by comparing build-out with the Specific Plan to build-out of the General Plan without the additional growth assumptions.

The analysis concluded that build-out of the Adopted Specific Plan would exceed applicable daily significance thresholds for ROG, CO, and PM_{10}. These exceedances were identified as significant impacts. However, the analysis also determined that build-out under the existing General Plan designations, without the additional growth, would similarly exceed thresholds for these pollutants.

When comparing the two build-out conditions, the Adopted Specific Plan would result in incremental increases in emissions. Although these increases represented a relatively small change in overall emissions at the regional scale, the 2007 EIR determined them to be significant under applicable air quality thresholds.

The 2007 EIR noted that the Adopted Specific Plan incorporated features intended to reduce vehicle trips and associated emissions, including pedestrian and bicycle infrastructure, a proposed shuttle connection to key city destinations and the SPRINTER station, and transit access via North County Transit District bus service. While these transportation demand management features would reduce some vehicular trips, operational air quality impacts were nonetheless determined to remain significant. The 2007 EIR included mitigation measure MM 3.2-12, the implementation of which would reduce potentially significant impacts; however, not to less than significant levels. The 2007 EIR concluded that impacts associated with operational emissions would remain significant and unavoidable.

MM 3.2-12: Prior to issuance of building permits, the applicant shall submit a transportation management plan and provide evidence, to the satisfaction of the City, that indicates compliance with the following measures outlined in the transportation management plan:

- Provide preferential parking for carpool/vanpool vehicles;
- Provide secure and conveniently located bicycle parking and storage for workers and patrons; and
- Provide preferential parking for hybrid and alternative fuel vehicles.

In addition, the following measure shall be included within the transportation management plan with specific criteria and standards to be reviewed and approved by the City:

- Use energy-efficient lighting and process systems, such as low-NO_x water heaters, furnaces, and boiler units.

4.2.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City has adopted an updated General Plan which provides a framework including goals and policies focused on improving regional air quality. Additionally, the City has updated the SMMC to include dust prevention measures consistent with General Plan policies.

Additionally, its adoption in 2013 and 2020 update, the City has implemented a CAP that outlines strategies and measures that the City will undertake to achieve its proportional share of state GHG emissions reduction targets (City of San Marcos 2020). Implementation of the CAP also serves to reduce emissions of criteria pollutants, especially those associated with mobile sources. All future development subject to CEQA would be required to implement the following CAP measures as detailed in the City's CAP Consistency Checklist:

Electric Vehicle Charging Stations (Measure T-2)

- Multi-Family Residential and Non-Residential: Install electric vehicle charging stations (Level 2 or better) in at least five percent of the total parking spaces provided on-site.

Bicycle Infrastructure (Measure T-8)

- Residential and Non-Residential Projects: If the following conditions are met, the project shall pay its fair-share contribution to bicycle infrastructure improvements
    - Intersection or roadway segment improvements are proposed as part of the project and,
    - The City's General Plan Mobility Element identifies bicycle infrastructure improvements at any intersection(s) or roadway segment(s) that would be improved as part of the project.

Transportation Demand Management (Measure T-9)

- Residential and Non-Residential: Comply with the City's Transportation Demand Management (TDM) Ordinance (Chapter 20.350 of the Municipal Code) and the TDM Policy.

Reduce Parking Near Transit (Measure T-12)

- Multi-Family Residential: If located within a half-mile of a major transit stop, provide at least 27 percent fewer parking spaces than required for the same use based on the City's municipal code parking requirements.

Water Heaters (Measure E-1)

- Residential: Install one of, or a combination of, the following water heater types in place of natural gas water heaters?

- Electric heat pump water heater
- Instantaneous electric water heater
- Electric tank
- Solar water heater with heat pump water heater backup
- Solar water heater with electric tank backup

Photovoltaic Installation (Measure E-2)

- Non-Residential: Install photovoltaic systems with a minimum capacity of two watts per square foot of gross floor area.

Landscaping Water Use (Measure W-1)

- Residential and Non-Residential: Comply with the City's Water Efficient Landscape Ordinance.

Urban Tree Canopy (Measure C-2)

- Single-Family Residential: Plant a minimum of one tree per single-family residential unit, or
- Multi-Family Residential and Non-Residential: If the project is providing more than 10 parking spaces, plant at least one tree per five parking spaces provided.

b. Specific Plan Update

All future development within the Planning Area would be reviewed for consistency with the Specific Plan Update. The Specific Plan Update includes goals and policies as well as development and design standards that would apply to all future development within the Planning Area with a focus on the reduction of mobile-source emission. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update:

- Goal LU.5: Interconnected neighborhoods and commercial districts that promote internal walking and bicycling, and that link directly to the City's active transportation routes
  - Policy LU.5.1: Establish a strong pedestrian and transit orientation throughout the Creek District by prohibiting primarily auto-oriented land uses.
  - Policy LU.5.2: Allow for shared parking arrangements among uses at convenient locations.
  - Policy LU.5.3: Require that new development provides well-marked, on-site pedestrian walkways that link to sidewalks and other pedestrian-oriented public rights-of-way.

- Policy LU.5.4: Consider provision of publicly owned parking lots and structures that promote park-once strategies for non-residential uses.

- Policy LU.5.5: Require bicycle parking facilities for all new development projects beyond any state code requirements.

- Goal DP.1: High-quality, eclectic design in all development projects

  - Policy DP.1.1: Apply the design standards in Chapter 4.0 to all development projects.

- Goal M.1: An internal circulation system that prioritizes pedestrians and cyclists, with accommodation for cars and trucks at low speeds within the Creek District

  - Policy M.1.1: Design internal streets pursuant to the network and standards defined in Chapter 5.0., and to provide convenient, attractive, and pedestrian-friendly connections between urban parks and natural open space areas along San Marcos Creek.

  - Policy M.1.2: Require developers to provide the public rights-of-way needed and identified in Chapter 5.0 to connect their planned projects to off-site streets and ensure circulation for emergency purposes. Create a mechanism that allows for fair-share reimbursements to developers from subsequent projects that use that infrastructure.

  - Policy 4.1.3: Encourage new development to incorporate internal, pedestrian-only streets and passages to enhance the pedestrian orientation of the development and provide linkages to plazas and other open space areas.

  - Policy M.1.5: Provide continuous sidewalk improvements or off-street paths along all street corridors, and close gaps in the existing pedestrian system.

  - Policy M.1.6: Provide convenient and direct pedestrian access to all buildings (commercial and residential) from street frontages, rather than through parking lots.

  - Policy M.1.7: Encourage developers to provide pedestrian streets (i.e., "paseos") in mid-block areas that provide for pedestrian access through the block and to parking areas located behind buildings.

  - Policy M.1.8: Integrate traffic-calming measures such as roundabouts, traffic circles, curb extensions, textured paving, pedestrian refuges/islands, and on-street parking into the street network.

- Goal M.2: A circulation system that maintains and improves access and connectivity between the Creek District and adjacent neighborhoods while allowing San Marcos Boulevard to maintain its function of moving cross-town traffic efficiently

  - Policy M.2.1: Incorporate wayfinding signage on-site that directs motorists to use Discovery Street and South Las Posas Road as an alternative to San Marcos Boulevard.

- Policy M.2.2: Provide pedestrian crossings of San Marcos Boulevard with signals timed for pedestrian convenience and safety.

- Policy M.2.3: Provide a pedestrian bridge crossing of the creek at the terminus of McMahr Road.

- Goal M.3: Increased use of public transit by Creek District residents and visitors to the District

  - Policy M.3.1: Pursue establishment of shuttle service, on-demand transit, or other programs that connect the Creek District to nearby Sprinter stations and destination such as Civic Center, Palomar College, Cal State San Marcos, North City, and Kaiser Permanente facilities.

  - Policy M.3.2: Work with the North County Transit District to provide more regular, more frequent, and more convenient transit service to the Creek District.

- Goal M.4 : A parking management system that encourages shared parking facilities

  - Policy M.4.1: Allow developers to coordinate on provision of shared parking or to provide stand-alone parking facilities that encourage a "park once" approach for visitors.

Through implementation of the land use pattern along with these goals and policies, the Specific Plan Update would create a mixed-use environment that is transit-oriented, prioritizes pedestrians and cyclists, and is interconnected to adjacent neighborhoods and transportation routes.

4.2.5.3 Environmental Analysis

As summarized in Table 4.2-3 the region is classified as an attainment area for all criterion pollutants except O_3, PM_{10}, and $PM_{2.5}$. The SDAB is a non-attainment area for the federal O_3 standard, and a non-attainment area for the state O_3standards, the state PM_{10} standard, and the state $PM_{2.5}$ standard. $O_3$is not emitted directly but is a result of atmospheric activity on precursors. NO_X and ROG, known as the chief "precursors" of O_3, react in the presence of sunlight to produce O_3. $PM_{2.5}$ includes fine particles that are found in smoke and haze and is emitted from all types of combustion activities (motor vehicles, power plants, wood burning, etc.) and certain industrial processes. PM_{10} includes both fine and coarse dust particles, and sources include crushing or grinding operations and dust from paved or unpaved roads.

a. Construction Emissions

Appendix B provides an updated analysis of the potential for the Specific Plan Update to result in air pollutant emissions beyond those found in the 2007 EIR. As considered in the 2007 EIR, construction-related pollutants result from dust raised during demolition, grading, emissions from construction vehicles, and chemicals used during construction. As discussed in Section 4.2.3.3, construction emissions were calculated based on a hypothetical construction project which represents typical construction emissions associated with a typical project that could be developed. Emissions were calculated to illustrate the potential construction-related air quality impacts that could occur, the results of which are summarized in Table 4.2-5. The maximum daily construction emissions consider

that future construction operations would be subject to the requirements established in Regulation 4, Rules 52, 54, and 55 of the SDAPCD's rules and regulations.

Table 4.2-5
Maximum Daily Construction Emissions
(pounds per day)

Construction	Pollutant					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Demolition	2	21	20	<1	2	1
Site Preparation	3	28	29	<1	9	5
Grading	2	20	20	<1	5	2
Building Construction	2	11	22	<1	2	1
Paving	1	6	9	<1	<1	<1
Architectural Coatings	89	1	3	<1	<1	<1
Maximum Daily Emissions	**89**	**28**	**29**	**<1**	**9**	**5**
Significance Threshold	*250*	*250*	*550*	*250*	*100*	*67*

As shown in Table 4.2-5, maximum daily construction emissions associated with the hypothetical construction project are projected to be less than the applicable thresholds for all criteria pollutants.

The modeled project is illustrative only. Approval of the project would not specifically permit the construction of an individual project, and no specific development details are available at this program level of analysis. The thresholds presented above would be applied to future development within the Planning Area on a project-by-project basis and are not used for assessment of regional planning impacts. The information is presented to illustrate the potential scope of air impacts for a site-specific project that could be developed in the future. Additionally, the regulations at the federal, state, and local level provide a framework for developing project-level air quality protection measures for future projects.

All projects would be required to adhere to all existing regulations during construction to protect air quality, including existing state regulations and SDAPCD rules and regulations (see Section 4.2.2.3.b). Through implementation of SDAPCD rules and regulations and existing state regulations, construction emissions associated with development consistent with the Specific Plan Update would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment. Construction-related impacts would be less than significant.

The analysis and calculations conducted in the 2007 EIR are based on older equipment emission factors and outdated standards. Based on updated calculations prepared for this analysis, emissions are not anticipated to exceed the screening level thresholds. Compared to the previous analysis, this is largely due to improved technologies and stricter emission standards that have resulted in cleaner construction equipment fleets. As a result, mitigation measures identified in the 2007 EIR would no longer be required and would not be carried through to the Modified Mitigation, Monitoring, and Reporting Program (see Chapter 9.0). Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts associated with construction related air quality standards or criteria pollutant emissions.

b. Operational Emissions

Consistent with the 2007 EIR, mobile source emissions would originate from traffic generated by the project, energy source emissions would result from the combustion of natural gas, and area source emissions would result from the use of consumer products, architectural coatings, and landscaping activities. For comparison to the analysis provided in the 2007 EIR, operational emissions were calculated for both build-out of the Specific Plan Update and build-out of the Adopted Specific Plan.

Mobile source operational emissions are based on the trip rate and trip length. Table 4.2-6 summarizes the trip generation and vehicle miles traveled (VMT) associated with build-out of the project and the Adopted Specific Plan (Intersecting Metrics 2026a, 2026b). Default vehicle emission factors for the build-out year of 2050 were used.

Table 4.2-6
Trip Generation and Vehicle Miles Traveled

	Adopted Specific Plan		Specific Plan Update	
Land Use	Trips	VMT	Trips	VMT
Residential	12,420	83,249	11,480	81,574
Commercial	101,682	568,632	65,888	375,562
Total	114,102	651,881	77,368	457,136

SOURCE: Intersecting Metrics 2026a and 2026b

Area source emissions included emissions from consumer products, architectural coatings, and landscaping maintenance equipment. Consumer product emissions were calculated based on total building area and applicable emission factors for household and institutional product use. Architectural coating emissions were estimated using building surface area, coating emission factors, and an assumed annual reapplication rate of 10 percent of the coated area. Landscaping maintenance emissions were calculated based on building area, equipment emission factors, and assumed operational days, accounting for fuel combustion from equipment such as lawn mowers, trimmers, blowers, and similar devices. Fireplaces and woodstoves were not included in the modeling assumptions.

Energy source emissions were associated with natural gas combustion for space and water heating. Emissions were estimated using data from the Residential Appliance Saturation Survey, which provides climate zone-specific energy use factors. Although the Specific Plan Update includes development standards requiring all-electric construction with no natural gas appliances, natural gas combustion emissions were modeled using CalEEMod default assumptions as a conservative approach.

Total operational emissions from build-out of the entire Planning Area could exceed the project-level significance thresholds for CO, PM_{10}, and $PM_{2.5}$. However, project-level standards are not appropriate for a program-level analysis, as the thresholds are conservative and intended to ensure many individual projects would not obstruct the timely attainment of the national and state ambient air quality standards. Therefore, the analysis of the project is based on the future emissions estimates and related to attainment strategies derived from the adopted land use plan. At the program level, the analysis compares emissions generated by project build-out to emissions generated under build-

out of the Adopted Specific Plan land use and zoning designations to determine if the emissions would exceed the emissions estimates included in the RAQS, and to determine whether it would obstruct attainment of pollutants standards or conflict with the RAQS. As such, this analysis evaluates the potential for future development within the Planning Area to result in a cumulatively considerable net increase in emissions based on the change in pollutant emissions that would result from build-out of the Adopted Specific Plan in the year 2050 compared to build-out of the project in the year 2050.

Table 4.2-7 provides a summary of the operational emissions generated by the Adopted Specific Plan and the Specific Plan Update.

Table 4.2-7
Maximum Daily Operational Emissions

Scenario/Source	Emissions (pounds per day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Adopted Specific Plan						
Summer						
Mobile	218	117	1,495	4	461	118
Area	113	2	186	<1	<1	<1
Energy	<1	6	3	<1	<1	<1
Total Daily Emissions[1]	**331**	**124**	**1,684**	**4**	**462**	**119**
Winter						
Mobile	218	129	1,419	4	461	118
Area	93	<1	<1	<1	<1	<1
Energy	<1	6	3	<1	<1	<1
Total Daily Emissions[1]	**311**	**135**	**1,422**	**4**	**462**	**119**
Specific Plan Update						
Summer						
Mobile	149	81	1,040	3	324	82
Area	84	1	160	<1	<1	<1
Energy	<1	5	2	<1	<1	<1
Total Daily Emissions[1]	**233**	**87**	**1,202**	**3**	**324**	**83**
Winter						
Mobile	148	89	984	2	324	82
Area	68	<1	<1	<1	<1	<1
Energy	<1	5	2	<1	<1	<1
Total Daily Emissions[1]	**216**	**94**	**987**	**3**	**324**	**83**
Difference (Adopted Specific Plan – Specific Plan Update)						
Summer	-99	-37	-482	-1	-138	-35
Winter	-95	-41	-435	-1	-187	-35

[1] Emissions were rounded to the nearest whole number. Emissions reported as <1 indicate that emissions were calculated to be less than 0.5 pound per day.

As shown, operational emissions under the Specific Plan Update would be less than those associated with the Adopted Specific Plan for all criteria pollutants. Additionally, all future projects would be evaluated for consistency with federal, state, and local frameworks focused on implementing air

quality protection measures. The City's process for evaluation of future development that could be implemented under the project would also include environmental review and documentation pursuant to CEQA, as well as an analysis of those site-specific projects for consistency with the goals, policies, and recommendations of the City General Plan, Specific Plan Update, and CAP. Overall, the Specific Plan Update would support implementation of the land use pattern along with these goals and policies, and the project would create a mixed-use environment that is transit-oriented, prioritizes pedestrians and cyclists, and is interconnected to adjacent neighborhoods and transportation routes.

At this programmatic level through implementation of proposed goals and policies, as well as future projects' implementation of CAP reduction measures, air quality impacts associated with operational activities within the Planning Area would be within allowable thresholds. However, it is possible that for certain projects, adherence to the regulations may not adequately protect air quality, and such projects would require additional measures to avoid or reduce significant air quality impacts. In such a situation, operational impacts would be potentially significant. Future projects would be required to implement mitigation measure MM-AQ-1, which would replace mitigation measure MM 3.2-12 set out on the 2007 EIR. Mitigation MM 3.2-12 is outdated, as the parking requirements for carpools, alternatively fueled vehicles, and bicycles are now folded into the CAP and current building codes. Additionally, the energy efficiency and low NO_x measure is outdated because of current building codes, CAP measures, and the Specific Plan Update all-electric requirement.

S-AQ-1: Daily Operational Emissions: For individual projects that may exceed the daily operational emissions thresholds established by the City and the SDAPCD, the owner/permitee shall conduct an analysis of the project's operational air quality impacts using the latest available CalEEMod mode, or other analytical method determined in conjunction with the City. If such analyses identify potentially significant regional or local air quality impacts, project-level mitigation and/or project design features would be required to reduce operational impacts to less than significant. Mitigation to reduce operational impacts depends on the specific project, but may include measures such as, but not limited to the following:

- Demonstration of net zero energy expenditure.
- Implementation of transportation demand management measures.
- Prohibition of the installation of woodstoves, hearths, and fireplaces in new construction.
- Expansion and facilitation of the completion of planned networks of active transportation infrastructure.
- Implementation of electric vehicle charging infrastructure beyond requirements set forth in the 2025 California Green Building Standards Code mandatory measures, such as Tier 2 voluntary measures, or future more stringent standards.
- Implementation of traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and providing car/bike sharing services, that will reduce daily individual car usage and reduce project VMT.

4.2.5.4 Conclusion

a. Construction Emissions

Impacts associated with construction-related air quality standards and criteria pollutant emissions would be less than significant. The mitigation measures MM 3.2-1 and MM 3.2-2, and MM 3.2-9 through MM 3.2-11, identified in the 2007 EIR, would no longer apply to the project. No new mitigation measures would be required.

b. Operational Emissions

Impacts associated with operational-related air quality standards and criteria pollutant emissions would be potentially significant. S-AQ-1 would replace 2007 EIR mitigation measure MM 3.2-12, requiring project-level analysis and project-specific mitigation and design features to reduce any identified operational impacts to less than significant. With implementation of S-AQ-1, impacts would be reduced to less than significant.

4.2.6 Threshold d: Sensitive Receptors

Would the project expose sensitive receptors to substantial pollutant concentrations?

4.2.6.1 Summary of Prior Analysis

The 2007 EIR evaluated potential localized air quality impacts associated with project-related traffic increases using a California Department of Transportation screening methodology based on the CALINE4 dispersion model. The analysis assessed three scenarios—Existing Year, General Plan build-out, and Adopted Specific Plan build-out—to determine whether changes in traffic patterns could result in CO "hot spots" at congested intersections.

CO was used as the indicator pollutant because it is directly associated with nearby vehicular activity and is suitable for evaluating localized exposure conditions. Modeling was conducted for a.m. and p.m. peak hour conditions at intersections operating at Level of Service D or worse assuming conservative worst-case dispersion conditions.

Results indicated that project-related increases in CO concentrations were minimal. The highest localized increase under Existing Year conditions was approximately +2.0 parts per million (ppm), resulting in total concentrations well below the one-hour CAAQS of 20 ppm. Under the Adopted Specific Plan scenario compared to the General Plan scenario, no net increase in CO concentrations was identified.

The 2007 EIR concluded that implementation of the Adopted Specific Plan would not result in localized CO "hot spots" or exceed applicable ambient air quality standards. Impacts to sensitive receptors from micro-scale traffic emissions were determined to be less than significant.

4.2.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

Sensitive land uses include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities. The 2007 EIR did not expressly identify sensitive receptors within or in proximity to the Planning Area. Therefore, these additional details are provided. The nearest sensitive receptors include residential uses adjacent to and within the Planning Area, Valley Christian School, and San Marcos High School. Residential uses are as close as approximately 240 feet from the developable area. Valley Christian School is located within the Planning Area, approximately 100 feet from the developable area, and San Marcos High School is located approximately 250 feet from the Planning Area. Additionally, the project would construct future residential uses on-site that would be exposed to future construction activities as projects come forward.

b. Specific Plan Update

While there are several goals and policies related to air quality emission reductions, there are none expressly applicable to this issue.

4.2.6.3 Environmental Analysis

Since the 2007 EIR, guidelines and standards have been updated which are the basis for this supplemental environmental analysis.

a. Carbon Monoxide (CO) Hot Spots

Due to increased requirements for cleaner vehicles, equipment, and fuels, CO levels in the state have dropped substantially. All air basins are attainment or maintenance areas for CO. Therefore, more recent screening procedures based on more current methodologies have been developed. The Bay Area Air Quality Management District developed a screening threshold in their 2022 CEQA Guidelines (Bay Area Air Quality Management District 2022). These screening criteria are considered applicable in the SDAB because the San Francisco Bay Air Basin and the SDAB have the same CO maintenance designations, and the vehicle classifications in the regions are similar. If the following screening criteria are met, operation of a project would result in less than significant impacts related to CO:

- The project is consistent with an applicable congestion management program established by the County of San Diego congestion management agency for designated roads or highways, the regional transportation plan, and local congestion management agency plans.

- Project-generated traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.

- Project-generated traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Intersection turning volumes for the existing condition, buildout of the Adopted Specific Plan, and buildout of the project were obtained from the traffic engineer and are provided in Attachment 4 (Intersecting Metrics 2026c). Maximum peak hour intersection turning volumes would occur at the intersection of San Marcos Boulevard and Grand Avenue under buildout of both the Adopted Specific Plan and the project. With buildout of the Adopted Specific Plan, peak hour turning volumes at this intersection would be 5,970 vehicles per hour. With buildout of the project, peak hour turning volumes at this intersection would be 5,560 vehicles per hour. Peak hour turning volumes would be less than CO hotspot screening criteria of 44,000 vehicles per hour. Therefore, impacts related to CO hot spots would be less than significant.

b. Diesel Particulate Matter– Construction

Construction-related toxic air contaminant emissions were evaluated for DPM from heavy-duty equipment. CalEEMod was used to estimate equipment exhaust emissions, and AERSCREEN dispersion modeling was performed to estimate worst-case one-hour ground-level concentrations, which were converted to annual averages. Health risk was evaluated consistent with Office of Environmental Health Hazard Assessment methodology, including age-specific exposure factors and cancer potency factors. A conservative scenario assumed three simultaneous construction projects operating near a sensitive receptor over the 25-year build-out period.

Modeling results indicated a maximum excess cancer risk of 1.79 in one million and a chronic hazard quotient of 0.0005. These values are well below commonly applied significance thresholds of 10 in one million for cancer risk and a hazard quotient of 1.0 for non-cancer effects. Additionally, construction equipment would be subject to CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation, further reducing emissions over time. Accordingly, construction-related DPM impacts to sensitive receptors would be less than significant.

c. DPM – Freeway Exposure

Consistent with CARB guidance recommending avoidance of siting sensitive receptors within 500 feet of freeways carrying 100,000 or more vehicles per day, the analysis evaluated proximity to State Route 78. No sensitive receptors are proposed within 500 feet of State Route 78; the nearest sensitive land uses are approximately 950 feet away. Therefore, long-term operational exposure to freeway-related DPM would be less than significant.

4.2.6.4 Conclusion

Consistent with the 2007 EIR, impacts associated with exposing sensitive receptors to substantial pollutant concentrations would remain less than significant, and no new mitigation measures would be required.

4.2.7 Threshold e: Odor

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

4.2.7.1 Summary of Prior Analysis

The 2007 EIR determined that proposed residential, commercial, and office uses would not be typically characterized as uses that create an objectionable odor. Therefore, no impact was identified for this issue area.

4.2.7.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, there have been no changes in the regulatory framework or site conditions that would affect the conclusions regarding potential odor impacts.

b. Specific Plan Update

The Specific Plan Update continues to propose a mix of residential, commercial, and office uses which, like the project analyzed in the 2007 EIR, would not expect to create objectionable odors.

4.2.7.3 Environmental Analysis

a. Construction Odors

During construction activities, diesel equipment may generate some nuisance odors from equipment exhaust. Odors would also be generated during paving activities and during the application of architectural coatings. Sensitive receptors throughout the Planning Area include residential uses and schools, and on-site residents would be exposed to construction-related odors as development occurs. However, exposure to odors associated with construction would be short-term and temporary in nature. In addition, all construction activities would be required to comply with SDAPCD Rule 51, which prohibits the discharge of odorous emissions that would create a public nuisance. Further, per CARB's Airborne Toxic Control Measures 13 (California Code of Regulations Chapter 10 Section 2485), contractors shall not allow idling time to exceed five minutes unless more time is required per engine manufacturers' specifications or for safety reasons. Compliance with this regulation would reduce odors from equipment exhaust. Given the short-term nature of construction near any given receptor and compliance with these regulations, construction would not generate odors that would affect a substantial number of people, and impacts would be less than significant.

b. Operational Odors

The CARB Air Quality and Land Use Handbook (CARB 2005) identifies a list of the most common sources of odor complaints received by local air districts. Land uses typically associated with odors include wastewater treatment facilities, waste-disposal facilities, or agricultural operations. Residential, commercial, and retail uses are not typically characterized as uses that create an objectionable odor. Therefore, project operation would not generate odors adversely affecting a substantial number of people, and impacts would be less than significant. Accordingly, the Specific Plan Update would not result in new significant impacts or a substantial increase in the severity of impacts related to odors.

4.2.7.4 Conclusion

Consistent with the 2007 EIR, impacts associated with odor would remain less than significant, and no new mitigation measures would be required.

4.3 Biological Resources

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with biological resources in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether implementation of the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of impacts to biological resources, this section of the SEIR should be reviewed in tandem with Section 3.3 of the 2007 EIR.

A Vegetation Mapping and Special-Status Species Update for the Creek Plan Specific Plan Update was prepared for the project, and is attached as Appendix C.

4.3.1 Existing Conditions

The environmental setting for biological resources is described in detail in the 2007 EIR, which serves as the primary baseline for this SEIR. The following summary identifies any changes in site conditions and/or surrounding development that have occurred since certification of the 2007 SEIR and that are pertinent to the analysis of biological conditions.

To document current special-status species and vegetation and land cover types within the Creek District (Planning Area), a Vegetation Mapping and Special-Status Species Update was prepared by RECON Environmental, Inc. (Appendix C). Vegetation within the Planning Area was previously mapped in 2005 to support preparation of the 2007 EIR. Since that time, the Planning Area has undergone substantial changes, including construction and buildout in several portions of the Planning Area and restoration of large swaths of riparian and wetland habitat along San Marcos Creek. Similarly, special-status species were analyzed in the 2007 EIR. Since that time, several plant and wildlife species have become federally or state-listed or a candidate for listing, and additional observations of special-status species have been added to databases.

The vegetation communities and land cover types identified within the Planning Area are summarized in Table 4.3-1 and shown on Figure 4.3-1. Each vegetation type and land cover community are further described below.

Image Source: NearMap (flown January 2026)



Project Boundary

Vegetation Community

- 11300 | Disturbed Habitat
- 12000 | Urban/Developed
- 32530 | Diegan Coastal Sage Scrub: Baccharis-dominated
- 32530 | Diegan Coastal Sage Scrub: Baccharis-dominated (Disturbed)
- 32530 | Diegan Coastal Sage Scrub: Baccharis-dominated (Restored)
- 42200 | Non-native Grassland
- 45320 | Alkali Seep
- 52300 | Alkali Marsh
- 52400 | Freshwater Marsh
- 52500 | Vernal Marsh (Disturbed)
- 52500 | Vernal Marsh (Restored)
- 63320 | Southern Willow Scrub
- 63320 | Southern Willow Scrub (Restored)
- 71200 | Walnut Woodland

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FIGURE 4.3-1
Existing Biological Resources

Table 4.3-1 Vegetation Communities and Land Covers within the Planning Area			
Vegetation Type or Community	Oberbauer Code[1]	MHCP Habitat Group[2]	Area (Acres)
Alkali Marsh	52300	A	0.42
Alkali Seep	45320	A	9.01
Freshwater Marsh	52400	A	2.67
Southern Willow Scrub	63320	A	41.71
Southern Willow Scrub (Restored)	63320	A	24.79
Vernal Marsh (Disturbed)	52500	A	2.60
Vernal Marsh (Restored)	52500	A	3.12
Walnut Woodland	71200	A	0.50
Diegan Coastal Sage Scrub: Baccharis-Dominated	32530	C	7.88
Diegan Coastal Sage Scrub: Baccharis-Dominated (Disturbed)	32530	C	1.17
Diegan Coastal Sage Scrub: Baccharis-Dominated (Restored)	32530	C	2.13
Non-Native Grassland	42200	E	0.82
Disturbed Habitat	11300	F	14.59
Urban/Developed	12000	F	104.68
TOTAL			216.10

MHCP = Multiple Habitat Conservation Program
[1]Based on Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008).
[2]Based on Table 4-6 of the Multiple Habitat Conservation Program Final MHCP (San Diego Association of Governments 2003)

Disturbed Habitat. Disturbed habitat areas are characterized by compacted soils and sparse ruderal vegetation resulting from prior grading, construction, or other surface disturbance. Per Oberbauer et al. 2008, vegetation cover typically includes weedy species such as black mustard (*Brassica nigra*), short-pod mustard (*Hirschfeldia incana*), and Russian thistle (*Salsola tragus*). These areas lack intact native vegetation structure and are not dominated by non-native grasses.

Within the Planning Area, areas mapped as disturbed habitat include trails and areas with compacted soil composed of bare ground and/or sparse weedy vegetation, such as Russian thistle, Australian saltbush (*Atriplex semibaccata*), stinkwort (*Dittrichia graveolens*), filaree (*Erodium* spp.), and wild radish (*Raphanus sativus*).

Disturbed habitat is not a sensitive community per the California Natural Community List (California Department of Fish and Wildlife [CDFW] 2025). Impacts to disturbed habitat (Habitat Group F) do not require mitigation (San Diego Association of Governments [SANDAG] 2003).

Urban/Developed. Urban/developed areas consist of existing commercial, residential, transportation, and infrastructure features including roads, parking lots, and buildings. Vegetation in these areas generally consists of ornamental landscaping or isolated non-native trees and shrubs.

Within the Planning Area, areas mapped as urban/developed include single-family residences and a trailer park located west of McMahr Road off San Marcos Boulevard, the Creekside trail and associated landscaping, ornamental plantings, as well as numerous roadways.

Urban/developed land is not a sensitive community per the California Natural Community List (CDFW 2025). Impacts to urban/developed (Habitat Group F) do not require mitigation (SANDAG 2003).

Diegan Coastal Sage Scrub: Baccharis-Dominated. The Baccharis-dominated subtype of coastal sage scrub is characterized by a predominance of broom baccharis (*Baccharis sarothroides*) and/or coyote brush (*Baccharis pilularis*), often interspersed with California buckwheat (*Eriogonum fasciculatum*) and California sagebrush (*Artemisia californica*). This form often represents a somewhat disturbed or successional coastal sage scrub habitat (Oberbauer et al. 2008).

Within the Planning Area, Diegan coastal sage scrub: Baccharis-dominated occurs primarily along gently sloping uplands and on the outer edges of the riparian areas associated with the creek. Coyote brush and coastal goldenbush (*Isocoma menziesii*) are the co-dominant species with California buckwheat, California sagebrush, California encelia (*Encelia californica*), and deerweed (*Acmispon glaber*) sometimes interspersed.

Areas mapped as the disturbed form have an understory composed of non-native grasses and forbs such as slender wild oat (*Avena fatua*), bromes (*Bromus diandrus*, *B. madritensis*, *B. hordeaceus*), and forbs such as mustards (*Brassica nigra*, *Hirschfeldia incana*, and *Sisymbrium* spp.).

Areas mapped as restored Diegan coastal sage scrub: Baccharis-dominated include slopes that are being restored with planted species such as coyote brush and coastal goldenbush.

This vegetation community is not considered sensitive per the California Natural Community List (CDFW 2025). Impacts to coastal sage scrub (Habitat Group C; SANDAG 2003) require mitigation at a 1:1 ratio based on Table 4-6 of the Multiple Habitat Conservation Program (MHCP) Final MHCP Plan (SANDAG 2003).

Non-Native Grasslands. Non-native grassland occurs in open, previously disturbed areas with limited native shrub and herb cover. These areas may be subject to mowing or seasonal grazing and generally support lower ecological value than intact native grassland.

Within the Planning Area, non-native grassland is dominated by grasses and forbs such as slender wild oat, ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis* ssp. *rubens*), and soft chess (*Bromus hordeaceus*); and forbs such as black mustard, short-pod mustard, and tumble mustards (*Sisymbrium* spp.).

This vegetation community is not considered sensitive per the California Natural Community List (CDFW 2025). Impacts to non-native grassland (Habitat Group E; SANDAG 2003) do not require mitigation if impacts occur outside of a Focused Planning Area per Table 10 of the City's Subarea Plan (City of San Marcos 2000).

Alkali Seep. Alkali seeps occur where groundwater percolates to the surface through alkaline or saline soils, creating localized areas of persistent soil moisture and salt accumulation. Per Oberbauer et al. 2008, these habitats support a distinctive assemblage of halophytic and moisture-tolerant species such as saltgrass (*Distichlis spicata*), Baltic rush (*Juncus balticus*), and seepweed (*Suaeda californica*). Vegetation is typically low and patchy, reflecting variations in soil salinity and hydrology. Alkali seeps often occur as small, scattered features within broader alkali meadow or grassland landscapes. This community serves as a transitional habitat between upland grassland and marsh types.

Within the Planning Area, areas mapped as alkali seep occur in transitional areas adjacent to the southern willow scrub-dominated areas along San Marcos Creek. These areas were dominated by annual saltmarsh aster (*Symphyotrichum subulatum*), San Diego marsh-elder *(Iva hayesiana*), southwestern spiny rush (*Juncus acutus* ssp. *leopoldii*), deer grass (*Muhlenbergia rigens*), or alkali heath (*Frankenia salina*), sometimes with very sparse (<1 percent absolute cover) planted willow (*Salix* sp.) or mule fat (*Baccharis salicifolia*). Saturation and ponded water were commonly observed in these areas.

This vegetation community is considered sensitive per the California Natural Community List (CDFW 2025). Impacts to alkali seep (Habitat Group A; SANDAG 2003) require mitigation at a 2:1 to 4:1 ratio based on Table 4-7 of the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003). Habitat Group A (Wetland/Riparian) communities are also subject to the MHCP Plan goal of no net loss in acreage, function, and biological value (SANDAG 2003).

Alkali Marsh. Alkali marshes are permanently to seasonally flooded flats with high salinity or alkalinity. Per Oberbauer et al. 2008, characteristic species include yerba mansa (*Anemopsis californica*), saltgrass, and pickleweed (*Salicornia pacifica* [=*Salicornia virginica*]). They occur around desert sinks, saline basins, and alkaline drainages where salts accumulate. Within the Planning Area, alkali marsh is mapped in one area dominated by yerba mansa.

This vegetation community is considered sensitive per the California Natural Community List (CDFW 2025). Impacts to alkali marsh (Habitat Group A; SANDAG 2003) require mitigation at a 4:1 ratio based on Table 4-7 of the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003). Habitat Group A (Wetland/Riparian) communities are also subject to the MHCP Plan goal of no net loss in acreage, function, and biological value (SANDAG 2003).

Freshwater Marsh. Freshwater marshes are permanently or nearly permanently inundated wetlands dominated by tall emergent vegetation such as broadleaf cattail (*Typha latifolia*), California bulrush (*Scirpus californicus*), and common rush (*Juncus effusus*). Per Oberbauer et al. 2008, these communities develop in depressions, pond margins, and low-lying floodplains where standing water persists for much of the year. These areas exhibit prolonged inundation and support a diversity of aquatic wildlife.

Within the Planning Area, freshwater marsh is mapped in areas dominated by cattails (*Typha* spp.) with yerba mansa and southwestern spiny rush occasionally dispersed. These areas primarily occurred along the fringes of San Marcos Creek and other channels within the floodplain.

This vegetation community is not considered sensitive per the California Natural Community List (CDFW 2025). Impacts to freshwater marsh (Habitat Group A; SANDAG 2003) require mitigation at a 1:1 to 2:1 ratio based on Table 4-7 of the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003). Habitat Group A (Wetland/Riparian) communities are also subject to the MHCP Plan goal of no net loss in acreage, function, and biological value (SANDAG 2003).

Vernal Marsh. Vernal marshes are seasonal wetlands that form in shallow depressions with prolonged winter and spring inundation. Per Oberbauer et al. 2008, they are dominated by annual herbaceous species. These areas typically dry out by summer and often represent a transition between freshwater marsh and grassland communities.

Within the Planning Area, two areas were mapped as vernal marsh. The first area is part of the creek restoration and bioswale north of Discovery Street dominated by annual saltmarsh aster, deer grass, San Diego marsh-elder, Russian thistle, common sow thistle (*Sonchus oleraceus*), and stinkwort, and less than 1 percent of planted mule fat. The second area (disturbed vernal marsh) is within a previously disturbed lot east of Via Vera Cruz north of the Creekside trail where curly dock (*Rumex crispus*) is present at 25 percent to 50 percent absolute cover, with Russian thistle, Australian saltbush, and stinkwort intermixed.

This vegetation community is considered sensitive per the California Natural Community List (CDFW 2025). Impacts to vernal marsh (Habitat Group A; SANDAG 2003) require mitigation at a 2:1 to 4:1 ratio based on Table 4-7 of the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003). Habitat Group A (Wetland/Riparian) communities are also subject to the MHCP Plan goal of no net loss in acreage, function, and biological value (SANDAG 2003).

Southern Willow Scrub. Southern willow scrub consists of dense, broadleaf deciduous stands dominated by arroyo willow (*Salix lasiolepis*) and Goodding's black willow (*Salix gooddingii*). It occurs along low-gradient drainages, floodplains, and alluvial terraces where flooding is frequent and groundwater is shallow (Oberbauer et al. 2008). This community provides high-value riparian habitat and wildlife corridor function.

Within the Planning Area, southern willow scrub is the primary vegetation community along San Marcos Creek. Several species of willow are found within this community, including Goodding's black willow, red willow (*S. laevigata*), and arroyo willow. Fremont cottonwood (*Populus fremontii* ssp. *fremontii*), western sycamore (*Platanus racemosa*), and mule fat are present. The understory includes a variety of wetland shrubs and herbs, such as cattails, San Diego marsh-elder, deer grass, annual saltmarsh aster, coyote brush, southwestern spiny rush, and alkali heath.

A City-funded effort to restore riparian habitat along San Marcos Creek has been ongoing. Areas mapped as restored southern willow scrub include early successional plantings of willows, mule fat, and other species described above. Irrigation lines were observed in most of these areas. Riparian habitat is considered sensitive per the California Natural Community List (CDFW 2025). Impacts to riparian scrub (Habitat Group A; SANDAG 2003) require mitigation at a 1:1 to 2:1 ratio based on Table 4-7 of the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003). Habitat Group

A (Wetland/Riparian) communities are also subject to the MHCP Plan goal of no net loss in acreage, function, and biological value (SANDAG 2003).

Walnut Woodland. Walnut woodland is a deciduous broadleaf woodland dominated by California black walnut (*Juglans californica*), often forming open to moderately dense stands on north-facing slopes, canyon bottoms, and lower foothills (Oberbauer et al. 2008). The canopy ranges from 20 to 40 feet tall, with sparse to moderate understory vegetation composed of shrubs and herbaceous species adapted to partial shade. Common understory associates include toyon (*Heteromeles arbutifolia*), laurel sumac (*Malosma laurina*), and poison oak (*Toxicodendron diversilobum*), along with annual grasses and forbs. This community typically occurs on well-drained soils derived from sedimentary substrates and is restricted to regions with relatively mild winters and moderate rainfall.

Within the Planning Area, two areas are mapped as walnut woodland adjacent to San Marcos Creek between Via Vera Cruz and McMahr Road near southern willow scrub and alkali seeps. This vegetation community is considered sensitive per the California Natural Community List (CDFW 2025). Impacts to riparian woodland (Habitat Group A; SANDAG 2003) require mitigation at a 3:1 ratio based on Table 4-7 of the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003). Habitat Group A (Wetland/Riparian) communities are also subject to the MHCP Plan goal of no net loss in acreage, function, and biological value (SANDAG 2003).

4.3.1.1 Special-Status Species

As described above, the 2007 EIR identified plant and wildlife species that were observed or have potential to occur within the Planning Area. Appendix C includes tables summarizing the special-status plant and wildlife species that were evaluated for their potential to occur within the Planning Area based on the results of the recent database searches (see Appendix C, Attachments 2a, 2b, 3a, and 3b), updated mapping of vegetation communities, and reflecting recent status changes for special-status wildlife species..

a. Special-Status Wildlife

The 2007 EIR analysis for special-status wildlife species potential for occurrence and significance determinations reflects the site conditions within the Planning Area and status of those wildlife species at the time. Since 2007, existing conditions within the Planning Area have changed, as has the status of certain special-status wildlife species. As a result, the following supplemental analysis is being provided for special-status wildlife species with a moderate or high potential to occur within the Planning Area (see Appendix C, Attachment 3a). Additional analysis also has been provided in Attachment 3b for newly listed species such as monarch butterfly (*Danaus plexippus plexippus*; pop. 1) and mountain lion (*Puma* [=*Felis*] *concolor*) that have a low potential for occurrence or are not expected to occur within the Planning Area.

b. Crotch's Bumble Bee

Crotch's bumble bee (*Bombus crotchii*) is a habitat generalist and can forage and/or nest in open upland and riparian habitat where there are floral resources and small mammal burrows present. This species has a moderate potential to occur within the Planning Area and is a state candidate

endangered species (see Appendix C, Attachment 3a). It was not analyzed in the 2007 EIR since it was listed only in 2022.

c. Western Spadefoot

Western spadefoot (*Spea hammondii*) occur in vernal pools, temporary ponds, and floodplains where adjacent habitat supports open areas for aestivation; there is potential for western spadefoot to occur in the San Marcos Creek floodplain in the Planning Area. Although not detected on-site, this species has a moderate potential for occurrence within the Planning Area and is proposed as a federally threatened species. The 2007 EIR did not provide an impact analysis, significance determination, or mitigation measures specific to this species.

d. Special-Status Reptiles

Two-striped gartersnake (*Thamnophis hammondii*) has been documented within the Planning Area and has a high potential to occur. In addition, the following nine special-status reptiles have a moderate potential to occur in the upland and/or riparian habitat types within the Planning Area (see Appendix C, Attachment 3a):

- California glossy snake (*Arizona elegans occidentalis*)
- coast horned lizard [=Blainville's horned lizard, San Diego horned lizard] (*Phrynosoma blainvillii* [=*P. coronatum*, *Phrynosoma coronatum blainvillei*])
- coast patch-nosed snake (*Salvadora hexalepis virgultea*)
- coastal [=San Diegan] tiger whiptail (*Aspidoscelis tigris stejnegeri*)
- Coronado skink (Plestiodon [=*Eumeces*] *skiltonianus interparietalis*)
- orange-throated whiptail [=Belding's orange-throated whiptail] (*Aspidoscelis hyperythra* [=*Cnemidophorus hyperythrus*, *Aspidoscelis hyperythra beldingi*])
- red diamond rattlesnake (*Crotalus ruber*)
- south coast gartersnake (*Thamnophis sirtalis* pop. 1 [=ssp. *novum*])
- Southern California [=San Diegan, silvery] legless lizard (*Anniella stebbinsi* [=*Anniella pulchra*])

The 2007 EIR did not provide an impact analysis, significance determination, or mitigation measures specific to this group of species.

e. Tricolored Blackbird

Tricolored blackbird (*Agelaius tricolor*) occurs in freshwater marsh, of which there are some potential locations within the Planning Area. The 2007 EIR determined this species had a low potential for

occurrence, but that conclusion is no longer supported by the existing site conditions. This species has a moderate potential for occurrence (see Appendix C, Attachment 3a). Nesting colonies of this species are state threatened. The 2007 EIR did not provide an impact analysis, significance determination, or mitigation measures specific to this species.

f. Special-Status Mammals

Both pallid bat (*Antrozous pallidus*) and western mastiff [=bonneted] bat (*Eumops perotis californicus*) have moderate potential to roost in large trees and/or existing structures within the Planning Area. San Diego desert woodrat (*Neotoma lepida intermedia*) and American badger (*Taxidea taxus*) have moderate potential to occur in upland habitat within the Planning Area (see Appendix C, Attachment 3a). Although these species were evaluated in the 2007 EIR, the 2007 EIR did not provide an impact analysis, significance determination, or mitigation measures specific to this group of species.

g. Special-Status Plants

The 2007 EIR determined that the following special-status plant species had a moderate potential to occur within the Planning Area, but did not provide an impact analysis, significance determination or mitigation measures that would reduce these impacts to less than significant:

- Palmer's goldenbush (*Ericameria palmeri* var. *palmeri*), a California Rare Plant Rank (CRPR) 1B.1 species;
- San Diego marsh-elder (*Iva hayesiana*), a CRPR 2B.2 species;
- San Diego sagewort (*Artemisia palmeri*), a CRPR 4.2 species; and
- Slender-pod jewelflower (*Caulanthus stenocarpus*), a state rare species in 2007, now delisted (see below).

As descried in Appendix C, Attachment 2a, Palmer's goldenbush, San Diego marsh-elder and San Diego sagewort have a moderate potential to occur within the Planning Area due to the presence of suitable habitat. Although none of these species were observed during surveys in support the 2007 EIR, their presence or absence cannot be ruled out

Slender-pod jewelflower was considered a state rare species during preparation of the 2007 EIR but was removed from that list in 2008 due to further taxonomic work that determined it is a synonym of *Caulanthus heterophyllus*, which is a common taxon. As a result, this species will not be further analyzed in this document.

4.3.2 Regulatory Framework

This section summarizes new and updated federal, state, and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the previously certified document, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.3.2.1 Federal Regulations

a. Clean Water Act of 1972 (33 U.S.C. 1251 et seq.)

Since 2007, the regulatory interpretation of "waters of the United States" has undergone multiple revisions through rulemaking, litigation, and Supreme Court decisions. Federal agencies historically relied on regulatory definitions and case law to delineate jurisdiction, culminating in successive rulemakings that alternately expanded and narrowed coverage of tributaries, adjacent waters, and wetlands. A 2020 rule significantly narrowed federal jurisdiction, but was vacated in 2021, restoring the pre-2015 regulatory framework; the agencies subsequently proposed a revised definition in 2023 that incorporated both relatively permanent waters and wetlands meeting a "significant nexus" standard. Later in 2023, the Supreme Court's decision in Sackett v. EPA limited the Clean Water Act coverage to relatively permanent waters and wetlands with a continuous surface connection to such waters, prompting amendment of the 2023 rule to remove the significant-nexus approach and further constrain federal jurisdiction.

b. Federal Endangered Species Act

The federal Endangered Species Act (FESA), as amended, provides for the listing of endangered and threatened species of plants and animals and the designation of critical habitat for listed animal species. The FESA also prohibits all persons subject to U.S. jurisdiction from "taking" endangered species, which includes any harm or harassment.

An authorization or permit to incidentally take listed species can be obtained either through the Section 7 consultation process or through the Section 10 incidental take permit process, as described in the sections below. In the context of Section 7, incidental take is authorized through an Incidental Take Statement that is issued consistent with a Biological Opinion. In the context of Section 10, incidental take is authorized through an incidental take permit issued pursuant to Section 10(a)(1)(B). Measures contained in the incidental take permit reflect the measures set out in a Habitat Conservation Plan developed by the applicant in conjunction with the U.S. Fish and Wildlife Service (USFWS).

This SEIR reflects the most recent listing status for federally listed species and includes additional analysis for species that have been listed as endangered or threatened, proposed for listing, or are candidates for listing (e.g., western spadefoot, monarch butterfly (*Danaus plexippus plexippus*), and southwestern pond turtle (*Actinemys pallida*)).

4.3.2.2 State Regulations

a. California Endangered Species Act (California Fish and Game Code 2050 et seq.)

The California Endangered Species Act (CESA) parallels FESA and protects and/or preserves native plant and wildlife species and their habitats, especially those that are threatened with extinction and those that are experiencing significant decline that may lead to a threatened or endangered designation, within the state of California. CESA designates special-status species that are protected from unauthorized "take," which is defined as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

The CESA is administered by the CDFW. A state-lead agency is required to consult with the CDFW to ensure that a project is not likely to jeopardize the continued existence of a special-status species or result in the destruction or adverse modification of essential habitat for a species. The CESA allows for the issuance of incidental take permits for lawful development projects and emphasizes the benefits of early consultation between the lead agency and the CDFW to avoid potential impacts to special-status species and to develop appropriate mitigation measures to reduce impacts to and avoid loss of a special-status species.

This SEIR reflects the most recent listing status for state-listed species, and includes additional analysis for species that have been listed as endangered or threatened, or are candidates for listing (e.g., Crotch's bumble bee, mountain lion, and tricolored blackbird).

b. State Water Resources Control Board

The State Water Resources Control Board adopted the *State Policy for Water Quality Control: State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* in 2019, and revised the Procedures in 2021. Effective May 28, 2020, these Procedures establish a state-specific wetland definition that includes areas meeting hydrology and anaerobic substrate criteria, regardless of whether they support vegetation. Under the Porter-Cologne Water Quality Control Act, the Procedures ensure that the State Water Board and Regional Water Quality Control Boards maintain jurisdiction over wetlands that may lack federal protection under the Clean Water Act. For projects involving the discharge of dredged or fill material, the Procedures require an applicant to demonstrate a sequence of avoidance, minimization, and compensation. This includes an alternatives analysis to identify the Least Environmentally Damaging Practicable Alternative and a compensatory mitigation plan ensuring a minimum of a 1-to-1 replacement ratio for all permanent impacts to achieve California's "no net loss" policy.

4.3.2.3 Local Regulations

a. City of San Marcos General Plan

Since certification of the 2007 EIR, the City of San Marcos (City) adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to biological resources. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive

list, and future project proponents are required to review the General Plan to ensure project consistency. Biological resources within the City include natural communities that support unique habitats like vernal pools, and sensitive plant and wildlife species endemic to the region. The guiding themes of the General Plan support sustaining environmental quality through protection and enhancement of biological resources. The General Plan Conservation and Open Space Element notes that all properties proposing development may be required to conduct a biological survey to verify vegetation communities.

Conservation and Open Space Element

- Goal COS-1: Identify, protect, and enhance significant ecological and biological resources within San Marcos and its adaptive Sphere of Influence.
    - Policy COS-1.1: Support the protection of biological resources through the establishment, restoration, and conservation of high quality habitat areas.
    - Policy COS-1.2: Ensure that new development, including Capital Improvement Projects, maintain the biotic habitat value of riparian areas, oak woodlands, habitat linkages, and other sensitive biological habitats.
    - Policy COS-1.3: Continue to work with other federal, State, regional, and local agencies to implement SANDAG's Multiple Habitat Conservation Program (MHCP).
- Goal COS-2: The City is committed to conserving, protecting, and maintaining open space, agricultural, and limited resources for future generations. By working with property owners, local organizations, and State and federal agencies, the City can limit the conversion of resource lands to urban uses.
    - Policy COS-2.6: Preserve healthy mature trees where feasible; where removal is necessary, trees shall be replaced at a ratio of 1:1.

4.3.3 2007 Thresholds of Significance

Subsection 3.3 of the 2007 EIR evaluated impacts based on whether the San Marcos Creek Specific Plan (Adopted Specific Plan) would:

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 CDFW or USFWS.

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 CDFW or USFWS.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

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.

4.3.4 Threshold a: Sensitive Species and Threshold b: Riparian and Sensitive Natural Communities

Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?

Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

4.3.4.1 Summary of Prior Analysis

a. Sensitive Natural Communities

The 2007 EIR evaluated direct permanent and temporary impacts to sensitive habitats associated with implementation of the Specific Plan, which included both facility improvements and build-out of land uses. The extent and location of impacts to vegetation communities were quantified and mapped in the prior EIR (2007 EIR Table 3.3-5; Figures 3.3-1a and 3.3-1b).

The 2007 EIR concluded that implementation of the project would result in significant impacts to sensitive scrub habitats, including coyote brush scrub and isocoma scrub (and disturbed variants of these communities), due to direct permanent and temporary disturbance. These impacts were determined to be significant.

The 2007 EIR included mitigation measure MM 3.3-6, the implementation of which would reduce potentially significant impacts related to upland habitats to less than significant levels:

> MM 3.3-6 (Sensitive Upland Habitat): Future development within the Specific Plan area (Phase 2) would result in impact to 0.74 acre of disturbed coyote brush scrub and 0.02 acre of disturbed isocoma scrub. This habitat would be mitigated at a proposed ratio of 1:1 in accordance with the City's Draft Subarea Plan. Therefore, a total of 0.76 acres of mitigation is required for impacts to these vegetation communities. This mitigation shall be the responsibility of future developers within the Specific Plan Area, if the habitat identified above occurs on their specific project area.

Impacts to annual (non-native) grassland were also identified; however, although annual (non-native) grassland is considered a sensitive habitat by local, state, and federal agencies, the Planning Area is not located within a Focused Planning Area. Impacts to non-native grassland do not require mitigation if impacts occur outside of a Focused Planning Area per Table 10 of the City's Subarea Plan (City of San Marcos 2000). As such and consistent with applicable City policies, the 2007 EIR determined that impacts to annual (non-native) grassland would be less than significant.

The 2007 EIR also identified impacts to eucalyptus woodland resulting from project implementation. While eucalyptus woodland itself is not considered a sensitive vegetation community, it provides potential nesting habitat for raptors, which are considered sensitive as a group. The loss of eucalyptus woodland was therefore evaluated in relation to potential impacts to nesting raptors. The 2007 EIR concluded that impacts to eucalyptus woodland as a vegetation community would not be significant, with potential raptor impacts addressed under Sensitive Wildlife.

b. Special-Status Plants

The 2007 EIR concluded that Phase 1 the project (floodway and infrastructure improvements) would result in direct impacts to approximately 2,400 southern tarplant (*Centromadia parryi* ssp. *australis*) individuals and six southwestern spiny rush individuals. Buildout under Phase 2 (development under the Specific Plan) would result in impacts to an additional approximately 1,600 southern tarplant individuals, resulting in a significant impact to sensitive plants. Although the 2007 EIR identified the potential for a very small area (0.06 acres) of impacts to walnut woodlands, it stated that no direct impacts would occur to any southern California black walnut individuals The walnut woodlands are located within the open space area and outside the impact areas.

In addition to the implementation of Best Management Practices (BMPs) and project design features, the 2007 EIR included mitigation measures MM 3.3-8 and MM 3.3-9, the implementation of which would reduce potentially significant impacts related to sensitive plants to less than significant levels:

> MM 3.3-8 (Sensitive Plants – Southern Tarplant): Impact to 1,600 southern tarplant due to future development in the Specific Plan area (Phase 2), shall be mitigated through relocation to suitable on- and off-site locations. This would be achieved through a combination of direct transplanting of mature plants, direct seeding, and planting of southern tarplant grown from seeds collected from the project area. Southern tarplant salvage areas shall be flagged for seed collection and individual plant salvaging during the appropriate collection period. Seed shall be collected from populations to be impacted and stored for subsequent seeding efforts at proposed translocation sites. A portion of the seed shall be propagated at a native plant nursery to produce container plants for out-planting at the proposed translocation sites. Each southern tarplant translocation site shall be designed in a location(s) where long-term viability of the populations can be assured (size of translocation site to be based upon original impacts to the existing population, estimated at 1,600 individuals). Soils and solar exposure shall be comparable to the original donor site. The translocated populations shall border native areas or shall be established in context to the native plant revegetation effort, to help avoid invasion of non-native plant species. Proof of habitat acquisition shall be provided to the Planning Director prior to issuance of a grading permit.

MM 3.3-9 (Sensitive Plants- Southwestern Spiny Rush): Direct impacts to southwestern spiny rush shall be mitigated through replanting within the project area. Southwestern spiny rush individuals potentially impacted would be planted within the project area within suitable riparian habitat.

c. Special-Status Wildlife

Several special-status wildlife species were detected in the project vicinity, including four California Species of Concern, one Bureau of Land Management sensitive species, one United States Bird Conservation Watch List species, and one species considered sensitive by local agencies. While these species were observed within low-flow areas of San Marcos Creek and outside the direct impact footprint, the 2007 EIR noted that Phase 1 improvements could result in potentially significant impacts.

Within the Planning Area, coyote brush scrub and isocoma scrub habitat have the potential to support coastal California gnatcatcher (*Polioptila californica californica*). Although the species has a low potential to occur, the 2007 EIR concluded that any future occupancy and resulting disturbance would constitute a potentially significant impact.

The 2007 EIR included mitigation measures MM 3.3-10 and MM 3.3-11, the implementation of which would reduce potentially significant impacts related to sensitive avian species to less than significant levels:

> MM 3.3-10 (Sensitive Wildlife): To reduce indirect impacts to migratory birds, the City shall retain a qualified biologist to provide biological monitoring while work occurs within San Marcos Creek to assure that sensitive species present within the creek are not directly impacted by the proposed work. Construction would be phased, where feasible, to avoid work during the breeding season (i.e., January through September). If construction activity is to commence during the breeding season (January 1 through September 15), a one-time pre-construction biological survey for nesting bird species must be conducted within the proposed impact area 72 hours prior to construction. This survey is necessary to assure avoidance of impacts to nesting raptors (i.e., Cooper's hawk) and/or birds projected by the federal Migratory Bird Treaty Act. If any active nests are detected, the area would be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum buffer of 300 feet for raptors, as determined by the project biologist, and would be avoided until the nesting cycle is complete.
>
> MM 3.3-11 (California Coastal Gnatcatcher): Prior to issuance of grading permit, a protocol California coastal gnatcatcher survey shall be required. The survey shall be conducted by a permitted CAGN biologist. If the habitat is found to be occupied by a California gnatcatcher, no clearing or construction shall be allowed during the breeding season (February 15 – August 31). If construction should occur during the breeding season, a 300-foot buffer shall be established between construction activities and any occupied habitat. Protocol survey results shall be submitted to the Planning Director and USFWS for review.

The 2007 EIR determined that sensitive wildlife could also be indirectly affected by habitat disturbance, construction-related noise, lighting, and edge effects. Construction noise during the breeding season could disrupt foraging, nesting, and reproductive activities of birds, including

species protected under the Migratory Bird Treaty Act, resulting in a potentially significant indirect impact. Long-term lighting effects and habitat edge degradation could also adversely affect wildlife. However, implementation of BMPs and project design features, including directional lighting and habitat protection measures, would reduce temporary and permanent indirect impacts to less than significant levels.

The 2007 EIR included several mitigation measures, the implementation of which would reduce potentially significant impacts to sensitive habitats and species to less than significant levels. Several mitigation measures were applicable to potentially significant impacts associated with Phase 1 of the project; because floodway and infrastructure improvements have been completed, these mitigation measures would not be applicable to the Specific Plan Update and are not included herein.

4.3.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, several updates have occurred that affect the regulatory and policy context for biological resources. The City General Plan was comprehensively updated and adopted on February 14, 2012, incorporating revised biological protection and conservation goals and policies.

The certified 2007 EIR included an analysis of flood control improvement projects to provide flood protection for existing streets and existing and future uses within the Planning Area. Specifically, the proposed flood control improvements were designed to accommodate a Federal Emergency Management Agency 100-year storm event and ensure that future development in the Planning Area would not increase potential for downstream flooding or harm the biological and aesthetic qualities of the community (City of San Marcos 2007). Since 2007, construction of the flood control improvements was completed in 2024, resolving most flooding impacts and creating new habitat and recreation space. See Table 2-1 for a summary of the improvements included in the 2007 EIR, and an update of their completion.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address the protection and preservation of sensitive species. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal OS.1: An integrated open space system—inclusive of urban plazas, parklets, linear parks, community-gathering spaces, and natural habitat areas—that protects and enhances the creek environment and provides places for the community to enjoy being outdoors.
    - Policy OS.1.1: Maintain agreements with other agencies focused on preserving high-quality restored habitat, and protect these areas from trespass and encroachment

- Policy OS.1.2: Create a connected, integrated system of public and private urban open spaces that is a signature element of the Creek District.

- Goal OS.2: An attractive creekside open space corridor that provides scenic views within an open, high-quality park setting.
  - Policy OS.2.1: Preserve the San Marcos Creek open space corridor as an open space amenity, focal feature, and natural resource area.

- Goal S.1: A model of sustainability that integrates nature and the City.
  - Policy S.1.2: Celebrate the benefits of the creek's native habitat.

4.3.4.3 Environmental Analysis

The Specific Plan Update does not propose new or intensified ground-disturbing activities beyond those evaluated in the 2007 EIR and does not alter the locations or intensity of development in a manner that would increase the likelihood or severity of impacts to sensitive biological resources. However, since certification of the 2007 EIR, restoration activity along the San Marcos Creek has occurred and an updated sensitive natural community mapping was completed. Based on these events, there would be additional refined potential for special-status plant and wildlife species to occur within the Planning Area compared to the findings of the 2007 EIR.

Direct permanent impacts are assumed within all areas proposed for future development within the Planning Area. Direct permanent impacts are also assumed within all internal access roads shown in the proposed land use plan. Internal access roads are proposed within existing roads as well as within areas that are currently undeveloped lands, such as along the proposed western expansion of Creekside Drive from its current terminus at South Bent Avenue.

a. Sensitive Natural Communities

The updated vegetation mapping was completed per the Draft Vegetation Communities of San Diego County classification system (Oberbauer et al. 2008), which resulted in some different classifications of vegetation compared to the mapping completed for the 2007 EIR. However, the generalized upland and wetland/riparian vegetation communities observed during the update are substantively consistent with the vegetation communities observed during preparation of the 2007 EIR.

The Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003) and the City's Subarea Plan (City of San Marcos 2000) provides mitigation ratios for impacts to vegetation communities. Table 4.3-2 provides the impacts and mitigation ratios for the vegetation communities and land covers within the Planning Area. As shown in Figure 4.3-2, project activities would occur within sensitive vegetation communities or communities that require mitigation per the Multiple Habitat Conservation Program Final MHCP Plan (SANDAG 2003). These direct impacts would be potentially significant. Future projects would be required to comply with the 2007 EIR mitigation measure MM 3.3-6, which requires habitat-based mitigation for impacts to sensitive habitat. Notwithstanding implementation of 2007 MM 3.3-6, impacts could remain significant. To ensure impacts are reduced

to less than significant levels, future projects would be required to implement subsequent mitigation measures S-BIO-1 and S-BIO-2.

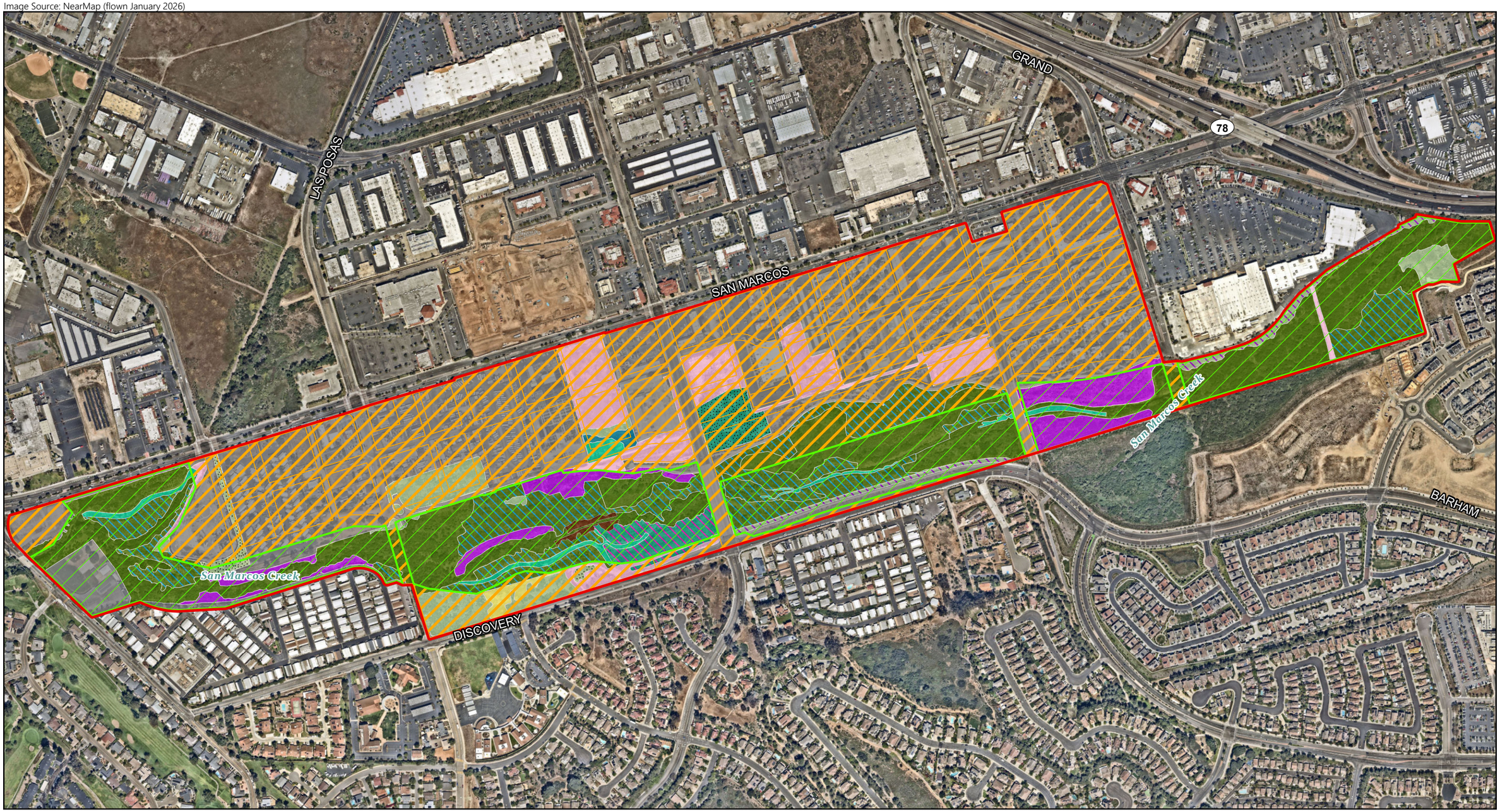
S-BIO-1 (Biological Resource Surveys): Prior to the construction of any project phase or component sited within or adjacent to undeveloped and undisturbed areas (i.e., an area supporting naturalized habitat, sensitive habitat, and/or habitat potentially suitable for special-status species), the City of San Marcos (City) or project applicant shall retain a qualified biologist to perform a general biological survey/habitat assessment to verify existing biological resources on and adjacent to the impact area. The general biological survey/habitat assessment shall occur within 100 feet of the proposed project components where access is allowed, with binocular surveys conducted to the extent possible in areas where access is not secured. The City or project applicant shall provide the biologist with a copy of project plans that clearly depict the construction work limits, including construction staging, storage, and access areas, to determine which specific portion(s) of the proposed project activities will require inspection. The survey shall verify whether sensitive natural communities, including habitat suitable for special-status species, in addition to potential jurisdictional aquatic resources, occur within 100 feet from planned project activities.

The biologist shall perform a visual inspection of the survey area, characterize the existing habitat types, and determine the likelihood for special-status species to occur, including but not limited to special-status plants, western spadefoot (*Spea hammondii*), Crotch's bumble bee (*Bombus crotchii*), tricolored blackbird (*Agelaius tricolor*), and non-listed mammals and reptiles.

The survey results shall be submitted to the City or project applicant to determine the need to implement project-specific mitigation measures to avoid, minimize, and mitigate impacts to such resources. The report shall verify whether the construction activities result in direct or indirect impacts to sensitive natural communities, special-status species, and potential jurisdictional aquatic resources.

S-BIO-2 (Mitigation for Upland Habitat): The City of San Marcos or project applicant shall mitigate for permanent and temporary impacts to habitat types according to the mitigation ratios listed in Table 4-6 in the San Diego Association of Governments' 2003 Multiple Habitat Conservation Program Final MHCP Plan, and Table 10 of the City of San Marcos Subarea Plan. This mitigation shall occur through off-site creation, restoration, enhancement, preservation, or purchase of credits at an approved mitigation bank.

Image Source: NearMap (flown January 2026)



Project Boundary
Future Development Area
Open Space – Conservation

Vegetation Community

11300 | Disturbed Habitat
12000 | Urban/Developed
32530 | Diegan Coastal Sage Scrub: Baccharis-dominated
32530 | Diegan Coastal Sage Scrub: Baccharis-dominated (Disturbed)
32530 | Diegan Coastal Sage Scrub: Baccharis-dominated (Restored)
42200 | Non-native Grassland
45320 | Alkali Seep
52300 | Alkali Marsh
52400 | Freshwater Marsh
52500 | Vernal Marsh (Disturbed)
52500 | Vernal Marsh (Restored)
63320 | Southern Willow Scrub
63320 | Southern Willow Scrub (Restored)
71200 | Walnut Woodland

0 Feet 580

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FIGURE 4.3-2
Specific Plan Update Impacts on Vegetation Communities

Table 4.3-2
Impacts to Vegetation Communities and Land Covers within the Planning Area

Vegetation Type or Community	Oberbauer Code[1]	MHCP Habitat Group[2]	Total Acres in Planning Area (acres)	Permanent Impact			Open Space – Conservation Area / No Impact (acres)	Mitigation Ratio[3]	Maximum Estimated Mitigation Requirement (acres)
				Proposed for Future Development (acres)	Internal Roads / Rights-of-Way (acres)	Total Impacts (acres)			
Alkali Marsh	52300	A	0.42	0.2	0.2	0.4	--	4:1 (No net loss)	1.7
Alkali Seep	45320	A	9.01	0.3	0.2	0.5	8.5	2:1 to 4:1 (No net loss)	2.0
Freshwater Marsh	52400	A	2.67	0.2	0.4	0.6	2.1	1:1 to 2:1 (No net loss)	1.2
Southern Willow Scrub	63320	A	41.71	3.1	1.1	4.2	37.5	1:1 to 2:1 (No net loss)	8.5
Southern Willow Scrub (Restored)	63320	A	24.79	4.8	0.2	5.0	19.8	1:1 to 2:1 (No net loss)	9.9
Vernal Marsh (Disturbed)	52500	A	2.60	1.9	0.7	2.6	--	2:1 to 4:1 (No net loss)	10.4
Vernal Marsh (Restored)	52500	A	3.12	0.3	0.0	0.3	2.8	2:1 to 4:1 (No net loss)	1.3
Walnut Woodland	71200	A	0.50	--	--	--	0.5	3:1 (No net loss)	--
Diegan Coastal Sage Scrub: Baccharis-Dominated	32530	C	7.88	5.3	1.0	6.3	1.6	1:1	6.3
Diegan Coastal Sage Scrub: Baccharis-Dominated (Disturbed)	32530	C	1.17	0.4	0.5	0.9	0.3	1:1	0.9
Diegan Coastal Sage Scrub: Baccharis-Dominated (Restored)	32530	C	2.13	--	0.1	0.1	2.1	1:1	0.1
Non-Native Grassland	42200	E	0.82	0.8	--	0.8	<0.1	None	--
Sub-Total Groups A, C, E			**96.8**	**17.5**	**4.3**	**21.7**	**75.1**	**N/A**	**42.3**
Disturbed Habitat	11300	F	14.59	10.6	3.5	14.1	0.5	None	--
Urban/Developed	12000	F	104.68	70.4	26.7	97.1	7.6	None	--
TOTAL			**216.10**	**98.5**	**34.5**	**132.9**	**83.2**	**N/A**	**42.3**

[1]Based on Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008).
[2]Based on Table 4-6 of the Multiple Habitat Conservation Program Final MHCP (San Diego Association of Governments 2003)
[3] Mitigation ratios reflect that impacts associated with the project will occur outside of a Focused Planning Area.

b. Special-Status Plants

Direct Impacts to Tarplant

The 2007 EIR determined impacts to southern tarplant would be potentially significant. Future projects that impact this species would be required to comply with the 2007 EIR mitigation measure MM 3.3-8, which requires specific measures focused on the relocation of individual plants. Notwithstanding implementation of 2007 MM 3.3-8, impacts could remain significant. To ensure impacts are reduced to less than significant levels, future projects would be required to implement subsequent mitigation measure S-BIO-3a, S-BIO-3b, and S-BIO-3c.

S-BIO-3a (Rare Plant Surveys): If it is confirmed through the implementation of mitigation measure S-BIO-1 that project components could impact suitable habitat for special-status plant species, the City of San Marcos or project applicant shall retain a qualified biologist to conduct focused presence/absence surveys for rare plants prior to project construction within at least 100 feet of project work activities, if accessible. Surveys shall follow protocols and guidelines approved by the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and/or California Native Plant Society, and shall be conducted by qualified biologists. Surveys for sensitive plants should occur during the blooming period of target species, which may require two surveys to cover the spring and summer blooming species. One survey should occur in the spring (March to April), and a second survey should occur in the summer (late May to early July). The specific timing shall be determined by the qualified biologist.

S-BIO-3b (Rare Plant Avoidance): If any special-status plants are identified within a project impact area, then the City of San Marcos or project applicant shall avoid impacts to the occurrence to the extent feasible through project-level design changes and/or construction methods.

Prior to initiating construction activities, the City of San Marcos or project applicant shall require that the plant locations detected during focused rare plant surveys that are intended to be avoided are provided to the construction contractor and that the locations also are demarcated in the field by a qualified biologist. The rare plant locations to be avoided shall be protected-in-place through the installation of temporary construction fencing or alternative means that are approved by qualified biologists. Staking and installation of construction fencing shall be monitored by the qualified biologist to help ensure avoidance of the demarcated areas and to ensure the fencing is kept in good condition.

S-BIO-3c (Rare Plant Mitigation): If the project design (see S-BIO-3b) cannot be modified to avoid impacts to rare plant species, the City of San Marcos (City) or project applicant will consult with a qualified biologist to determine the extent of those impacts. Mitigation will be required if more than 5 percent of a mapped rare plant occurrence (i.e., all individuals mapped within at least 100 feet of project work activities) of a California Rare Plant Ranks (CRPR) 1 or 2 species or a regionally significant population of CRPR 4 species (i.e., one of particularly large size or unique geographic location) will be permanently impacted (i.e., removed).

If more than 5 percent of a mapped rare plant occurrence is impacted, the City or project applicant shall provide mitigation for those significant impacts that include one or a combination of the following:

1. Purchase of preservation credits at a 1:1 mitigation ratio for habitat occupied by that species from a conservation bank approved by the U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife;

2. Acquisition and preservation of off-site mitigation land containing occupied habitat for that species; and/or

3. Preparation and implementation of a rare plant salvage and relocation plan, to include the following requirements, at a minimum:

    - Evaluation of options for plant salvage and relocation, including native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within existing or proposed preserved lands;

    - Seed collection and/or transplantation to a suitable receptor site based on the most reliable methods of successful relocation;

    - Recommendation for the method of salvage and relocation/application based on feasibility of implementation and likelihood of success; and

    - Preparation of an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures.

In addition, a post-construction monitoring report shall be prepared by the qualified biologist and submitted to the City or project applicant for their records summarizing monitoring activities conducted for any special-status plants. The post-construction report shall be prepared within one month of the completion of construction activities and shall document what impacts occurred, if any, to special-status plant species. The report shall provide documentation showing where and how many special-status plants were (1) observed during pre-construction surveys, and (2) were impacted and/or avoided. Details on the duration and frequency of monitoring also shall be provided.

Direct Impacts to Other Special-Status Plant Species

The 2007 EIR determined that the following special-status plant species had a moderate potential to occur within the Planning Area, but did not provide an impact analysis, significance determination, or mitigation measures that would reduce these impacts to less than significant:

- Palmer's goldenbush, a CRPR 1B.1 species;

- San Diego marsh-elder, a CRPR 2B.2 species;

- San Diego sagewort, a CRPR 4.2 species.

The following provides a supplemental analysis of the potential for these species to occur and a determination of whether impacts to each could be significant. Palmer's goldenbush is CRPR 1B.2, which is considered "rare, threatened, or endangered in California and elsewhere" (CNPS 2026). It was not observed during the surveys prepared for the 2007 EIR, but has moderate potential to occur

in the coastal sage scrub within the Planning Area, including within approximately 7.3 acres of coastal sage scrub (including all sub-types) proposed for future development and/or right-of-way improvements. San Diego marsh-elder (CRPR 2B.2) has a moderate potential to occur, primarily in areas within wetland or riparian communities (i.e., Habitat Group A), including within approximately 13.6 acres of wetland or riparian areas proposed for future development or right-of-way improvements.

San Diego sagewort is CRPR 4.2, which is a "watch list" species (CNPS 2026). Impacts to plant species designated by CNPS as CRPR 4 are generally considered less than significant because these taxa are of limited distribution or watch list concern rather than rare, threatened, or endangered species. In addition, this species has not been documented within the Planning Area, and as such it is unlikely that there is a regionally significant population of this species within the Planning Area. Therefore, the potential for significant impacts from the project would be considered less than significant.

The 2007 EIR identified potentially significant impacts to six individuals of southwestern spiny rush, a CRPR 4.2 species, which would be potentially significant due to their location within areas proposed for development. To reduce those impacts, the 2007 EIR included MM 3.3-9, which stated direct impacts to southwestern spiny rush shall be mitigated through replanting within the project area in suitable riparian habitat. This updated analysis finds that direct impacts to CRPR 4 species with populations this small would be considered less than significant. Therefore, MM 3.3-9 would not be required to be carried forward; however, any potentially significant impacts to southwestern spiny rush would be captured through subsequent mitigation measures S-BIO-3a, S-BIO-3b, and S-Bio-3c, stated above.

c. Special-Status Wildlife

As mentioned above, the 2007 EIR analysis for special-status wildlife species potential for occurrence and significance determinations requires updates due to changing site conditions within the Planning Area and recent status changes of special-status wildlife species.

Avian Species

Consistent with the findings of the 2007 EIR, future projects throughout the Planning Area could result in indirect impacts to nesting birds protected under the Migratory Bird Treaty Act due to construction activity and operational edge effects, specifically during nesting season. Future projects would be required to comply with the 2007 EIR mitigation measures MM 3.3-10 and MM 3.3-11, which require nesting bird surveys and avoidance/minimization measures to reduce potentially significant impacts on nesting bird species. Notwithstanding implementation of 2007 mitigation measures MM 3.3-10 and MM 3.3-11, impacts could remain significant.

S-BIO-4a (Federal and State Wildlife Species Surveys and Avoidance): If it is confirmed through implementation of S-BIO-1 that project activities would impact suitable habitat for federally or state listed (including state candidate) wildlife species, the City of San Marcos (City) or project applicant shall retain a qualified biologist to conduct focused, protocol-level surveys for those species prior to commencement of construction activities. This applies to the following species, at a minimum: tricolored blackbird (*Agelaius tricolor*) nesting colonies, least Bell's vireo (*Vireo bellii pusillus*), and Crotch's bumble bee (*Bombus crotchii*). Surveys shall follow protocols and guidelines approved by

U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife and shall be conducted by qualified biologists permitted by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, as applicable.

If listed wildlife species are identified within a project impact area, the City or project applicant shall avoid impacts to species and their habitat through project-level design changes and/or construction methods or implement **S-BIO-4b** if avoidance is infeasible.

S-BIO-4b (Listed Wildlife Species Permitting): If impacts to listed wildlife cannot be avoided, the City of San Marcos (City) or project applicant shall seek incidental take authorization described below. The City or project applicant may elect to seek incidental take authorization from the U.S. Fish and Wildlife Service (USFWS) pursuant to Federal Endangered Species Act Sections 7 or 10 and/or California Department of Fish and Wildlife (CDFW) under California Fish and Game Code Sections 2080.1 and 2081(b), as applicable.

- Where species protected under federal law may be impacted, the City or project applicant shall either consult directly with the USFWS to develop and implement a habitat conservation plan and obtain an Incidental Take Permit pursuant to Federal Endangered Species Act Section 10(a) or, in the case of projects with a federal action agency, the City or project applicant shall adhere to the requirements of Federal Endangered Species Act Section 7, which requires the federal action agency to consult with the USFWS to obtain a Biological Opinion and Incidental Take Statement for the proposed project; and/or

- Where species protected under state law may be impacted, the City or project applicant shall consult with the CDFW pursuant to Sections 2081 or 2080.1 of the California Endangered Species Act. For projects with direct or indirect impacts to species that are only state listed and not federally listed as endangered or threatened, the City or project applicant shall obtain a California Endangered Species Act Section 2081 Incidental Take Permit from the CDFW. For projects with impacts to species that are both state and federally listed as endangered or threatened, the City or project applicant shall obtain a California Endangered Species Act Section 2080.1 Consistency Determination from the CDFW, unless otherwise required by the CDFW.

Crotch's Bumble Bee

Crotch's bumble bee is a habitat generalist and can forage and/or nest in open upland and riparian habitat where there are floral resources and small mammal burrows present. Crotch's bumble bee was designated as a candidate for listing as endangered under the CESA by the California Fish and Game Commission in September 2022, after the 2007 EIR was finalized. Although the likelihood that Crotch's bumble bee is present in the Planning Area is low, habitat potentially suitable for Crotch's bumble bee would be impacted by implementation of the Specific Plan Update. Project activities could permanently affect approximately 21.7 acres of Habitat Group A, C, and E communities, which could support floral resources and/or nesting and overwintering habitat for Crotch's bumble bee. Although less likely to occur in developed or disturbed areas, Crotch's bumble bee also may be impacted by the removal of floral resources, nesting habitat, or overwintering habitat areas within urbanized portions of the Planning Area. Any impacts resulting in mortality of individual Crotch's bumble bee would be potentially significant.

To reduce potentially significant impacts, future projects would be required to implement subsequent mitigation measure S-BIO-5.

S-BIO-5 (Direct Impact Avoidance for Crotch's Bumble Bee): To avoid direct impacts to Crotch's bumble bee (*Bombus crotchii*), the following seasonal restrictions shall be implemented:

- Removal, trimming, or trampling of habitat (i.e., any areas with floral resources) in the proposed area of disturbance must occur outside of the flight season between February 15 and September 30. If removal of floral resources in the proposed area of disturbance must occur during the flight season, a foraging bumble bee survey shall be conducted within a year of project or phase commencement.

- Within potential overwintering or nest sites, no soil disturbance (grading, digging, etc.) will occur between October 1 and February 14. If ground disturbance must occur between October 1 and February 14, a qualified biologist shall conduct an overwintering/nest survey to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance.

The surveys shall be conducted within 300 feet of project work resulting in removal, trimming, or trampling of habitat within one year prior to the initiation of project activities (including removal of vegetation). Survey methods will be developed in consultation with the California Department of Fish and Wildlife (CDFW) and follow their existing guidance (e.g., Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, dated June 6, 2023). Consistent with CDFW guidance in effect at the time of survey, surveys may consist of three separate visits spaced two to four weeks apart. Survey results will be considered valid until the start of the next colony active period. Survey methods that involve lethal take of species are not acceptable. The qualified biologist shall submit the results (including positive or negative survey results) of the pre-activity survey to CDFW for review.

If pre-activity surveys identify Crotch's bumble bee individuals on-site, the qualified biologist shall notify and consult with CDFW to determine whether an avoidance plan would be an option. If it is determined that project activities would result in impacts to Crotch's bumble bee, an Incidental Take Permit (ITP) may be required. Take of any endangered, threatened, or candidate species that results from the Planning Area is prohibited, except as authorized by state law (California Fish and Game Code Sections 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, Title 14, Section 786.9) under the CESA.

Regardless of the outcome of the pre-activity survey, a qualified biologist shall conduct a pre-construction survey for Crotch's bumble bee within 14 days prior to ground-disturbing or vegetation removal activities within suitable habitat, during suitable weather conditions. Surveys shall follow existing guidance (e.g., Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species) for pre-construction surveys. If Crotch's bumble bee or their nests are observed, the biologist shall defer to the avoidance plan (if applicable) and/or ITP (if applicable). If there is no existing Crotch's bumble bee avoidance plan or ITP conservation measures, a 50-foot no-disturbance buffer around the observation or nest site will be established until the completion of the nest.

Western Spadefoot, Special-Status Reptiles and Special-Status Mammals

Western spadefoot occur in vernal pools, temporary ponds, and floodplains where adjacent habitat supports open areas for aestivation; there is potential for western spadefoot to occur in the San Marcos Creek floodplain in the Planning Area. The special-status reptiles have potential to occur in the upland and/or riparian habitat types within the Planning Area. Special-status bats have moderate potential to roost in large trees and/or existing structures within the Planning Area. San Diego desert woodrat and American badger have moderate potential to occur in upland habitat within the Planning Area.

Western spadefoot is currently federally proposed as a threatened species. Although this species requires very specific microhabitat conditions (i.e., seasonally ponded areas with cracked soils and adjacent upland foraging habitat), the Planning Area supports seasonal ponded areas and provides adjacent upland habitat for aestivation. These areas may be graded or filled in during implementation of the Specific Plan Update, activities which could result in direct mortality of western spadefoot individuals. Any impacts resulting in mortality of individual western spadefoot would be potentially significant.

Additionally, ten special-status reptiles are either presumed present (i.e., two-striped gartersnake) or have a moderate potential to occur in the upland and/or riparian habitat types within the Planning Area (i.e., California glossy snake, coast horned lizard, coast patch-nosed snake, coastal tiger whiptail, Coronado skink, orange-throated whiptail, red diamond rattlesnake and south coast gartersnake). Four special-status mammals have a moderate potential to occur within the Planning Area: pallid bat, western mastiff bat, San Diego desert woodrat and American badger.

Implementation of the Specific Plan Update would result in the removal of habitat for these species through grading or site modification. Impacts would be potentially significant, particularly if there is a regionally-significant population present within the Planning Area or if a maternal bat roost site were affected.

To reduce potentially significant impacts, future projects would be required to implement subsequent mitigation measures S-BIO-6 and S-BIO-7.

S-BIO-6 (Non-Listed Special-Status Wildlife Species Mitigation): For non-listed wildlife species, particularly reptiles and small mammals, an analysis shall be made after biological resource surveys are conducted in accordance with the S-BIO-1 to determine if there are special-status species present. Unless there is a regionally significant population of a non-listed special-status wildlife species (e.g., multiple species within high-quality habitat, etc.) mitigation measures MM 3.3-6, MM 3.3-10, and S-BIO-2 shall be sufficient to reduce impacts to non-listed wildlife species. If a regionally significant population of non-listed special-status wildlife are noted during surveys, the City of San Marcos or project applicant shall consult with California Department of Fish and Wildlife to determine if additional compensatory mitigation is required.

S-BIO-7 (Maternal Bat Roost Avoidance): Prior to construction, the City of San Marcos or project applicant shall have a qualified biologist conduct a survey of potential bat roosts located within and/or immediately adjacent to the areas where project activities have the potential to directly impact active roosts or disrupt bat breeding activities. Potential roost sites (e.g., palm fronds, trees,

rock crevices, abandoned buildings, etc.) will be identified by a qualified bat biologist and searched for signs of bat use, such as urine streaking, grease marks and droppings, moth wings, and dead bats.

If any project activities are proposed during the bat maternity season (April 1 through August 31), a qualified biologist will conduct a dusk emergent bat survey of potential roost sites that have signs of bat use no more than two weeks prior to construction. Dusk emergence count surveys shall be conducted on a warm night when nighttime lows are not less than 45 degrees Fahrenheit and during dry weather conditions. Surveys should be conducted from approximately 15 minutes before sunset to 1 hour after sunset. Prior to any dusk emergence count, the lead biologist shall identify the primary locations where bats may be roosting so these locations can be targeted during the emergence count. Surveys should include both a visual component using night vision googles as appropriate, as well as an electronic acoustic monitoring device/bat detector (e.g., AnaBat).

If bats are detected during the dusk emergence surveys, the City of San Marcos or project applicant will not trim or remove the roost (e.g., palm trees) until it can be determined that the bats are no longer are present. In addition, if a maternal roost is identified, no construction will occur within 200 feet of the maternal roost during the pupping season (typically April 1 through August 31).

Tricolored Blackbird

Tricolored blackbird occur in freshwater marsh, of which there are some potential locations within the Planning Area. Nesting colonies of tricolored blackbird are state threatened, whereas individual tri-colored blackbirds are species of special concern. This species and its associated nesting colonies have a moderate potential to occur within the Planning Area. If project grading or site preparation activities occurred during the tricolored blackbird nesting season, direct mortality of individuals could occur. These impacts would be potentially significant.

To reduce potentially significant impacts, future projects would be required to implement subsequent mitigation measure S-BIO-6, as stated above.

d. Special-Status Plants and Wildlife Catchall

The following additional subsequent mitigation measures would be included in the Modified MMRP to further reduce significant impacts to sensitive plant and wildlife species. Future projects would be required to implement subsequent mitigation measures S-BIO-8a and S-BIO-8b.

S-BIO-8a (Biological Monitoring and Temporary Construction Fencing): If it is confirmed through pre-construction surveys that implementation of an individual project would occur within or immediately adjacent to sensitive habitat areas (including aquatic resources) and/or habitat occupied by special-status species, then the City of San Marcos (City) or project applicant shall retain a qualified biologist to monitor construction activities and supervise the installation of temporary construction fencing which clearly delineates the edge of the approved limits of grading and clearing, and the edges of environmentally sensitive areas that occur beyond the approved limits. This fencing shall be installed prior to construction and maintained for the duration of construction activity. Fencing shall be installed in a manner that does not impact habitats to be avoided. Once the fencing is installed, the City or project applicant and qualified biologist shall determine the need for additional

inspections and monitoring activities throughout the duration of construction, not to be less than once per week. If determined necessary by the City and qualified biologist, the monitoring shall include the inspection of construction work areas, including staging and storage areas, to confirm that activities are kept within the approved limits and that best management practices are in place to prevent incidental animal entrapment and burrow and nest establishment within equipment and staged materials. If work occurs beyond the fenced or demarcated limits of impact, or if a trapped animal or burrow or nest is found, work in the affected areas shall cease until the problem has been remedied and mitigation identified by the City and qualified biologist. Temporary construction fencing shall be removed upon completion of construction of the project.

S-BIO-8b: Worker Environmental Awareness Training. Immediately prior to the start of any necessary biological monitoring or installation of temporary construction fencing identified in S-BIO-8a (i.e., project activities within or immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species), the City of San Marcos or project applicant shall retain a qualified biologist to prepare and present a worker environmental awareness training to inform construction crews of the sensitive resources and associated avoidance and/or minimization requirements.

4.3.3.4 Conclusion

The Specific Plan Update could result in potentially significant impacts to sensitive habitats, plants, and wildlife. The project would be conditioned to include BMPs and project design features as set out in Section 3.6.2 of this SEIR. Mitigation measures MM 3.3-6, MM 3.3-8, MM 3.3-10, and MM 3.3-11, identified in the 2007 EIR, would continue to apply to the project and remain effective in addressing potential impacts to sensitive species and riparian habitats. Additionally, subsequent mitigation measures S-BIO-1 through S-BIO-8b would be applied, as relevant, to ensure newly identified potentially significant impact would be reduced to less than significant. With the implementation of all mitigation measures, impacts would be less than significant.

Table 4.3-3
Summary of Applicable Mitigation Measures

Potentially Significant Impact	2007 Mitigation Measure	Subsequent Mitigation Measure
Sensitive Natural Communities	MM 3.3-6 (Sensitive Upland Habitat)	S-BIO-1 (Biological Resource Surveys) S-BIO-2 (Mitigation for Upland Habitat)
Special-Status Plants	MM 3.3-8 (Sensitive Plants - Southern Tarplant) MM 3.3-9 (Sensitive Plants - Sensitive Plants-Southwestern Spiny Rush)	S-BIO-3a (Rare Plant Surveys) S-BIO-3b (Rare Plant Avoidance) S-BIO-3c (Rare Plant Mitigation)

Table 4.3-3 Summary of Applicable Mitigation Measures		
Potentially Significant Impact	2007 Mitigation Measure	Subsequent Mitigation Measure
Special-Status Wildlife	MM 3.3-10 (Sensitive Wildlife) MM 3.3-11 (California Coastal Gnatcatcher surveys and avoidance)	<u>Avian Species</u>: S-BIO-4a (Federal and State Wildlife Species Surveys and Avoidance) S-BIO-4b (Listed Wildlife Species Permitting) <u>Crotch's Bumble Bee</u>: S-BIO-5 (Direct Impact Avoidance for Crotch's Bumble Bee) <u>Western Spadefoot, Special-Status Reptiles and Special-Status Mammals:</u> S-BIO-6 (Non-Listed Special-Status Wildlife Species Mitigation) S-BIO-7 (Maternal Bat Roost Avoidance) <u>Tricolored Blackbird</u>: S-BIO-6 (Non-Listed Special-Status Wildlife Species Mitigation)
Special-Status Plants and Wildlife Catchall	N/A	S-BIO-8a (Biological Monitoring and Temporary Construction Fencing)[MA1.1] S-BIO-8b (Worker Environmental Awareness Training)
Note: Several mitigation measures from the 2007 EIR were applicable to potentially significant impacts associated with Phase 1 of the project; because floodway and infrastructure improvements have been completed, these mitigation measures would not be applicable to the Specific Plan Update and are not included herein.		

4.3.5 Threshold c: Federally Protected Wetlands

Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

4.3.5.1 Summary of Prior Analysis

a. Direct Impacts

The 2007 EIR found that development of Phase 2 of the Specific Plan would impact jurisdictional wetlands, including 0.07 acres of southern willow scrub, 0.55 acres of herbaceous wetlands, and 0.16 acres of disturbed herbaceous wetlands. These impacts were determined to be potentially significant.

The 2007 EIR included mitigation measures MM 3.3-2 and MM 3.3-4, the implementation of which would reduce potentially significant impacts related to jurisdictional wetlands to less than significant levels:

MM 3.3-2 (Jurisdictional Waters): Permanent impacts to jurisdictional waters of the U.S., including wetlands, totaling 0.78 acres due to Phase 2 development, shall be mitigated per the ratios identified in the table below. This mitigation would be the responsibility of future developers within the Specific Plan Area, if the habitat identified in the table below occurs on their specific project area.

Habitat Type	Permanent Impacts (acres)	Mitigation Ratio	Mitigation Required
Southern willow scrub	0.07	3:1	0.21
Herbaceous wetlands	0.55	1:1	0.55
Disturbed herbaceous wetlands	0.16	1:1	0.16
Total	**0.78**		**0.92**

MM 3.3-4 (Site Revegetation): A weed eradication program shall also be implemented during the revegetation site preparation procedures and would continue throughout the long-term maintenance period. The mitigation areas, through expansion of the riparian zone, should provide increased benefits to native wildlife by providing additional buffering effects from the adjacent developments, increasing habitat diversity and increasing foraging opportunities, thus increasing the overall habitat function and value of this portion of San Marcos Creek.

Several mitigation measures were applicable to potentially significant impacts associated with floodway and infrastructure improvements; these mitigation measures would not be applicable to the Specific Plan Update and are not included herein.

b. Indirect Impacts (Edge Effects)

The 2007 EIR found indirect impacts to sensitive upland and wetland vegetation communities could result primarily from adverse "edge effects," which occur along the development-preservation interface. During construction activities, edge effects may include dust which could disrupt plant vitality in the short-term or construction-related soil erosion and water runoff. In addition, potential long-term indirect impacts to vegetation could include trampling by humans traveling off-trail, invasion by exotic plants and animals, lighting, noise, exposure to urban pollutants (e.g., fertilizers, pesticides, herbicides, and other hazardous materials), soil erosion, and hydrological changes (e.g., surface and groundwater level and quality). However, project construction and operation would be subject to BMPs and project design features to ensure temporary and permanent indirect impacts are less than significant.

The 2007 EIR included mitigation measure MM 3.3-3, the implementation of which would reduce potentially significant temporary impacts related to jurisdictional wetlands to less than significant levels:

MM 3.3-3 (Temporary Impacts): Temporary impacts during Phase 1 to vegetated wetlands, totaling 7.20 acres, shall be restored at a 1:1 ratio to pre-construction contours and vegetation types.

4.3.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City General Plan was comprehensively updated and adopted on February 14, 2012. The Conservation and Open Space Element discusses the wetland and riparian habitat that are supported by San Marcos Creek. It is noted that development applications would have to demonstrate that these habitats would not be affected or would provide abatement mitigation measures for any possible negative effects. Permit authorization from regulatory agencies and mitigation would be required if a proposed project were to have the potential to impact sensitive species or their habitats or jurisdictional waters, including vegetative wetlands (City of San Marcos 2012).

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address the protection and preservation of wetlands. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

All future development within the Planning Area would be reviewed for consistency with the Specific Plan Update.

- Goal OS.1: An integrated open space system—inclusive of urban plazas, parklets, linear parks, community-gathering spaces, and natural habitat areas—that protects and enhances the creek environment and provides places for the community to enjoy being outdoors.
    - Policy OS.1.1: Maintain agreements with other agencies focused on preserving high-quality restored habitat, and protect these areas from trespass and encroachment.
- Goal OS.2: An attractive creekside open space corridor that provides scenic views within an open, high-quality park setting.
    - Policy OS.2.1: Preserve the San Marcos Creek open space corridor as an open space amenity, focal feature, and natural resource area.

4.3.5.3 Environmental Analysis

The Specific Plan Update does not propose new or intensified ground-disturbing activities beyond those evaluated in the 2007 EIR and does not alter the locations or intensity of development in a manner that would increase the likelihood or severity of impacts to jurisdictional wetlands. Future projects throughout the Planning Area, specifically within proximity to San Marcos Creek, would be required to implement project-specific construction BMPs and project design features (see Section 3.6.2 of this SEIR), the implementation of which would minimize potentially significant indirect and temporary impacts due to edge effect of the development. Notwithstanding implementation of 2007 mitigation measures MM 3.3-2, MM-3.3-3, and MM-3.3-4, impacts could remain significant. To ensure impacts are reduced to less than significant levels, future projects would be required to implement subsequent mitigation measure S-BIO-9a and S-BIO-9b.

S-BIO-9a (Acquire Permits for Impacts to Jurisdictional Aquatic Resources): Prior to construction or ground-disturbing activities occurring within potentially jurisdictional aquatic resources for any phase or component of the Specific Plan, the City of San Marcos or project applicant shall apply for and obtain the following regulatory permits and approvals from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife, as applicable:

- Clean Water Act Section 404 Permit;
- Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirement; and/or
- California Fish and Game Code Section 1602 Streambed Alteration Agreement.

S-BIO-9b (Mitigation for Jurisdictional Impacts): The City of San Marcos or project applicant shall mitigate for permanent and temporary impacts to jurisdictional aquatic resources off-site in accordance with the applicable permit condition(s) described in mitigation measure BIO-8a, estimated at no less than a 1:1 ratio. Temporary impacts are to be restored in place, and permanent impacts shall include a minimum 1:1 establishment/re-establishment component, unless otherwise negotiated by the City of San Marcos or project applicant with the regulatory agencies.

4.3.5.4 Conclusion

The Specific Plan Update could result in potentially significant impacts to federally protected wetlands. The project would be conditioned to include BMPs and project design features as set out in Section 3.6.2 of this SEIR. Additionally, mitigation measures MM 3.3-2, MM 3.3-3, and MM 3.3-4, identified in the 2007 EIR, would continue to apply to the project and remain effective in addressing potential impacts. Additionally, subsequent mitigation measures S-BIO-9a and S-BIO-9b would be applied, as relevant, to ensure all potentially significant impact would be reduced to less than significant levels.

To ensure clarity of mitigation requirements, Table 4.3-4 below summarizes the mitigation measures applicable to potentially significant impacts on federally protected wetlands.

Table 4.3-4
Summary of Applicable Mitigation Measures for Federally Protected Wetlands

Potentially Significant Impact	2007 Mitigation Measure	Subsequent Mitigation Measure
Direct Impacts	MM 3.3-2 (Jurisdictional Waters)	S-BIO-9a (Acquire Permits for Impacts to Jurisdictional Aquatic Resources) S-BIO-9b (Mitigation for Jurisdictional Impacts)
	MM 3.3-4 (Revegetation Site)	N/A
Indirect Impacts	MM 3.3-3 (Temporary Impacts)	N/A

4.3.6 Threshold d: Wildlife Corridors

Would the project Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

4.3.6.1 Summary of Prior Analysis

The 2007 EIR determined that levee construction, roadway improvements, hydraulic treatments, and the McMahr Road bridge crossing would directly affect portions of San Marcos Creek. However, due to restoration and revegetation within the approximately 500-foot-wide floodplain west of Bent Avenue, the project would enhance riparian habitat and wildlife movement functions. Overall, impacts to habitat linkages and wildlife corridors were determined to be less than significant, and no mitigation was required.

4.3.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, restoration and revegetation efforts have been ongoing along San Marcos Creek. Additionally, as discussed in subsection 4.3.4.3.c, the updated biological assessment prepared for the SEIR identified special-status wildlife species that were not previously analyzed in the 2007 EIR.

b. Specific Plan Update

As described above, Goal OS.1, Policy OS.1.1, Goal OS.2, and Policy OS.2.1 emphasize the preservation of the San Marcos Creek open space corridor, which serves as an important regional wildlife corridor..

4.3.6.3 Environmental Analysis

Although the 2007 EIR concluded that impacts to wildlife corridors would be less than significant, it did not fully evaluate the significance of impacts to several special-status wildlife species with potential to occur within the Planning Area, including western spadefoot, tricolored blackbird, Crotch's bumble bee, special-status bats, San Diego desert woodrat, American badger, and certain non-listed mammals and reptiles identified in Appendix C, Attachment 3a.

Many of these species rely on riparian, marsh, floodplain, and upland habitats within and adjacent to San Marcos Creek that also function as movement corridors. If present, these species could utilize the creek corridor and associated uplands for dispersal, foraging, roosting, nesting, or seasonal movement. Project activities occurring within suitable habitat could therefore not only result in direct impacts to these species but could also result in a potentially significant impact to species movement and wildlife corridors.

Implementation of subsequent mitigation measures S-BIO-2, S-BIO-4a, S-BIO-6, S-BIO-9a, and S-BIO 9b would collectively reduce potentially significant impacts to wildlife corridor functions to less than significant.

4.3.6.4 Conclusion

The Specific Plan Update could result in potentially significant impacts to wildlife corridors. The project would be conditioned to include BMPs and project design features as set out in Section 3.6.2 of this SEIR. Additionally, subsequent mitigation measures S-BIO-2, S-BIO-4a, S-BIO-4b, S-BIO-6, S-BIO-9a, and S-BIO-9b would be applied, as relevant, to ensure newly identified potentially significant impacts would be reduced to less than significant.

To ensure clarity of mitigation requirements, Table 4.3-5 below summarizes the mitigation measures applicable to potentially significant impacts on wildlife corridors.

Table 4.3-5 Summary of Applicable Mitigation Measures for Wildlife Corridors		
Potentially Significant Impact	2007 Mitigation Measure	Subsequent Mitigation Measure
Wildlife Corridors	N/A	S-BIO-2 (Mitigation for Upland Habitat)
		S-BIO-4a (Federal and State Wildlife Species Surveys and Avoidance)
		S-BIO-4b (Listed Wildlife Species Permitting)
		S-BIO-6 (Non-Listed Special-Status Wildlife Species Mitigation)
		S-BIO-9a (Acquire Permits for Impacts to Jurisdictional Aquatic Resources)
		S-BIO-9b (Mitigation for Jurisdictional Impacts)
Note: Several mitigation measures from the 2007 EIR were applicable to potentially significant impacts associated with Phase 1 of the project; because floodway and infrastructure improvements have been completed, these mitigation measures would not be applicable to the Specific Plan Update and are not included herein.		

4.3.7 Threshold e: Local Policies and Ordinances

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

4.3.7.1 Summary of Prior Analysis

The 2007 EIR analyzed the project's consistency with the City General Plan and found it would be consistent with all relevant goals, policies, and implementing strategies.

4.3.7.2 Changes Since Certification of the 2007 EIR

a. Citywide

The adopted General Plan provides a framework which includes goals and policies focused on sustaining environmental quality through protection and enhancement of biological resources. Subsection 4.3.2.3 summarizes relevant Conservation and Open Space Element policies.

b. Specific Plan Update

As described above, Goal OS.1, Policy OS.1.1, Goal OS.2, and Policy OS.2.1 emphasize the preservation of the San Marcos Creek open space corridor, which serves as an important regional wildlife corridor.

4.3.7.3 Environmental Analysis

Since certification of the 2007 EIR, the City adopted an updated General Plan (February 14, 2012). Table 4.3-6 summarizes the Specific Plan Update's consistency with applicable General Plan policies.

Table 4.3-6
Specific Plan Update Consistency with the City's General Plan

General Plan Policies	Project Consistency
Policy COS-1.1: Support the protection of biological resources through the establishment, restoration, and conservation of high-quality habitat areas	The project incorporates multiple mitigation measures that support the protection, restoration, and conservation of biological resources. S-BIO-1 requires pre-construction biological surveys to identify sensitive habitats and special-status species. S-BIO-2 and MM 3.3-6 require compensatory mitigation for impacts to sensitive upland habitats at a minimum 1:1 ratio consistent with the MHCP and City Subarea Plan. S-BIO-8a and S-BIO-8b require permitting and mitigation for impacts to jurisdictional aquatic resources, preserving riparian systems that support high biological value. MM 3.3-8 requires salvage and relocation of southern tarplant to suitable long-term receptor sites to ensure population viability. MM 3.3-10 and MM 3.3-11 reduce impacts to sensitive wildlife species, including migratory birds and California coastal gnatcatcher, through seasonal avoidance, surveys, and protective buffers. Collectively, these measures require habitat avoidance, restoration, preservation, species relocation, and regulatory coordination. Therefore, the project would be consistent with Policy COS-1.1.

Table 4.3-6 Specific Plan Update Consistency with the City's General Plan	
General Plan Policies	Project Consistency
Policy COS-1.2: Ensure that new development, including Capital Improvement Projects, maintain the biotic habitat value of riparian areas, oak woodlands, habitat linkages, and other sensitive biological habitats.	The mitigation framework maintains the biological value of riparian areas and habitat linkages through multiple mechanisms. S-BIO-1 ensures identification of sensitive habitats prior to disturbance. S-BIO-4a, S-BIO-4b, MM 3.3-10, and MM 3.3-11 require avoidance of occupied habitat and establishment of buffers during sensitive breeding periods, thereby maintaining habitat function and reducing fragmentation effects. S-BIO-8a and S-BIO-8b protect aquatic and riparian resources through regulatory permitting and compensatory mitigation. MM 3.3-6 mitigates impacts to sensitive upland vegetation communities, while MM 3.3-8 ensures preservation of southern tarplant populations through relocation to ecologically suitable sites. Although eucalyptus woodland impacts were determined less than significant as a vegetation community, MM 3.3-10 addresses associated raptor nesting habitat to preserve wildlife function. Through these measures, the project maintains the functional value of riparian areas, uplands, and habitat linkages. The project would therefore be consistent with Policy COS-1.2.

Table 4.3-6 Specific Plan Update Consistency with the City's General Plan	
General Plan Policies	Project Consistency
Policy COS-1.3: Continue to work with other federal, State, regional, and local agencies to implement SANDAG's MHCP	S-BIO-2 and MM 3.3-6 require mitigation consistent with the SANDAG Multiple Habitat Conservation Program (MHCP) and the City's Subarea Plan. S-BIO-4a and S-BIO-4b require coordination with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife where listed species may be affected. S-BIO-8a requires permits from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or CDFW for impacts to aquatic resources. MM 3.3-11 requires submission of California coastal gnatcatcher protocol survey results to USFWS for review. These measures demonstrate continued coordination with federal, state, and regional agencies in furtherance of MHCP implementation. Accordingly, the project would be consistent with Policy COS-1.3.
Policy COS-2.6: Preserve healthy mature trees where feasible; where removal is necessary, trees shall be replaced at a ratio of 1:1.	While the mitigation measures primarily address biological habitats and wildlife species, S-BIO-1 requires identification of sensitive natural communities, which may include mature native trees within riparian and upland areas. MM 3.3-10 provides additional protection for raptor nesting habitat that may occur in mature trees, including eucalyptus woodland. Where removal of mature trees is necessary, compliance with the City's tree replacement requirement at a 1:1 ratio would ensure replacement consistent with Policy COS-2.6. Accordingly, the project would be consistent with Policy COS-2.6.

The project would be consistent with General Plan Policies COS-1.1, COS-1.2, COS-1.3, and COS-2.6. Mitigation measures require biological surveys; avoidance and buffering of sensitive habitats and species; compensatory mitigation for upland and aquatic resource impacts; relocation of sensitive plant populations; regulatory permitting; and coordination with federal, state, and regional agencies under the MHCP framework. Tree replacement would occur where removal is necessary.

Collectively, these measures protect biological resources, maintain the functional value of riparian areas and habitat linkages, and ensure consistency with applicable Conservation and Open Space policies.

4.3.7.4 Conclusion

Consistent with the 2007 EIR, impacts associated with General Plan consistency would remain less than significant, and no new mitigation measures would be required.

4.3.8 Threshold f: MHCP Consistency

Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

4.3.8.1 Summary of Prior Analysis

At the time of the 2007 EIR, the City's subarea plan had not yet been formally approved but was used to guide open space design and implementation within the City as part of the Multiple Habitat Conservation Program Final MHCP Plan framework. The 2007 EIR included an analysis of flood control improvements, including construction of earthen levees, which are considered necessary for public health and safety and which were all considered consistent with the goals and policies of the draft Subarea Plan.

Similarly, proposed circulation improvements and bridge crossings intended to provide emergency access, evacuation routes, and improved traffic flow, were found to be consistent with the draft Subarea Plan's goals and standards. Accordingly, impacts were determined to be less than significant.

4.3.8.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, there have been no changes in the regulatory framework related to implementation of the MHCP. The City's Subarea Plan remains in draft form and is not yet approved by the relevant agencies.

b. Specific Plan Update

The Specific Plan Update does not include any related goals, policies or objectives relating to the City's Subarea Plan or SANDAG's Multiple Habitat Conservation Program Final MHCP Plan.

4.3.8.3 Environmental Analysis

At the time of certification of the 2007 EIR, the City's Subarea Plan was in draft form and had not yet been formally approved by the wildlife agencies. The Subarea Plan remains in draft status and has not been adopted or finalized through execution of an implementing agreement. Accordingly, the project would not result in new significant impacts related to consistency with the MHCP.

4.3.8.4 Conclusion

Consistent with the 2007 EIR, impacts associated with MHCP consistency would remain less than significant, and no new mitigation measures would be required.

4.4 Cultural Resources and Tribal Cultural Resources

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with cultural and tribal cultural resources in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of impacts to cultural and tribal cultural resources, this section of the SEIR should be reviewed in tandem with Section 3.4 of the 2007 EIR.

4.4.1 Existing Conditions

Existing conditions within the Creek District (Planning Area) remain unchanged from those described in the 2007 EIR. No substantial physical changes have occurred in the Planning Area, and no new information has been identified that would alter the environmental baseline as previously analyzed. Accordingly, the existing conditions described in the 2007 EIR are incorporated by reference and continue to accurately characterize the environmental setting for purposes of this SEIR.

4.4.2 Regulatory Framework

This section summarizes new and updated federal, state, and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the 2007 EIR, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.4.2.1 State Regulations

a. Assembly Bill 52

As of July 1, 2015, California Public Resources Code Section 21084.2 establishes that "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment." Assembly Bill (AB) 52 requires lead agencies to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. If a project will result in an adverse effect to tribal cultural resource, the lead agency must consider measures to mitigate the impact.

Senate Bill (SB) 18 consultation (enacted in 2005, discussed in the 2007 EIR), is separate from, but complementary to, consultation required under AB 52, which applies to discretionary projects under CEQA. SB 18 applies specifically to local land use planning actions, while AB 52 applies to project-level environmental review.

4.4.2.2 Local Regulations

a. City of San Marcos General Plan

Since certification of the 2007 EIR, the City of San Marcos (City) adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to cultural and tribal cultural resources. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents would be required to review the General Plan to ensure project consistency. Cultural resources within the City include archaeological and historical objects, sites, and districts; historic buildings and structures; cultural landscapes; and sites and resources of concern to local Native American Tribes.

Conservation and Open Space Element

- **Goal COS-11: Continue to identify and evaluate cultural, historic, archeological, paleontological, and architectural resources for protection from demolition and inappropriate actions.**
    - Policy COS-11.1: Identify and protect historic and cultural resources including individual properties, districts, and sites (e.g., archaeological sites) in compliance with the California Environmental Quality Act (CEQA).
    - Policy COS-11.2: Prohibit the demolition or removal of a historic structure without evaluation of the condition of the structure, the cost of rehabilitation, and the feasibility of alternatives to preservation in place including, but not limited to, relocation, reconstruction off-site, and/or photo-preservation.
    - Policy COS-11.3: Identify opportunities for adaptive reuse of historic sites and buildings to preserve and maintain their viability.
    - Policy COS-2.2: Limit, to the extent feasible, the conversion of open space to urban uses and place a high priority on acquiring and preserving open space lands for recreation, habitat protection and enhancement, flood hazard management, water and agricultural resources protection, and overall community benefit.
    - Policy COS-2.5: Continue to review future development proposals to ensure that cultural resources (including prehistoric, historic, paleontological, and SB 18 Tribal resources) are analyzed and conserved in compliance with CEQA requirements.

4.4.3 2007 EIR Thresholds of Significance

Subsection 3.4 of the 2007 EIR evaluated impacts based on whether the San Marcos Creek Specific Plan (Adopted Specific Plan) would:

a. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;

b. Cause a substantial averse change in the significance of a historical resource as defined in Section 15064.5;

c. Disturb or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or

d. Disturb any human remains, including those interred outside of formal cemeteries.

4.4.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the CEQA Guidelines Thresholds of Significance have been updated to include Tribal Cultural Resources (TCR) as an individual subject area requiring analysis. This SEIR provides an additional evaluation of potential impacts based on the current CEQA Appendix G threshold:

An impact to TCRs would occur if the project would:

e. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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

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

4.4.4 Thresholds a and e: Archaeological Resources/ TCR

Would the project (a) cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5, and/or (e) cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe?

4.4.4.1 Summary of Prior Analysis

The 2007 EIR determined that development of the Adopted Specific Plan would impact archaeological site CA-SDI-17423, which contains a light- to moderate-density scatter of metavolcanic and quartz debitage. A subsequent investigation of prehistoric site CA-SDI-17423 was conducted to evaluate its eligibility for listing in the California Register of Historical Resources (CRHR). Based on the results of that investigation, CA-SDI-17423 was found to be eligible for CRHR listing, as it is likely to yield information regarding the little-known Archaic-period Pauma Complex of northern San Diego County. Because preservation in place was not feasible under the Adopted Specific Plan project design, impacts to CA-SDI-17423 were determined to be significant. It is also noted that the specific location of the site remains confidential.

In addition, grading activities in previously undeveloped areas throughout the Planning Area were identified as having the potential to adversely affect undiscovered archaeological resources, particularly in areas adjacent to San Marcos Creek. The potential destruction or disturbance of unknown archaeological resources was identified as a potentially significant impact under the 2007 EIR.

The City transmitted tribal consultation request letters in December 2006. Consultation was requested by the San Luis Rey Band of Mission Indians. The City met with tribal representatives from the San Luis Rey Band on May 9, 2007. As part of that consultation process, mitigation measure MM 3.4-2b was incorporated into the 2007 EIR.

The 2007 EIR included mitigation measures MM 3.4-1, MM 3.4-2a, and MM-3.4-2b, the implementation of which would reduce potentially significant impacts to archeological resources to less than significant levels:

MM 3.4-1: An archaeological data recovery program shall be prepared for CA-SDI-17423 that includes the following: (1) An acceptable data recovery plan stating the specific research goals and questions that are to be addressed if archaeological deposits are to be recovered; (2) postfield artifact processing and analysis; (3) report of findings; and (4) permanent curation of artifacts at a qualified institution in order to preserve and analyze a substantial portion of the site's information value.

Feature recovery shall employ standard archaeological excavation techniques. The data recovery shall be developed and implemented in consultation with interested local Native American groups. A final report on the results of the archaeological recovery shall be submitted to the Planning Director and the Southcoast Information Center. Curation and report submittal shall occur prior release of the grading bond for the project.

MM 3.4-2a: All initial grading activities in undeveloped areas bordering San Marcos Creek within the project boundary shall be monitored by a qualified archaeologist. In the event that buried archaeological resources are exposed during project construction, work within 50 feet of the find shall stop until the archaeologist can identify and evaluate the significance of the discovery and develop recommendations for treatment. The archaeologist shall also have the authority to make an informed, final decision to either resume construction or require more extensive investigation. If the discovered cultural resources display the potential to be significant, the archaeologist shall notify the City of San Marcos immediately, and all work shall stop immediately within an expanded 100-foot radius pending resolution of the discovery. Recommendations could include preparation of a treatment plan, which could require recordation, collection and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation at a qualified institution. At the completion of the activity that requires an archaeological monitor, the monitor shall submit a monitoring report including a daily log of all monitoring activity and possible recommendations to the Planning Director.

MM 3.4-2b: Prior to the issuance of a grading permit, the project applicant shall enter into a preexcavation agreement with the San Luis Rey Band of Mission Indians. The preexcavation agreement shall include the following: (1) a culturally affiliated Native American monitor during initial grading activities; (2) the return of cultural items that may be found during project construction; and (3) proper treatment and reburial of any remains found.

4.4.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, several updates have occurred that affect the regulatory and policy context for historic resources. The General Plan was comprehensively updated and adopted on February 14, 2012, incorporating revised archeological and historical preservation goals and policies to guide the identification and protection of cultural and architectural resources within the City.

In addition, the City published their Archaeological and Historical Resources Consultant Guidelines in January 2024. These guidelines establish consistent professional standards for third-party consultants preparing archaeological or architectural history inventories, surveys, and evaluations. The guidelines specify requirements for consultant qualifications, records searches, tribal outreach, field and research methods, reporting format, and evaluation procedures. Furthermore, the City has developed standard TCR mitigation measures, subject to revision, informed by tribal consultation conducted across numerous projects.

Since certification of the 2007 EIR, the parcel that held archaeological site CA-SDI-17423 has been developed. Therefore, mitigation measure MM 3.4-1 is no longer applicable to the project.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address the protection and preservation of archeological and Tribal cultural resources. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal DP.2: Inviting public places that celebrate San Marcos's pre-history and history
    - Policy DP.2.1: Incorporate into parks, public plazas, trail systems, and other public places plaques, statutes, and similar features that celebrate and tell the stories of the Native peoples who first inhabited the lands, as well as early settlers to San Marcos.

4.4.4.3 Environmental Analysis

The certified 2007 EIR evaluated impacts to archaeological resources associated with implementation of the Adopted Specific Plan and identified potentially significant impacts related to disturbance of known and unknown cultural resources. Future development facilitated under the Specific Plan Update could also result in impacts on previously undiscovered archaeological or cultural resources.

Since certification of the 2007 EIR, CEQA has been amended to include TCR as a separate resource category. Under current CEQA thresholds, a project would result in a significant impact if it would cause a substantial adverse change in the significance of a TCR. Although TCRs were not evaluated as a distinct resource type in the 2007 EIR, the adopted mitigation measures MM 3.4-2a and MM 3.4-2b would require tribal coordination, Native American monitoring, and treatment protocols for cultural materials and human remains, which would address the types of impacts now evaluated under the TCR threshold.

In addition, the regulatory and policy framework for cultural and TCR has been updated through adoption of the General Plan (2012) and the City's Archaeological and Historical Resources Consultant Guidelines (2024), as well as the updated CEQA Guidelines threshold. These updates reinforce requirements for tribal consultation, archaeological investigation, and resource protection, but do not establish new development standards that would increase the potential for impacts beyond those analyzed in the 2007 EIR.

In accordance with AB 52 and SB 18, the City initiated tribal consultation for the Specific Plan Update. On April 22, 2025, AB 52 notification letters were sent to 19 California Native American tribes identified by the Native American Heritage Commission or that had previously requested notification pursuant to Public Resources Code (PRC) Section 21080.3.1(d). Separate consultation invitations were also issued pursuant to SB 18 because the project includes amendments to the Specific Plan.

Three tribes requested consultation under AB 52: the San Luis Rey Band of Mission Indians, the Rincon Band of Luiseño Indians, and the Pechanga Band of Indians. The City engaged in government-to-government consultation with these tribes, including ongoing monthly consultation meetings, exchange of project information and technical documents, and, for the Rincon Band, a site visit and additional correspondence regarding the cultural significance of the San Marcos Creek

corridor as part of a broader Traditional Cultural Landscape. Consultation focused on potential effects to Tribal Cultural Resources, cultural landscapes, appropriate avoidance and minimization measures, incorporation of tribal cultural themes and interpretive elements into the Specific Plan Update, and continued tribal involvement during implementation. Consultation with the San Luis Rey Band and Rincon Band will remain ongoing in accordance with PRC Section 21082.3 until concluded prior to certification of the Final SEIR. Consultation with the Pechanga Band concluded after the City provided the requested project information and no further correspondence was received.

The remaining invited tribes did not request consultation within the statutory timeframes, and the City considers consultation with those tribes concluded in accordance with PRC Section 21082.3(d)(3).

The Specific Plan Update does not propose new or intensified ground-disturbing activities beyond those evaluated in the 2007 EIR and does not alter the locations or intensity of development in a manner that would increase the likelihood or severity of impacts to archaeological resources or TCRs. Goal DP.2, supported by Policy DP.2.1 of the Specific Plan Update further support recognition of the City's cultural heritage through commemorative design features, but do not involve physical disturbance of cultural resources. While future grading within the Planning Area could still result in the discovery of unknown archaeological resources or TCRs, particularly in proximity to San Marcos Creek, this potential was anticipated in the 2007 EIR. However, since 2007, the City has adopted stronger measures to ensure potentially significant project level impacts are reduced to less than significant. Therefore, the following subsequent mitigation measures supersede mitigation measures MM 3.4-2a and MM 3.4-2b from the 2007 EIR and would be included in the Modified Mitigation, Monitoring, and Reporting Program (MMRP) to ensure that potential significant impacts on cultural and TCR are reduced to a level less than significant with implementation of mitigation.

S-TCR-1 (Cultural Resources): Prior to the issuance of a Grading Permit, or ground disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resources Treatment and Repatriation Agreement (Pre-Excavation Agreement) with a Traditionally and Culturally Affiliated Native American Tribe (TCA Tribe), identified in consultation with the City of San Marcos. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection, treatment, and repatriation of Native American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas, and other tribal cultural resources. Such resources may be located within and/or discovered during ground disturbing and/or construction activities for the project, including any additional culturally appropriate archaeological studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and other ground disturbing activities. Any project-specific monitoring plans and/or excavation plans prepared by the project archaeologist shall include the TCA Tribe requirements for protocols and protection of tribal cultural resources that were agreed to during the tribal consultation.

The landowner shall relinquish ownership of all non-burial-related tribal cultural resources collected during construction monitoring and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Pre-Excavation Agreement, unless ordered to do otherwise by a responsible agency or court of competent jurisdiction. The requirement and timing of such release of ownership, and the recipient thereof, shall be reflected in

the Pre-Excavation Agreement. If the TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.

S-TCR-2 (Construction Monitoring): Prior to the issuance of a Grading Permit or ground disturbing activities, the Applicant/Owner or Grading Contractor shall provide written documentation (either as signed letters, contracts, or emails) to the City of San Marcos' Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA Native American monitor) have been retained at the Applicant/Owner or Grading Contractor's expense to implement the construction monitoring program, as described in the Pre-Excavation Agreement.

The Qualified Archaeologist and TCA Native American monitor shall be invited to attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to present the construction monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that occur in areas of native soil or other permeable natural surfaces that have the potential to unearth any evidence of potential archaeological resources or tribal cultural resources. In areas of artificial paving, the Qualified Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that have the potential to disturb more than six inches below the original pre-project ground surface to identify any evidence of potential archaeological or tribal cultural resources. No monitoring of fill material, existing or imported, will be required if the General Contractor or developer can provide documentation to the satisfaction of the City that all fill materials being utilized at the site are either: (1) from existing commercial (previously permitted) sources of materials; or (2) are from private or other non-commercial sources that have been determined to be absent of tribal cultural resources by the Qualified Archaeologist and TCA Native American monitor.

The Qualified Archaeologist and TCA Native American monitor shall maintain ongoing collaborative coordination with one another during all ground disturbing activities. The requirement for the construction monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall provide written notice to the Planning Division and the TCA Tribe, preferably through email, of the start and end of all ground disturbing activities.

Prior to the release of any grading bonds, or prior to the issuance of any project Certificate of Occupancy, an archaeological monitoring report, which describes the results, analysis, and conclusions of the construction monitoring, shall be submitted by the Qualified Archaeologist, along with any TCA Native American monitor's notes and comments received by the Qualified Archaeologist, to the Planning Division Manager for approval. Once approved, a final copy of the archaeological monitoring report shall be retained in a confidential City project file and may be released, as a formal condition of Assembly Bill (AB) 52 consultation, to any parties involved in the project-specific monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, will also be submitted to the South Coastal Information Center after approval by the City.

S-TCR-3 (Unanticipated Discovery Procedures): Both the Qualified Archaeologist and the Traditionally and Culturally Affiliated Native American monitor (TCA Native American monitor) may temporarily halt or divert ground-disturbing activities if potential archaeological resources or tribal cultural resources are discovered during construction activities. Ground-disturbing activities shall be temporarily directed away from the area of discovery for a reasonable amount of time to allow a determination of the resource's potential significance. Isolates and clearly non-significant archaeological resources (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA Tribe), and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by a responsible agency or court of competent jurisdiction.

If a determination is made that the archaeological resources or tribal cultural resources are considered potentially significant by the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor, then the City of San Marcos (City) and the TCA Tribe shall determine, in consultation with the Applicant/Owner and the Qualified Archaeologist, the culturally appropriate treatment of those resources.

If the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of the California Environmental Quality Act and California Public Resources Code Section 21083.2(b) with respect to archaeological resources, and California Public Resources Section 21704 and 21084.3 with respect to tribal cultural resources, and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe.

All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If avoidance of the resource is determined to be infeasible by the City as the Lead Agency, then the City shall require additional culturally appropriate mitigation to address the negative impact to the resource, such as, but not limited to, the funding of an ethnographic study and/or a data recovery plan, as determined by the City in consultation with the Qualified Archaeologist and the TCA Tribe. The TCA Tribe shall be notified and consulted regarding the determination and implementation of culturally appropriate mitigation and the drafting and finalization of any ethnographic study and/or data recovery plan, and/or other culturally appropriate mitigation. Any archaeological isolates or other cultural materials that cannot be avoided or preserved in place as the preferred mitigation shall be temporarily stored in a secure location on-site (or as otherwise agreed upon by the Qualified Archaeologist and TCA Tribe) and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by a responsible agency or court of competent jurisdiction. The removal of any artifacts from the project site will be inventoried with oversight by the TCA Native American monitor.

If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist

collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the TCA Native American monitor may, at their discretion, collect said resources for later reburial or storage at a local curation facility, as described in the Pre-Excavation Agreement.

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

4.4.4.4 Conclusion

Subsequent mitigation measures S-TCR-1, S-TCR-2, and S-TCR-3 would be applied, as relevant, to ensure all potentially significant impacts would be reduced to less than significant levels. With these measures carried forward, impacts would remain less than significant.

4.4.5 Threshold b: Historical Resources

Would the project cause a substantial averse change in the significance of a historical resource as defined in Section 15064.5?

4.4.5.1 Summary of Prior Analysis

The 2007 EIR identified 10 structures within the project site that could potentially qualify as historical resources. A preliminary assessment was conducted, including photographic documentation, architectural description, and archival research, to determine construction dates and potential eligibility for inclusion in the CRHR.

Further evaluation was completed for structures located at 918 and 922 Discovery Street and 545 and 560 McMahr Road. The structure at 918 Discovery Street, a vernacular Victorian farmhouse constructed circa 1900, was found to retain good historical integrity and was recommended as eligible for the CRHR under Criterion A for its association with early settlement and ranching in San Marcos; Criterion B for its association with William Doran, a prominent local rancher and State Assemblyman; and Criterion C as a representative example of vernacular Victorian architecture adapted to the rural context of early 20th-century San Diego County. The adjacent structure at 922 Discovery Street has been substantially altered by later additions, resulting in a loss of historical integrity; therefore, it was not recommended as eligible for the CRHR. Similarly, the structures at 545 and 560 McMahr Road, constructed in the 1940s, were determined to be of standard design for their period and lacked distinguishing architectural or historical significance. As a result, formal CRHR evaluation was not recommended for these properties.

Overall, the 2007 analysis concluded that only the 918 Discovery Street structure met the criteria for listing on the CRHR. Because it was determined that preserving in place or adaptive reuse of the building was not feasible, implementation of the Adopted Specific Plan could result in a significant impact to this historical resource.

The 2007 EIR included mitigation measures MM 3.4-3 and MM-3.4-4, the implementation of which would reduce potentially significant impacts to historical resources to less than significant levels:

MM 3.4-3: Prior to relocation of the residence at 918 Discovery Street, a Historic American Building Survey (HABS) shall be conducted. The survey shall be prepared by a qualified historian and shall include large-format black and white photography of the exterior elevations and interior of the house. The survey shall also include a ground plan of the building, additional archive research and preparation of a detailed history of the building and its occupants.

MM 3.4-4: Prior to any surface disturbance activities associated with the floodway improvement project, the residence at 918 Discovery Street shall be relocated to another location within the City of San Marcos. Upon relocation, the residence shall be rehabilitated. Rehabilitation shall occur in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation.

4.4.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

As detailed in Section 4.4.1, since certification of the 2007 EIR, the General Plan was updated, revising historical preservation goals. Additionally, the City's Archaeological and Historical Resources Consultant Guidelines were adopted in January 2024, establishing consistency and standards for preparing archaeological and historical evaluations.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding historical resources.

4.4.5.3 Environmental Analysis

Although local policies and procedural guidance for evaluating historical resources have been updated since certification of the 2007 EIR, these changes do not alter the conclusions of the prior analysis or result in new or more severe impacts. The City's 2012 General Plan policies and 2024 Archaeological and Historical Resources Consultant Guidelines strengthen protection of historical and architectural resources through clearer evaluation procedures and higher professional standards, but they do not modify the thresholds of significance under CEQA or introduce new potential impact mechanisms. The CEQA definitions of historical resources under Section 15064.5 also remain substantively unchanged since 2007. It is noted that the Meyer-Doran House has since been relocated; however, it still sits within the boundary of the Planning Area and remains subject to

existing mitigation measures MM 3.4-3 and MM 3.4-4 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program).

However, because the Specific Plan Update would allow future development within areas that may contain structures that are now over 50 years of age, implementation of future discretionary projects could result in impacts to potentially eligible historical resources if such structures have not yet been formally evaluated. Under CEQA, structures 50 years of age or older may qualify as historical resources if they meet applicable criteria. Impacts to such structures could result in a significant impact. Accordingly, to ensure continued consistency with CEQA and updated City guidance, an additional mitigation measure is incorporated into the Modified MMRP to address evaluation of built-environment resources prior to demolition or substantial alteration.

Mitigation Measure S-HIST-1 (Historical Built Environment Review): Prior to issuance of any demolition permit or approval of discretionary development that would alter or remove a structure 50 years of age or older within the Planning Area, the City shall require preparation of a historic resource evaluation by a qualified professional meeting the Secretary of the Interior's Professional Qualification Standards. The evaluation shall determine whether the structure qualifies as a historical resource under CEQA Guidelines Section 15064.5. If the structure is determined to be a historical resource, appropriate avoidance, preservation, or mitigation measures shall be identified and implemented to reduce potential impacts to a less than significant level.

4.4.5.4 Conclusion

Mitigation Measures MM 3.4-3 and MM 3,4-4 would continue to apply to the project and remain effective in addressing previously identified structures that could be potentially significant. Additionally, subsequent mitigation measure S-HIST-1 would be applied, as relevant, to ensure potentially significant impacts to additional structures would be less than significant. With implementation of all mitigation measures, impacts would be less than significant.

4.4.6 Threshold c: Paleontological Resources

Would the project disturb or indirectly destroy a unique paleontological resource or site or unique geologic feature?

4.4.6.1 Summary of Prior Analysis

The 2007 EIR determined that the project site is underlain primarily by alluvial soils. The paleontological sensitivity of alluvium depends on its age and depositional history: younger, recent-age alluvium typically has low potential to contain fossil resources, while older Pleistocene-age alluvium may be paleontologically sensitive. Surface deposits within the Planning Area were characterized as predominantly recent alluvium; however, the possibility of encountering deeper, older deposits or previously unidentified fossil materials during ground-disturbing activities could not be ruled out. Accordingly, the 2007 EIR concluded that construction activities involving excavation or grading could result in the discovery or disturbance of previously unknown paleontological resources, representing a potentially significant impact.

The 2007 EIR included mitigation measure MM 3.4-5, the implementation of which would reduce potentially significant impacts to paleontological resources to less than significant levels:

MM 3.4-5: Prior to the issuance of the grading permit for any grading within the project area (including Caltrans right-of-way), a qualified paleontologist shall review the proposed project area to determine the potential for paleontological resources to be encountered. If there is a potential for paleontological resources to occur, the paleontologist shall identify the area(s) where these resources are expected to be present, and a qualified paleontological monitor shall be retained to monitor the initial cut in any areas that have the potential to contain paleontological resources.

If fossils are discovered during project construction, the paleontologist shall recover them. In most cases, this fossil salvage can be completed in short period of time. However, some fossil specimens may require an extended salvage period. Under this scenario, the paleontologist shall be allowed to temporarily divert or direct grading and excavation to allow for recovery of fossil remains.

4.4.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, there have been no changes in the regulatory framework, site conditions, or scientific understanding that would affect the conclusions regarding paleontological resources.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding paleontological resources.

4.4.6.3 Environmental Analysis

Since certification of the 2007 EIR, there have been no changes in the regulatory framework, site conditions, or scientific understanding related to paleontological resources that would alter the prior conclusions. The Specific Plan Update does not propose new or intensified ground-disturbing activities beyond those previously evaluated, and future development would continue to be subject to existing mitigation measure MM 3.4-5 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program). Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to paleontology.

4.4.6.4 Conclusion

Mitigation measure 3.4-5 identified in the 2007 EIR would continue to apply to the project and would remain effective in addressing potential impacts to paleontological resources. With this measure carried forward, impacts would be less than significant.

4.4.7 Threshold d: Human Remains

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

4.4.7.1 Summary of Prior Analysis

The cultural resources survey conducted for the Adopted Specific Plan did not identify any human remains nor provide evidence that human remains would be expected within the Planning Area. The 2007 EIR concluded that, if human remains were encountered during construction, compliance with State Health and Safety Code Section 7050.5 would be required. Under this statute, no further disturbance would occur until the County Coroner determined origin and disposition, in accordance with Public Resources Code Section 5097.98. For prehistoric remains, the Coroner would notify the Native American Heritage Commission, which would identify and notify a Most Likely Descendant. With the permission of the landowner or authorized representative, the Most Likely Descendant may inspect the discovery site and recommend scientific removal and nondestructive analysis of the remains and associated items. Adherence to these procedures was determined to ensure that potential impacts to human remains would be less than significant.

4.4.7.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City has developed standard TCR mitigation measures, which include a measure addressing human remains.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding human remains.

4.4.7.3 Environmental Analysis

The certified 2007 EIR evaluated the potential for impacts related to human remains and concluded that no known human remains were present within the Planning Area and that no evidence indicated human remains would be expected. The 2007 EIR further determined that, in the event human remains were discovered during construction, compliance with State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 would ensure appropriate treatment, including notification of the County Coroner, the Native American Heritage Commission, and coordination with a Most Likely Descendant, as applicable. Adherence to these regulatory procedures would reduce potential impacts to less than significant levels.

Since certification of the 2007 EIR, the City has developed standard TCR mitigation measures, which include a measure addressing human remains. The Specific Plan Update does not propose new or intensified ground-disturbing activities beyond those previously evaluated, and future development

would remain subject to the same statutory requirements. The following subsequent mitigation measure, consistent with the City's updated standard TCR mitigation measures, would be included in the Modified MMRP to ensure that potential significant impacts on human remains are reduced to a level less than significant with implementation of mitigation.

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

If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission will make a determination as to the Most Likely Descendent, who shall be afforded 48 hours from the time access is granted to the discovery site to make recommendations regarding culturally appropriate treatment.

If suspected Native American remains are discovered, the remains shall be kept in situ (in place) until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendent is identified, at which time the archaeological examination of the remains shall only occur on-site in the presence of the Most Likely Descendent. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the Applicant/Owner and the Most Likely Descendant are in disagreement regarding the disposition of the remains, State law will apply, and the mediation process will occur with the Native American Heritage Commission. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

4.4.7.4 Conclusion

Subsequent mitigation measure S-TCR-4 would be applied, as relevant, to ensure potentially significant impacts to human remains, if identified during ground-disturbing activities, would be reduced to less than significant. With the implementation of this mitigation measure, impacts would be less than significant.

4.5 Hazards and Hazardous Materials

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with hazards and hazardous materials in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the prior 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of hazards and hazardous materials, this section of the SEIR should be reviewed in tandem with Section 3.5 of the 2007 EIR.

4.5.1 Existing Conditions

Existing conditions within the Creek District (Planning Area) relating to the general environmental setting and airport proximity remain unchanged from those described in the 2007 EIR. No substantial physical changes have occurred in the Planning Area, and no new information has been identified that would alter the environmental baseline as previously analyzed. Accordingly, the existing conditions described in the 2007 EIR are incorporated by reference and continue to accurately characterize the environmental setting for purposes of this SEIR.

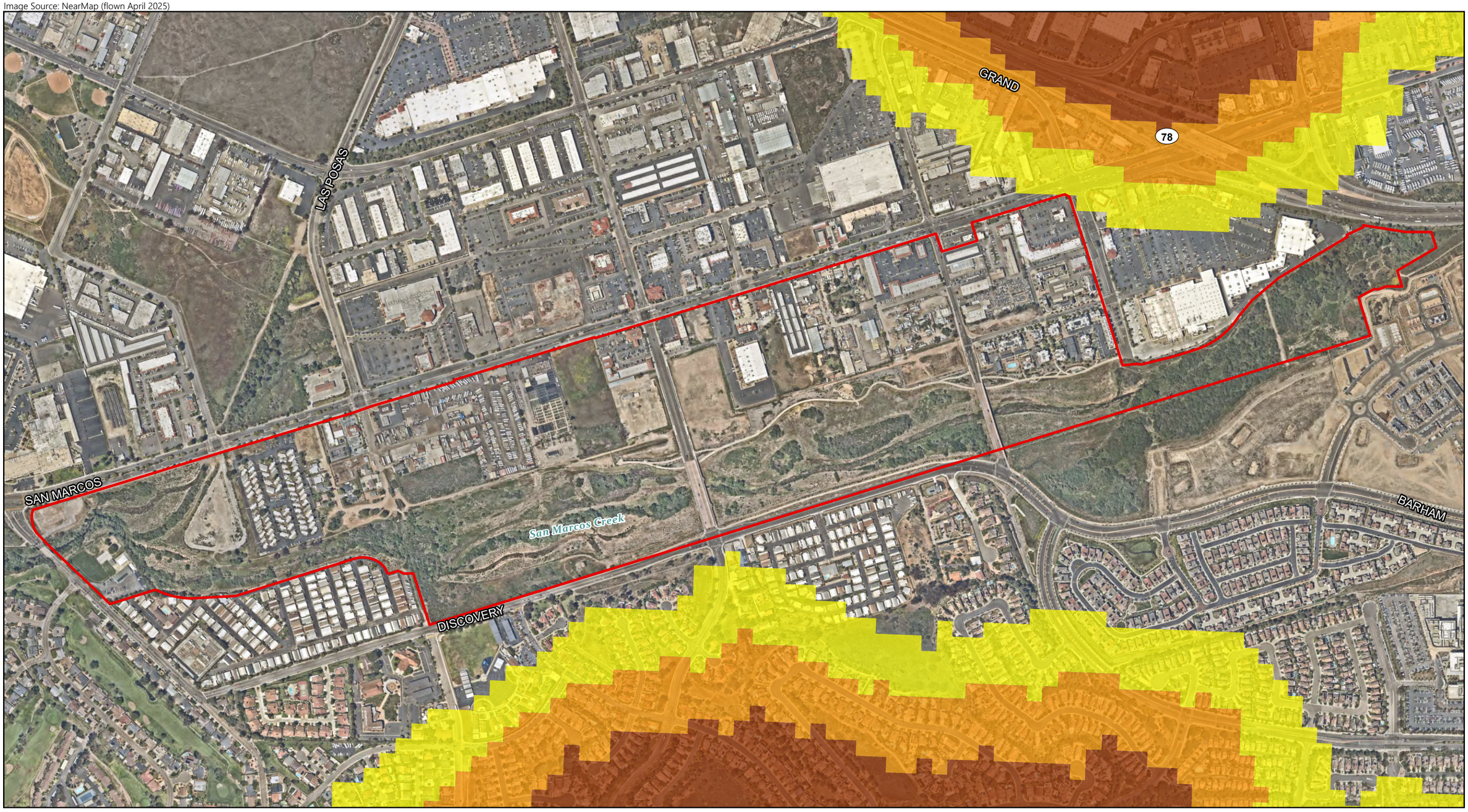
The project area remains within the same regulatory context, and no new listed hazardous materials sites have been identified within or adjacent to the Planning Area. An updated review of the State Water Resources Control Board's GeoTracker database and Department of Toxic Substances Control's EnviroStor database confirms that the three remaining open status cases identified in the 2007 EIR have been closed (see section 4.5.6.1).

Since certification of the 2007 EIR, the 2025 California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone (FHSZ) maps have been expanded or newly designated in portions of San Diego County, including some areas of the City of San Marcos (City), compared to the prior mapping relied upon in the 2007 EIR. Although the updated maps expanded hazard designations, the Planning Area remains outside of designated high and very high FHSZs under the 2025 mapping (Figure 4.5-1).

4.5.2 Regulatory Framework

This section summarizes new and updated state, regional, and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the 2007 EIR, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Image Source: NearMap (flown April 2025)



0 Feet 600

Project Boundary

Fire Hazard Severity Zones

Very High

High

Moderate

RECON

M:\JOBS6\10624\common_gis\PRO\standard_figures\standardfigures.aprx 02/11/2026 bma

FIGURE 4.5-1
CAL FIRE Fire Hazard Severity Zones

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.5.2.1 State Regulations

a. Attorney General Wildfire Guidance

On October 10, 2022, the California Office of the Attorney General issued guidance outlining best practices for analyzing and mitigating wildfire impacts of development projects under the California Environmental Quality Act (Guidance; State of California 2022). The Guidance is intended to help local governments' evaluation and approval considerations for development projects in fire-prone areas, and to help project design in a way that minimizes wildfire ignition and incorporates emergency access and evacuation measures. Importantly, the Guidance does not impose additional legal requirements on local governments, nor does it alter any applicable laws or regulations. The Guidance suggests best practices including establishing baseline conditions, guidance for local governments in establishing thresholds of significance, modeling fire behavior and risk, providing qualitative assessment of fire risk, and offering potential measures to mitigate fire risk. The Guidance additionally addresses wildfire evacuation analysis best practices.

b. 2025 California Fire Code

Updated every three years, the California Fire Code (CFC) provides regulatory direction for the maintenance of brush management zones, access road standards, placement of fire hydrants, and numerous other design and maintenance requirements for development projects. With respect to construction and demolition activities, Chapter 33 of the CFC outlines general fire safety precautions for all structures and all occupancies during construction and demolition operations. In general, these requirements seek to maintain required levels of fire protection, limit fire spread, establish the appropriate operation of equipment, and promote prompt response to fire emergencies. Features regulated include fire protection systems, fire fighter access to the site and building, means of egress, hazardous materials storage, and use and temporary heating equipment and other ignition sources.

Chapter 7A of the CFC addresses structural ignition resistance and reducing ember penetration into homes. The CFC focuses on mitigating structural vulnerabilities through construction techniques and materials so that the buildings are resistant to ignitions from direct flames, heat, and embers, as indicated (Chapter 7-A, Section 701A Scope, Purpose, and Application).

c. California Department of Forestry and Fire Protection

In 2025, CAL FIRE released updated FHSZ maps, adopted by the State Fire Marshal, which identify areas of moderate, high, and very high fire hazard based on factors including fuels, terrain, weather, and historical fire behavior. The updated maps apply to both State Responsibility Areas and Local Responsibility Areas and are intended to inform local planning, emergency response, and wildfire risk.

Once adopted, the locally designated fire hazard severity zones are used to inform the application of building standards, defensible space requirements, and fire protection measures, including those contained in the California Building Code and California Fire Code. Accordingly, CAL FIRE's maps provide the statewide baseline for wildfire hazard identification, while implementation and enforcement occur at the local level through adopted ordinances, policies, and development standards.

4.5.2.2 Regional Regulations

a. County of San Diego

San Diego County Multi-Jurisdictional Hazard Mitigation Plan

On February 7, 2023, the Board of Supervisors of the County of San Diego adopted the revised 2023 Multi-Jurisdictional Hazard Mitigation Plan (MJHMP). The MJHMP is a countywide plan that identifies risks and ways to minimize damage by natural and man-made disasters. The MJHMP is a comprehensive document that serves many purposes, including creating a decision tool for management, promoting compliance with state and federal program requirements, enhancing local policies for hazard mitigation capability, and providing inter-jurisdictional coordination. The MJHMP includes potential mitigation actions related to wildfires and release of hazardous materials.

Specifically, the City of San Marcos Annex identifies wildfire as the highest threat to the City (County of San Diego 2023). The City has developed the following goals related to the development of mitigation strategies to reduce hazards related to wildfire:

> Goal: Promote public awareness of hazard risk and mitigation of wildfires.
>
> Goal: Reduce the possibility of damage and losses to existing assets, particularly people, critical facilities/infrastructure, and City-owned facilities and assets, in an all-hazard approach (including wildfire, structure fire, water system contamination, and cyber-attacks).

Multi-Jurisdictional Hazard Mitigation Plan (City of San Marcos Annex)

The City participates in hazard mitigation planning through its inclusion in the San Diego County MJHMP, which identifies natural and human-caused hazards, assesses vulnerabilities, and outlines strategies to reduce risk to life and property. The MJHMP, last revised in 2023 and formally adopted by the County of San Diego, provides a framework for hazard identification, risk assessment, and mitigation actions that are integrated into local planning and emergency management efforts.

The MJHMP identifies wildfire as one of the City's primary hazards due to the impacts of the 2014 Cocos Fire and the regional threat of the 2017 Lilac Fire. Hazard mitigation strategies related to wildfire include public education, fire department support (additional station planning), and development of resilient communities (maintained defensible space, fuel breaks, and vacant lots).

4.5.2.3 Local Regulations

a. City of San Marcos Emergency Operations Plan

The City adopted an Emergency Operations Plan (EOP) in 2015 to plan for and address response to a moderate evacuation emergency scenario. Strategies of the EOP for evacuation planning include identification of evacuation points and corresponding evacuation routes, traffic signal coordination and timing to direct evacuation flow, closure of on- and off-ramps to local highways, and intelligent transportation systems.

b. City of San Marcos Community Wildfire Protection Plan

The City's 2024 Community Wildfire Protection Plans (CWPP) were developed as a blueprint for wildfire preparedness at the neighborhood level. The key goals of the CWPP include the following:

- Align with the San Diego region's cohesive pre- fire strategy, which includes educating homeowners and building an understanding of wildland fire, ensuring defensible space clearing and structure hardening, safeguarding communities through fuels treatment, and protecting evacuation corridors.
- Identify and prioritize areas for hazardous fuel reduction treatment.
- Recommend the types and methods of treatment that will protect the community.
- Recommend measures to reduce the ignitability of structures throughout the area addressed by the plan.

The CWPP summarizes the City's priorities for wildfire prevention and recommends projects, the implementation of which would address safety concerns including community education, structural hardening, defensible space, fuel treatment, and evacuation.

c. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to hazards and hazardous materials. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Safety Element

- **Goal S-3: Minimize injury, loss of life, and damage to property resulting from structural or wildland fire hazards.**
    - Policy S-3.1: Require development to be located, designed and constructed to provide adequate defensibility and reduce the risk of structural loss and life resulting from wildland fires. Development will consider hazards relative to terrain, topography, accessibility and proximity to vegetation. One such provision for development to minimize the risk of structural loss and life shall be the inclusion of overhead fire sprinklers.
    - Policy S-3.2: Provide sufficient level of fire protection service to reduce risk from urban and wildland fire. Advocate and support regional coordination among fire protection and emergency service providers.
    - Policy S-3.3: Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.
- **Goal S-4: Protect life, structures, and the environment from the harmful effects of hazardous materials and waste.**
    - Policy S-4.1: Promote and support the proper disposal, handling, transport, delivery, treatment, recovery, recycling, and storage of hazardous materials in accordance with applicable federal, State, and local regulations.
    - Policy S-4.2: Require areas of known or suspected contamination to be assessed prior to reuse or redevelopment. Plan for reuse of contaminated areas in a manner that is compatible with the nature of the contamination and subsequent remediation efforts.
    - Policy S-4.3: Require that land uses using hazardous materials be located and designed to ensure sensitive uses, such as schools, hospitals, day care centers, and residential neighborhoods, are protected.
    - Policy S-4.4: Avoid locating sensitive uses near established hazardous materials users or industrial areas where incompatibilities would result, except in cases where appropriate safeguards have been developed and implemented.

d. City of San Marcos Municipal Code

Since certification of the 2007 EIR, the following code sections have been codified into the San Marcos Municipal Code (SMMC). Future projects within the Planning Area would be required to adhere to all relevant regulations in effect at the time of project processing.

Title 20, Zoning Ordinance

Title 20 was amended in 2021 to streamline certain review processes. SMMC Section 20.300.070(A) provides performance standards related to the handling, use, and disposal of hazardous materials as defined by Article 3.5 of Chapter 6.5 of Division 20 of the California Health and Safety Code relating to Hazardous Waste Management Plans.

Title 17, Chapter 17.64, California Fire Code

SMMC Chapter 17.64 formally promulgates the adoption of the 2022 California Fire Code and 2021 International Fire Code with modifications and changes and related standards as is reasonable and necessary due to the local climatic, geological and topographical conditions (Ordinance No. 2022-1525).

4.5.3 2007 Thresholds of Significance

Subsection 3.5 of the 2007 EIR evaluated impacts based on whether the San Marcos Creek Specific Plan (Adopted Specific Plan) would:

a. 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;

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

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;

e. For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area;

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area; and/or

g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

4.5.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the California Environmental Quality Guidelines Thresholds of Significance have been revised related to the subject area of hazards and hazardous materials. Specifically, Threshold f, has been replaced:

Would a project:

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

4.5.4 Thresholds a and c: Accidental Release of Hazardous Material

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

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

4.5.4.1 Summary of Prior Analysis

The 2007 EIR found that future development within the Planning Area, consisting primarily of residential, commercial, and office uses, would not typically involve the use or release of substantial quantities of hazardous materials. Limited quantities could be generated by specific tenants such as medical offices or artists using chemicals, but these activities would be subject to existing state regulations governing proper handling and disposal. Therefore, impacts related to the release of hazardous materials were determined to be less than significant.

4.5.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City has implemented the latest state-adopted performance standards related to the handling, use, and disposal of hazardous materials. There have been no additional changes in the regulatory framework, site conditions, or scientific understanding that would affect the conclusions regarding the accidental release of hazardous materials.

b. Specific Plan Update

All future development within the Planning Area would be reviewed for consistency with the Specific Plan Update. The Specific Plan Update does not allow for industrial or other land uses generally associated with hazardous materials. It does, however, contemplate the possibility for local commercial uses which may involve the use of controlled hazardous materials. Any such use would

be required to attain a Conditional Use Permit (CUP), the process for which is set forth in SMMC Chapter 20.520. Following the CUP process would ensure that appropriate measures are implemented to minimize potential risks associated with hazardous materials, including compliance with applicable federal, state, and local regulations, and would allow the City to impose site-specific conditions to protect public health and safety.

4.5.4.3 Environmental Analysis

Since certification of the 2007 EIR, the City has implemented the latest state-adopted performance standards for the handling, use, and disposal of hazardous materials. The Specific Plan Update would not allow industrial uses, but does contemplate local commercial uses that could involve controlled hazardous materials. Any such uses would be subject to a CUP under SMMC Chapter 20.520, ensuring compliance with federal, state, and local requirements and allowing the City to impose site-specific conditions to protect public health and safety. Although Discovery Elementary School is located less than 0.25 miles from the Planning Area, it would not be affected because CUP requirements and existing regulations would minimize risks to nearby sensitive receptors. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to accidental release of hazardous materials.

4.5.4.4 Conclusion

Consistent with the 2007 EIR, impacts associated with accidental release of hazardous materials would remain less than significant, and no new mitigation measures would be required.

4.5.5 Threshold b: Routine Transport, Use or Disposal of Hazardous Materials

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

4.5.5.1 Summary of Prior Analysis

Construction activities under the Adopted Specific Plan would involve the limited use and transport of fuels, lubricants, and other potentially hazardous materials. Compliance with existing federal and state regulations governing the storage, handling, and transport of such materials would prevent significant risks. At buildout, routine household hazardous waste (e.g., cleaning products, batteries, electronics) and minor medical or maintenance-related materials from commercial uses would be managed through existing collection and disposal programs. However, the Adopted Specific Plan required import of up to 650,000 cubic yards of fill material which, absent the ability to identify the source, would result in a potentially significant impact if contaminated soils were used.

The 2007 EIR included mitigation measure MM 3.5-1b, the implementation of which would reduce potentially significant impacts related to the routine transport, use, or disposal of hazardous materials to less than significant levels.

MM 3.5-1b: Prior to the issuance of any grading, demolition, or building permits for the project site, a Risk Management Plan (RMP) shall be prepared for the project site. At a minimum, the RMP shall establish soil and groundwater mitigation and control specifications for grading and construction activities at the site, including health and safety provisions for monitoring exposure to construction workers, procedures to be undertaken in the event that previously unreported contamination is discovered, and emergency procedures and responsible personnel. The RMP shall also include procedures for managing soils and groundwater removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of in accordance with applicable regulations and permits. The RMP shall also include an Operations and Maintenance Plan component, to ensure that health and safety measures required for future construction and maintenance at the project site shall be enforced in perpetuity. The RMP shall be submitted to the City Fire Department for review and approval.

Mitigation measures specifically related to impacts associated with the levee are not included herein, as these improvements have been completed.

4.5.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, there have been no changes in the regulatory framework, site conditions, or scientific understanding that would affect the conclusions regarding the routine transport of hazardous materials.

b. Specific Plan Update

Any land use requiring the use (including those that require routine transport or disposal) of controlled hazardous materials would be required to follow those City's CUP processes which ensure that appropriate measures are implemented to minimize potential risks associated with hazardous materials, including compliance with applicable federal, state, and local regulations, and allow the City to impose site-specific conditions to protect public health and safety.

4.5.5.3 Environmental Analysis

Since certification of the 2007 EIR, there have been no changes in the physical or regulatory setting that would result in new or more severe impacts related to the transport, use, or disposal of hazardous materials. All future projects within the Planning Area would continue to be required to comply with existing federal, state, and local regulations governing hazardous materials handling, transportation, and disposal. Additionally, future grading activity is anticipated to be the same and would be subject to existing mitigation measure MM 3.5-1b requiring the preparation and approval of an RMP prior to project grading to protect against soil and groundwater contamination (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program). Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to transport, use, or disposal of hazardous materials.

4.5.4.4 Conclusion

Mitigation measure MM 3.5-1b identified in the 2007 EIR would continue to apply to the project and remain effective in addressing potential impacts to routine transport, use or disposal of hazardous materials. With this measure carried forward, impacts would remain less than significant.

4.5.6 Threshold d: Located on a Hazardous Materials Site

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

4.5.6.1 Summary of Prior Analysis

Six leaking underground storage tanks (USTs) were documented within the Planning Area. Three were remediated and closed, while three remained under investigation or post-remedial monitoring. These included:

- Texaco, 615 San Marcos Boulevard (post-remedial action monitoring)
- San Marcos Auto Center, 747 San Marcos Boulevard (work plan submitted)
- TLC Carwash, 740 West San Marcos Boulevard (leak being confirmed)

Any future disturbance would require cleanup in accordance with state and regional regulations. Other listed hazardous sites in the area could pose risks, but remediation and redevelopment under the Adopted Specific Plan would eliminate non-conforming uses over time. Additionally, the 2007 EIR determined that demolition of older structures throughout the Planning Area could expose asbestos-containing materials (ACMs) and lead-based paints (LBPs), which were common in older buildings. The potential release of ACMs or LBPs during construction was identified as a potentially significant impact under the original EIR. The 2007 EIR also found that the removal of State Route 78 roadway materials required for hydraulic improvements could also result in significant impacts due to the potential for the release of ACMs and LBPs.

The 2007 EIR included mitigation measures MM 3.5-2 through MM 3.5-5, the implementation of which would reduce potentially significant impacts to hazards to the public or environment to less than significant level.:

MM 3.5-2 (USTs): Prior to initiation of any grading, it shall be confirmed that there are no hazardous materials on the project site. In the event that hazards materials are found on the project site, the materials shall be remedied in accordance with all federal and state requirements. Remediation shall be completed prior to construction within the impacted area.

MM 3.5-3 (USTs): Project construction in areas where leaking underground storage tanks have been identified shall be avoided until proper clean up of the tanks pursuant to adopted state regulations has occurred. All clean up shall occur under a Workplan approved and overseen by the appropriate

regulatory agency that has jurisdiction for the clean up. The Workplan shall include a summary of any Phase 1 and Phase II investigations and a summary table of sampling results for which hazardous materials were found.

MM 3.5-4 (ACMs/LBPs): Prior to demolition of any facilities or relocation of any buildings on the project site, a licensed asbestos inspector shall be retained to determine the presence of asbestos and asbestos containing materials (ACMs) within structures. The inspection shall be consistent with the federal and state occupational exposure standards for asbestos and ACMs. The applicant shall comply with all applicable state and federal abatement policies and procedures for removal of ACMs present on the site.

MM 3.5-5 (ACMs/LBPs): Prior to demolition of any facilities or relocation of any buildings on the project site, a licensed lead-based paint (LBP) inspector shall be retained to determine the presence of lead-based paint and lead-based paint containing materials (LBPCM) within structures. The inspection shall be consistent with federal and state occupational exposure standards for LBP and LBPCM. The applicant shall comply with state and federal abatement policies and procedures for removal of LBP and LBPCM present on the site.

Mitigation measures specifically related to impacts to State Route 78 are not included herein because hydraulic improvements have been completed.

4.5.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

No changes have occurred since certification of the 2007 EIR that would alter the prior analysis or increase the potential for impacts associated with development on a site listed as containing hazardous materials.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding hazardous materials sites.

4.5.6.3 Environmental Analysis

Because no new hazardous materials sites have been identified and the status of previously listed sites remains unchanged, the potential for encountering contaminated soil or groundwater during future grading remains the same as evaluated in the 2007 EIR. Furthermore, implementation of existing mitigation measures MM 3.5-2 through MM 3.5-5 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program) would continue to ensure that development does not occur in areas affected by contamination unless cleanup has been completed or approved remediation measures are in place. These measures, combined with applicable state and federal cleanup standards, would ensure that any residual contamination is addressed prior to or during construction, preventing potential exposure of workers or future residents to hazardous materials. Accordingly,

the project would not result in new significant impacts or a substantial increase in the severity of impacts related to hazardous material sites.

4.5.6.4 Conclusion

Mitigation measures MM 3.5-2 through MM 3.5-5, identified in the 2007 EIR would continue to apply to the project and remain effective in addressing potential impacts regarding hazardous materials sites. With these measures carried forward, impacts would be less than significant.

4.5.7 Thresholds e and f: Located Within an Airport Land Use Plan or Within the Vicinity of a Private Airstrip

For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

4.5.7.1 Summary of Prior Analysis

The Planning Area is not located within an Airport Land Use Plan or near any private airstrips, and therefore would not expose people or structures to safety hazards related to aircraft operations. No impact was identified for this issue.

4.5.7.2 Changes Since Certification of the 2007 EIR

a. Citywide

No new airports, heliports, or private landing facilities have been constructed near the Planning Area since 2007. No changes have occurred citywide since certification of the 2007 EIR that would alter the analysis or conclusions regarding hazards associated with public or private airstrips.

b. Specific Plan Update

The Planning Area remains outside the influence area of any public airport or private airstrip. There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that would alter the analysis or conclusions regarding hazards associated with public or private airstrips.

4.5.7.3 Environmental Analysis

Because there are no airports or private airstrips in the vicinity of the Planning Area, implementation of the project would not expose people or structures to safety hazards related to aircraft operations. The physical conditions and land uses have not changed in a way that would introduce or increase

aviation-related risks. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to airport hazards.

4.5.7.4 Conclusion

Consistent with the 2007 EIR, impacts associated with airport safety would remain less than significant, and no new mitigation measures would be required.

4.5.8 *New* Threshold f: Impair Emergency Response or Evacuation Plan

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

4.5.8.1 Summary of Prior Analysis

Since certification of the 2007 EIR, the California Environmental Quality Act Guidelines Thresholds of Significance have been revised to require an analysis of whether the project would interfere with an adopted emergency response or emergency evacuation plan. Therefore, the 2007 EIR did not address this issue.

4.5.8.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City has adopted new and updated planning documents focused on emergency readiness and evacuation planning. The adopted General Plan provides a framework which includes goals and policies to encourage community education and planning. The EOP Annex and CWPP focus on the City's ability to equitably evacuate all members of the population. For example, the CWPP identifies key corridors in and out of communities, as well as temporary refuge areas.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address evacuation. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal M.1: An internal circulation system that prioritizes pedestrians and cyclists, with accommodation for cars and trucks at low speeds within the Creek District.

    - Policy M.1.2: Require developers to provide the public rights-of-way needed and identified in Chapter 5.0 to connect their planned projects to off-site streets and ensure circulation for emergency purposes. Create a mechanism that allows for fair-share reimbursements to developers from subsequent projects that use that infrastructure..

4.5.8.3 Environmental Analysis

While the Planning Area is not within a designated high and very high FHSZ, the importance of maintaining active ingress and egress is a priority. Discovery Street and Bent Avenue are both identified as evacuation corridors. To protect against interference with emergency response plans, future development would be reviewed to ensure consistency with the General Plan Safety Element, specifically Policy S-3.3 which requires development to provide safe access of emergency equipment and civilian evacuation. To further enhance the City's emergency response programs, future development would be designed, constructed, and maintained in accordance with applicable standards associated with the County's MJHMP and the City's Annex, including the provision of adequate emergency access and access to evacuation routes. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of people and vehicles through/around any required road closures. Adherence to applicable emergency planning standards and General Plan and Specific Plan Update policies would ensure that the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

4.5.8.4 Conclusion

Impacts associated with emergency response and evacuation plans would be less than significant, and no new mitigation measures would be required.

4.5.9 Threshold g: Wildfire Adjacency to Urban Areas

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

4.5.9.1 Summary of Prior Analysis

The 2007 EIR determined that the Planning Area is in an urbanized area and not within a designated wildland fire hazard zone. Additionally, the 2007 EIR stated that the San Marcos Fire Department indicated that response times to the project site were adequate. The 2007 EIR also noted that as individual properties within the Planning Area are developed, the project site would be added to a Fire Community Facilities District and be required to pay the appropriate fees to offset any impacts to fire protection services. Therefore, development of the Adopted Specific Plan would not expose people or structures to significant wildfire risks. Impacts related to wildland fire hazards were determined to be less than significant.

4.5.9.2 Changes Since Certification of the 2007 EIR

a. Citywide

As shown in Figure 4.5-1, the Planning Area remains outside of high and very high FHSZs as designated by CAL FIRE in the 2025 FHSZ mapping.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address wildfire safety. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal IPS.2: Public services funding approaches that minimize impacts on the City General Fund.
    - Policy IPS.2.1: Annex the Creek District into the City of San Marcos's Community Facilities District 98-01 (a special tax district formed expressly to fund law enforcement services required by new development) to ensure that District development funds the expansion of law enforcement services. Annex the Creekside District into the city of San Marcos's Community Facilities District 2001-01 to ensure that District development funds the expansion of fire and emergency medical services.

4.5.9.3 Environmental Analysis

Since certification of the 2007 EIR, there have been no changes in the physical or regulatory setting that would result in new or more severe impacts from wildland fire hazards. Pursuant to the 2025 FHSZ maps, the Planning Area remains outside of high and very high FHSZs. All future development would be required to comply with the Specific Plan Update, participate in the City Community Facilities District, and adhere to applicable fire protection standards. Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to wildland fire hazards.

4.5.9.4 Conclusion

Consistent with the 2007 EIR, impacts associated with wildfire adjacency would remain less than significant, and no new mitigation measures would be required.

4.6 Hydrology/Water Quality

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with hydrology and water quality in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the prior 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of hydrology and water quality, this section of the SEIR should be reviewed in tandem with Section 3.6 of the 2007 EIR.

A Floodplain Analysis for the Specific Plan Update was prepared for the project and attached as Appendix D.

4.6.1 Existing Conditions

Since certification of the 2007 EIR, the City of San Marcos (City) has completed several floodway improvements identified as Phase 1 in the 2007 EIR (see SEIR Table 2.1).

4.6.1.1 Watersheds/Water Quality

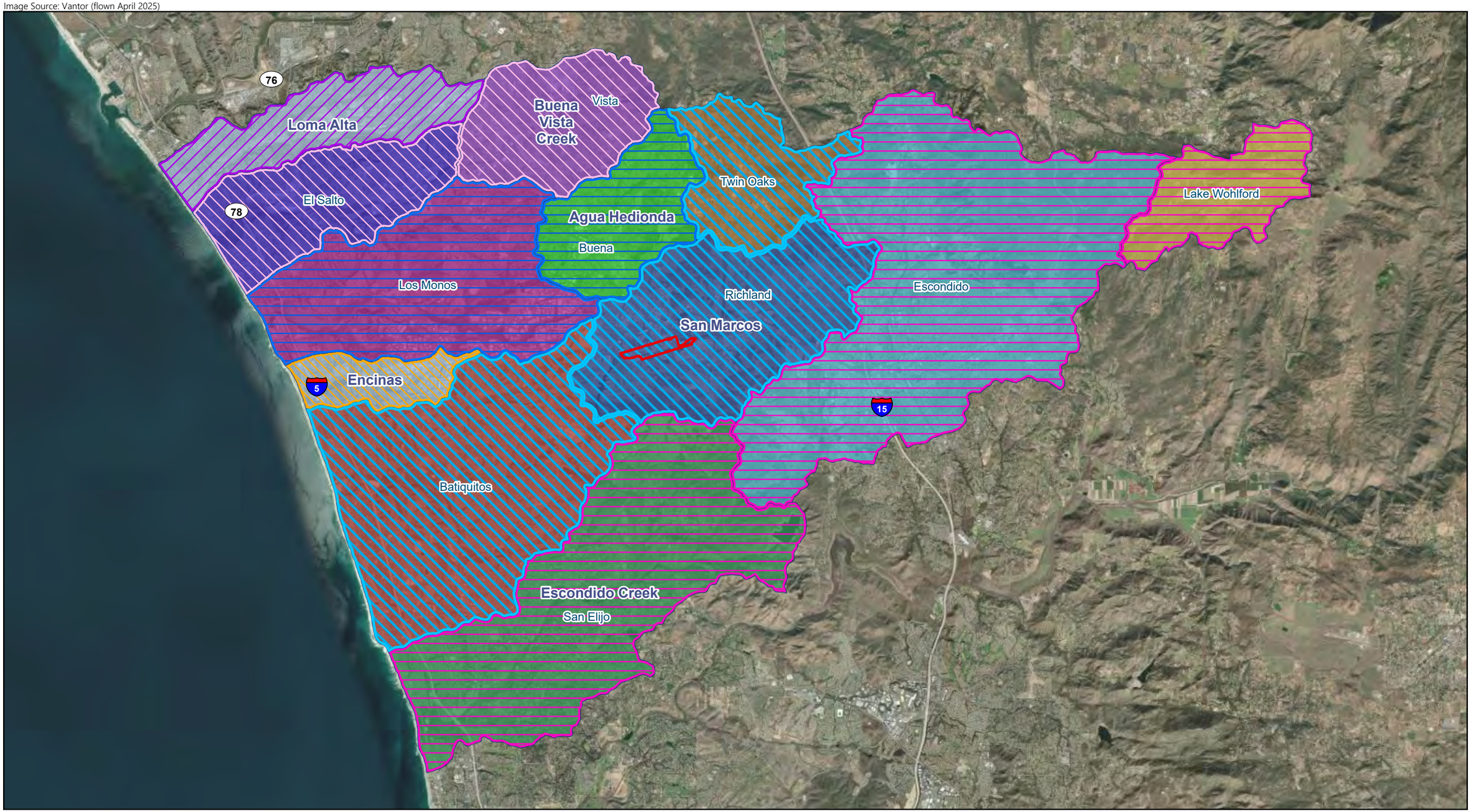
The City is located within the Carlsbad Watershed Management Area (WMA). Figure 4.6-1 illustrates the Creek District (Planning Area) in relation to the surrounding watershed boundaries. In accordance with Section 303(d) of the federal Clean Water Act (CWA), the State Water Resources Control Board (SWRCB) maintains a list of impaired water bodies that do not meet applicable water quality standards.

The 2007 EIR identified impairments to San Marcos Creek based on the 2006 Section 303(d) list, which included phosphorus, dichlorodiphenyldichloroethylene (DDE), and sediment toxicity.

Pursuant to the Final 2024 Section 303(d) list of impaired waters, San Marcos Creek (below Lake San Marcos) is currently listed as impaired for phosphorus, selenium, toxicity, and nitrogen.

Comparison of the 2006 and 2024 listings indicates that phosphorus remains an identified impairment. However, DDE and sediment toxicity are no longer listed under the current assessment cycle, while selenium and nitrogen have been added as impairments. The continued listing for nutrient-related parameters (phosphorus and nitrogen) reflects ongoing concerns related to nutrient loading and associated water quality effects within the watershed.

Image Source: Vantor (flown April 2025)



Project Boundary

Watersheds (basins)
- Agua Hedionda
- Buena Vista Creek
- Encinas
- Escondido Creek
- Loma Alta
- San Marcos

Watersheds (subbasins)
- Batiquitos
- Buena
- El Salto
- Escondido
- Lake Wohlford
- Los Monos
- Richland
- San Elijo
- Twin Oaks
- undefined
- Vista

0 Miles 2

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FIGURE 4.6-1
Carlsbad Watershed Management Area

4.6.1.2 Flooding

Since certification of the 2007 EIR, the City has completed capital improvement projects, including flood control, new bridges, parks, and open space, which have reduced flood conditions. The City is also currently engaged in the Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) process associated with completed flood-control improvements within the San Marcos Creek corridor. The LOMR process will update FEMA floodplain mapping based on constructed hydraulic and flood-management infrastructure and updated engineering analyses. Upon completion of the LOMR process, FEMA flood mapping will be updated as shown in Figure 4.6-2. Specifically, construction of the levee between Via Vera Cruz and Bent Avenue took Discovery Street and a portion of the Mobile Home Park out of the floodway and floodplain along the south side of the San Marcos Creek.

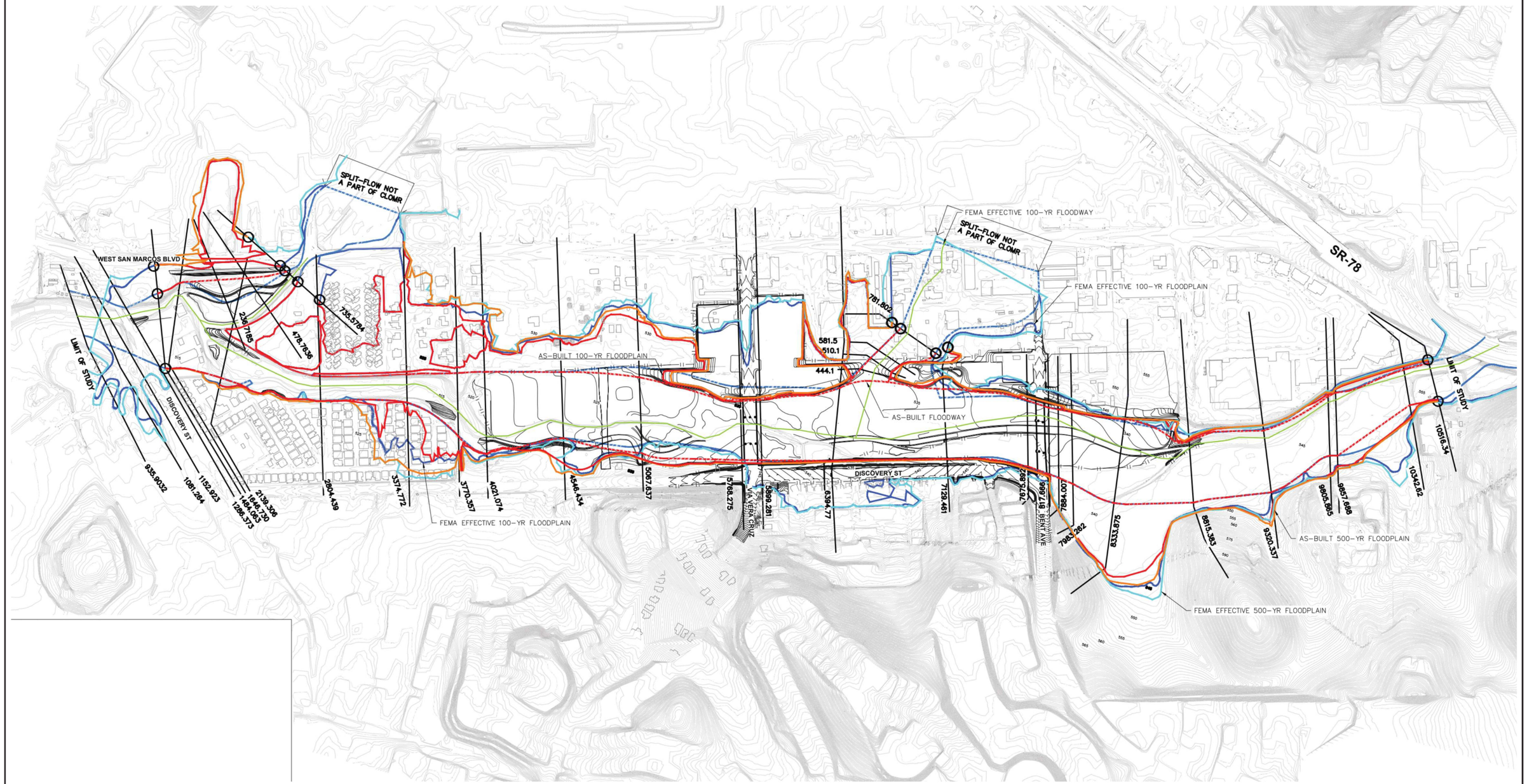
Notwithstanding floodplain improvements to date, not all flooding issues within the Planning Area have been resolved. The Specific Plan Update includes options for conceptual plans to resolve the remaining flooding issues across the Planning Area via an above-ground, soft-bottom, and soft-sided channel that extends from San Marcos Boulevard to San Marcos Creek.

4.6.1.3 Stormwater Drainage Systems

The City is regulated under the Municipal Separate Storm Sewer System (MS4) Permit issued by the San Diego Regional Water Quality Control Board (SDRWQCB). The permit identified in the 2007 EIR (Order No. R9-2007-0001, National Pollutant Discharge Elimination System [NPDES] No. CAS0108758) expired in 2013. The City is currently operating under Order No. R9-2013-0001, NPDES No. CAS0109266, adopted May 2013, which requires the development and implementation of a program addressing urban runoff pollution issues in planning for the development of public and private projects. Compliance with the MS4 Permit is considered in evaluating whether the project would violate water quality standards or contribute to existing impairments. The City also requires the use of low-impact development (LID) standards to reduce the amount of stormwater runoff and pollution.

4.6.1.4 Dam Inundation

Figure 4.6-3 delineates the extent of potential inundation from dam failure at Discovery Lake and Lake San Marcos. A failure of the upper dam at Discovery Lake would flood much of the southwest portion of San Marcos Creek Valley upstream of Lake San Marcos. A failure of Lake San Marcos Dam would flood San Marcos Creek downstream of the dam at Lake San Marcos.



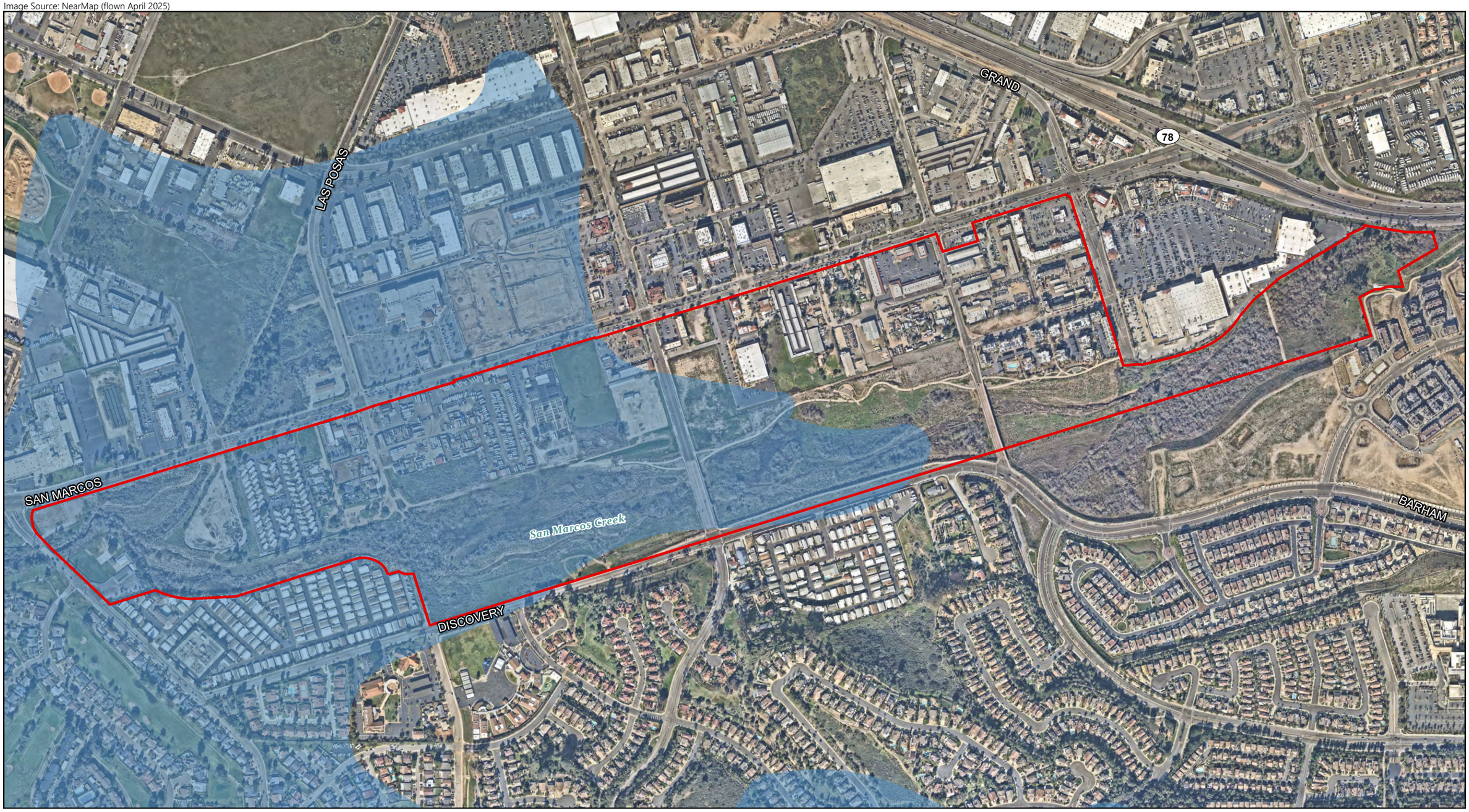
FEMA Effective 100-yr Floodplain
FEMA Effective 100-yr Floodway
FEMA Effective 500-yr Floodplain
As-Built 100-yr Floodplain
As-Built 100-yr Floodway
As-Built 500-yr Floodplain
Tie-In Location
Creek Centerline

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FIGURE 4.6-2
2026 LOMR/New As-Built Floodplain/Floodway Zones

Image Source: NearMap (flown April 2025)



Project Boundary

San Marcos 854 Dam Inundation Zone

0 Feet 600

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FIGURE 4.6-3
Dam Inundation

4.6.1.5 Groundwater

Consistent with the 2007 EIR, groundwater quality and supply is addressed in Section 7.3 of this SEIR. (Environmental Affects Found Not to be Significant).

4.6.2 Regulatory Framework

This section summarizes new and updated federal, state, and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the previously certified document, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

This section also includes several plans, programs, and regulatory agencies that were not specifically addressed in the 2007 EIR.

4.6.2.1 Federal Regulations

a. Federal Water Pollution Control Act (also known as Clean Water Act)

Section 303(d) of the CWA requires states to identify surface waters that do not meet applicable water quality standards, even after implementation of technology-based effluent limitations. These waters are placed on the 303(d) list of impaired water bodies. For each listed waterbody–pollutant combination, the state must develop a Total Maximum Daily Load (TMDL), which establishes the maximum amount of a pollutant that the waterbody can receive while still attaining water quality standards and allocates allowable loads among pollutant sources.

In California, the SWRCB, in coordination with the RWQCBs, prepares and updates the Integrated Report, which combines the CWA Section 303(d) impaired waters list. The Integrated Report is updated on a biennial cycle and submitted to the U.S. Environmental Protection Agency for review and approval.

At the time the 2007 EIR was prepared, the analysis relied on the then-current Section 303(d) list (2006 cycle). Since that time, the SWRCB has completed multiple assessment cycles, with the most recent Final 2024 Integrated Report adopted in February 2024 and submitted to the U.S. Environmental Protection Agency.

The 2024 Section 303(d) list reflects updated monitoring data, revised assessment methodologies, and changes in regulatory standards and listing policies. As a result, some waterbody-pollutant listings have been added, modified, or removed compared to earlier cycles. These updates represent evolving scientific understanding and regulatory criteria rather than necessarily new sources of pollution.

For purposes of this SEIR, the Final 2024 Section 303(d) list provides the applicable regulatory baseline for evaluating potential impacts to San Marcos Creek. As discussed above, San Marcos Creek (below Lake San Marcos) is currently listed as impaired for phosphorus, selenium, toxicity, and nitrogen. Accordingly, the impact analysis considers whether implementation of the proposed project could (1) contribute to these existing impairments, (2) result in exceedances of applicable water quality objectives or waste discharge requirements, or (3) interfere with the attainment of water quality standards or implementation of any applicable TMDLs. The evaluation is conducted consistently with current regulatory standards and assessment methodologies reflected in the 2024 Integrated Report.

b. National Pollutant Discharge Elimination System

Pursuant to Section 402 of the CWA, discharges of pollutants to waters of the United States from MS4s are regulated under the NPDES program. In the San Diego Region, the Municipal Stormwater Permit is issued by the SDRWQCB.

The City is subject to the MS4 Permit (Order No. R9-2013-0001, NPDES No. CAS0109266), as amended. The permit establishes requirements for stormwater management, LID, hydromodification management, construction and post-construction best management practices (BMPs), monitoring, and reporting to reduce pollutant discharges to receiving waters, including San Marcos Creek. Compliance with the MS4 Permit is required for development projects and is considered in evaluating potential impacts to water quality under the California Environmental Quality Act (CEQA).

4.6.2.2 State Regulations

a. Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act is codified in the California Water Code and establishes the authority and responsibilities of the SWRCB and the nine RWQCBs. Under Porter-Cologne, each RWQCB is required to adopt and periodically update a Water Quality Control Plan (Basin Plan) for its respective region. The Basin Plan identifies beneficial uses of surface and groundwater resources, establishes water quality objectives necessary to protect those uses, and includes an implementation program to achieve and maintain water quality standards.

The City is located within the jurisdiction of the SDRWQCB (Region 9). The Water Quality Control Plan for the San Diego Basin establishes beneficial uses and water quality objectives applicable to San Marcos Creek and other receiving waters within the City.

b. State Water Resources Control Board

In California, the SWRCB has primary authority over water quality regulation. The SWRCB establishes statewide water quality policy and implements provisions of the CWA, including oversight of the NPDES program and development of the Section 303(d) list of impaired waters. RWQCBs implement water quality regulations at the regional level consistent with statewide policy.

Pursuant to Section 303(d) of the CWA, the SWRCB identifies surface waters that do not meet applicable water quality standards. According to the Final 2024 Integrated Report (Section 303(d) list), San Marcos Creek (below Lake San Marcos) is currently listed as impaired for phosphorus, selenium, toxicity, and nitrogen.

These listings provide the regulatory context for evaluating whether the project would contribute to an existing impairment or interfere with attainment of water quality standards.

4.6.2.3 Local Regulations

a. Carlsbad Watershed Management Area Water Quality Improvement Plan

The 2021 Carlsbad WMA Water Quality Improvement Plan (WQIP). serves as the regional watershed-based compliance strategy for stormwater management within the Carlsbad WMA. The WQIP was prepared collaboratively by the County of San Diego and the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. It establishes a collective, adaptive management framework to protect, preserve, enhance, and restore water quality in receiving waters, including San Marcos Creek.

The WQIP identifies Priority Water Quality Conditions based on watershed data and regulatory requirements and establishes measurable numeric goals, implementation schedules, and management strategies to address those priorities. Identified strategies are implemented through each participating agency's Jurisdictional Runoff Management Program (JRMP), which outlines the standards, BMPs, and protocols used to reduce pollutant discharges from MS4 systems (see Section 4.6.2.3.b).

Within the Carlsbad WMA, nutrients have been identified as a high-priority water quality condition for the San Marcos Creek Hydrologic Area. The WQIP establishes interim and long-term goals, along with corresponding implementation measures, to address nutrient loading and other priority pollutants.

The original Carlsbad WMA WQIP was submitted in 2015 and accepted by the SDRWQCB in 2016. An updated WQIP was submitted in 2021 and accepted in December 2021. The 2021 update incorporates revised monitoring data, including bacterial indicator assessments, and refines priority conditions and implementation strategies consistent with adaptive management principles.

b. City of San Marcos Jurisdictional Runoff Management Plan

Pursuant to the MS4 Permit (Order No. R9-2013-0001, NPDES No. CAS0109266, as amended), the City is required to develop and implement a JRMP. The JRMP serves as the City's local implementation program under the broader Carlsbad WMA WQIP.

The JRMP identifies the procedures, BMPs, and regulatory mechanisms the City uses to (1) prohibit non-stormwater discharges to the MS4, (2) reduce pollutants in stormwater discharges to the maximum extent practicable, and (3) implement watershed-based priorities and strategies identified in the WQIP. Program elements include development planning and review requirements (e.g., LID

and hydromodification management), construction and post-construction BMPs, illicit discharge detection and elimination, municipal operations controls, and public outreach and monitoring.

Implementation of the JRMP is intended to reduce pollutant loading to receiving waters, including San Marcos Creek, and support attainment of applicable water quality standards and TMDL requirements.

c. San Marcos Stormwater Standards

The City has adopted its own BMP Design Manual (Manual; updated in July 2025) which projects must comply with the standards and regulations contained therein. The Manual addresses updated on-site post-construction stormwater requirements for Standard Projects and Priority Development Projects, and provides updated procedures for planning, preliminary design, selection, and design of permanent stormwater BMPs based on the performance standards presented in the MS4 Permit. The Manual specifically provides guidelines for compliance with on-site post-construction stormwater requirements which apply to private and public projects. Guidance includes, but is not limited to:

- Performance standards for source control and site design BMPs, stormwater pollutant control BMPs, and hydromodification management BMPs;
- Source control and site design requirements to be met by all development projects;
- Specific requirements applicable to priority development projects;
- Specific requirements for the content of project submittals to facilitate local jurisdictions' review of project plans for compliance with applicable requirements of the manual; and
- Details for BMP design, calculation procedures, worksheets, and maps and other figures to be referenced for BMP design.

d. Multi-Jurisdictional Hazard Mitigation Plan (City of San Marcos Annex)

The City participates in hazard mitigation planning through its inclusion in the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP), which identifies natural and human-caused hazards, assesses vulnerabilities, and outlines strategies to reduce risk to life and property. The MJHMP, last revised in 2023 and formally adopted by the County of San Diego, provides a framework for hazard identification, risk assessment, and mitigation actions that are integrated into local planning and emergency management efforts.

The MJHMP includes floodplain management and flood risk mitigation goals. Hazard mitigation strategies related to flooding include emergency management planning, public education, and watershed water quality improvement projects.

e. City of San Marcos General Plan

Since certification of the 2007 EIR, the City of San Marcos (City) adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to hazards and hazardous materials. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Conservation and Open Space Element

- Goal COS-6: Protect and restore appropriate surface water and groundwater beneficial uses through prioritizing the improvement of locally impaired water bodies within the City subwater sheds.
    - Policy COS-6.1: Establish sources, constituents, and water body priorities based on surface water quality and groundwater quality for each watershed within the City.
        - For each subwatershed, promote beneficial use designations and water quality objectives that are scientifically valid for each subwatershed.
        - Reduce pollutant loads and flows that adversely impact groundwater and surface water integrity in each subwatershed.
        - For each subwatershed, support the identification and development of sustainable projects that provide diverse habitats and water quality benefits.
        - For each subwatershed, coordinate development with existing watershed management plan.
- Goal COS-7: Achieve sustainable watershed protection for surface and groundwater quality that balances social, economical, and environmental needs.
    - Policy COS-7.2: Obtain public support for long-term sustainable funding for stormwater management, surface water quality, hydromodification, and groundwater quality initiatives.
- Goal COS-8: Focus watershed protection and surface and groundwater quality management on sources and practices that the City has the ability to affect.
    - Policy COS-8.4: Require new development and redevelopment to protect the quality of water bodies and natural drainage systems through site design, source controls, stormwater treatment, runoff reduction measures, BMPs, LID, hydromodification strategies consistent with the current SDRWQCB Municipal Stormwater NPDES Permit, and all future municipal stormwater permits.

Safety Element

- Goal S-2: Minimize the risk to people, property, and the environment due to flooding hazards.
    - Policy S-2.1: Continue to provide well-maintained regional flood control facilities capable of accommodating, at a minimum, 100-year storm flows consistent with federal requirements.
    - Policy S-2.2: Require existing private development to take responsibility for maintenance and repair of structures to resist flood damage.

Land Use and Community Design Element

- Goal LU-15: Flood Control and Storm Water Drainage Facilities: Ensure adequate flood control and storm water drainage is provided the community.
    - Policy LU-15.1: Implement activities, practices, procedures, or facilities that avoid, prevent, or reduce pollution of the San Marcos Storm Water Conveyance System and Receiving Waters.
    - Policy LU-15.2: Improve inadequate or undersized drainage/flood control facilities to solve both small neighborhood and large regional drainage and flood control problems.
    - Policy LU-15.3: Avoid, to the extent possible, development in floodplain and flood prone areas.
    - Policy LU-15.4: Retain drainage courses in their natural condition, to the extent possible. Consider smaller-scale drainage improvements to protect the environment and avoid disturbing natural drainage courses; consider detention areas and raised building pads.

Environmental Justice Element

- Goal EJ-1: Reduce greenhouse gas emissions, enhance air quality, and reduce impacts associated with climate change.
    - Policy EJ-1.5: Promote the installation of trees to reduce the urban heat-island effect and green infrastructure to reduce storm water runoff.
    - Policy EJ-1.17: Identify pollutants of concern in each subwatershed for groundwater and surface water.

f. City of San Marcos Municipal Code

Since certification of the 2007 EIR, the following code sections have been codified into the San Marcos Municipal Code (SMMC). Future projects within the Planning Area would be required to adhere to all relevant regulations in effect at the time of project processing.

Title 14, Chapter 14.15, Storm Water Management and Discharge Control Ordinance

SMMC Chapter 14.15 requires that all new development and redevelopment activities comply with the stormwater pollution prevention requirements. These stormwater pollution prevention requirements, which are described in detail in SMMC Section 14.15.050, Reduction of Pollutants in Storm Water, include construction, development, and redevelopment, and residential BMPs.

Title 17, Chapter 17.16, California Plumbing Code

SMMC Chapter 17.16 adopts the California Plumbing Code, including Section 17.16.040, which forbids discharge of any material, directly or indirectly, into the City stormwater conveyance system.

4.6.3 2007 Thresholds of Significance

Subsection 3.6 of the 2007 EIR evaluated impacts based on whether the San Marcos Creek Specific Plan (Adopted Specific Plan) would:

Water Quality

- Violate any federal water quality standards or state waste discharge requirements;
- Otherwise substantially degrade water quality;
- Have a potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters;
- Result in significant alteration of receiving water quality during or following construction;
- Result in an increase in pollutant discharges to receiving waters; or
- Be tributary to environmentally sensitive areas (e.g., Multiple Species Conservation Program, Rare, Threatened, and Endangered Species/Habitats, Areas of Special Biological Significance, etc.).

Drainage Patterns and Sedimentation

- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (e.g., downstream); or
- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Stormwater Runoff

- 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

- Result in increased impervious surfaces and associated increased runoff.

Flooding and Flood Hazards

- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows; or
- Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.

4.6.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the CEQA Guidelines Thresholds of Significance have been revised related to the subject area of hydrology and water quality. The thresholds have been reorganized and condensed to better reflect a focused discussion of potential impacts related to hydrology and water quality. To provide a comprehensive supplemental analysis, the determinations of the 2007 EIR are summarized; however, the updated evaluation is based on the following updated thresholds.

Would the Specific Plan Update:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;
b. 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:
    a. Result in a substantial erosion or siltation on- or off-site;
    b. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
    c. 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
    d. Impede or redirect flood flows.
c. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
d. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.6.4 Threshold a: Violate Water Quality Standards/Degrade Water Quality

Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

4.6.4.1 Summary of Prior Analysis

The 2007 EIR evaluated potential water quality impacts associated with build-out of the Planning Area. The analysis determined that construction activities could result in short-term impacts to water quality, primarily related to increased sedimentation from grading activities and the potential for accidental fuel or hazardous material spills from construction equipment. Because individual development plans were not proposed at the time of certification, the precise extent of grading associated with full build-out was unknown.

The Specific Plan incorporated design features intended to reduce potential construction and operational water quality impacts. These included installation of landscape controls (e.g., use of native landscaping adjacent to preserved habitat) as well as the selection and implementation of BMPs, including source control BMPs (e.g., trash enclosures), treatment control BMPs (e.g., constructed wetlands, filter inserts, bio-swales, and catch basins), and site design BMPs (e.g., landscaped strips and permeable pavement). In addition, all on-site drainage was required to be conveyed through desilting and/or filtration systems prior to discharge to San Marcos Creek or Lake San Marcos, consistent with applicable regulations.

In addition to these regulatory requirements and incorporated design features, the 2007 EIR concluded that implementation of the Specific Plan could result in violations of applicable water quality standards and that mitigation measures MM 3.6-1 and MM 3.6-2 would be required to further require preparation and implementation of project level Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Technical Reports consistent with state and local water quality programs and standards.

At the time of the prior analysis, San Marcos Creek was not formally listed on the CWA Section 303(d) list of impaired waters; however, the SWRCB had proposed listing the creek as impaired for phosphorus, DDE, and sediment toxicity, primarily associated with urban runoff. The EIR concluded that required BMPs and drainage controls would prevent the project from contributing to these impairments.

MM 3.6-1 (Construction): Construction activities shall be guided by a project-specific SWPPP. The SWPPP shall include appropriate erosion and sediment control as well as non-stormwater management BMPs. The SWPPPs shall be developed to reduce impacts to water quality during project construction. The SWPPPS shall also contain monitoring programs for discharges from the construction sites for both sediment/turbidity and non-visually detectable particles. At minimum, the SWPPP shall include:

- Specific and detailed BMPs, such as those set out in Table 3.6-1, shall be required for the project. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain.

- On-site construction personnel shall be educated on the importance of stormwater quality protection. Site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP.

- Watering for dust control shall be performed during the dry season. The potential for erosion is generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. If hydroseeding is selected as the primary soil stabilization method, then these areas shall be seeded by September 1st using native species only, and irrigated as necessary to ensure that adequate root development has occurred prior to October 1. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be provided and designed to be accessible and functional during both dry and wet conditions.

MM 3.6-2 (Operational): Pursuant to the City's Stormwater Standards Manual, project specific Water Quality Technical Reports (WQTRs) shall be prepared to mitigate water quality impacts each project within the Specific Plan area. For each specific project, the WQTRs shall identify the impacts, pollutants and hydrologic conditions of concern, and select the appropriate BMPs to be designed and implemented to mitigate the water quality impacts discharging from the project sites to prevent downstream impacts in the receiving waters.

The project shall implement three types of Best Management Practices (BMPs) for the purposes of minimizing the discharge of pollutants and maintaining the flow events (discharge rates) from the post construction project site. Again, these BMPs are implemented to minimize the impacts from developments on downstream receiving waters that include San Marcos Creek, Lake San Marcos, Batiquitos Lagoon and the Pacific Ocean. The first is the use of Low Impact Development (LID) Site Design BMPs, the second is the use of Source Control BMPs, and lastly, Treatment Control BMPs will be implemented.

The LID Site Design BMPs will include minimizing the direct connections between impervious surfaces and the storm drain systems, use of alternative surfaces instead of impermeable surfaces, and site planning to minimize the impacts of the development. Specific BMPs may include: porous concrete; grassy swales; rooftops draining to landscaped areas; flow through planters, and; infiltration trenches.

The Source Control BMPs will include the enforcement of the City's Jurisdictional Urban Runoff Management Plan and Municipal Code sections that affect existing development including commercial and residential sectors. Additionally, once the development is complete, the site use is

regulated based on the activities, e.g., commercial businesses or residential units. The future development will be inspected and the City's program enforced to minimize the discharges of pollutants.

Additionally, the project improvements will include physical Source Control BMPs where applicable. Specific BMPs may include: marking of storm drain inlets; educational kiosks/signage; efficient irrigation systems; enclosed trash storage areas, and; the use of alternative building materials.

The Treatment Control BMPs shall be implemented to treat the 85th percentile flows (i.e., first flush) from the project site. At this time, the proposed treatment system is a media filtration system that is capable of treating the 85th percentile flows from the entire proposed project development area (at the expected discharge rates). The media filtration system has cartridges that are interchangeable to treat the anticipated pollutant types from the project area. If it is determined that the pollutant types coming from the project area are different than currently anticipated, the media cartridges will be adjusted so that they are effective at treating the pollutant types and loads. Other treatment features may include the following: infiltration trenches; vegetated swales; buffers zones, and; inlet filtration as pre-treatment.

4.6.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, Planning Area hydrology improvements have been completed as described under Section 4.6.1; however, it is noted that the improvements to San Marcos Creek did not resolve all flood issues. Additionally, the regulatory framework and environmental baseline applicable to water quality have evolved. Key changes include the following:

Updated Section 303(d) Listings

- At the time of the 2007 EIR, San Marcos Creek was not formally listed on the CWA Section 303(d) impaired waters list, although impairments for phosphorus, DDE, and sediment toxicity had been proposed.

- Pursuant to the Final 2024 Integrated Report, San Marcos Creek (below Lake San Marcos) is currently listed as impaired for phosphorus, selenium, toxicity, and nitrogen. The addition of nutrient- and toxicity-related parameters reflects updated monitoring data and assessment methodologies. These listings establish the current regulatory baseline for evaluating potential project contributions to impaired water bodies.

Adoption and Implementation of the Updated MS4 Permit and WQIP Framework

- Since 2007, the SDRWQCB has reissued the MS4 Permit (Order No. R9-2013-0001, as amended), which strengthened requirements for LID, hydromodification management, watershed-based planning, and measurable performance standards.

- In response, the 2021 Carlsbad WMA WQIP was adopted to implement a watershed-based compliance strategy. Nutrients have been identified as a high-priority water quality condition for the San Marcos Creek Hydrologic Area. The WQIP establishes numeric goals, implementation schedules, and adaptive management strategies to address priority pollutants.

Updated Stormwater Management Standards

- Post-2007 regulatory updates include expanded requirements for: LID design; hydromodification management controls, enhanced post-construction BMP performance standards, and monitoring and reporting obligations.

- These updated requirements result in more stringent controls on construction- and post-construction stormwater discharges compared to the regulatory framework in place at the time of the prior EIR.

b. Specific Plan Update

The Specific Plan Update includes design standards related to stormwater approaches to ensure consistency with SMMC Section 17.160. As part of the planning for the Specific Plan Update, project engineers evaluated options for additional flood improvements to be addressed: either (1) continuing to have individual property owners resolve conditions at the time they wish to develop or redevelop, or (2) pursuing a comprehensive flood control approach using a multi-benefit channel engineered to accommodate 100-flood flows. Through flood control, the City would be able to manage critical stormwater and rain events, reducing both discharge velocity and volume to better support storm drain discharges. Details of the project's flood control options are discussed under Section 4.6.6 of this SEIR.

4.6.4.3 Environmental Analysis

a. Construction Activities

Construction activities associated with future development and redevelopment would involve grading, paving, utility installation, building construction, and landscaping installation, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other pollutants with the potential to affect water quality. In addition, refueling and parking of construction vehicles and other construction equipment may result in oil, grease, or other related pollutant leaks or spills that may discharge into the storm drain system.

To minimize potential water quality impacts during construction, future development and redevelopment would be required to comply with the MS4 permit, including preparation and implementation of a SWPPP. A SWPPP requires the identification and implementation of BMPs to control sediment, erosion, tracking, non-stormwater, and waste management during construction and prevent such contaminants and materials from entering receiving water bodies. Future construction would be required to provide site-specific BMPs consistent with the City's Storm Water Standards, the adherence to which during construction would ensure that all potential pollutants of

concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged. Additionally, all projects would be subject to General Plan and SMMC compliance relating to reducing runoff and managing pollutant runoff. Therefore, compliance with City regulations, standard BMP design requirements, and General Plan and Specific Plan Update policies would ensure that future development and redevelopment would not result in construction-related water quality impacts, and impacts would be less than significant.

b. Post-Development Activities

Post-construction activities associated with the operation of future development and redevelopment throughout the Planning Area could have long-term impacts on stormwater quality, subsequently impacting downstream water quality. For example, future development and redevelopment could create new sources of runoff contamination from changing land uses which could increase impervious surfaces. As a result, development within the key opportunity areas, as well as throughout the Planning Area, may increase post-construction pollutants, significantly degrading water quality.

To reduce potentially significant post-construction water quality impacts, future development and redevelopment would be required to comply with the SMMC Section 14.15.500, which requires new development and redevelopment activities comply with the stormwater pollution prevention requirements. Additionally, pursuant to the City's Manual, all future projects are required to comply with specific design measures related to permanent stormwater BMPs based on the performance standards presented in the MS4 Permit. Therefore, compliance with City regulations, standard BMP design requirements, and General Plan and Specific Plan Update policies would ensure that future development and redevelopment would not result in post development water quality impacts, and impacts would be less than significant.

4.6.4.4 Conclusion

Although the 2007 EIR included mitigation measures MM 3.6-1 and MM 3.6-2, these requirements are now independently mandated under updated regulatory programs, and compliance with applicable MS4 and Construction General Permit requirements would be required regardless of CEQA mitigation. Therefore, because preparation and implementation of a SWPPP and compliance with post-construction stormwater requirements are mandated under current state and regional regulations, these measures are considered part of the regulatory baseline and would apply to future development within the Planning Area. The previous mitigation measures would not be required to be carried forward. Impacts associated with water quality standards would be less than significant, and no new mitigation measures would be required.

4.6.5 Threshold b: Drainage Patterns

Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in a substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?

4.6.5.1 Summary of Prior Analysis

Existing 100-year flow rates for San Marcos Creek were established by FEMA. The prior analysis determined that implementation of the proposed flood control improvements would increase flow velocities within the channel. Increased velocities were projected to increase sediment transport along the stream corridor, resulting in greater sediment delivery downstream toward Lake San Marcos.

Preliminary modeling was conducted to evaluate sediment delivery under both existing and project conditions. Sediment delivery was defined as the cumulative amount of sediment transported past a specified channel section over a defined time period. Under the "ultimate flood series" scenario—which represents a statistical sequence of storm events expected over a 100-year period and assumes full build-out consistent with the City's Master Drainage Plan—approximately 463,000 tons of sediment were estimated to be delivered under existing conditions. With project implementation, sediment delivery was projected to increase to approximately 698,000 tons under the same scenario.

The 2007 EIR concluded that the projected increase in sediment transport to Lake San Marcos could contribute to accelerated sedimentation within the lake, potentially reducing its long-term storage capacity and functional lifespan. This increase in downstream sediment delivery was identified as a significant impact. Mitigation measures were identified in the EIR to reduce sediment transport and address potential effects on Lake San Marcos.

MM 3.6-3a: A check dam (i.e., berm) shall be constructed within San Marcos Creek at the Via Vera Cruz crossing to reduce sediment delivery to Lake San Marcos. The check dam shall be constructed on the channel bed across the bridge opening. The check dam will be constructed so that it will not erode during flow events. Natural materials such as rock or man-made materials such as concrete shall be used. If rock is selected, then grout will be needed to secure the rock in place. The grout shall be colored to blend with the natural surrounding. If concrete is used, it shall be colored and textured for a more natural appearance. A weir (or notch) shall be constructed within the check dam to prevent water from ponding upstream of the facility. The check dam shall be designed and constructed to minimize environmental impacts and disturbances to the creek. The Via Vera Cruz check dam shall be constructed within the temporary construction easement for the crossing to the extent possible.

MM 3.6-3b: A check dam shall be constructed just upstream of Discovery Street. This check dam shall cause sediment to deposit upstream of Discovery Street and further reduce sediment delivery to Lake San Marcos. The check dam height shall be designed so that it does not adversely impact the upstream water surface elevations including the water surface elevations in Las Posas Creek. The Discovery Street check dam shall be constructed within the existing channel bed armoring to the extent possible.

It is noted that while mitigation measures MM 3.6-3a and MM 3.6-3b were included in the 2007 EIR, the check dam was never required as part of the City's detailed creek improvement designs.

4.6.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

Although several flood control measures have occurred since the 2007 EIR, the Planning Area continues to experience stormwater flooding and flow rates beyond the capacity of existing infrastructure. Within the Planning Area, the San Marcos Creek currently experiences a split flow condition, which refers to the portioning of stormwater flow into two or more separate flow paths. This is the cause of special flood hazard areas located outside of the creek banks (Parsons 2025). An updated Location Hydraulic Study was prepared in November 2017 to calculate the FEMA flood rates for the split flows shown in Table 4.6-1.

Table 4.6-1
FEMA Flood Rates for Split Flow

Split Flow Location	Cubic Feet per Second
San Marcos Boulevard under State Route 78	3,385
Northern Split	1,836
Southern Split	1,549

Source: Parsons 2025

b. Specific Plan Update

As detailed in greater detail in Section 4.6.6 of this SEIR, the Specific Plan Update addresses plans to decrease volume and velocity of existing drainage patterns through flood control measures aimed at reducing flood susceptibility.

4.6.5.3 Environmental Analysis

Future development and redevelopment within the Planning Area could alter existing drainage patterns through the addition of impervious surfaces such as streets, sidewalks, and parking areas. Impervious surfaces reduce infiltration and increase both the volume and rate of stormwater runoff compared to undeveloped conditions. As a result, peak flows could increase and runoff could be conveyed more rapidly to the storm drain system and downstream receiving waters. If not properly managed, these changes could affect the capacity of the existing stormwater drainage system and increase the potential for localized flooding.

To address split flow conditions within the Planning Area, several alternatives were evaluated to determine the approximate size and configuration of a conveyance system capable of managing FEMA 100-year storm flows. Based on comparative analysis, two primary solutions were identified: an on-site conveyance alternative and an off-site infrastructure alternative.

The on-site solution would capture split-flow floodwaters along San Marcos Boulevard, west of State Route 78 (SR-78) at the California Department of Transportation right-of-way limits, and convey the flow back to San Marcos Creek prior to reaching private redevelopment parcels west of Bent Avenue. Because floodwaters may overtop San Marcos Boulevard before transitioning to an underground conveyance system, a distributed series of inlets along the roadway corridor would be required to intercept surface flows. Preliminary conceptual modeling indicates that a substantial number of collection points may be necessary to adequately capture and convey the anticipated flood flows between the SR-78 eastbound off-ramp and Bent Avenue. Captured runoff would then be conveyed through an underground reinforced concrete box system and discharged back into the creek.

The off-site solution would involve replacing the existing reinforced concrete box culvert beneath SR-78 with a structure sized to convey the FEMA 100-year storm event. This alternative would prevent overtopping east of SR-78 and eliminate the split-flow condition.

Under either alternative, conceptual drainage plans would guide implementation, and improvements would be constructed incrementally in conjunction with future development projects. Developers would be required to prepare detailed engineering plans for their respective portions of the drainage system improvements. In addition, all future development and redevelopment would incorporate BMPs and LID measures to manage project-level runoff and minimize increases in flow volume and velocity. Compliance with applicable regional and local stormwater regulations would reduce potential effects on drainage patterns and flood flows.

Accordingly, through compliance with applicable regulatory requirements, implementation of City standards of approval, and construction of required drainage improvements at the project level, the Specific Plan Update would not result in an increase in runoff volumes or contribute additional flows to the existing storm drain infrastructure.

4.6.5.4 Conclusion

Construction and operation of future site-specific projects would be required to comply with applicable regulations and City standards and implement their respective portions of the drainage system improvements. Compliance with these regulations would ensure that future site-specific projects would not 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. Previous mitigation measures (MM 3.6-3a and MM 3.6-3b) were not considered necessary to support the creek improvements. Impacts associated with drainage patterns under the Specific Plan Update would remain less than significant, and no new mitigation measures would be required.

4.6.6 Threshold c: Flood Hazard, Tsunami, or Seiche

In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

4.6.6.1 Summary of Prior Analysis

The 2007 EIR evaluated flood hazards within the Planning Area based on applicable FEMA Flood Insurance Rate Map panels. At the time of the analysis, portions of San Marcos Creek and adjacent areas were located within the mapped 100-year floodplain.

The project included floodway improvements designed to convey the 100-year storm flows within a modified creek channel and eliminate overtopping of SR-78 and San Marcos Boulevard. Proposed improvements included construction of levees, channel modifications, armoring, and the addition of a new bridge structure at the existing box culvert beneath SR-78 to improve conveyance capacity. These improvements were intended to redirect and contain flood flows within the channel system and prevent overland flooding of adjacent properties.

Hydraulic modeling was performed based on FEMA-established 100-year flow rates and ultimate build-out conditions consistent with the City's Master Drainage Plan. The prior analysis concluded that, with implementation of the proposed flood control improvements, the 100-year flood hazard area would be redefined such that existing and proposed development would be located outside of the mapped 100-year floodplain. The levee system and associated drainage facilities were designed to accommodate ultimate build-out flow rates and convey 100-year on-site storm flows without increasing flood risk on-site or downstream. As a result, impacts related to placing structures within a 100-year flood hazard area were determined to be less than significant.

The 2007 EIR also evaluated the potential for flooding associated with levee failure or breach. The analysis determined that, absent safeguards, a levee failure could result in flooding impacts and was therefore considered a potentially significant impact. To address this impact, the EIR required implementation of mitigation measure MM 3.6-4 mandating that the levee be designed in accordance with applicable engineering standards, including criteria established by FEMA and the U.S. Army Corps of Engineers. The mitigation measure required preparation of detailed geotechnical and hydraulic studies during final design and submittal of the project for FEMA review through the Conditional Letter of Map Revision (CLOMR) process. In addition, certification of the levee by a licensed professional engineer was required prior to construction. With implementation of these mitigation measures, the impact related to potential levee failure or breach was reduced to a less-than-significant level.

MM 3.6-4: Before any specific plan development may be approved by the City of San Marcos within properties currently within the 100-year floodplain, the applicant must demonstrate that a Letter of Map Revision (LOMR) removing the affected parcels from the floodplain or CLOMR has been obtained from the Federal Insurance Administration of FEMA.

4.6.6.2 Changes Since the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, several flood control improvements within the San Marcos Creek corridor have been completed. The levee and associated floodway improvements evaluated in the 2007 EIR have been constructed and are no longer components of the proposed Specific Plan Update. As a result, the Specific Plan Update does not include construction of new levees or major flood control facilities, nor does it propose modifications to the FEMA-designated floodway.

b. Specific Plan Update

Although the 2007 EIR evaluated flood hazards and identified several flood control improvements, many of those improvements have since been completed. Nevertheless, portions of the Planning Area remain constrained by FEMA-designated flood hazard areas that continue to limit redevelopment opportunities. Accordingly, the Specific Plan Update introduces a revised flood management strategy intended to facilitate redevelopment while maintaining compliance with applicable floodplain management requirements. The Specific Plan Update evaluates two approaches for addressing remaining floodway constraints: (1) the traditional parcel-specific fill approach; and (2) a preferred district-wide open channel approach that would address flood hazards while preserving redevelopment potential.

Traditional Site-by-Site Fill Approach (Existing Practice). Historically, redevelopment within the floodway has required individual property owners to import substantial amounts of fill and regrade their sites to elevate development above the flood hazard. This parcel-specific approach is costly, resource-intensive, and constrained by FEMA floodplain regulations.

District-Wide Open Channel Approach (Preferred). The preferred strategy is to implement a coordinated open-channel flood conveyance system that addresses flood hazards at the district scale rather than on individual parcels. The proposed natural-bottom channel would function primarily during major storm events while serving as a landscaped open space amenity with recreational trails and vegetation during normal conditions. The Plan would allow land occupied by the channel to count toward open space requirements, with development density transferred to the remainder of affected parcels, thereby maintaining development potential while reducing flood constraints. Although the preferred implementation would occur as a single capital improvement project, the channel could also be constructed incrementally as redevelopment occurs, provided each segment is designed consistently with an overall City concept plan and applicable flood control regulations.

The Specific Plan Update includes several goals and policies intended to address flooding. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- **Goal LU.6: Creative integration of flood control approaches that allow full development potential of individual properties and that create multi-use, multi-benefit open space features and requires developers to connect their planned projects to off-site streets to ensure circulation for emergency purposes.**
    - Policy LU.6.1: Pursue an open channel, natural bottom approach to on-site flood control as the means of eliminating 100-year flood constraints on properties.
    - Policy LU.6.2: Allow transfer of development density/yield on properties within the 100-year floodplain from areas required for flood control improvements to a developable area.
- **Goal IPS.1: Water, sewer, flood control, and other critical infrastructure facilities that accommodate buildout of the Creek District as envisioned in this Specific Plan**
    - Policy IPS.1.4: Prioritize use of the multi-benefit open channel flood control approach (see LU.6.1) to address 100-year floodplain development constraints but provide flexibility for developers to propose alternative strategies that provide required flood protection and desired open spaces within the Creek District.

4.6.6.3 Environmental Analysis

Since certification of the 2007 EIR, floodplain management and development standards applicable to the Planning Area have continued to evolve. Any future development within or adjacent to a FEMA-designated Special Flood Hazard Area would be subject to updated federal, state, and local floodplain management regulations in effect at the time of discretionary approval and building permit issuance.

Development within a mapped 100-year floodplain would be required to comply with the City's floodplain management ordinance, FEMA regulations, and applicable provisions of the California Building Code. These requirements include, but are not limited to:

- Demonstration that finished floor elevations are above the Base Flood Elevation;
- Prohibition of development within the regulatory floodway unless a "no-rise" hydraulic analysis is prepared and approved;
- Preparation of site-specific hydraulic studies where grading or improvements could alter floodplain boundaries;
- Implementation of floodproofing measures for non-residential structures, where applicable.

If proposed development would modify a FEMA-mapped floodplain or floodway boundary, the applicant would be required to obtain FEMA approval through the CLOMR and subsequent LOMR processes prior to and following construction. These processes require detailed hydraulic modeling, engineering certification, and federal review to ensure that flood elevations are not increased and that flood risks are not transferred upstream or downstream.

Accordingly, future development under the Specific Plan Update would be required to comply with updated floodplain management regulations and FEMA review procedures, which provide additional safeguards beyond those in place at the time of the 2007 EIR. Compliance with these requirements would ensure that development does not result in increased flood hazards on-site or elsewhere.

Consistent with updated regulatory requirements, the Specific Plan Update promotes a coordinated flood management strategy intended to address existing floodway constraints at the district scale. Rather than relying solely on parcel-by-parcel flood remediation, the Specific Plan Update identifies a conceptual naturalized flood conveyance channel that would improve stormwater conveyance while creating recreational open space and preserving development potential through density transfers on affected properties. Although the channel would be subject to future engineering design, environmental review, and regulatory approvals, including FEMA review where applicable, this district-wide approach is intended to reduce flood constraints and facilitate redevelopment in a manner consistent with current floodplain management standards.

With regard to other flood-related hazards, CEQA requires evaluation of potential exposure to seiche, tsunami, and mudflow hazards. The Planning Area is located inland within the San Marcos Creek watershed and is not situated within a coastal zone or mapped tsunami inundation area. Therefore, the project would not expose people or structures to risks associated with tsunami hazards.

Seiche hazards are generally associated with enclosed or partially enclosed water bodies subject to seismic activity. While Lake San Marcos is located upstream of the Planning Area, the Specific Plan area is not located within an identified seiche hazard zone. Based on the inland location and topographic setting of the Planning Area, exposure to seiche hazards is not anticipated.

Mudflow hazards are generally associated with steep slopes following wildfire or intense precipitation events. The Planning Area is located within a developed urban corridor and is not identified as being subject to significant mudflow hazards. Therefore, implementation of the Specific Plan Update would not expose people or structures to substantial risks associated with mudflow.

Overall, compliance with applicable FEMA floodplain management requirements, including floodway "no-rise" standards and local flood control regulations, would ensure that development does not increase flood elevations or redirect flood flows in a manner that could affect emergency access routes or public safety infrastructure. Therefore, the project would not result in flood hazard, tsunami, or seiche zones, and impacts would be less than significant.

Mitigation measure MM 3.6-4 requires that, prior to approval of development within properties located in the mapped 100-year floodplain, the applicant demonstrate that a CLOMR or LOMR had been obtained from FEMA removing the affected parcels from the floodplain.

Since certification of the 2007 EIR, the levee and associated floodway improvements analyzed in the prior EIR have been constructed. In conjunction with completion of these improvements, FEMA mapping for the area has been revised to reflect updated floodplain boundaries. Nonetheless, several existing parcels located on the north side of the creek are located within the FEMA special flood hazard area. These parcels would be required to implement existing mitigation measure MM 3.6-4 to ensure CLOMR or LOMR processes are completed prior to development activity (see

Chapter 9, Modified Mitigation, Monitoring and Reporting Program). Accordingly, the project would not result in new significant impacts or a substantial increase in the severity of impacts related to flood hazards.

4.6.6.4 Conclusion

Mitigation measure MM 3.6-4 identified in the 2007 EIR would continue to apply to the future projects and remain effective in addressing potential impacts to flood hazards. With this measure carried forward, impacts would remain less than significant, and no new mitigation measures would be required.

4.6.7 Threshold d: Water Quality Plans

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

4.6.7.1 Summary of Prior Analysis

The 2007 EIR included Table 3.6-4 which verified that the project would be consistent with applicable General Plan goals, policies and implementing strategies.

4.6.7.2 Changes Since Certification of the EIR

a. Citywide

Since certification of the 2007 EIR, the regulatory framework governing water quality has evolved at the federal, state, and regional levels. Updates include revisions to the CWA Section 303(d) list of impaired waters, reissuance of the MS4 Permit (Order No. R9-2013-0001, as amended), adoption and update of the 2021 Carlsbad WMA WQIP, and continued implementation of enhanced LID and hydromodification management requirements. These updates strengthen stormwater management standards and provide more defined performance-based criteria than were in place at the time of the prior EIR.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that directly reflect regulatory policy consistency.

4.6.7.3 Environmental Analysis

The Specific Plan Update has been evaluated for consistency with applicable water quality management plans under the current regulatory framework.

a. Clean Water Act Section 303(d) and TMDLs

San Marcos Creek is currently listed as impaired for nutrient- and toxicity-related parameters. Implementation of required BMPs, source controls, and post-construction treatment measures would reduce pollutant loading from future development and would not interfere with attainment of water quality standards or implementation of applicable TMDLs.

b. MS4 Permit and WQIP

The City remains subject to the MS4 Permit and implements the 2021 Carlsbad WMA WQIP through its JRMP. Future development within the Planning Area would be required to meet hydromodification management, LID performance standards, and watershed-based priorities identified in the WQIP, including nutrient management for San Marcos Creek.

c. Construction General Permit

Ground-disturbing activities would be regulated under the Statewide Construction General Permit, including preparation and implementation of a SWPPP.

d. San Diego Basin Plan

The Planning Area is within the jurisdiction of the SDRWQCB. The Basin Plan establishes beneficial uses and water quality objectives for receiving waters, including San Marcos Creek. Future development would be required to comply with applicable water quality objectives and waste discharge requirements through adherence to MS4 Permit standards, LID requirements, and project-level stormwater controls. Compliance with these enforceable standards would ensure consistency with the Basin Plan.

4.6.7.4 Conclusion

Consistent with the 2007 EIR, impacts associated with water quality plans would remain less than significant, and no new mitigation measures would be required.

4.7 Land Use/Planning

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with land use and planning in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the prior 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of land use and planning, this section of the SEIR should be reviewed in tandem with Section 3.7 of the 2007 EIR.

4.7.1 Existing Conditions

The approximately 214-acre Creek District (Planning Area) is governed by the San Marcos Creek Specific Plan (Adopted Specific Plan), adopted by the City of San Marcos (City) in 2007 (City of San Marcos 2007). The Adopted Specific Plan includes land use goals and policy recommendations, design concepts, and implementation measures applicable to the Planning Area, the purpose of which is to create a mixed-use downtown core within the City. The Adopted Specific Plan established a single "mixed-use" land use designation over the entirety of the Planning Area designated for urban uses, with the remainder assigned "open space" or "park." Figure 2-3 shows the existing land use diagram for the Planning Area. Table 2-1 summarizes the land use mix and development potential under the Adopted Specific Plan.

The Adopted Specific Plan also assigns designated sub-districts to support the development of seven interconnected neighborhoods whose different land use and physical characteristics complement each other while providing variety and texture to the downtown core (City of San Marcos 2007). The sub-districts—Downtown Core, Bent Avenue Corridor, San Marcos Boulevard, Creekside, West End, Midtown, and East End—are shown in Figure 2-4. Each sub-district is discussed in the Adopted Specific Plan in terms of individual land uses, development contexts, neighborhood identities, and development standards.

4.7.2 Regulatory Framework

This section summarizes new and updated regional and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the previously certified document, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.7.2.1 Regional Regulations

a. 2025 Regional Plan

The 2025 Regional Plan was adopted by the San Diego Association of Governments (SANDAG) on December 12, 2025 (SANDAG 2025). The 2025 Regional Plan consists of the following three components: (1) the Regional Transportation Plan that describes existing and projected transportation needs, conditions, and financing affecting all modes of transportation; (2) the Sustainable Communities Strategy (SCS) that integrates transportation, land use, and housing into the planning process and demonstrates how greenhouse gas (GHG) emissions will be reduced to meet state mandated targets; and (3) the Regional Comprehensive Plan based on local general and regional plans that integrates land uses, transportation systems, infrastructure needs, and public investment strategies within a regional framework, in cooperation with member agencies and the public. The 2025 Regional Plan includes a blueprint for a regional transportation system serving existing and projected residents and workers within the San Diego region that further enhances quality of life and offers more mobility options for people and goods. The 2025 Regional Plan looks ahead to 2050, and accommodates more than 112,000 new residents, approximately 170,000 new jobs, and over 202,000 new housing units.

The underlying purpose of the 2025 Regional Plan is to develop a regional strategy that meets federal and state planning requirements and addresses the regional transportation needs of both the population of today and the population of the future. These transportation needs influence quality of life in the San Diego region by supporting access to economic opportunities, addressing historical social inequities, planning for climate change, and prioritizing public health and safety. The 2025 Regional Plan envisions a sustainable and resilient future for the region and economy supported by a transportation network that is convenient, equitable, healthy, and safe. To accomplish this purpose, the objectives of the 2025 Regional Plan are:

- Focus population and employment growth to protect sensitive habitat and natural resource areas.
- Provide transportation investments that support compact land development patterns and reduce vehicle miles traveled (VMT).
- Meet GHG emissions targets established for the San Diego region by the California Air Resources Board.
- Provide transportation investments and a land use pattern that promotes social equity.
- Provide transportation investments and a land use pattern that improves air quality.
- Provide multimodal access to employment centers and key destinations for all communities.
- Enhance the efficiency of the transportation network for moving people and goods through the deployment of new technologies.

The SCS portion of the 2025 Regional Plan directly applies to GHG emissions. The purpose of an SCS is to align regional transportation, housing, and land use planning to attain the regional GHG reduction target. The SCS land use pattern forecasts (see Appendix F of the 2025 Regional Plan) align with the region's ability to accommodate housing for the required eight-year projection of the regional housing need. The proposed SCS land use pattern is derived from jurisdictions' general plans, those general plan amendments pending at the time of SCS land use pattern development, and more specifically the most recently adopted housing elements approved by the California Department of Housing and Community Development. The 2025 Regional Plan's transportation network will make travel safer and more efficient, while offering people more alternatives to driving alone, including more transit options, more flexible fleet options, and more opportunities for biking, walking, and other forms of active transportation. Capital investments include an updated Regional Active Transportation Network that represents a significant increase in investment in safety and mobility for people who travel the region by foot, bike, scooter, transit, or other means outside of a car. They also include Complete Corridors that incorporate various transportation improvements to enhance connectivity, including managed lanes, connectors and direct access ramps for managed lanes, transportation technology and smart intersection systems, and goods movement. Lastly, capital investments include transit investments that include regional rail, light rail, streetcar, a variety of bus options, an airport transit connection, and pricing strategies for transit, flexible fleets (which are on-demand, shared services), and parking. The 2025 Regional Plan also includes several supporting policies and programs, and investments to support them, as well as investments in systemwide support services.

4.7.2.2 Local Regulations

a. City of San Marcos Housing Element 2021-2029

The Housing Element is addressed separately from the other General Plan elements due to its distinct statutory requirements under state housing law. Unlike other elements, which primarily establish local policy direction, the Housing Element is subject to detailed mandates in Government Code Sections 65580–65589.11, including Regional Housing Needs Allocation (RHNA) obligations and certification by the California Department of Housing and Community Development.

The City adopted its Housing Element for the 2021 to 2029 planning period on July 13, 2021. Following the adoption, the California Department of Housing and Community Development found the adopted Housing Element in full compliance with State Housing Element Law on September 16, 2021. The City received an RHNA of 3,116 units for the 2021–2029 RHNA period. After credits for constructed units (546) and approved units (1,039) were taken into consideration, the City has a remaining 2021–2029 RHNA of 1,585 units, broken down as follows:

- 640 extremely/very low-income
- 475 low-income
- 414 above moderate-income

The Housing Element notes that the City plans to accommodate the vast majority of its 2021–2029 RHNA on parcels already zoned for residential development, with a focus on new development in the Planning Area and the nearby University District, which have good access to transit, amenities, and programmed infrastructure improvements.

b. City of San Marcos Transportation Impact Analysis Guidelines

Adopted in November 2020, the City's Transportation Impact Analysis Guidelines (TIAG) provides guidance to City staff, applicants, and consultants on the requirements to evaluate transportation impacts for projects in the City. It is intended to promote conformance with applicable City and state regulations, provide evaluation consistent with the California Environmental Quality Act (CEQA), ensure consistency in preparation of studies by applicants and consultants, and provide predictability in content for staff and the public in reviewing studies.

The TIAG specifically addresses the requirements of California Senate Bill 743, which required changes to the guidelines for CEQA transportation analysis. The changes included the elimination of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts. Rather, transportation impacts are analyzed using VMT as the most appropriate measure of transportation impacts under CEQA (see Section 4.10 for the VMT analysis associated with the Specific Plan Update).

Pursuant to the TIAG, projects are required to prepare Local Transportation Analyses (LTA), not specifically for CEQA purposes, but to confirm projects' consistency with General Plan Mobility Element, which requires the use of multi-modal LOS techniques to evaluate transportation facilities to ensure City roadways operate at an LOS of D or better for vehicles as a prioritized mode. The LOS analysis prepared for the Specific Plan Update was conducted to identify roadway deficiencies within the Planning Area and to recommend project improvements to address such deficiencies to ensure roadway operations consistent with the General Plan.

c. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to land use and planning. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, focusing primarily on the City's Land Use and Mobility Elements. Future project proponents are required to review the General Plan in its entirety to ensure specific project consistency.

d. City of San Marcos Municipal Code

There are no new or updated code sections that would affect the conclusions contained within the 2007 EIR.

4.7.3 2007 Thresholds of Significance

Subsection 3.7 of the 2007 EIR evaluated impacts based on whether the Adopted Specific Plan would:

a. Divide an established community;

b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project; or

c. Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.7.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the CEQA Guidelines Thresholds of Significance have been revised. Threshold c is discussed in Section 4.3.7, Biological Resources.

4.7.4 Threshold a: Physically Divide an Established Community

Would the project physically divide an established community?

4.7.4.1 Summary of Prior Analysis

The 2007 EIR found that the project would not divide an established community. Rather, proposed roadway and pedestrian improvements, including new crossings and bridges, would enhance connectivity and improve access during flooding conditions. Therefore, no impact would occur.

4.7.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

The General Plan includes land use goals, policies, and implementation measures that were not part of the City's regulatory framework at the time of certification of the 2007 EIR. While the General Plan updated the City's vision, including physical development, economic growth, and social well-being, there have been no changes in the regulatory framework or site conditions that would affect the conclusions regarding the physical division of an established community.

b. Specific Plan Update

The general mix of land uses within the Planning Area would remain the same under the Specific Plan Update compared to the Adopted Specific Plan. The Planning Area would continue to support commercial and mixed-use residential development along with designated open space and community amenities. Where the Adopted Specific Plan divides the Planning Area into seven distinct neighborhoods with a focus on facilitating a new downtown mixed-use district, the Specific Plan

Update provides an updated approach to creating a more cohesive community with greater open space and integration between nature and urban living.

4.7.4.3 Environmental Analysis

The Specific Plan Update would not divide an established community. Similar to the 2007 Specific Plan, the update retains the overall mixed-use development pattern within the Planning Area and does not propose new physical barriers that would separate existing neighborhoods or impede pedestrian, bicycle, or vehicular connectivity. Instead, the update refines land use designations, expands housing opportunities, updates development standards, and enhances the mix of residential, commercial, entertainment, and open space uses while maintaining the existing street network and creek-oriented circulation framework. The Plan also continues to emphasize pedestrian-oriented development, improved access to San Marcos Creek, and connectivity between neighborhoods and activity centers. Accordingly, implementation of the Specific Plan Update would not physically divide an established community.

4.7.4.4 Conclusion

Consistent with the 2007 EIR, impacts associated with physically dividing an established community would remain less than significant, and no new mitigation measures would be required.

4.7.5 Threshold b: Conflicts with Applicable Plans and Policies

Would the project cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

4.7.5.1 Summary of Prior Analysis

The 2007 EIR found the Adopted Specific Plan would be inconsistent with the following land use plans and policies:

- Existing General Plan land use designations and zoning;
- Road standards as defined in the General Plan Circulation Element associated with the segments of Discovery Street between McMahr Road and Craven, Grand Avenue between the future Grand Avenue bridge and Discovery Street, McMahr Road between San Marcos Boulevard and Discovery Street, and McMahr Road between Main Street to Creekside Road;

The Adopted Specific Plan was determined to be compatible with the Business/Industrial District Plan, Barham/Discovery Community Plan, and Regional Comprehensive Plan.

The 2007 EIR included mitigation measures MM 3.7-1 through MM 3.7-5, the implementation of which would reduce impacts associated with the inconsistencies between the current General Plan and Zoning Designation and the proposed uses.

MM 3.7-1: Prior to project implementation, a General Plan Land Use Element Amendment shall be approved to change the General Plan designations within the portion of the project proposed for development as Specific Plan.

MM 3.7-2: Prior to project implementation, a Rezone shall be approved for the areas identified for developed to Specific Plan.

MM 3.7-3: Prior to project implementation, a General Plan Circulation Element Amendment shall be approved to reclassify the segment of Discovery Street between McMahr and Craven to a modified Secondary Arterial with parking along the north side of the street.

MM 3.7-4: Prior to project implementation, a General Plan Circulation Element Amendment shall be approved to reclassify the segment of Grand Avenue between the future Grand Avenue bridge and Discovery Street to a Secondary Arterial

MM 3.7-5: Prior to project implementation, a General Plan Circulation Element Amendment shall be approved to reclassify to segment of McMahr Road between future Main Street and Creekside Road and to eliminate the segment of McMahr between Creekside Road and Discovery Street.

4.7.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City has adopted a General Plan Update which comprehensively updated the City's vision of growth. It includes multiple guiding themes that serve as a framework for policy and planning initiatives. The Guiding Themes are supported by goals, policies, and implementation programs.

Additionally, since certification of the 2007 EIR, the underlying zoning and General Plan designation have been changed to Specific Plan, consistent with MM 3.7-1 and MM 3.7-2.

On a more regional level, since certification of the 2007 EIR, the regional planning framework guiding growth and infrastructure planning in the San Diego region has evolved. SANDAG approved the 2025 Regional Plan on December 12, 2025, which reflects new trends and growth forecasts, as well as maintains the region's commitment to multimodal, sustainable, and equitable mobility. While SANDAG establishes the long-range regional strategy, implementation occurs primarily through local jurisdictions. The City is responsible for implementing the 2025 Regional Plan through updates to its General Plan, zoning regulations, specific plans, and development approvals.

b. Specific Plan Update

The Specific Plan Update would replace the Adopted Specific Plan, establishing new regulations for properties within the Planning Area. As detailed in Section 2.5, the Specific Plan Update creates a cohesive community with greater open space and integration between nature and urban living. As shown in Tables 2-6 and 2-7, the Specific Plan Update decreases developable acres and increases conserved open space while maintaining a build-out cap of 2,300 residential units within the Planning

Area. The Specific Plan Update also refines the vision of the Planning Area through refined Guiding Principles and updated goals and policies.

The Specific Plan includes proposed changes to Planning Area roadway classifications as summarized in Table 4.7-1. For details related to the proposed roadway modifications, see Table 3.4 of the LTA.

Table 4.7-1
Proposed Roadway Modifications

Roadway	Segment	Existing Functional Classification	Proposed Classification
Via Vera Cruz	San Marcos Blvd to Discover St	Secondary Arterial / Collector (4 Lanes – Center Lane)	Secondary Arterial / Collector (4 Lanes – Center Lane)
Bent Ave	San Marcos Blvd to Creekside Dr	Collector (2 Lanes – Commercial Fronting)	Collector (2 Lanes – Center Lane)
Creekside Dr	Pacific St to Bent Ave	Does not exist	Collector (2 Lanes)
McMahr Road	San Marcos Blvd to Creekside Dr	Does not exist	Collector (2 Lanes – Center Lane)
Pacific Street	San Marcos Blvd to Creekside Dr	Does not exist	Collector (2 Lanes)
San Marcos Blvd	Knights Realm to Discovery St	Major Arterial (5 Lanes – Raised Median)	Major Arterial (6 Lanes – Raised Median)
San Marcos Blvd	Discovery St to Bent Ave	Major Arterial (4 Lanes – Raised Median)	Multi-Way Boulevard

The Specific Plan includes proposed changes to Planning Area intersections as summarized in Table 4.7-2. For details related to the proposed intersection modifications, see Table 3.5 of the LTA.

Table 4.7-2 Proposed Intersection Modifications	
Intersection	Improvement
Discovery Street / San Marcos Boulevard	The lane configuration for the westbound approach is maintained with a left-turn lane, two through lanes, and a right-turn. The westbound approach is now configured as Multi-Way Boulevard.
Pacific Street / San Marcos Boulevard	Add a right-turn lane for the eastbound and westbound directions since San Marcos Boulevard is improved to a Multi-Way Boulevard. Pacific Street south of San Marcos Boulevard is extended to connect to the Creekside Drive extension. The south leg at this intersection will be configured with one receiving lane and one northbound shared left-through-right turn lane.
Las Posas Road / San Marcos Boulevard	Add a right-turn lane for the eastbound direction and maintain the lane configuration for the westbound approach (left-turn lane, two through lanes, and a right-turn lane) since San Marcos Boulevard is improved to a Multi-Way Boulevard.
Via Vera Cruz / San Marcos Boulevard	Add a right-turn lane for the eastbound and westbound directions since San Marcos Boulevard is improved to a Multi-Way Boulevard. A second northbound left-turn lane and a northbound right-turn lane will be added to the intersection. The full lane configuration for the northbound approach will be dual left-turn lanes, dual through lanes, and a right-turn lane.
Bent Avenue / San Marcos Boulevard	Add a right-turn lane in the eastbound direction. The eastbound approach is now configured as Multi-Way Boulevard.

4.7.5.3 Environmental Analysis

To provide a supplemental analysis to the 2007 EIR, this section includes an updated discussion of the project's consistency with the City General Plan, Multiple Habitat Conservation Program, and 2025 Regional Plan.

a. City of San Marcos General Plan Land Use Consistency

The project is a specific plan update which would replace the Adopted Specific Plan. The project's land use plan would create eight land use districts, each intended to support a cohesive mix of housing, commercial activity, cultural amenities, and open space while maintaining compatibility with

surrounding uses. Table 4.7-3 summarizes the project's consistency with General Plan policies related to land use and planning.

Table 4.7-3
Project Consistency with Applicable General Plan Goals

General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Land Use and Community Design Element		
Goal LU-1	Achieve a balanced distribution and compatible mix of land uses to meet the present and future needs of all residents and the business community.	The Specific Plan Update supports construction of up to 2,300 residential dwelling units, along with commercial, entertainment, restaurant, office, and cultural and open space. The project would increase housing stock while also increasing commercial and business opportunities. The project is consistent with this goal.
Goal LU-3	Develop land use patterns that are compatible with and support a variety of mobility opportunities and choices.	One of the Guiding Principles of the Specific Plan Update is multimodal circulation to accommodate all travel modes. The Specific plan Update would improve opportunities to connect to the planned regional bike routes and enhance access for cyclists and pedestrians, along with encouraging additional connections to light rail and regional transit. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Goal LU-5:	Promote community design that produces a distinctive, high-quality built environment with forms and character that create memorable places and enrich community life.	The Specific Plan Update supports construction of up to 2,300 residential dwelling units, along with commercial, entertainment, restaurant, office, and cultural and open space. The project would limit building heights to 40–60 feet in height and ensure design and development standards would preserve and enhance existing forms and character. The project would also ensure that at least 30 percent of the required open space area consists of live landscape materials. Specific Plan Update Goal 1.1 and 1.1.2 encourages mixed-use development that enhances the identity and function of the Creekside District. The Specific Plan Update and Planning Area do not obstruct any designated scenic highways, ridgelines, or identified scenic vistas. Building and site design standards will apply to any future development within the Planning Area. The Specific Plan Update also includes implementation guidelines for revegetation and construction of the San Marcos Creek corridor to enhance visual amenities. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Goal LU-8:	Ensure that existing and future development is adequately serviced by infrastructure and public services.	As further described in Chapter 7 (Infrastructure) of the Specific Plan Update, utilities and services would continue to be adequate to serve the Specific Plan Update. The City has adopted SMMC Section 17.36 and Section 17.44, Development User Fees, which requires builders of residential units to pay Development Services Fees and Public Facilities Fees prior to permit issuance which shall be used for the improvement, development, and operation of park or recreational facilities. Additionally, Specific Plan Update Goals 5.1 .1 and 5.1.2 ensure coordination with Vallecitos Water District (VWD) early in the development process to ensure that projections are incorporated into VWD's long-range plans and requirements. The project is consistent with this goal.
Goal LU-10:	Fire protection, emergency services, and law enforcement: Provide effective, high-quality, and responsive services.	All future development within the Planning Area would be required to comply with current San Marcos Fire Department (SMFD) access, water supply, and fire protection design standards. SMFD will continue to be involved with development proposals and infrastructure improvements. The City assesses law enforcement service goals and staffing needs annually as part of the annual budget process and will continue to do so with or without the Specific Plan Update. Specific Plan Update Goal 5.2.1 supports the annexation of the Planning Area into the Community Facilities District (CFD) to ensure that development funds the expansion of law enforcement services. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Goal LU-11:	Schools: Ensure all residents have access to high quality education.	The Planning Area has been and is currently served by Discovery Elementary School, San Elijo Middle School, and San Marcos High School. The project would generate approximately 1,630 students. While current enrollment has increased since 2007, applicants will pay school fees or annex into a CFD to fund school facilities and offset impacts to local schools. The applicant will also provide a "will serve" letter from the school district to the City prior to issuance of building permits to confirm the school fees have been paid. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Goal LU-12:	Libraries: Provide library resources and services that meet the needs of the community.	The San Marcos Branch Library of the San Diego County (County) Library system contains approximately 15,400 square feet of building space based on available facility data (American Libraries Association 2012). In the absence of an adopted City standard for library facilities, service levels may be evaluated using regional or countywide benchmarks. Because the City is served by the County Library System, which operates on a regional service model, it is appropriate to apply applicable County or regional planning standards to assess library service levels within the Planning Area. Using County standards, the City is below planning benchmarks. Development within the Planning Area could be subject to applicable development impact fees established pursuant to the Mitigation Fee Act (Assembly Bill 1600), which allows for the funding of public facilities, including libraries, to accommodate growth. Through these mechanisms, future growth, including development under the Specific Plan Update, would contribute to the expansion of public facilities, including library services, as needed. Therefore, while a deficiency in library space per capita exists, the regulatory and funding framework provides for the incremental expansion of services. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Goal LU-14	Wastewater: Ensure an adequate wastewater system for existing and future development.	A floodway improvement plan and infrastructure improvements are included in the Specific Plan Update. Specific Plan Update Goals 5.1.1 and 5.1.2 ensure coordination with VWD early in the development process to ensure that projections are incorporated into VWD's long-range plans and requirements. The project is consistent with this goal.
Goal LU-15	Flood control and stormwater drainage facilities: ensure adequate flood control and storm water drainage is provided by the community	A floodway improvement plan and infrastructure improvements are included in the Specific Plan Update. Specific Plan Update Goals 5.1 .1 and 5.1.2 ensure coordination with VWD early in the development process to confirm that projections are incorporated into VWD's long-range plans and requirements. The project is consistent with this goal.
Mobility Element (Other than Operational Standards)		
Goal M-1	Provide a comprehensive multimodal circulation system that serves the City land uses and provides for the safe and effective movement of people and goods.	The Specific Plan Update would encourage the use of alternative transportation and multi-modal facilities. Specific Plan Update Goal 4.1 ensures an internal circulation system that prioritizes pedestrians and cyclists, with accommodation for cars and trucks at low speeds within the Planning Area. The project is consistent with this goal.
Goal M-3	Promote and encourage use of alternative transportation modes, including transit, bicycles, neighborhood electric vehicles (NEVs), and walking within the City.	One of the Guiding Principles of the Specific Plan Update is multimodal circulation to accommodate all travel modes. The Specific Plan Update would improve opportunities to connect to the planned regional bike routes and enhance access for cyclists and pedestrians, along with encouraging additional connections to light rail and regional transit. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Conservation and Open Space Element		
Goal COS-1	Identify, protect, and enhance significant ecological and biological resources within San Marcos and its adaptive Sphere of Influence.	Specific Plan Update Goal 3.1 focuses on the protection and enhancement of San Marcos Creek through implementation of additional policies, such as Policy 3.1.1, which encourage preservation and restoration of high-quality habitat. The project is consistent with this goal.
Goal COS-4	Improve regional air quality and reduce greenhouse gas (GHG) emissions that contribute to climate change.	The Specific Plan Update would help reduce mobile-source and GHG (vehicle) emissions by encouraging the use of alternative transportation and multi-modal facilities. The project is consistent with this goal.
Goal COS-11	Continue to identify and evaluate cultural, historic, archaeological, paleontological, and architectural resources for protection from demolition and inappropriate actions.	The Specific Plan Update Goal 2.2 focuses on the preservation of the City's pre-history and history through the implementation of Policy 2.2.1, which encourages design features that note the history of the Native people and early settlers of the City. The project is consistent with this goal.
Safety Element		
Goal S-1	Reduce risks to the community from earthquakes by regulating new development and redevelopment to prevent the creation of new geologic and seismic hazards.	The Specific Plan Update would not expose people or structures to a significant risk from geologic and seismic hazards such as earthquakes. The City will continue to require that project designs must meet ordinance and Uniform Building Code compliance. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Goal S-3	Minimize injury, loss of life, and damage to property results from structure or wildland fire hazards.	The project location is outside the designated high and very high Fire Hazard Severity Zones under the most recent California Department of Forestry and Fire Protection mapping. The Specific Plan Update includes a conceptual water distribution system intended to support necessary pressure for fire flow through the Planning Area. Specific Plan Update Policy 5.2.2 supports the annexation of the Planning Area into a City CFD to ensure future development funds are paid. The project is consistent with this goal.
Goal S-5	Establish and maintain an effective emergency response program to respond to disasters and maintain continuity-of-life support functions during an emergency.	The Specific Plan Update includes a conceptual water distribution system intended to support necessary pressure for fire flow through the Planning Area. SMFD will also be involved in development proposal and infrastructure improvement review. Specific Plan Policy 5.2.2 supports annexation of the Planning Area into a City CFD to ensure future development funds are paid. Specific Plan Update Policy 4.1.2 requires future developers to provide public right-of-way to connect planned projects and ensure emergency circulation. The project is consistent with this goal.

Table 4.7-3 Project Consistency with Applicable General Plan Goals		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Noise Element		
Goal N-1	Promote a pattern of land uses compatible with current and future noise levels.	The Specific Plan Update would not promote a pattern of incompatible land uses with the existing or future vehicular traffic noise levels. The Specific Plan Update has residential restrictions for ground floor units, but there is a possibility of units being adjacent to higher noise levels. Mitigation measures would reduce these potentially significant impacts. The project is constituent with this goal.
Goal N-2	Control transportation-related noise from traffic, rail, and aviation sources near noise sensitive land uses.	Mitigation measures, including noise attenuating measures for residential and commercial structures, would allow the project to be consistent with the Noise Element of the General Plan. There are no rail or aviation noise sources near the Planning Area. The project is consistent with this goal.

The 2007 EIR found the Adopted Plan would be inconsistent with the City's General Plan land use designations and zoning and road standards that were being proposed compared to the General Plan Circulation Element; however, the City has since approved changing the Planning Area zoning and land use designation in the Adopted Specific Plan, consistent with MM 3.7-1 and MM 3.7-2. Therefore, these mitigation measures would no longer be applicable. Because the project would be consistent with land use designations, zoning, and applicable goals and polices, implementation of the Specific Plan Update would not result in inconsistencies with the City's General Plan. Impacts would remain less than significant.

b. Mobility Element Level of Service Analysis

Although CEQA no longer uses LOS as a metric for evaluating transportation impacts, the City continues to apply LOS standards through its TIAG and Mobility Element. Therefore, an LTA (Appendix E) was prepared to evaluate whether implementation of the Specific Plan Update would be consistent with the City's roadway performance standards. This section summarizes the findings of the LTA related to General Plan and TIAG consistency. The following is a summary of the findings of the LTA as they relate to consistency with the City's Mobility Element and TIAG.

Trip Generation

Table 4.7-4 shows the trip generation calculated for the Specific Plan Update.

Table 4.7-4
Project Trip Generation

Land Use	Units	Trip Rate	ADT	AM			PM		
				Trips	In	Out	Trips	In	Out
Mixed-use: Commercial[1]	566,471 SF	110/KSF	62,312	1,870	1,122	748	5,609	2,805	2,804
Mixed-use: Residential Only	2,296 DU	5/DU	11,480	1,034	310	724	1,493	896	597
Specialty Retail/ Strip Commercial	89,385 SF	40/KSF	3,576	108	65	43	322	161	161
Total			**77,368**	**3,012**	**1,497**	**1,515**	**7,424**	**3,862**	**3,562**

Source: Table ES.2, Appendix D-1
[1] Includes 150,021 commercial from the Entertainment Arts and Culture area.
ADT = average daily trips, SF = square feet, KSF = 1,000 SF, DU = dwelling unit

As shown in Table 4.7-4, the Specific Plan Update is anticipated to generate a total of 77,368 average daily trips, with 3,012 trips (1,497 in and 1,515out) generated during the AM peak hour and 7,424 trips (3,862 in and 3,562 out) during the PM peak hour.

Table 4.7-5 displays a comparison of the estimated trip generation between the Adopted Specific Plan and the Specific Plan Update.

Table 4.7-5
Project Trip Generation Comparison

Land Use	ADT	AM			PM		
		Trips	In	Out	Trips	In	Out
Adopted Specific Plan	114,102	6,121	3,721	2,400	11,604	5,613	5,991
Specific Plan Update	77,368	3,012	1,497	1,515	7,424	3,862	3,562
Net [1]	**-36,734**	**-3,109**	**-2,224**	**-885**	**-4,180**	**-1,751**	**--2,429**

Source: Table ES.3, Appendix D-1
[1] Net = Proposed Project – Adopted Specific Plan
ADT = average daily trips

As shown in Table 4.7-5, compared to the Adopted Specific Plan, the Specific Plan Update would generate approximately 36,734 fewer average daily trips, and 3,109 fewer AM peak-hour trips, and 4,180 fewer PM peak-hour trips. Therefore, although the land use program has been refined, implementation of the Specific Plan Update is expected to result in lower overall vehicle trip generation than previously evaluated.

Consistency with the Mobility Element and TIAG

Roadway operations were evaluated in accordance with the methodology contained in the City's TIAG. Additional information regarding the LOS methodology and analysis is provided in Appendix E.

The LTA evaluated future roadway operating conditions under Horizon Year 2050 for both buildout conditions without the Specific Plan Update and with implementation of the Specific Plan Update. The analysis considered whether roadway segments and intersections would operate at the City's acceptable LOS standard (LOS D or better) and identified improvements necessary to achieve compliance where deficiencies were identified.

Many of the roadway segments projected to operate below the City's LOS standard are already planned to be developed to their ultimate classifications identified in the Mobility Element or are constrained by existing development, recently constructed infrastructure, right-of-way limitations, multimodal facilities, or jurisdictional constraints. As a result, increasing roadway capacity would conflict with adopted Mobility Element policies or require substantial physical modifications that are not considered feasible.

Table 4.7-6 summarizes the 13 roadway segments anticipated to operate below the City's LOS standards under Horizon Year 2050 with implementation of the Specific Plan Update conditions. For each roadway segment, the table identifies potential improvements necessary to achieve the City's LOS standard, and whether those improvements are feasible and capable of achieving consistency with the TIAG and Mobility Element.

Table 4.7-6
Roadway Segments Operating Below City Standards and Potential Improvement Measures

Road Segment	Proposed Improvement(s) to meet City Standards	Improvement Feasibility
Bent Avenue between Grand Avenue and San Marcos Boulevard	Widened to a Four-Lane Secondary Arterial/Collector to serve the projected vehicle volumes.	Infeasible: Additional right-of-way would be required from existing commercial and industrial developments along Bent Avenue. Widening would require removal of bicycle lanes, which would create additional General Plan policy inconsistencies.
Bent Avenue between San Marcos Boulevard and Creekside Drive	Widened to a Four-Lane Major Arterial.	Feasible: The project would improve this segment to a curb-to-curb width of 80 feet, which would be able to accommodate a raised median and four travel lanes and Class IV Cycle Tracks.
Bent Avenue between Creekside Drive and Discovery Street	Widened to a Four-Lane Collector	Infeasible: Most of this roadway segment is the recently completed Bent Avenue Bridge that connects Creekside Drive and Discovery Street. Widening would require removal of bicycle lanes, which would create additional General Plan policy inconsistencies.

Table 4.7-6 Roadway Segments Operating Below City Standards and Potential Improvement Measures		
Road Segment	Proposed Improvement(s) to meet City Standards	Improvement Feasibility
Linda Vista Drive between Via Vera Cruz and Grand Avenue	Widened to a Two-Lane Collector with a center lane	Infeasible: Widening would require removal of parking and right-of-way acquisition from existing businesses along this segment.
San Marcos Boulevard between Knights Realm and Discovery Street	Widened to a 10-Lane Major Arterial	Infeasible: The roadway segment is to be built out to its ultimate classification as a Six-Lane Major Arterial per the City Mobility Element.
San Marcos Boulevard between Discovery Street and Pacific Street	Widened to a Six-Lane Major Arterial	Infeasible: The roadway segment is to be built out to its ultimate classification as a Multi-Way Boulevard per the City Mobility Element.
San Marcos Boulevard between Pacific Street and Las Posas Road	Widened to a Six-Lane Major Arterial	Infeasible: The roadway segment is to be built out to its ultimate classification as a Multi-Way Boulevard per the City Mobility Element.
San Marcos Boulevard between Las Posas Road and Via Vera Cruz	Widened to an Eight-Lane Major Arterial	Infeasible: The roadway segment is to be built out to its ultimate classification as a Multi-Way Boulevard per the City Mobility Element.
San Marcos Boulevard between Via Vera Cruz and Bent Avenue	Widened to an Eight-Lane Major Arterial	Infeasible: The roadway segment is to be built out to its ultimate classification as a Multi-Way Boulevard per the City Mobility Element.
San Marcos Boulevard between Bent Avenue and Grand Avenue	Widened to an Eight-Lane Major Arterial	Infeasible: The roadway segment is built out to its ultimate classification as a Six-Lane Major Arterial per the City Mobility Element.
San Marcos Boulevard between Grand Avenue and State Route 78 Eastbound Ramps	Widened to an Eight-Lane Expressway	Infeasible: The roadway segment is built out to its ultimate classification as a Six-Lane Prime Arterial per the City Mobility Element.

Table 4.7-6 Roadway Segments Operating Below City Standards and Potential Improvement Measures		
Road Segment	Proposed Improvement(s) to meet City Standards	Improvement Feasibility
San Marcos Boulevard between State Route 78 Eastbound Ramps and Knoll Road / State Route 78 Westbound Off-Ramp	Widened to an Eight-Lane Prime Arterial	Infeasible: The roadway segment is built out to its ultimate classification as a Six-Lane Prime Arterial per the City Mobility Element.
Creekside Drive between Bent Avenue and Grand Avenue – LOS F	Widened to a Two-Lane Collector with center lane	Infeasible: Additional right-of-way would be required from existing residential land uses along Creekside Drive. Widening the roadway would include removal of on-street parking and narrowing the sidewalks, which would create additional General Plan policy inconsistencies.

Table 4.7-7 summarizes the four study intersections anticipated to operate below the City's LOS standard under Horizon Year 2050 with implementation of the Specific Plan Update. For each intersection, the table identifies the improvements necessary to achieve acceptable operations and whether those improvements are feasible to implement.

Table 4.7-7 Intersections Operating Below City Standards and Potential Improvement Measures		
Intersection	Proposed Improvement(s)	Feasibility/Ability to bring road segment into compliance with TIAG/General Plan
Via Vera Cruz / State Route 78 Eastbound Ramps / Grand Avenue	Update the southbound approach to one left-turn lane, one shared through right-turn lane, and one right-turn lane configuration	Infeasible: Improvement is with California Department of Transportation jurisdiction.
Linda Vista Drive / Grand Avenue	Signalization of the Linda Vista Drive and Grand Avenue intersection (expected to run on same signal controller at the existing closely spaced signalized intersection of Bent Avenue and Grand Avenue). Maintain existing lane configuration.	Feasible: This improvement is scheduled to be identified in the City's future Capital Improvement Program.

Table 4.7-7 Intersections Operating Below City Standards and Potential Improvement Measures		
Intersection	Proposed Improvement(s)	Feasibility/Ability to bring road segment into compliance with TIAG/General Plan
Via Vera Cruz / San Marcos Boulevard	Update the southbound approach to dual left-turn lanes, one through lane, and a shared through/right-turn lane configuration. Update the westbound approach to dual left-turn lanes, dual through lanes, and one right-turn lane configuration. Addition of right-turn overlaps for the northbound, eastbound, and westbound approaches. It is important to note that the right-turn overlaps may not be feasible with the multi-way boulevard. Thus, further operational analysis will need to be conducted of the multi-way boulevard that considers these signal improvements.	Feasible: The improvements would require narrowing the lane widths for the southbound approach to accommodate the recommended lane configuration. This will be taken into consideration upon final design of the multi-way boulevard.
Bent Avenue / San Marcos Boulevard	Update the southbound approach to one left-turn lane, one through lane, and one right-turn lane configuration. Update the westbound approach to dual left-turn lanes, dual through lanes, and one right-turn lane configuration. Addition of a right-turn overlap for the eastbound approach. It is important to note that the right-turn overlaps may not be feasible with the multi-way boulevard. Thus, further operational analysis will need to be conducted of the multi-way boulevard that considers these signal improvements.	Feasible: The improvements would require narrowing the lane widths for the southbound approach to accommodate the recommended lane configuration. This will be taken into consideration upon final design of the multi-way boulevard.

Implementation of the Specific Plan Update would result in inconsistencies with the City's Mobility Element and TIAG because 12 of the 13 roadway segments and one of the four study intersections cannot feasibly be improved to achieve the City's LOS standard. In most cases, the recommended improvements would require substantial right-of-way acquisition, conflict with the roadway classifications established in the Mobility Element, adversely affect bicycle, pedestrian, or multimodal facilities, or involve facilities outside the City's jurisdiction. Therefore, because compliance with the

City's adopted LOS standards cannot feasibly be achieved, the Specific Plan Update would result in a potentially significant impact related to consistency with applicable land use plans and policies.

Although the 2007 EIR included mitigation measures MM 3.7-3, MM 3.7-4, and MM 3.7-5, these measures are no longer applicable because the Specific Plan Update either no longer includes these roadways within the Planning Area or has modified the circulation concepts associated with the roads. However, future projects would be required to implement subsequent mitigation measure S-LU-1.

S-LU-1 (Transportation Systems Management and Operations): Future projects that have the potential to improve travel time for the roadways listed above, where capacity cannot be increased, shall evaluate transportation systems management and operations solutions to include, but not be limited to, the following: adaptive signal timing, transit signal priority, and active transportation demand management.

Conclusion

Implementation of the Specific Plan Update would result in inconsistencies with the City's Mobility Element and TIAG because several roadway segments and intersections would not meet the City's LOS standard and the improvements necessary to achieve compliance are largely infeasible. Therefore, impacts associated with consistency with applicable land use plans and policies would be potentially significant. With implementation of Mitigation Measure S-LU-1, impacts would be reduced to less than significant.

c. 2021-2029 Housing Element

Consistency Analysis

The Housing Element addresses the City's objective to ensure decent, safe housing is available to all current and future residents at a cost that is within the reach of the diverse economic segments which comprise the City (City of San Marcos 2021). The Housing Element includes goals, policies, and programs which would meet the City's housing objective. Table 4.7-8 summarizes the project's consistency with Housing Element goals and policies related to land use and planning.

Table 4.7-8 Project Consistency with Applicable General Plan Housing Element Goals and Policies		
General Plan Goal/Policy	Goal/Policy Description	Project's Consistency with Goal/Policy
Goal H-1	Provide a broad range of housing opportunities with emphasis on providing housing which meets the special needs of the community.	The Specific Plan Update supports construction of up to 2,300 residential dwelling units. The Specific Plan Update would promote and support variety in housing design, cost, and density, with a firm commitment to integrate affordable housing. Specifically, Specific Plan Update Policy LU.4.3 requires developers of new housing to reserve at least 15 percent of units as affordable for low- and moderate-income households. The Specific Plan Update would be consistent with this goal.
Policy H- 1.1	Designate land for a variety of residential densities sufficient to meet the housing needs for a variety of household sizes and income levels, with higher densities being focused in the vicinity of transit stops and in proximity to significant concentrations of employment opportunities.	The Specific Plan Update supports construction of up to 2,300 residential dwelling units. The Planning Area is within 0.1 miles of the Civic Center SPRINTER station, and there are bus stops nearby along Mission Road and San Marcos Boulevard. The project is consistent with this policy.
Policy 4.4	Balance the need to protect and preserve the natural environment with the need to provide additional housing and employment opportunities.	The project has been designed to balance the development of up to 2,300 new dwelling units and commercial, entertainment, restaurant, office, and cultural space with active and passive open space along the San Marcos Creek. The residential component will support the City's housing objectives by including an assortment of densities and housing types. The project is consistent with the policy.

Conclusion

The 2007 EIR did not include a discussion of consistency with the City's Housing Element. As shown in Table 4.7-8, the Specific Plan Update would be consistent with relevant Housing Element goals and policies. Impacts associated with conflicts with the Housing Element would be less than significant.

d. 2025 Regional Plan

Consistency Analysis

The 2025 Regional Plan includes four primary goals: convenient and reliable movement of people and goods; equitable access to essential needs and opportunities; healthy communities and environment for everyone; and a safe transportation network for all users

Convenient and Reliable Movement of People and Goods

The Specific Plan Update would increase residential density, commercial intensity, and job opportunities throughout the Planning Area, resulting in a greater need for the convenient and reliable movement of people and goods. The opportunities for growth within the Planning Area align with access to existing and planned transit. Implementation of the proposed land uses would allow commercial use sites in proximity to transit to promote future mixed-use development. Additionally, the Specific Plan Update promotes the 2025 Regional Plan's goal of the convenient and reliable movement of people and goods through the inclusion of strategies that create a circulation system. By supporting complete corridors, high-frequency transit services, and suites of multi-modal services and amenities, the Specific Plan Update would be consistent with regional efforts to support the convenient and reliable movement of people and goods.

Equitable Access to Essential Needs and Opportunities

The 2025 Regional Plan includes a goal of promoting equitable access to essential needs and opportunities, which emphasizes improving access to housing, employment, services, transportation, and open space for residents throughout the region. The Specific Plan Update supports this goal by facilitating redevelopment and infill development within an already urbanized area of the City. By accommodating new housing and mixed-use development within proximity to existing jobs, services, and community amenities, the Specific Plan Update would improve access to daily needs while supporting more efficient use of existing infrastructure and transportation networks.

In addition, the Specific Plan Update promotes connectivity and accessibility through planned pedestrian, bicycle, and open space improvements associated with the Planning Area. These features would enhance access to recreational amenities and active transportation options, improving mobility for residents and workers while supporting the Regional Plan's emphasis on creating communities where essential destinations can be reached through a variety of transportation modes. By focusing growth in an established area and enhancing multimodal connections, the Specific Plan Update would be consistent with regional efforts to expand equitable access to opportunities and community resources.

Healthy Communities and Environment for Everyone

Increased density and intensity of uses could result in the need for strategies for healthier air and reduced GHG emissions regionwide. It is the intent of the Specific Plan Update that reliance on automobiles as a primary mode of transportation would be reduced throughout the Planning Area. The Specific Plan Update includes multiple goals and policies which encourage growth and development within proximity to transit and improve alternative modes of transportation including the planning of pedestrian and bicycle friendly corridors. Through implementation of these measures, the Specific Plan Update would be consistent with regional efforts to support healthy communities and environments.

Safe Transportation Network for All Users

The Specific Plan Update would increase density and intensity of uses resulting in a greater need for access to affordable, reliable, and safe mobility options. There are existing and planned transit resources throughout the City. Consistent with the 2025 Regional Plan goal for safe transportation networks, the City seeks to expand the existing transit resources through the Planning Area, including improved active transportation infrastructure in proximity to rail stations and bus stops. The Specific Plan Update includes goals and policies focused on the expansion of trails and walkways which would promote improvements that connect pedestrians and bicyclists to commercial districts and community facilities. Through implementation of these measures, the Specific Plan Update would be consistent with regional efforts to encourage safe transportation network.

Conclusion

The 2007 EIR did not include a discussion of consistency with SANDAG's Regional Plan. Since then, the Regional Plan has been updated, most recently in 2025. As discussed above, the Specific Plan Update would be consistent the goals of the 2025 Regional Plan. Impacts associated with conflicts with the Regional Plan would be less than significant.

4.8 Noise

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with noise in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of noise impacts, this section of the SEIR should be reviewed in tandem with Section 3.8 of the 2007 EIR.

4.8.1 Existing Conditions

4.8.1.1 Built Environment

The Creek District (Planning Area) remains generally the same as under the San Marcos Creek Specific Plan (Adopted Specific Plan). The northern portion of the Planning Area is generally developed with a mix of commercial, industrial, and residential uses and undeveloped lots, and the southern portion of the Planning Area is preserved as park and open space. Since 2007, development has occurred consistently with the Adopted Specific Plan.

4.8.1.2 Fundamentals of Noise and Vibration

a. Fundamentals of Noise

Noise levels are measured in A-weighted decibels [dB(A)], a logarithmic unit that reflects how humans perceive sound. Due to the logarithmic nature of the decibel scale, a 3-dB increase represents a doubling of sound energy and is barely perceptible, a 5-dB change is readily noticeable, and a 10-dB increase is generally perceived as a doubling of loudness. Environmental noise measurements and standards are based on sound pressure levels, which represent the sound energy received by a listener.

Noise impacts depend on both the magnitude and duration of sound, as well as the time of day when noise occurs. To account for these factors, noise is commonly evaluated using the equivalent noise level (L_{eq}), which represents the average noise level over a specified time period, and the Community Noise Equivalent Level (CNEL), which represents a 24-hour average noise level with added penalties for evening and nighttime noise.

As sound propagates away from a source, noise levels decrease due to geometric spreading and ground absorption. Stationary point sources typically decrease by approximately 6 dB per doubling of distance, while roadway traffic noise behaves as a line source and decreases by approximately 3 dB per doubling of distance, with additional attenuation occurring over soft ground surfaces.

Additional details regarding noise fundamentals, measurement, and modeling assumptions are provided in the Noise Analysis prepared for the project (Appendix F).

b. Environmental Vibrations

Vibration is the oscillatory movement of solid materials, such as the ground or structures, over time. Unlike sound, vibration is typically evaluated based on the movement of materials rather than air pressure. For environmental analysis, vibration is expressed as peak particle velocity (PPV), measured in inches per second, which allows for straightforward comparison with applicable standards related to building damage and human perception.

Vibration can affect both structures and people. At higher levels, vibration may cause damage to buildings or interfere with sensitive equipment, while lower levels may be perceived by occupants as annoying or disruptive. Common sources of groundborne vibration in urban environments include construction activities and rail operations. Construction-related vibration is typically greatest during activities such as pile driving, blasting, soil compaction, jackhammering, and demolition, as well as from the operation of heavy construction equipment, depending on proximity to sensitive receptors.

c. Existing Noise Environment

The most pervasive noise in the Planning Area currently comes from mobile noise sources. Existing noise levels in the vicinity of the Planning Area were measured to provide a comparison and update to the on-site and surrounding noise levels considered in the 2007 EIR. Noise measurements were taken to obtain typical ambient noise levels within the Planning Area and in the vicinity. The weather was sunny and warm. 15-minute measurements were taken at six locations as shown in Figure 4.8-1. The results of the noise measurements are summarized in Table 4.8-1. Traffic counts at each measurement location are summarized in Table 4.8-2. Details relating to the meters, parameters, and methodology are detailed in Section 2.3 of Appendix F.

Measurement 1 was located at the western project boundary, approximately 25 feet from the edge of Discovery Street. The main source of noise was vehicle traffic on Discovery Street. Other sources of noise included a lawn mower, aircraft flyovers, and activities at the adjacent Valley Christian School. Vehicle traffic on Discovery Street was counted during the measurement period. The average measured noise level was 64.4 dB(A) L_{eq}.

Measurement 2 was located at the southern project boundary, approximately 25 feet from the edge of Discovery Street. The main source of noise was vehicle traffic on Discovery Street. Other sources of noise included aircraft flyovers. Vehicle traffic on Discovery Street was counted during the measurement period. The average measured noise level was 67.0 dB(A) L_{eq}.

Measurement 3 was located at the northern project boundary within a vacant lot, approximately 50 feet from the edge of San Marcos Boulevard. The main source of noise was vehicle traffic on San Marcos Boulevard. Other sources of noise included a large construction vehicle on San Marcos Boulevard and aircraft flyovers. Vehicle traffic on San Marcos Boulevard was counted during the measurement period. The average measured noise level was 65.8 dB(A) L_{eq}.

Image Source: NearMap (flown January 2026)



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FIGURE 4.8-1
Noise Measurement Locations

Measurement 4 was located on the sidewalk of the Via Vera Cruze bridge over San Marcos Creek, approximately 20 feet from the edge of Via Vera Cruz. The main source of noise was vehicle traffic on Via Vera Cruz. Other sources of noise included aircraft flyovers. Vehicle traffic on Via Vera Cruz was counted during the measurement period. The average measured noise level was 58.9 dB(A) L_{eq}.

Measurement 5 was located on the sidewalk of the Bent Avenue bridge over San Marcos Creek, approximately 20 feet from the edge of Bent Avenue. The main source of noise was vehicle traffic on Bent Avenue. Other sources of noise included aircraft flyovers. Vehicle traffic on Bent Avenue was counted during the measurement period. The average measured noise level was 64.4 dB(A) L_{eq}.

Measurement 6 was located at the northeastern project boundary, approximately 11 feet from the edge of San Marcos Boulevard. The main source of noise was vehicle traffic on San Marcos Boulevard. Other sources of noise included a truck backup alarm, pedestrians, and aircraft flyovers. Vehicle traffic on San Marcos Boulevard was counted during the measurement period. The average measured noise level was 71.9 dB(A) L_{eq}.

Table 4.8-1
Noise Measurements

Measurement	Location	Time	Main Noise Source	L_{eq}
1	Western project boundary, 25 feet east of edge of Discovery Street	9:17 a.m. – 9:32 a.m.	Vehicle traffic on Discovery Street	64.4
2	Southern project boundary, 25 north of edge of Discovery Street	9:50 a.m. – 10:05 a.m.	Vehicle traffic on Discovery Street	67.0
3	Northern project boundary, 50 feet south of edge of San Marcos Boulevard	10:30 a.m. – 10:45 a.m.	Vehicle traffic on San Marcos Boulevard	65.8
4	Via Vera Cruz bridge near southern project boundary, 20 feet from edge of roadway	11:07 a.m. – 11:22 a.m.	Vehicle traffic on Via Vera Cruz	58.9
5	Bent Avenue bridge near southern project boundary, 20 feet from edge of roadway	11:46 a.m. – 12:01 p.m.	Vehicle traffic on Bent Avenue	64.4
6	Northeastern project boundary, approximately 11 feet from edge of San Marcos Boulevard	12:28 p.m. – 12:43 p.m.	Vehicle traffic on San Marcos Boulevard	71.9
NOTE: Noise measurement data is contained in Appendix F, Attachment 1.				

Table 4.8-2 15-Minute Traffic Counts							
Measurement	Roadway	Direction	Autos	Medium Trucks	Heavy Trucks	Buses	Motorcycles
1	Discovery Street	Southbound	65	1	0	0	0
		Northbound	97	1	0	0	0
2	Discovery Street	Eastbound	54	2	0	0	0
		Westbound	68	2	0	0	0
3	San Marcos Boulevard	Westbound	216	4	11	1	1
		Eastbound	252	5	3	0	0
4	Via Vera Cruz	Northbound	51	1	0	0	0
		Southbound	50	0	2	0	0
5	Bent Avenue	Northbound	120	2	1	0	0
		Southbound	90	1	1	0	0
6	San Marcos Boulevard	Westbound	290	5	3	1	1
		Eastbound	358	5	5	2	1

4.8.2 Regulatory Framework

This section summarizes new and updated local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the previously certified document, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.8.2.1 Local Regulations

a. City of San Marcos General Plan

Since certification of the 2007 EIR, the City of San Marcos (City) adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to noise. The Noise Element of the City General Plan provides land use compatibility guidelines to ensure that new developments are sited, designed, and constructed in such a manner that ambient noise levels would not create an unacceptable noise environment for the occupants and patrons of the new development. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Noise Element Compatibility Guidelines

Table 4.8-3 provides the noise and land use compatibility guidelines applicable to transportation-related noise for various types of uses and developments.

Table 4.8-3
Noise and Land Use Compatibility Guidelines for Transportation-Related Noise

Land Use Category		Exterior Noise Level (CNEL)					
		55	60	65	70	75	
A	Residential – single-family, mobile homes, or age-restricted housing						
B	Residential – multi-family residences or mixed use						
C	Lodging – hotels, motels						
D	Schools, churches, hospitals, residential care facility, child-care facilities						
E	Passive recreational parks, nature preserves, contemplative spaces, cemeteries						
F	Active parks, golf courses, athletic fields, outdoor spectator sports, water recreation						
G	Office/professional, government, medical/dental, commercial, retail, laboratories						
H	Industrial, manufacturing, utilities, agriculture, mining, stables, ranching, warehouse, maintenance/repair						

	Acceptable - Specified land use is satisfactory, based upon the assumption that any buildings involved.
	Conditionally Acceptable - New construction or development should be undertaken only after a detailed noise analysis is conducted to determine if noise reduction measures are necessary to achieve acceptable levels for land use. Criteria for determining exterior and interior noise levels are listed in Table 7-4, Noise Standards. If a project cannot mitigate noise to a level deemed Acceptable, the appropriate County decision-maker must determine that mitigation has been provided to the greatest extent practicable or that extraordinary circumstances exist.
	Unacceptable - New construction or development shall not be undertaken.

SOURCE: City of San Marcos General Plan Update, Noise Element 2012, Table 7-3 and 7-4.
CNEL = community noise equivalent level.
Noise Standards:

1. The exterior noise level (as defined in Item 3) standard for Category A shall be 60 CNEL, and the interior noise level standard for indoor habitable rooms shall be 45 CNEL.
2. The exterior noise level standard for Categories B and C shall be 65 CNEL, and the interior noise level standard for indoor habitable rooms shall be 45 CNEL.
3. The exterior noise level standard for Categories D and G shall be 65 CNEL and the interior noise level standard shall be 50 dBA L_{eq} (one hour average).
4. For single-family detached dwelling units, "exterior noise level" is defined as the noise level measured at an outdoor living area which adjoins and is on the same lot as the dwelling, and which contains at least the following minimum net lot area: (i) for lots less than 4,000 square feet in area, the exterior area shall include 400 square feet, (ii) for lots between 4,000 square feet to 10 acres in area, the exterior area shall include 10 percent of the lot area; (iii) for lots over 10 acres in area, the exterior area shall include 1 acre.
5. For all other residential land uses, "exterior noise level" is defined as noise measured at exterior areas which are provided for private or group usable open space purposes. "Private Usable Open Space" is defined as usable open space intended for use of occupants of one dwelling unit, normally including yards, decks, and balconies. When the noise limit for Private Usable Open Space cannot be met, then a Group Usable Open Space that meets the exterior noise level standard shall be provided. "Group Usable Open Space" is defined as usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails, but not including off-street parking and loading areas or driveways
6. For non-residential noise sensitive land uses, exterior noise level is defined as noise measured at the exterior area provided for public use.
7. For noise sensitive land uses where people normally do not sleep at night, the exterior and interior noise standard may be measured using either CNEL or the one-hour average noise level determined at the loudest hour during the period when the facility is normally occupied.
8. The exterior noise standard does not apply for land uses where no exterior use area is proposed or necessary, such as a library.
9. For Categories E and F the exterior noise level standard shall not exceed the limit defined as "Acceptable" in by the City, or an equivalent one-hour noise standard.

Noise Element

- Goal N-1: Promote a pattern of land uses compatible with current and future noise levels.
    - Policy N-1.1: Address the potential for excessive noise levels when making land use planning decisions in accordance with Table 7-3 Land Use Compatibility Noise Standards.
    - Policy N-1.2: Ensure that acceptable noise levels are maintained near noise-sensitive uses.
    - Policy N-1.3: Incorporate design features into residential land use projects that can be used to shield residents from excessive noise. Design features may include, but are not limited to: berms, walls, and sound attenuating architectural design and construction methods.
    - Policy N-1.4: Require new development projects to provide barriers to reduce noise levels, or provide sufficient spatial buffers to separate excessive noise generating land uses and noise-sensitive land uses.

- Policy N-1.5: Require an acoustical study for proposed developments in areas where the existing and projected noise level exceeds or would exceed the Normally Acceptable levels identified in Table 7-3.

- Policy N-1.6: Require the design and construction of buildings to reduce the effect of commercial noise within indoor areas of residential components of the mixed-use development.

- Policy N-1.7: Through site planning techniques, noise reduction features, and enforcement, minimize nonresidential noise impacts on residential uses.

- Policy N-1.8: Ensure residents in mixed-use developments located adjacent to commercial or retail related land uses are notified that they could be affected by noise from adjacent uses.

- Goal N-2 Control transportation-related noise from traffic, rail, and aviation sources near noise sensitive land uses.

  - Policy N-2.1: Encourage only noise-compatible land uses along existing and future roadways, highways, and freeways.

  - Policy N-2.2: Promote coordinated site planning and traffic control measures that reduce traffic noise on noise-sensitive land uses.

  - Policy N-2.3: Advocate the use of alternative transportation modes such as walking, bicycling, mass transit, and non-combustible engine vehicles to reduce traffic noise.

  - Policy N-2.4: Encourage the installation, maintenance, and renovation of freeway and highway rights-of-way buffers and sound walls through continued cooperation with the California Department of Transportation (Caltrans) and SANDAG.

  - Policy N-2.5: Examine the applicability and noise reduction capabilities of cost effective alternative roadway surfaces, such as rubberized asphalt.

- Goal N-3 Control non-transportation-related noise from commercial, industrial, construction, and other sources on noise sensitive land uses.

  - Policy N-3.1: When adjacent to noise sensitive receptors, require developers and contractors to employ noise reduction techniques during construction and maintenance operations.

  - Policy N-3.2: Limit the hours of construction and maintenance operations located adjacent to noise-sensitive land uses.

  - Policy N-3.3: Limit the allowable hours of operations and deliveries for commercial, mixed-use, and industrial uses located adjacent to residential areas.

- Policy N-3.4: Avoid excessive noise of commercial and industrial land uses through site and building design features.
- Policy N-3.5: Require industrial land uses to locate vehicular traffic and operations away from adjacent residential areas as much as possible.

b. City of San Marcos Municipal Code

Since certification of the 2007 EIR, the following code sections have been codified into the San Marcos Municipal Code (SMMC).

Title 10, Chapter 10.24, Noise

Chapter 10.24 of the SMMC, also known as the City's Noise Ordinance, was adopted by the City Council as Ordinance No. 2008-1300 on February 26, 2008. The ordinance codified Chapter 10.24 of the Municipal Code, including the definitions and prohibited noise descriptions. Specifically, Section 10.24.020(b)(9) restricts construction-related noise, including building erection or demolition, grading and excavation, blasting, and the operation of heavy equipment such as dump trucks, graders, and jackhammers, to specified daytime hours. These activities are permitted Monday through Friday from 7:00 a.m. to 6:00 p.m., and Saturdays from 8:00 a.m. to 5:00 p.m., with limited exceptions. The City Manager may waive these restrictions in cases of urgent necessity or public health and safety, and the provisions may also be waived or modified through a Conditional Use Permit or other discretionary development entitlement.

Title 17, Chapter 17.32, Grading and Related Activities

Chapter 17.32 of the SMMC is the City's Grading and Related Activities Ordinance, which was most recently repealed and replaced by Ordinance No. 2022-1522, which was introduced and first read by the City Council on July 26, 2022, to update and clarify the existing grading regulations. The replacement ordinance reorganized Chapter 17.32 and updated grading standards, permit thresholds, and administrative provisions. Section 17.32.180 identifies permissible hours for grading, excavation and other earthmoving activities.

Title 20, Zoning Ordinance

Title 20 was amended in 2021 to streamline certain review processes. Section 20.300.070 of the SMMC is part of the City's Zoning Ordinance and is located within the Site Planning and General Development Standards chapter. Specifically, performance standards in Section 20.300.070(E) set restrictions on noise levels by zoning, summarized in Table 4.8-4.

Table 4.8-4
SMMC Exterior Noise Standards by Zone

Zone	Time	Allowable Property Line Noise Level [dB(A) L_{eq}]
Single-Family Residential (A, R-1, R-2)[1,2]	7:00 a.m. to 10:00 p.m. 10:00 p.m. to 7:00 a.m.	60 50
Multi-Family Residential (R-3)[1,2]	7:00 a.m. to 10:00 p.m. 10:00 p.m. to 7:00 a.m.	65 55
Commercial (C, O-P, SR)[3]	7:00 a.m. to 10:00 p.m. 10:00 p.m. to 7:00 a.m.	65 55
Industrial	7:00 a.m. to 10:00 p.m. 10:00 p.m. to 7:00 a.m.	65 60

SOURCE: Section 20.300.070(E) Table 20.300-4, San Marcos Municipal Code Title 20 – Zoning Code
dB(A) L_{eq} = A-weighted decibels equivalent noise level
[1]For single-family detached dwelling units, the "exterior noise level" is defined as the noise level measured at an outdoor living area which adjoins and is on the same lot as the dwelling, and which contains at least the following minimum net lot area: (i) for lots less than 4,000 square feet in area, the exterior area shall include 400 square feet, (ii) for lots between 4,000 square feet to 10 acres in area, the exterior area shall include 10 percent of the lot area; (iii) for lots over 10 acres in area, the exterior area shall include 1 acre.
[2]For all other residential land uses, "exterior noise level" is defined as noise measured at exterior areas which are provided for private or group usable open space purposes. "Private Usable Open Space" is defined as usable open space intended for use of occupants of one dwelling unit, normally including yards, decks, and balconies. When the noise limit for Private Usable Open Space cannot be met, then a Group Usable Open Space that meets the exterior noise level standard shall be provided. "Group Usable Open Space" is defined as usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails, but not including off-street parking and loading areas or driveways.
[3]For non-residential noise sensitive land uses, exterior noise level is defined as noise measured at the exterior area provided for public use.

Performance standards in Section 20.300.070 (F) apply to vibration, prohibiting ground vibration that is perceptible to a person of normal sensitivity on an adjacent property, to minimize disturbance and discomfort. Vibration from moving vehicles, trains, aircraft, and temporary construction or demolition activities is exempt from this standard.

4.8.3 2007 Thresholds of Significance

Subsection 3.8 of the 2007 EIR evaluated impacts based on whether the Adopted Specific Plan would cause the following:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. For multifamily residential (which is the only type of residential proposed by the project), an exterior exposure exceeding 65 dB(A) CNEL is presumed to be in excess of standards

established in the San Marcos General Plan. Additionally, an interior CNEL of 45 dB(A) is mandated for multifamily dwellings and hotel rooms;

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, and/or;

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

4.8.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the CEQA Guidelines Thresholds of Significance have been revised related to the subject of noise to refine and focus the environmental analysis on whether a project would:

a. Generate 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. Generate excessive groundborne vibration or groundborne noise levels; and/or

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

The following analysis supplements the 2007 EIR using the updated thresholds. Details relating to the methodology used to address each threshold are included in Section 4.1 of Appendix F.

4.8.4 Threshold a: Increase in Ambient Noise

Would the project generate 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?

4.8.4.1 Summary of Prior Analysis

The 2007 EIR analyzed the Adopted Specific Plan's potential to cause substantial temporary or permanent increases in ambient noise levels in excess of City standards and regulations in place at that time.

a. Construction Noise

The 2007 EIR found that buildout of the Adopted Specific Plan could cause construction-related noise impacts. Specifically, the certified 2007 EIR concluded that build-out of the Planning Area would

occur over an estimated 20-year period, with the precise timing, location, and magnitude of individual construction projects unknown. While the SMMC does not establish specific numerical noise standards for construction activities, such activities are exempt from noise ordinance limits provided they occur during designated less noise-sensitive hours. Pursuant to SMMC Section 10.24.020(i), construction activities are limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays. These time restrictions were identified to reduce early morning and evening noise disturbances. However, because development would occur in phases, residences constructed during early phases could be exposed to noise from later construction activities. The 2007 EIR therefore determined that short-term construction noise impacts associated with buildout of the Specific Plan area could be significant.

The 2007 EIR included mitigation measures MM 3.8-1 and MM 3.8-2, the implementation of which would reduce potentially significant impacts related to the project construction to less than significant levels.

MM 3.8-1: A condition on the improvement plans and within construction contracts which require:

- Exterior construction, hauling, or delivery activities shall be scheduled to occur during normal daytime working hours, i.e. 7:00 a.m. and 6:00 p.m., Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturday. No construction would occur on Sundays and legal holidays. These criteria shall be included in the improvement plans prior to initiation of construction. Exceptions to allow expanded construction activity hours shall be reviewed on a case-by-case basis as determined by the Planning Director.

- All heavy construction equipment and all stationary noise sources (such as diesel generators) shall be fitted with factory-specified mufflers.

- Truck routes, equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from existing residences, schools and other sensitive receptors, as is feasible.

The condition shall be reviewed and approved by the Development Services prior to the issuance of permits.

MM 3.8-2: The applicant shall prepare and post readily visible informational signs at each entrance of the construction area indicating that the site is a "Noise Controlled Zone" and that person, vehicles, machinery and equipment may be barred from the site for violations of the noise regulations. A Noise Complaint Hotline telephone number shall appear prominently on the sign. The overall sign, including format, size, style and content shall be pre-approved by the City prior to posting.

b. Traffic Noise

The 2007 EIR evaluated traffic noise increases associated with buildout of the Specific Plan and identified +3 dB as the threshold for a substantial worsening of the noise environment. Because traffic noise increases logarithmically, a doubling of traffic volumes is generally required to reach this level.

Modeling of 26 roadway segments showed that most segments would experience increases below +3 dB. Five segments were projected to exceed +3 dB; however, four were adjacent to commercial or light industrial uses with no sensitive receptors and therefore were not considered significant. One segment within the Planning Area (Bent Avenue between San Marcos Boulevard and Discovery Street) would experience a +4.3 dB increase, but existing residences are set back sufficiently to avoid exposure to significant noise levels.

Although future noise levels along Discovery Street were projected to reach approximately 71 dB CNEL, the increase over existing conditions was less than +3 dB. The 2007 EIR concluded that traffic noise impacts to sensitive receptors would be less than significant.

c. Noise Compatibility

The 2007 EIR evaluated the Specific Plan's consistency with the Noise Element of the San Marcos General Plan and concluded that with the implementation of mitigation measures (detailed below), the project would be consistent with applicable goals, policies, and implementing strategies. Accordingly, the 2007 EIR determined the Specific Plan to be consistent with the Noise Element of the General Plan.

d. Stationary Noise

The 2007 EIR evaluated stationary noise impacts associated with buildout of up to 2,300 residential units within the Planning Area. Because residential uses are considered noise-sensitive receptors, the analysis assessed potential exposure to roadway traffic noise and mixed-use operational noise. Buildout traffic noise levels along several roadways were projected to extend the 65 dB CNEL contour (the threshold for acceptable outdoor residential use areas) into portions of the Planning Area. Due to the conceptual nature of the land use plan and absence of detailed site designs, balconies and patio areas for some residential units could potentially exceed 65 dB CNEL. In addition, interior noise levels could exceed the 45 dB CNEL standard. These conditions were identified as potentially significant impacts requiring mitigation at the time of project-level development.

The 2007 EIR included mitigation measures MM 3.8-3 through MM 3.8-6, the implementation of which would reduce potentially significant impacts related to stationary noise/future interior and exterior noise to less than significant levels.

MM 3.8-3 (Future Residential Exterior Noise Levels): As development proposals come forward for the Specific Plan area, noise attenuation shall be required to reduce noise levels to acceptable standards. In the event that patios and balconies are determined to occur within the 65 dBA noise contour, noise attenuation would be required to reduce noise levels to 65 dBA CNEL or lower. This may include the use of architectural treatments, barriers, or other noise attenuating measures. The mitigation measures shall provide sound level reductions so that future uses within the Specific Plan area are consistent with the CNEL levels identified in the San Marcos General Plan.

MM 3.8-4 (Future Residential Interior Noise Levels): Residential uses adjacent to project site roadways shall have dual-paned windows and supplemental ventilation (e.g., air conditioning systems) on their facades facing exterior roads.

MM 3.8-5 (Future Residential Interior Noise Levels): Noise-sensitive uses within 500 feet of San Marcos Boulevard shall be shielded by intervening structures, or shall employ upgraded noise mitigation (e.g., premium windows, etc.). The hierarchy of structural noise reduction is as follows, and shall be employed as needed to meet interior noise level of 45 dB.

Exterior to Interior Reduction Desired (dB)	Measure(s) Needed
0–10 dB	None
10–20 dB	Close single-paned windows facing roadway; provide supplemental ventilation.
20–25 dB	Close standard dual-paned windows; provide supplemental ventilation.
25–30 dB	Close upgraded dual-paned windows; provide supplemental ventilation; baffle vents and line ducts with sound absorbers.
>30 dB	Custom upgrades (e.g., dual-layer drywall, triple-paned windows, steel doors, enhanced wall/roof assemblies, etc.).

MM 3.8-6 (Commercial Residential Interface): As development proposal come forward for the Specific Plan area, a site specific noise study shall be prepared for the development. The noise study shall analyze the impact of co-locating residential and commercial uses on the project site. Mitigation measures shall be identified and incorporated into the Conditional Use Permits, to reduce noise impacts associated with these uses. The mitigation measures shall provide sound level reductions so that future uses within the Specific Plan area are consistent with the CNEL levels identified in the San Marcos General Plan.

4.8.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the SMMC has been updated as detailed in Section 4.8.2.2. In addition, the City has adopted an updated General Plan which includes the adopted land uses assumed under the Adopted Specific Plan. Since 2007, the following developments and proposed developments have occurred within the Planning Area:

- All of the creek improvements identified in the Adopted Specific Plan;
- New creek crossing bridges at Bent Avenue and Via Vera Cruz;
- Two affordable housing/mixed-use projects on City-owned land west of Bent Avenue, facing Creekside Drive;
- A Starbuck's drive-through at the intersection of Bent Avenue and San Marcos Boulevard; and

- A parcel, developed as a Starbucks, was removed from the Planning Area.

In addition, the City is currently reviewing development proposals on two City-owned sites for affordable housing developments and two market-rate housing projects, one at the intersection of Discovery Street and San Marcos Boulevard and the other on Tamarisk Lane.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding ambient noise.

4.8.4.3 Environmental Analysis

a. Construction Noise

Construction noise would be generated by diesel engine-driven construction equipment used for site preparation and grading, building construction, loading, unloading, and placing materials and paving. Typical equipment noise levels are summarized in Table 9 of the Noise Technical Report (Appendix F). Implementation of the project could result in simultaneous construction of various development and redevelopment projects over the duration of project buildout. Future development and redevelopment under the project could result in a temporary ambient noise increase due to construction activities. Due to the developed nature of the project area, there is a high likelihood that construction activities would take place adjacent to existing structures and that sensitive receptors would be close to construction activities. Additionally, construction activities may occur near existing noise-sensitive avian habitats. Because the exact locations and equipment required for construction activities throughout the Planning Area are not known at this level of analysis, construction noise levels were estimated using standard acoustical modeling techniques. The analysis assumes three common pieces of construction equipment, dozer, excavator, and loader, operate simultaneously, and accounts for the percentage of time each piece of equipment is typically in use during an hour. Based on these assumptions, average construction noise levels would be approximately 85 dB(A) L_{eq} at 50 feet from the center of construction activity. Noise levels at greater distances were calculated using the standard point-source noise propagation equation (see Section 4.1.1.1 of Appendix F).

Using the City's standard noise level limit of 75 dB(A) $L_{eq(8)}$ at noise-sensitive receivers, construction noise levels of 85 dB(A) L_{eq} at 50 feet would attenuate to 75 dB(A) L_{eq} at 125 feet. Therefore, significant impacts would occur if sensitive land uses are located closer than 125 feet of construction activities.

The City regulates construction noise through Municipal Code Sections 10.24.020 (b)(9) and 17.32.180, which set noise standards for construction activities and limit construction to the hours detailed in Section 4.8.2.2. Additionally, Policies N-3.1 and N-3.2 require developers and contractors to employ noise-reduction techniques during construction and maintenance operations and limit the hours of construction and maintenance operations located adjacent to noise-sensitive land uses. By limiting the hours in which construction can occur, early morning and evening noise nuisances

related to construction activities can be reduced. Nonetheless, construction activities could result in a potentially significant short-term noise impact.

Regarding noise-sensitive avian habitats, studies on the noise effects on bird behavior have demonstrated a negative impact on nesting and breeding behavior when noise levels exceed 60 dB(A) L_{eq}. Breeding birds can be significantly affected by short-term construction-related noise, which can result in the disruption of foraging, nesting, and reproductive activities. Therefore, indirect impacts from construction-related noise may occur to sensitive wildlife if construction occurs during the breeding season (i.e., February 15 through August 31 for most bird species and January 1 through August 31 for raptors). While best management practices are in place to reduce construction-related indirect impacts, impacts resulting from construction noise would still occur, representing a potentially significant impact.

Implementation of existing mitigation measures MM 3.8-1, MM 3.8-2, and MM 3.3-11 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program) would continue to reduce impacts related to construction noise. Accordingly, the project would not result in new significant impacts, and impacts related to construction noise would be reduced to less than significant.

b. Traffic Noise

The project would increase traffic volumes on local roadways. However, the project would not substantially alter the vehicle classifications mix on local or regional roadways, nor would the project alter the speed on an existing roadway or create a new roadway. Thus, the primary factor affecting off-site noise levels would be increased traffic volumes.

Future projects would result in a significant impact related to ambient vehicle noise if it would cause a roadway noise level to exceed the applicable normally compatible noise standard at land uses adjacent to the segment or cause a 3 dB(A) or more increase on a roadway segment that would exceed the compatibility standard without the project.

Table 4.8-5 presents a conservative assessment of traffic noise levels at 50 feet from the roadways based on the existing year (year 2025), horizon year (year 2050), and horizon year plus project traffic. Noise level calculations are contained in Attachment 3 of the Noise Technical Report (Appendix F).

As shown in Table 4.8-5, build out of the Specific Plan Update would result in a 3.0 dB or greater noise level increase adjacent to the identified segments of Via Vera Cruz, Bent Avenue, Grand Avenue, and Linda Vista Drive. Existing and future land uses located adjacent to these roadway segments were analyzed in more detail to determine if the noise level increase would result in a significant impact.

Table 4.8-5
Traffic Noise Level with and without Project and Ambient Noise Increases (CNEL)

Roadway	Segment	Existing	Horizon Year without Project (Adopted Specific Plan)		Horizon Year with Project		
		CNEL	CNEL	Increase Over Existing	CNEL	Change over Horizon Year without Project	Increase Over Existing
Las Posas Road	Grand Avenue to La Mirada Drive	71.5	74.3	2.8	73.6	-0.7	2.1
	La Mirada Drive to Linda Vista Drive	70.5	73.3	2.8	72.4	-0.9	1.9
	Linda Vista Drive to San Marcos Boulevard	69.2	71.9	2.7	70.5	-1.4	1.3
Via Vera Cruz	Grand Avenue to Linda Vista Drive	68.2	71.5	3.3	71.5	0.0	**3.3**
	Linda Vista Drive to San Marcos Boulevard	68.3	71.0	2.7	70.9	-0.1	2.6
	San Marcos Boulevard to Discovery Street	65.4	70.3	4.9	70.2	-0.1	**4.8**
Bent Avenue	Grand Ave to San Marcos Boulevard	66.9	70.0	3.1	69.5	-0.5	2.6
	San Marcos Boulevard to Creekside Drive	65.0	71.4	6.4	70.5	-0.9	**5.5**
Grand Avenue	Las Posas Road to Via Vera Cruz	73.0	74.6	1.6	74.2	-0.4	1.2
	Via Vera Cruz to Bent Avenue	70.3	72.7	2.4	71.9	-0.8	1.6
	Bent Avenue to San Marcos Boulevard	70.2	71.0	0.8	70.3	-0.7	0.1
	San Marcos Boulevard to Creekside Drive	69.0	75.1	6.1	74.1	-1.0	**5.1**
Linda Vista Drive	Las Posas Road to Via Vera Cruz	64.0	68.7	4.7	68.7	0.0	**4.7**
	Via Vera Cruz to Grand Avenue	63.0	66.2	3.2	66.2	0.0	**3.2**
San Marcos Boulevard	Knights Realm to Discovery Street	75.6	77.8	2.2	77.4	-0.4	1.8
	Discovery Street to Pacific Street	75.0	76.3	1.3	75.8	-0.5	0.8
	Pacific Street to Las Posas Road	75.1	76.5	1.4	75.9	-0.6	0.8
	La Posas Road to Via Vera Cruz	74.5	77.3	2.8	76.6	-0.7	2.1
	Via Vera Cruz to Bent Avenue	75.1	77.4	2.3	77.0	-0.4	1.9

Table 4.8-5
Traffic Noise Level with and without Project and Ambient Noise Increases (CNEL)

Roadway	Segment	Existing	Horizon Year without Project (Adopted Specific Plan)		Horizon Year with Project		
		CNEL	CNEL	Increase Over Existing	CNEL	Change over Horizon Year without Project	Increase Over Existing
	Bent Avenue to Grand Avenue	74.2	76.0	1.8	75.3	-0.7	1.1
	Grand Avenue to SR-78 Eastbound Ramps	75.4	77.5	2.1	77.0	-0.5	1.6
	SR-78 Eastbound Ramps to SR-78 Westbound Ramps	75.0	77.0	2.0	76.6	-0.4	1.6
	Knoll Road to Travelers Way	72.1	74.2	2.1	74.0	-0.2	1.9
Creekside Drive	Bent Avenue to Grand Avenue	60.7	67.9	7.2	64.4	-3.5	**3.7**

SOURCE: Appendix F, Attachment 3.
Bold = Noise increase is 3.0 dB or greater.

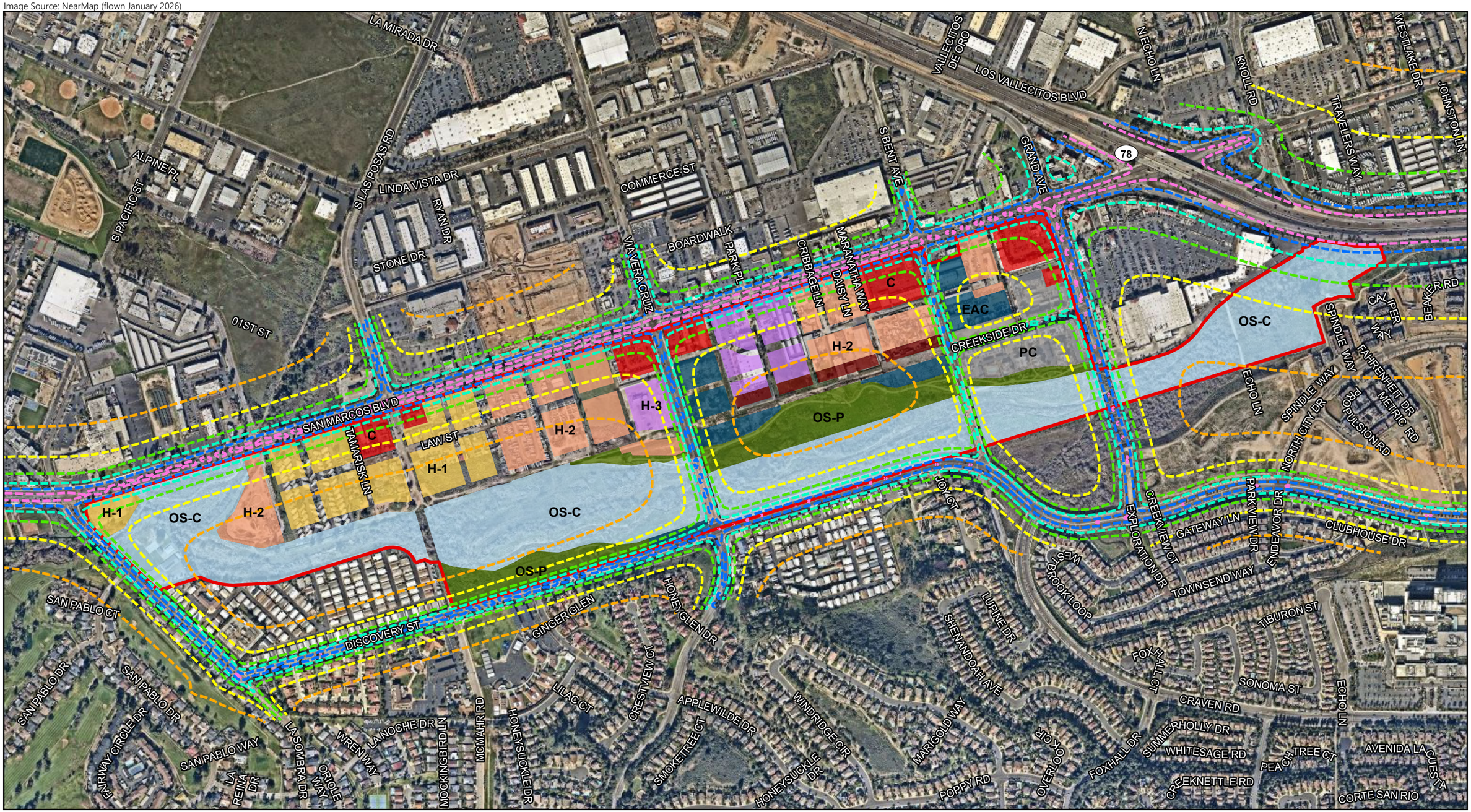
Via Vera Cruz

A 3 dB or greater noise level increase was identified adjacent to the segments of Via Vera Cruz from Grand Avenue to Linda Vista Drive and from San Marcos Boulevard to Discovery Street. There are existing commercial/retail uses located adjacent to these segments. As shown in Table 4.8-3, commercial/retail land uses are "acceptable" with noise levels up to 65 CNEL, "conditionally acceptable" with noise levels from 65 to 75 CNEL, and "unacceptable" with noise levels above 75 CNEL. As shown in Figure 4.8-2, future noise levels would be less than 75 CNEL. As described in the noise standards note 8 in Table 4.8-3, the exterior noise standard does not apply to land uses for which no exterior use area is proposed or necessary. Because there are no noise-sensitive exterior receivers adjacent to these roadway segments, impacts to existing receivers due to the noise level increase would be less than significant.

Bent Avenue

A 3 dB or greater noise level increase was identified adjacent to the segment of Bent Avenue from San Marcos Boulevard to Creekside Drive. There are existing commercial and industrial uses located adjacent to this segment. As described above for Via Vera Cruz, there are no exterior use areas associated with these uses; thus, impacts to existing receivers due to the noise level increase would be less than significant.

Image Source: NearMap (flown January 2026)



Planning Area Boundary

Traffic Noise Contours

- 55 dB(A) L_{eq}
- 60 dB(A) L_{eq}
- 65 dB(A) L_{eq}
- 70 dB(A) L_{eq}
- 75 dB(A) L_{eq}
- 80 dB(A) L_{eq}

0 Feet 650

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FIGURE 4.8-2
Future Vehicle Traffic Noise Contours

Grand Avenue

A 3 dB or greater noise level increase was identified adjacent to the segment of Grand Avenue from San Marcos Boulevard to Creekside Drive. There are existing commercial and industrial uses located adjacent to this segment. As described above for Via Vera Cruz, there are no exterior use areas associated with these uses; thus, impacts to existing receivers due to the noise level increase would be less than significant.

Linda Vista Drive

A 3 dB or greater noise level increase was identified adjacent to the segments of Linda Vista Drive from Las Posas Road to Via Vera Cruz and from Via Vera Cruz to Grand Avenue. There are existing commercial and industrial uses located adjacent to these segments. As described above for Via Vera Cruz, there are no exterior use areas associated with these uses; thus, impacts to existing receivers due to the noise level increase would be less than significant.

Note that a noise level increase greater than 3 dB would occur adjacent to the segment of Creekside Drive between Bent Avenue and Grand Avenue; however, overall noise levels would remain less than the residential compatibility standards; thus, impacts would be less than significant.

Summary

In summary, the increase in ambient noise levels would not result in a significant increase in vehicle traffic noise. When compared to the horizon year without the project, an overall decrease in vehicle traffic noise would occur because the project would result in less development and traffic when compared to the Adopted Specific Plan. Accordingly, potentially significant impacts relating to traffic noise would remain less than significant.

c. Noise Compatibility

A noise compatibility impact would occur if the Specific Plan Update resulted in development of new receptors that would be exposed to noise levels in excess of the applicable standards in General Plan Noise Element Tables 7-3 and 7-4 (see Table 4.8-3 in Section 4.8.2.1). The Specific Plan Update would include multi-family residential, mixed use, park, commercial, and retail land uses. As shown in Table 4.8-3, these land uses are compatible with noise levels up to 65 CNEL and conditionally compatible with noise levels from 65 to 75 CNEL. The interior noise level standard for residential uses is 45 CNEL, and the interior noise level standard for commercial and retail uses is 50 dB(A) L_{eq}.

Implementation of the Specific Plan Update would result in the construction of up to 2,300 residential units, which are considered sensitive receptors. As discussed in Section 4.8.5.3, residential uses and other uses proposed within the Planning Area are compatible with noise levels up to 65 CNEL and conditionally compatible with noise levels from 65 to 75 CNEL. The interior noise level standard for residential uses is 45 CNEL and the interior noise level standard for commercial and retail uses is 50 dB(A) L_{eq}.

On-site traffic noise contours were developed using the SoundPLAN program and the parameters summarized in subsection 4.8.5.3. Future vehicle traffic noise contours are shown in Figure 4.8-2.

Related SoundPLAN data are contained in Attachment 2 of Appendix F. Residential uses could be included in the following project districts: Housing 1; Housing 2; Housing 3; Entertainment, Arts, and Culture; and Promenade at Creekside. As shown in Figure 4.8-2, residential land uses located adjacent to San Marcos Boulevard, Discovery Street, Via Vera Cruz, Bent Avenue, and Grand Avenue could be exposed to vehicle traffic noise exceeding 65 CNEL. The 65 CNEL contour for Creekside Drive does not extend beyond the right-of-way. No development is proposed within the 65 CNEL contour for SR-78.

While some restrictions are identified indicating where residential uses cannot occur on the ground floor, it is possible that residential uses could be adjacent to one of the segments within the 65 CNEL contour as identified in Figure 4.8-2. Private yards are not expected for the residence units; rather, usable outdoor space would be provided by patios and balconies. At this programmatic level, detailed development plans for future development projects are not available. These plans would come forward as individual site-specific projects are proposed. Absent project plans, there is a potential for balcony and patio areas to exceed 65 CNEL. Additionally, while interior noise levels can be reduced through standard construction techniques, at this programmatic level of review interior noise levels could exceed the 45 dB CNEL requirement. Therefore, exterior and interior noise impacts would be potentially significant.

Implementation of existing mitigation measures MM 3.8-3, MM 3.8-4, and MM 3.8-5 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program) would continue to reduce impacts related to noise compatibility. Accordingly, the project would not result in new significant impacts, and impacts related to ambient noise compatibility would be reduced to less than significant.

d. Stationary Noise

Stationary noise is regulated by Section 20.300.070(E) of the City's Municipal Code (see Table 4.8-4 in Section 4.8.2.2). The project site is composed of special purpose zones including Specific Plan Area (SPA), Open Space (O-S), and Public-Institutional (P-I). The Municipal Code does not contain limits specific to these zones; however, the multi-family residential and commercial limits in Table 4.8-4 would apply to the proposed land uses. These limits are 65 dB(A) L_{eq} between 7:00 a.m. and 10:00 p.m., and 55 dB(A) L_{eq} between 10:00 p.m. and 7:00 a.m.

A significant impact would occur if implementation of the project resulted in the exposure of people to noise levels that exceed property line limits established in Municipal Code under Section d20.300.070(E) (see Table 4.8-4 above). Stationary sources of noise include activities associated with a given land use. For example, noise sources from residential uses would include mechanical ventilation equipment and landscaping equipment, and noise sources from commercial land uses would include mechanical ventilation equipment, activities, restaurants and entertainment venues, loading docks, and a variety of other uses. Noise generated by residential or commercial uses is generally short-lived and intermittent.

Mixed-use developments, such as those proposed by the project, can result in potential noise conflicts at the interface between retail commercial development and residential uses. In mixed-use, urban-character environments, the source of noise conflict may be more vertical when residential uses are constructed above commercial uses. The project would be required to adhere to all Uniform

Building Code standards for sound transmission control (Chapter 12, Section 1208), including for airborne sound insulation and impact sound insulation on separate dwelling units.

Residential uses above restaurants or entertainment venues, or above retail uses with early morning deliveries and trash pick-up, may create noise nuisance conflict situations. At this time, detailed plans for future development within the Planning Area are not available; instead, plans would be prepared and reviewed as individual parcel development proposals are submitted. Typically, such uses with the potential for noise issues require conditional use permits to create special conditions on the proposed use as necessary. While there may be a different expectation of acceptable levels of noise in a vibrant mixed-use environment than there might be in an isolated subdivision, there is a potential for a noise impact. Both the juxtaposition of residential and commercial uses (horizontal as well as vertical), and the appropriate noise standard that should be applied within the mixed-use environment, must be analyzed when development plans are finalized upon permit approval by City staff. Impacts associated with stationary noise sources in mixed-use areas would be potentially significant.

Implementation of existing mitigation measure MM 3.8-6 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program) would continue to reduce impacts related to stationary noise. Accordingly, the project would not result in new significant impacts, and impacts related to stationary noise would be reduced to less than significant.

4.8.4.4 Conclusion

Mitigation measures MM 3.8-1 through MM 3.5-6, and MM 3.3-11, identified in the 2007 EIR, would continue to apply to the project and remain effective in addressing potential impacts regarding ambient noise. With these measures carried forward, potentially significant construction related noise impacts would remain less than significant.

4.8.5 Threshold b: Vibration

Would the project generate excessive groundborne vibration or groundborne noise levels?

4.8.5.1 Summary of Prior Analysis

The 2007 EIR did not address potentially significant impacts related to excessive groundborne vibration or groundborne noise levels.

4.8.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

There are no specific regulations or guidelines relating to vibration-related noise, beyond that summarized in Section 4.8.2.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding groundborne vibration or groundborne noise levels.

4.8.5.3 Supplemental Environmental Analysis

Construction activities may include demolition of existing structures, site preparation work, excavation of parking and subfloors, foundation work, and building construction. As with any type of construction, vibration levels during any phase may at times be perceptible. However, non-pile driving or foundation work construction phases that have the highest potential of producing vibration (such as jackhammering and other high-power tools) would be intermittent and would only occur for short periods of time for any individual development site. Groundborne vibrations attenuate rapidly, even over short distances. By use of administrative controls, such as scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby properties, perceptible vibration can be kept to a minimum and as such would not generate perceptible levels of vibration.

Except for one property, buildings within the Planning Area are not fragile or historic and would therefore have a vibration damage criteria of 0.2 PPV or greater. The property known as the Meyer-Doran House ("pink house"), originally sat at 918 Discovery Street, has been identified as a historic resource. Although the house has been relocated a few hundred yards west of its original location, this structure remains surrounded by land designated as open space and no construction would occur within its immediate vicinity; thus, groundborne vibration is not anticipated to exceed 0.12 PPV at this historic resource. Table 4.8-6 summarizes vibration levels from common construction equipment and the distances to the 0.2 PPV vibration level.

Table 4.8-6
Vibration Levels from General Construction Equipment

Equipment	Vibration Level at 25 feet (PPV)	Distance to 0.2 PPV (feet)
Small Bulldozer	0.003	<1
Jackhammer	0.035	5
Loaded Trucks	0.076	10
Large Bulldozer	0.089	12

As shown, construction equipment vibration levels are projected to exceed 0.2 PPV at only very close distances. Large construction equipment would not operate within these close distances of existing structures given the necessary room needed to safely operate the equipment and property line building setback distances. Impacts associated with construction-related vibration impacts would be less than significant.

The project does not propose any uses that would be characterized as capable of causing excessive groundborne vibration or groundborne noise during operation. Further, the performance measure

in Section 20.300.070 (F) of the SMMC prohibits the generation of vibration that is discernable to a person of normal sensitivity. Impacts associated with project operation would be less than significant.

4.8.5.4 Conclusion

Impacts associated with groundborne vibration and/or groundbourne noise levels would be less than significant, and no new mitigation measures would be required.

4.8.6 Threshold c: Airports

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?

4.8.6.1 Summary of Prior Analysis

The 2007 EIR did not address potentially significant impacts related to airport noise levels.

4.8.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

There are no specific regulations or guidelines relating to airport noise, beyond that summarized in Section 4.8.2.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding airport noise levels.

4.8.6.3 Supplemental Environmental Analysis

A project would result in a significant impact if it would expose new or existing receptors to noise levels in excess of the City's Noise Element compatibility standards (see Table 4.8-3) as a result of aircraft noise exposure.

The closest airport is the McClellan-Palomar Airport, located approximately four miles west of the project site. Noise contours for the McClellan-Palomar Airport are provided in the Airport Land Use Compatibility Plan (San Diego County Airport Land Use Commission 2011). The project site is located 2.2 miles east from the 60 CNEL airport noise contour; thus, aircraft noise levels at the Planning Area would be well less than 60 CNEL. Impacts associated with airport noise would be less than significant.

4.8.6.4 Conclusion

Impacts associated with excessive airport related noise levels would be less than significant, and no new mitigation measures would be required.

4.9 Public Services and Recreation

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with public services and recreation in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project), would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of public service and recreation, this section of the SEIR should be reviewed in tandem with Section 3.9 of the 2007 EIR.

4.9.1 Existing Conditions

Existing public services and recreational facilities are shown in Figure 4.9-1. As shown therein, there are no fire stations, police stations, public schools, or libraries within the Creek District (Planning Area); however, the Planning Area would be served by existing public facilities located in proximity.

4.9.1.1 Fire Protection

As discussed in the 2007 EIR, fire protection services would be provided by the City of San Marcos (City) Fire Department (SMFD). Specifically, the Planning Area would primarily be served by Fire Station One, located at 180 W. Mission Road, and Fire Station Two, located at 1250 S. Rancho Santa Fe Road. Available equipment, personnel, and current average response times (five minutes) remain similar compared to the 2007 EIR narrative.

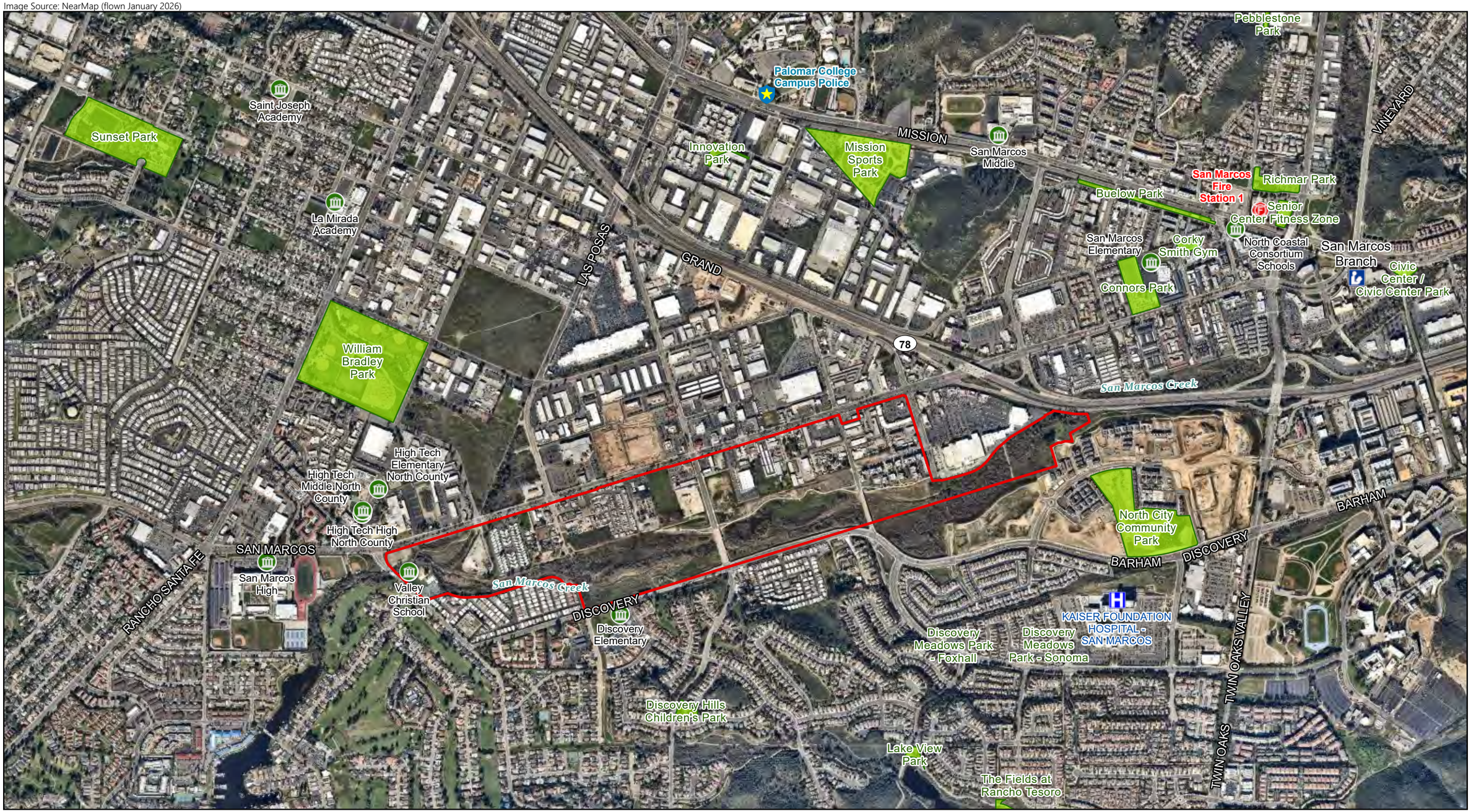
4.9.1.2 Police Protection

As discussed in the 2007 EIR, police protection services would be provided by the San Diego County Sheriff's Department under contract with the City. The Planning Area would be served by the Sheriff's San Marcos Station, located at 182 Santar Place. Available personnel and current average response times for priority calls (under nine minutes) remain similar compared to the 2007 EIR narrative. Pursuant to the 2012 General Plan, the City is committed to promoting and maintaining a high level of safety for residents and businesses by providing quality law enforcement protection and crime prevention programs (City of San Marcos 2012).

4.9.1.3 Schools

As discussed in the 2007 EIR, the Planning Area is located within the service boundaries of the San Marcos Unified School District (SMUSD). The most updated data shows the SMUSD operating a total of 19 schools throughout the City and portions of the cities of Vista, Escondido, and Carlsbad, as well as unincorporated areas between these cities. The district serves approximately 19,000 students and

Image Source: NearMap (flown January 2026)



- Project Boundary
- Hospital
- Fire Station
- Police
- Library
- School
- Parks

0 Feet 1,200

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FIGURE 4.9-1
Public Service Facilities and Parks

operates 11 elementary schools, three middle schools, two comprehensive high schools, one alternative high school, and one adult education school. Two charter schools are located within the City, separate from the public school system. (City of San Marcos 2012). The Planning Area would be specifically served by Discovery Elementary School, San Elijo Middle School, and San Marcos High School.

4.9.1.4 Parks and Recreation

At the time of the 2007 EIR, the City required 384 acres of local parkland, based on the General Plan standard of 5 acres of parkland for each 1,000 persons. The 2007 EIR noted the City has 188 acres, indicating a parkland deficit of 196 acres of developed parkland.

The City currently supports over 300 acres of existing developed parkland including approximately 44 parks, seven facilities and two aquatic complexes, along with 72 miles of trails (City of San Marcos 2025). There continues to be plans to further design and build new parkland, trails, recreation facilities, and upgrade existing parks. A single future park is planned within the Planning Area.

4.9.1.5 Libraries

As discussed in the 2007 EIR, the City is served by the San Diego County Library, San Marcos branch located at 2 Civic Center Drive. Details about the branch library remain similar compared to the 2007 EIR narrative.

4.9.2 Regulatory Framework

This section summarizes new and updated local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the 2007 EIR, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.9.2.1 Local Regulations

a. City of San Marcos Active Transportation Plan

The Active Transportation Plan (ATP) sets a long-term vision and framework to improve walking and bicycling conditions throughout the City. Serving as the City's transportation planning document, the ATP partially provides supplemental details to support the City's Trails Master Plan. The subsequently adopted ATP builds upon and expands this framework by addressing broader pedestrian and bicycle mobility, safety, and implementation priorities. The ATP integrates trails into a comprehensive active transportation network and identifies specific capital improvements, phasing strategies, and funding opportunities.

b. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to public services and recreation. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Land Use and Community Design Element

- Goal LU-8: Ensure that existing and future development is adequately serviced by infrastructure and public services.
    - Policy LU-8.1: New development shall pay its fair share of required improvements to public facilities and services.
    - Policy LU-8.2: Promote development timing that is guided by the adequacy of existing and/or expandable infrastructure, services, and facilities.
- Goal LU-10: Fire protection, emergency services, and law enforcement: Provide effective, high-quality, and responsive services.
    - Policy LU-10.1: Provide demand-based fire-fighting and emergency medical services infrastructure, equipment, and personnel to provide a high level of fire, emergency medical, and law enforcement service in San Marcos to meet existing and future demands.
    - Policy LU-10.2: Work closely with the County of San Diego Sherriff's Department to determine and meet the community needs for adequate personnel, equipment, and state-of-the-art technology to effectively combat crime, and meet existing and projected service demands.
    - Policy LU-10.3: Continue to conduct public outreach and education regarding fire safety and crime prevention within San Marcos.
- Goal LU-11: Schools: Ensure all residents have access to high-quality education.
    - Policy LU-11.2: Work with San Marcos Unified School District and developers to ensure adequate school facilities are funded as required by State law and through developer mitigation agreements between the school district and the developer. The City shall require a "will serve" letter substantiating that the developer has paid fees to the satisfaction of the school district prior to issuance of building permits.

- Goal LU-12: Libraries: Provide library resources and services that meet the needs of the community.
    - Policy LU-12.1: Provide adequate library facilities and technological access that enhance San Marcos's quality of life and create a civic environment with vast opportunities for self-learning and academic enrichment.
    - Policy LU-12.2: Accommodate technology needs of the community and locate accessible technology in the library.

Safety Element

- Goal S-3: Minimize injury, loss of life, and damage to property resulting from structural or wildland fire hazards.
    - Policy S-3.2: Provide sufficient level of fire protection service to reduce risk from urban and wildland fire.
- Goal S-6: Provide neighborhood safety through effective law enforcement.
    - Policy S-6.1: Continue to maintain demand-based law enforcement service levels to reduce the risk of criminal activity.

Parks, Recreation, and Community Health Element

- Goal PR-1: Plan for, acquire, develop, and maintain a system of local parks connected through an integrated network of trails and high quality recreational facilities.
    - Policy PR-1.1: Develop and maintain a complete system of public parks and recreational amenities that provide opportunities for passive and active recreation at a minimum standard of 5 acres per 1,000 residents.
    - Policy PR-1.3: Ensure that the development of parks, trails, and recreation facilities and services keeps pace with development and growth within the City.
    - Policy PR-1.5: Require new development to be designed and constructed in accordance with the approved Master Trails Plan to meet or exceed the City's parkland standard of 5 acres per 1,000 residents.
    - Policy PR-1.6: Require new infill development to provide plazas, mini parks, or other civic spaces, as part of their parkland requirement.

Environmental Justice Element

- Goal EJ-2: Locate public facilities and services equitably throughout the community.
    - Policy EJ-2.7: Ensure that the development of parks, trails, and recreation facilities and services keeps pace with development and growth within the City.

- Policy EJ 2.6 and EJ-5.7: Develop and maintain a complete system of public parks and recreational amenities that provide opportunities for passive and active recreation at a minimum standard of 5 acres per 1,000 residents. Parks, trails, and recreational facilities will enhance community livability, public health, and safety; should be equitably distributed throughout the City; and be responsive to the needs and interests of residents, employees, and visitors.

- Policy EJ-5.8: Promote increased access to parks and open spaces, pedestrian- and bike-oriented routes to parks and open space, greening of public rights-of-way, and a variety of active and passive uses of parks and open space.

- Policy EJ-5.10: Implement the trail network per the Master Trails Plan to increase opportunities for physical activity (e.g., walking, biking), healthy lifestyles, and to reduce reliance on cars.

c. City of San Marcos Municipal Code

Since certification of the 2007 EIR, the following code sections have been codified into the San Marcos Municipal Code (SMMC). Future projects within the Planning Area would be required to adhere to all relevant regulations in effect at the time of project processing.

Title 17, Buildings, Construction, and Related Activities

(SMMC Chapter 17.36 requires that builders of residential units pay fees which shall be used for the improvement, development and operation of park or recreational facilities. The fee shall be paid prior to the issuance of building permits for any dwelling units. SMMC Section 17.44 requires that each applicant for a grading, construction, building and/or development permit or entitlement shall, prior to the issuance of such permit or entitlement, pay the fees, including Development Services Fees and Public Facilities Fees (PFF). Per SMMC Section 17.44.060, one component of the PFF is parks.

4.9.3 2007 Thresholds of Significance

Subsection 3.9 of the 2007 EIR evaluated impacts based on whether the San Marcos Creek Specific Plan (Adopted Specific Plan) would:

a. be located in an area outside the City Fire Department's existing or planned 5-minute emergency response time service area (Fire Protection);

b. result in an increase in the average response time from the County of San Diego San Marcos Station, or an increase in the ratio of police officers to residents above a level acceptable to the Sheriff's Department (Police Protection);

c. exceeds the existing and planned facility capacities as determined by the affected school district (Schools);

d. existing or planned facilities are not adequate to serve the future residents generated by the proposed project (Libraries);

e. increase the population within the community plan to a level that would exceed the established goals set by the City's General Plan and Parks Master Plan for park acres per population (Parks and Recreation).

4.9.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the California Environmental Quality Act Guidelines Thresholds of Significance have been revised related to the subject area of public services. The thresholds have been revised to focus on whether a project would require new public service facilities, the construction of which would cause a significant environmental impact. Specifically, the thresholds related to public services inquire whether the project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- Fire protection
- Police protection
- Schools
- Parks
- Other public facilities

Additionally, the following thresholds relate directly to recreation:

- 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?
- 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?

To provide a comprehensive supplemental analysis, the determinations of the 2007 EIR are summarized; however, the updated evaluation is based on the updated thresholds.

4.9.4 Threshold a: Fire Services

Would 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 Fire Protection?

4.9.4.1 Summary of Prior Analysis

The 2007 EIR concluded that development within the Planning Area would increase demand for fire protection and emergency medical services due to the anticipated increase in population and the introduction of mixed-use and mid-rise buildings, which require specialized response procedures.

The 2007 EIR found that through compliance with all SMFD standards and regulations, including roadway width and access requirements, hydrant spacing, sprinkler and alarm system design, and fuel modification zones, along with participation in the Fire Community Facilities District (CFD), potentially significant impacts related to fire protection and emergency services would be less than significant.

4.9.4.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the Planning Area remains primarily served by Fire Station 1, located at 180 W. Mission Road, and Fire Station 2, located at 1250 S. Rancho Santa Fe Road.

Since 2007, the City adopted SMMC Section 17.44, Development User Fees, under Ordinance No. 2024-1553, which requires that each applicant for a grading, construction, building, or development permit or entitlement pay applicable Development Services Fees and PFF prior to permit issuance. Pursuant to SMMC Section 17.44.060, the PFF includes a component dedicated to fire and emergency services, providing a mechanism to fund necessary improvements and maintain adequate service levels as new development occurs.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address fire protection services. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal IPS.2: Public services funding approaches that minimize impacts on the City General Fund.
    - Policy IPS.2.2: Annex the Creekside District into the city of San Marcos's Community Facilities District 2001-01 to ensure that District development funds the expansion of fire and emergency medical services.

4.9.4.3 Environmental Analysis

Although population and development in the City has increased since 2007, fire protection coverage in the vicinity of the Planning Area has remained sufficient, with no reduction in service levels or coverage area. General Plan Policy S-3.2 highlights the City's requirement that sufficient levels of fire

protection service are maintained throughout the City. The existing fire station network and continued participation in the City's CFD, coupled with the implementation of the City's PFF, ensure that new development contributes proportionally to the cost of maintaining and improving fire protection infrastructure and emergency response capabilities. In addition to City PFF, future development would be required to adhere to Goal LU-8 and associated policies which ensure that development occurs only when adequate infrastructure and public services are available and require new development to contribute its fair share toward needed improvements to facilities and services.

All future development within the Planning Area would be required to comply with current SMFD access, water supply, and fire protection design standards; pay all applicable development impact and user fees; and participate in the City's fire protection funding mechanisms. Accordingly, the project would not result in new or more severe impacts related to fire protection compared to those identified in the 2007 EIR.

4.9.4.4 Conclusion

The project would not require new or physically altered fire department facilities beyond what was anticipated in the 2007 EIR. Implementation of the City's updated fee structure under the PFF ensures that adequate funding for fire and emergency services will continue to be provided as development proceeds. Consistent with the 2007 EIR, impacts associated with fire services would remain less than significant, and no new mitigation measures would be required.

4.9.5 Threshold b: Police Services

Would 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 Police Protection?

4.9.5.1 Summary of Prior Analysis

The 2007 EIR determined that implementation of the Adopted Specific Plan would increase demand for police protection services due to the addition of residential, commercial, and office development. Based on the project's population increase, the 2007 EIR determined that an additional 0.69 new service units would be required to maintain the expected service level of police protection. However, the City's requirement for payment of fees to CFD 98-01 for police protection would offset the incremental demand. Therefore, the 2007 EIR concluded that impacts related to police protection services were less than significant.

4.9.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

Police protection services in the City continue to be provided under contract by the San Diego County Sheriff's Department through the San Marcos Station, located at 182 Santar Place in the

northeastern portion of the City. Since 2007, the Sheriff's Department has continued to enhance staffing, technology, and community policing resources to support a growing population and increased urban development in the City.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address police protection services. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal IPS.2: Public services funding approaches that minimize impacts on the City General Fund.
    - Policy IPS.2.1: Annex the Creek District into the City of San Marcos's Community Facilities District 98-01 (a special tax district formed expressly to fund law enforcement services required by new development) to ensure that District development funds the expansion of law enforcement services.

4.9.5.3 Environmental Analysis

There have been no changes in the location or provision of police services that would alter the conclusions of the 2007 EIR. The Planning Area continues to be served by the San Marcos Station of the San Diego County Sheriff's Department, and no new stations have been added in proximity to the project. The Specific Plan Update's incremental increase in citywide population and associated demand for police protection is the same as previously analyzed and would be managed through continued compliance with City requirements, including payment of development fees to CFD 98-01, which funds police services, ensuring that service levels, response times, and staffing ratios would remain consistent with current standards. Additionally, future development would be required to adhere to General Plan Goal LU-8 and associated policies which ensure that development occurs only when adequate infrastructure and public services are available and require new development to contribute its fair share toward needed improvements to facilities and services.

Therefore, the project would not result in new or more significant impacts to police protection services than previously analyzed.

4.9.5.4 Conclusion

The project would not require new or physically altered police facilities beyond what was anticipated in the 2007 EIR. Existing funding mechanisms remain in place to offset project-related demand. Consistent with the 2007 EIR, impacts associated with police services would remain less than significant, and no new mitigation measures would be required.

4.9.6 Threshold c: Schools

Would 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 Schools?

4.9.6.1 Summary of Prior Analysis

The 2007 EIR analyzed 2,300 multi-family dwelling units, which calculated student generation based on the student generation rates identified by the SMUSD to be an estimated 1,112 students: approximately 650 elementary school students, 253 middle school students, and 209 high school students. Existing capacity at schools serving the Planning Area, Discovery Elementary, San Elijo Middle, and San Marcos High, would be exceeded by this student generation. To accommodate additional students, the analysis considered interim solutions, including relocatable classrooms, redistribution of students to schools outside their immediate attendance areas, and potential future expansions. Additionally, new development would be required to pay Level 2 school fees or annex into a CFD to fund school facilities, as specified by the SMUSD at the time of building permit issuance. With these funding mechanisms in place, impacts on school facilities were determined to be less than significant.

4.9.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

As shown in Table 4.9-1, general enrollment for the schools serving the Planning Area has increased since 2007. While there have been facility improvements and renovations throughout the SMUSD, there has been no new school facility constructed that would directly increase student capacity for the Planning Area since the 2007 EIR.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding schools.

4.9.6.3 Environmental Analysis

Student population was calculated based on student yield factors applied to planned residential development units to determine how many additional students will be generated from new construction within the school district. Student population is anticipated to increase under the Specific Plan Update as shown in Table 4.9-1.

Table 4.9-1 Student Yield Factors			
Grade	Generation Rate [1]	Proposed Units	Students Generated[2]
K-5	0.194	2,300	446
6-8	0.060	2,300	138
9-12	0.067	2,300	154

Source: SMUSD 2024.
[1]The district has rates for single family, multi-family, and apartments. The multi-family rate was used for the project
[2]Rounded to the nearest tenth

As shown in Table 4.9-1, the Specific Plan Update would generate additional students to be accommodated at Discovery Elementary School. Individual development projects would be required to pay school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h) and 65996(b) in effect at the time of building permit issuance. Additionally, consistent with General Plan Policy LU-11.2, the applicant shall provide a letter from SMUSD to the City prior to the issuance of building permits confirming these fees have been paid. Payment of these fees would assist in funding SMUSD's long-range plans. State Bill 50 states that the fees imposed by school districts shall constitute the exclusive method of considering and mitigating impacts on school facilities caused by a development project. Such payment shall provide "full and complete mitigation of the impacts of any legislative or adjudicative act…on the provision of adequate school facilities" (Government Code Section 65995(h)). As such, with contribution of required development fees, impacts to schools would be less than significant. Therefore, the project would not result in new or more significant impacts to schools than previously analyzed.

4.9.6.4 Conclusion

The project would not require new or physically altered schools beyond what was anticipated in the 2007 EIR. Impacts related to the provision of school services would continue to be less than significant with the implementation of school mitigation fees. Consistent with the 2007 EIR, impacts associated with schools would remain less than significant, and no new mitigation measures would be required.

4.9.7 Threshold d: Library Services

Would 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 Library Services?

4.9.7.1 Summary of Prior Analysis

Library capacity at the time of the 2007 EIR did not meet current population needs. The 2007 EIR determined that the Adopted Specific Plan would add up to 6,808 residents, representing an increase of approximately 3,531 residents over what could be expected under existing General Plan designations, thereby further increasing the demand for library services and resources.

The 2007 EIR found that cooperation with the broader County system, including County libraries, independent city libraries, and the Imperial County Library via the Serra Library System, would collectively provide over 200,000 square feet of library space within or accessible to the City. Given these supplementary services, the project's impact on library services was determined to be less than significant.

4.9.7.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the existing San Marcos Branch of the San Diego County Library, which serves the Planning Area, underwent a major renovation and expansion that was completed in May 2021. The expansion roughly doubled the size of the facility, providing additional space, resources, and services to the community. This is added to the resources which remain available, including cooperative library services. Per the current California Environmental Quality Act Guidelines, an impact would be considered significant if a project would result in the 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. In the case of library services, no new facilities would be required to maintain acceptable service levels for the Planning Area.

b. Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding libraries.

4.9.7.3 Environmental Analysis

The same as the Adopted Specific Plan, development of the Specific Plan Update would add up to 2,300 new dwelling units throughout the Planning Area, resulting in an estimated additional approximately 3,531 residents to the City. Since 2007, the San Marcos Branch has been renovated and expanded, increasing capacity and resources available to the community. Additionally, the project would continue to be served by the existing library system, which includes access to other branches in the County through the Serra Library System, as well as borrowing privileges at nearby academic libraries. Future development within the Planning Area would not trigger the need for the construction of new library facilities. Accordingly, the project would not result in new impacts compared to those identified in the 2007 EIR.

4.9.7.4 Conclusion

The project would not require new or physically altered libraries beyond what was anticipated in the 2007 EIR. Consistent with the 2007 EIR, impacts associated with library services would remain less than significant, and no new mitigation measures would be required.

4.9.8 Threshold e: Parks and Recreation

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?

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?

4.9.8.1 Summary of Prior Analysis

The Adopted Specific Plan would add approximately 6,900 residents, resulting in a need for roughly 34.5 acres of parkland calculated using the General Plan target goal of five acres per 1,000 residents. Due to the increase in population proposed under the 2007 Plan, this represented an increase of 19.59 acres over what would be required under existing General Plan conditions.

The Adopted Specific Plan proposed 19.9 acres of improved public parkland, including two internal urban parks and a continuous greenway along the north and south sides of the creek corridor. The parks and greenways would include trails, vista points, seating areas, tot lots, public art, water features, a small amphitheater, and interpretive elements. Although this falls short of the 34.5 acres required to fully meet demand, at build-out of the General Plan, the City would have a total of 440 acres of parkland, and at the time of the 2007 EIR, several neighborhood park projects throughout the City were either under construction or planned within the next few years. Based on the population of the City in 2006, this would adequately meet the City's park requirements.

Future development would also be required to contribute to the City's PFF, which includes funding for parks and recreation, pursuant to City Ordinance 88-799 (Chapter 20.12, Growth Management, SMMC). Therefore, the 2007 EIR determined that impacts to parks and recreation would be less than significant.

4.9.8.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since 2007, the City has expanded its park system through the development of several new recreational facilities. Notable additions include Double Peak Park in the San Elijo Hills area which features scenic viewpoints, an amphitheater, picnic areas, and a playground. The City also opened Connors Park in 2014, a neighborhood park with synthetic turf fields; tennis, basketball, and pickleball courts; playground facilities; and picnic areas. More recently, South Lake Park was developed around a reservoir and includes walking trails and fishing access. In addition, the City has planned or approved new parks associated with recent development areas, including Old California Row Park and Sky View Park in the North City area, which are intended to provide additional recreational amenities such as playgrounds, courts, lawns, and community gathering spaces.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address park services. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal DP.2: Inviting public places that celebrate San Marcos's pre-history and history.
    - Policy DP.2.1: Incorporate into parks, public plazas, trail systems, and other public places plaques, statutes, and similar features that celebrate and tell the stories of the Native peoples who first inhabited the lands, as well as early settlers to San Marcos.
- Goal OS.1: An integrated open space system—inclusive of urban plazas, parklets, linear parks, community-gathering spaces, and natural habitat areas—that protects and enhances the creek environment and provides places for the community to enjoy being outdoors.
    - Policy OS.1.4: Require development to provide or contribute to the creation of park space consistent with this Specific Plan and City standards for parkland dedication and in-lieu fees.
    - Policy OS.1.5: Work with developers to design and develop public parks that contribute to the identity of the District, provide a focus for community activity, and are integrated with adjoining development.
    - Policy OS.1.7: Develop Discovery Park and the Discovery Greenway between McMahr Road and Grand Avenue as Phase I improvements that will help establish the District's character and catalyze new development.

4.9.8.3 Environmental Analysis

Buildout of the Specific Plan Update is estimated to add an additional 3,531 residents to the City. Assuming five acres of park space per 1,000 residents, this equates to a demand of approximately 17.7 acres of park space generated by project residents.

As shown in Figure 3-4, the Specific Plan Update includes areas designated for parkland including: West End Gateway Park, Discovery Park, Creekside Overlook, Water Plaza, Amphitheater Plaza, Town Center Paseo, and Paseo del Arroyo Park, the development of which would increase the Planning Area and City's parkland inventory. Additionally, the project is designed to include multiple opportunities for parks, trails, and open space. Future developers would be required to pay the City's PFF, which is required by all projects that increase the demand for park and recreation needs in the City. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City to offset the demand on public park space generated by the project, as described in SMMC Chapters 17.36 and 17.44. The PFF payment would ultimately contribute to development of new parks and recreational facilities and would offset the increase in demand of parks and recreational facilities generated by the proposed project, such that existing facilities would not be substantially deteriorated. Impacts would be less than significant and

accordingly, the project would not result in new impacts compared to those identified in the 2007 EIR.

4.9.8.4 Conclusion

Consistent with the 2007 EIR, impacts associated with parks and recreation would remain less than significant, and no new mitigation measures would be required.

4.10 Transportation

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with transportation in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of impacts to transportation, this section of the SEIR should be reviewed in tandem with Section 3.10 of the 2007 EIR.

This section provides a summary of the current conditions and transportation analysis as detailed in the Transportation Impact Study prepared for the project (Appendix G).

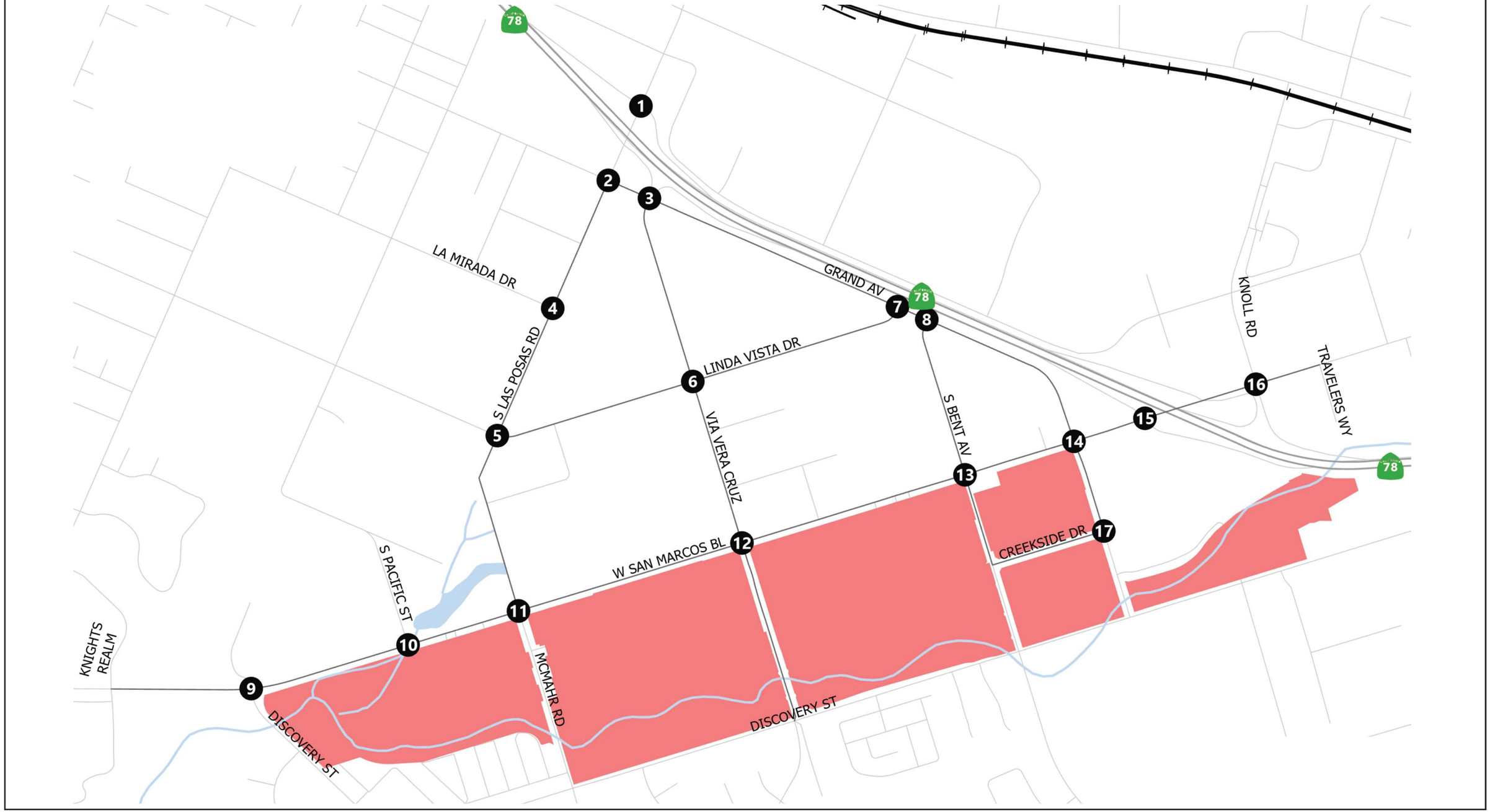
4.10.1 Existing Conditions

4.10.1.1 Existing Roadway System

Access to the Creek District (Planning Area) is provided via Las Posas Road, Via Vera Cruz, Bent Avenue, Grand Avenue, Linda Vista Drive, or San Marcos Boulevard. These roadways would either provide a direct connection to the Planning Area or provide a critical link between the Planning Area and the regional transportation network, including State Route 78 (SR-78). The project study area, for the purposes of evaluating transportation impacts, is distinct from the Planning Area, and is defined based on the roadway facilities potentially affected by project traffic rather than the Planning Area boundary. Section 4.10.1.1 provides a detailed description of the roadway network that comprises the project study area. Figure 4.10-1 shows the existing roadway network.

a. Roadway Network

Las Posas Road — Within the project study area, Las Posas Road is a six-lane, north-south roadway north of SR-78 westbound ramps, a five-lane roadway between SR-78 westbound ramps and La Mirada Drive which is separated by a raised median, and a four-lane roadway between La Mirada Drive and San Marcos Boulevard separated by a center left-turn lane. The roadway is bordered by commercial and industrial land uses with a posted speed limit of 40 miles per hour (mph). Pedestrian sidewalks and Class II bike lanes are present on both sides of the roadway. North County Transit District (NCTD) bus routes 347 and 445 travel along Las Posas Road within the project study area with transit stops at San Marcos Boulevard, Linda Vista Drive, La Mirada Drive, Grand Avenue, and Descanso Avenue. The City of San Marcos (City) Mobility Element classifies Las Posas Road north of SR-78 as a Six-Lane Arterial Roadway and a Four-Lane Arterial Roadway south of SR-78 (City of San Marcos 2012).



Study Road

Study Intersection

Specific Plan Area

RECON

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FIGURE 4.10-1
Existing Road Network

Via Vera Cruz — Between Grand Avenue and Discovery Street, Via Vera Cruz is a four-lane, north-south roadway separated by a center left-turn lane with a posted speed limit of 40 mph. The roadway is bordered primarily by commercial land uses with some industrial land use on the northern side of the project study area. Pedestrian sidewalks and Class II bike lanes are present on both sides of the roadway except along the east side of the roadway between Linda Vista Drive and 240-feet south of Commerce Street. There are no existing transit services that travel along Via Vera Cruz within the project study area. The City Mobility Element classifies Via Vera Cruz as a Four-Lane Arterial Roadway (City of San Marcos 2012).

Bent Avenue — Between Grand Avenue and San Marcos Boulevard, Bent Avenue is a two-lane, north-south roadway separated by a center left-turn lane which transitions to a two-lane, undivided roadway south of San Marcos Boulevard. The roadway is bordered by commercial and industrial land uses with a posted speed limit of 35 mph. Pedestrian sidewalks and Class II bike lanes are present on both sides of the roadway except for the east side of the roadway from 120-feet south of San Marcos Boulevard and Creekside Drive. There are no existing transit services that travel along Bent Avenue within the project study area. The roadway within the study is not identified as a circulation element within the City Mobility Element (City of San Marcos 2012).

Grand Avenue — Within the project study area, Grand Avenue is a four-lane, east-west roadway separated by a center left-turn lane which transitions to a north-south roadway just north of San Marcos Boulevard with a raised median. The posted speed limit is 40 mph west of Las Posas Road and 45 mph between Las Posas Road and San Marcos Boulevard. The roadway is bordered primarily by SR-78 to the north and industrial land use to the south. Between Las Posas Road and San Marcos Boulevard, pedestrian facilities are present intermittently on the south side of the roadway with no facilities provided on the north side, which is adjacent to SR-78. Pedestrian sidewalks and Class II bike lanes are present on both sides of the roadway south of San Marcos Boulevard. There are currently no transit services that travel along Grand Avenue within the project study area. The City Mobility Element classifies Grand Avenue as a Four-Lane Arterial Roadway between Pacific Street and Via Vera Cruz, a Complete Street between Via Vera Cruz and San Marcos Boulevard, and a Four-Lane Arterial Roadway south of San Marcos Boulevard (City of San Marcos 2012).

Linda Vista Drive — Between Las Posas Road and Via Vera Cruz, Linda Vista Drive is a four-lane, east-west, undivided roadway and transitions to a two-lane, undivided roadway between Via Vera Cruz and Grand Avenue. The roadway is bordered by commercial and industrial land uses with a posted speed limit of 35 mph. Pedestrian sidewalks are present intermittently on both sides of the roadway with no bicycle or transit facilities. The City Mobility Element classifies Linda Vista Drive as a Four-Lane Arterial Roadway between Las Posas Road and Via Vera Cruz and a complete street between Via Vera Cruz and Grand Avenue (City of San Marcos 2012).

San Marcos Boulevard — San Marcos Boulevard is a five-lane, east-west roadway separated by a raised median between Knights Realm and Discovery Street, a four-lane roadway separated by a raised median between Discovery Street and Bent Avenue, a six-lane roadway with a raised median between Bent Avenue and Knoll Road, and a five-lane roadway with a raised median between Knoll Road and Travelers Way. The posted speed limit is 45 mph west of Via Vera Cruz and 40 mph between Via Vera Cruz and Travelers Way. The roadway is bordered primarily by commercial land use. Pedestrian sidewalks and Class II bike lanes are present on both sides of the roadway except for

missing sidewalks on the south side between 230-feet east of Grand Avenue and Knoll Road. NCTD bus route 445 travels along San Marcos Boulevard within the study area with transit stops at Discovery Street and Pacific Street. Additionally, NCTD bus route 347 travels along San Marcos Boulevard within the study area with transit stops at Via Vera Cruz, Bent Avenue, and Travelers Way. The City Mobility Element classifies San Marcos Boulevard as a Six-Lane Arterial Roadway between Knights Realm and Pacific Street, a Multi-Way Boulevard that includes a multiway path on the both sides of the roadway to provide a safe space for pedestrians, bicyclists, and vehicles accessing the commercial and residential uses between Discovery Street and Bent Avenue, and Six-Lane Arterial Roadway between Bent Avenue and Travelers Way (City of San Marcos 2012).

b. Public Transit

Within the vicinity of the Planning Area, there are four separate transit stops servicing the following routes:

- NCTD Bus Route 347 — Within the project study area, this bus route runs in the east-west direction along San Marcos Boulevard and connects Cal State San Marcos to Palomar College. During weekdays, bus operations commence at 5:16 a.m. and end at 7:45 p.m., with approximately 30-minute headways. The bus route is also operational on Saturdays, with bus operations commencing at 7:20 a.m. and ending at 7:08 p.m., with approximately 60-minute headways. The nearest transit stop to the project site along San Marcos Boulevard is located at Via Vera Cruz and Bent Avenue.

- NCTD Bus Route 445 — Within the project study area, this bus route runs in the east-west direction along San Marcos Boulevard and connects the Carlsbad Poinsettia COASTER to Palomar College. This route only operates on weekdays, with headways that are dependent on the arrival/departure schedule of the COASTER between 6:49 a.m. and 6:59 p.m. The nearest transit stops to the project site along San Marcos Boulevard are located at Discovery Street and Pacific Street.

c. Bicycle and Pedestrian Facilities

Class II bicycle facilities are currently present within the Planning Area along the road frontages on San Marcos Boulevard and Grand Avenue, as well as along Bent Avenue and Via Vera Cruz.

Sidewalk facilities for pedestrian use are currently present within the Planning Area along San Marcos Boulevard, Via Vera Cruz, and Grand Avenue. Bent Avenue has sidewalks on both sides of the road except for the east side of the segment between San Marcos Boulevard and Creekside Drive.

4.10.2 Regulatory Framework

This section summarizes new and updated state, regional, and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the 2007 EIR, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.10.2.1 State Regulations

a. California Department of Transportation

The California Department of Transportation (Caltrans) has authority over the state highway system, including mainline facilities, interchanges, and arterial state routes. Caltrans approves the planning and design of improvements for all state-controlled transportation facilities. Caltrans facilities located within or serving the Planning Area include SR-78.b

b. Plan for the Future Bill Assembly Bill 932 (Safe System Approach)

The state legislature enacted Plan for the Future Bill (Assembly Bill [AB] 932) in 2022, requiring that cities and counties incorporate a Safe System approach into the circulation element of their general plans that focuses on addressing multiple interconnected elements of a transportation system, including safe roads, safe speeds, safe vehicles, safe road users, and post-crash care. AB 932 aligns with the broader global Vision Zero movement, which aims to eliminate traffic fatalities and severe injuries, recognizing these tragedies as preventable through a proactive, preventative approach.

c. Complete Streets Act

The California Complete Streets Act (AB 1358) of 2008 requires circulation elements to include a "Complete Streets" approach that balances the needs of all users of the street. The bill states that streets, roads, and highways must "meet the needs of all users . . . in a manner suitable to the rural, suburban, or urban context of the general plan." AB 1358 requires that circulation elements plan for all modes of transportation where appropriate, including walking, biking, car travel, and transit. It also requires that streets be designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

d. Sustainable Communities and Climate Protection Act

The Sustainable Communities and Climate Protection Act (Senate Bill [SB] 375), signed into law in 2008, provides guidance to reduce the number and length of automobile commuting trips, helping to meet the statewide targets for reducing greenhouse gas (GHG) emissions set by California Global Warming Solutions Act of 2006 (AB 32).

SB 375 requires each Metropolitan Planning Organization (MPO) to add a broader vision for growth to its transportation plan through development of a Sustainable Communities Strategy (SCS). The County of San Diego's (County) MPO is the San Diego Association of Governments (SANDAG), and the region's SCS/Regional Transportation Plan is the 2025 Regional Plan (see Section 4.10.2.2).

e. Senate Bill 743

SB 743 was signed into law on September 27, 2013. This legislation seeks to balance the needs of congestion management, infill development, public health, GHG reductions, and other goals. The passage of SB 743 resulted in revisions to the California Environmental Quality Act (CEQA) Guidelines, including elimination of auto delay, level of service (LOS), and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts, which were replaced with vehicle miles traveled (VMT) as the preferred CEQA transportation metric. The Governor's Office of Land Use and Climate Innovation released the *Technical Advisory on Evaluating Transportation Impacts in CEQA* in December 2018 to provide recommendations for the use of VMT metrics when analyzing land use projects and plans under CEQA.

4.10.2.2 Regional Regulations

a. SANDAG Regional Transportation Plan/Sustainable Communities Strategy

The 2025 SCS, prepared as part of the Regional Transportation Plan, establishes a long-range framework for integrating land use and transportation planning to meet regional mobility needs while reducing GHG emissions from passenger vehicles, consistent with state mandates under SB 375 (SANDAG 2025).

The SCS guides regional transportation planning by prioritizing development patterns that support transit-oriented development, increased housing near employment centers, and multimodal transportation networks, including transit, bicycle, and pedestrian infrastructure. The strategy emphasizes reduction of VMT through improved accessibility, expanded transportation choices, and more efficient land use patterns.

Transportation investments identified in the SCS include enhancements to transit services, roadway improvements, active transportation infrastructure, and mobility hubs designed to improve connectivity and reduce reliance on single-occupant vehicle travel. The SCS also incorporates population, housing, and employment forecasts that inform regional travel demand modeling and transportation impact analysis. Projects within the region are evaluated for consistency with the SCS to ensure alignment with regional mobility goals and GHG reduction targets.

b. North County Comprehensive Multimodal Corridor Plan

SANDAG and Caltrans created a North County Comprehensive Multimodal Corridor Plan (CMCP) in 2023, which is "a strategic blueprint for identifying and implementing multimodal projects and services within communities predominantly along a specific corridor." The North County CMCP aligns local, regional, state, and federal initiatives to bridge the gap between local planning and state/regional planning efforts. It also highlights transportation solutions to be implemented with a general timeline and estimated implementation costs.

4.10.2.3 Local Regulations

a. City of San Marcos Active Transportation Plan

The City's Active Transportation Plan (ATP) focuses on encouraging non-motorized modes of transportation—primarily walking and biking—by recommending projects, programs, and policies that enhance the active transportation experience in the community (City of San Marcos 2024). The ATP recommends bicycle programs to improve facilities that can make it safer and more attractive for users of all ages and abilities to ride a bicycle on City streets. The ATP included the San Marcos Creek Specific Plan (Adopted Specific Plan) in its review of previous plans and studies.

b. City of San Marcos Transportation Impact Analysis Guidelines

Adopted in November 2020, the City's Transportation Impact Analysis Guidelines (TIAG) provides guidance to City staff, applicants, and consultants on the requirements to evaluate transportation impacts for projects in the City. The TIAG specifically addresses the requirements of SB 743, requiring transportation impacts to be analyzed using VMT.

Additionally, qualifying projects are required to prepare Local Transportation Analyses (LTA) to confirm their consistency with General Plan Mobility Element, which requires the use of multimodal LOS techniques to evaluate transportation facilities to ensure City roadways operate at an LOS of D or better for vehicles as a prioritized mode. The project's LTA is included herein as Appendix E.

c. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to transportation. The City's General Plan policy framework addresses issues related to mobility in both the Land Use and Mobility elements. Together, these elements provide guidance for the integration of land uses with mobility choices, and address network and system capacity and efficiency. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Land Use and Community Design Element

- Goal LU-1: Achieve a balanced distribution and compatible mix of land uses to meet the present and future needs of all residents and the business community.
    - Policy LU-1.1: Ensure that adjacent land uses complement one another by considering compatibility of activities, development patterns and architectural character elements and access to various mobility choices.
- Goal LU-3: Develop land use patterns that are compatible with and support a variety of mobility opportunities and choices.

- Policy LU-3.4: Provide non-motorized (pedestrian and bicycle) access/circulation within, and to, mixed-use centers to reduce reliance on the automobile.

Mobility Element

- Goal M-1: Provide a comprehensive multimodal circulation system that serves the City land uses and provides for the safe and effective movement of people and goods.
  - Policy M-1.1: Safely and efficiently accommodate traffic generated by development and redevelopment associated with implementation of the General Plan Land Use Policy Map.
  - Policy M-1.2: Require new development to finance and construct internal adjacent roadway circulation and City-wide improvements as necessary to mitigate project impacts, including roadway, transit, pedestrian and bicycle facilities.
  - Policy M-1.3: Require new developments to prepare and implement Transportation Demand Management (TDM) programs in compliance with the City's TDM Ordinance and Policy to minimize vehicle trip generation and promote alternative modes of travel within the City.
  - Policy M-1.4: Utilize a proactive design approach that improves the overall performance characteristics of roadways including their quality, safety, and environmental performance.
  - Policy M-1.4: Utilize a proactive design approach that improves the overall performance characteristics of roadways including their quality, safety, and environmental performance.
  - Policy M-1.6: Work to improve connectivity within the City by closing gaps in the existing bicycle, pedestrian, trail, transit, and roadway network. Work with new development to provide connectivity and redundancy in the mobility network.
  - Policy M-1.7: Strive to ensure that streets within San Marcos shall be complete streets where feasible; thereby providing accessibility, safety, connectivity, and comfort for all modes and users of the system. Appropriate new local streets and Main Streets will prioritize pedestrian and bicycle users through the corridor.
- Goal M-2: Protect neighborhoods by improving safety for all modes of travel and calming traffic where appropriate.
  - Policy M-2.1: Work with new development to design roadways that minimize traffic volumes and/or speed, as appropriate within residential neighborhoods, while maintaining the City's desire to provide connectivity on the roadway network.
  - Policy M-2.3: Consider roundabouts, as appropriate, as an intersection control device with demonstrated air quality, traffic efficiency, and safety benefits.

- Goal M-3: Promote and encourage use of alternative transportation modes such as transit, bicycles, neighborhood electric vehicles (NEVs), and walking, within the City.
    - Policy M-3.1: Develop an integrated, multimodal circulation system that accommodates transit, bicycles, pedestrians, and vehicles; provides opportunities to reduce air pollution and greenhouse gas emissions; and reinforces the role of the street as a public space that unites the City.
    - Policy M-3.2: Improve safety conditions, efficiency, and comfort for bicyclists and pedestrians through design, maintenance, and law enforcement. Install wider sidewalks and curb extensions at pedestrian crossings (bulb outs) where appropriate.
    - Policy M-3.3: Provide a pedestrian and bicycle network that maximizes connectivity between major destinations.
    - Policy M-3.5: Ensure that streets in areas with high levels of pedestrian activity (such as employment centers, residential areas, mixed use areas, and schools) support safe pedestrian travel by providing detached sidewalks, bulb-outs, enhanced pedestrian crossings, pedestrian bridges, and medians.
    - Policy M-3.9: Develop enhanced pedestrian environments to improve the character and function of the pedestrian space including amenities such as lighting, wider sidewalks, landscaping, buffers, benches, signage, and transit shelters.

Safety Element

- Goal S-3: Minimize injury, loss of life, and damage to property resulting from structural or wildland fire hazards.
    - Policy S-3.3: Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.

d. City of San Marcos Municipal Code

Title 20. Chapter 20.360, Transportation Demand Management

Chapter 10.360 of the San Marcos Municipal Code (SMMC), codified in 2023, established the City's Transportation Demand Management (TDM) Ordinance with the goals of lessening traffic impacts by reducing VMT in the City and the region and facilitating the use of alternative modes of transportation by residents, tenants, employees, and visitors. The TDM Ordinance also implements the GHG emissions reduction measure of the City's Climate Action Plan (SMMC Section 20.360.010).

4.10.3 2007 Thresholds of Significance

Subsection 3.10 of the 2007 EIR evaluated impacts based on whether the Adopted Specific Plan would:

a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system;

b. Exceed individually a level of service standard established by the County Congestion Management Agency for designated roads and highways;

c. Conflict with adopted policies, plans or programs supporting alternative transportation; and/or

d. Result in inadequate parking capacity.

4.10.3.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, Appendix G of the CEQA Guidelines has been revised to update the evaluation of transportation impacts. Notably, transportation analysis now includes thresholds related to consistency with circulation plans and policies, and VMT, consistent with CEQA Guidelines Section 15064.3. As a result, this SEIR provides a transportation analysis consistent with current CEQA requirements which supersedes the transportation and parking analysis presented in the 2007 EIR. The thresholds of significance below reflect this updated regulatory framework. Therefore, the SEIR provides an additional evaluation of potential impacts based on the current CEQA Appendix G threshold.

A transportation related impact would occur if the project would:

a. Conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities;

b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

d. Result in inadequate emergency access?

It is noted that the updated CEQA Guidelines Thresholds a and b replace the 2007 EIR Thresholds a and b. Parking impacts, included in the 2007 EIR, are no longer considered environmental effects under CEQA.

4.10.4 Threshold a: Circulation System

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

4.10.4.1 Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal LU.5: Interconnected neighborhoods and commercial districts that promote internal walking and bicycling, and that link directly to the City's active transportation routes.
    - Policy LU.5.1; Establish a strong pedestrian and transit orientation throughout the Creek District by prohibiting primarily auto-oriented land uses.
    - Policy LU.5.3: Require that new development provide well-marked, onsite pedestrian walkways that link to sidewalks and other pedestrian-oriented public rights-of-way
    - Policy LU.5.5: Require bicycle parking facilities for all new development projects beyond any State code requirements.
- Goal M.1: An internal circulation system that prioritizes pedestrians and cyclists, with accommodation for cars and trucks at low speeds within the Creek District.
    - Policy M.1.3: Encourage new development to incorporate internal pedestrian-only streets (i.e., "paseos") and passages to enhance the pedestrian orientation of the development and provide linkages to plazas and other open space areas.
    - Policy M.1.4: Connect the internal pedestrian and bicycle circulation systems to planned regional systems.
    - Policy M.1.5: Provide continuous sidewalk improvements or off-street paths along all street corridors, and close gaps in the existing pedestrian system.
    - Policy M.1.8: Integrate traffic-calming measures such as roundabouts, traffic circles, curb extensions, textured paving, pedestrian refuges/islands, and on-street parking into the street network.

- Goal M.2: A circulation system that maintains and improves access and connectivity between the Creek District and adjacent neighborhoods while allowing San Marcos Boulevard to maintain its function of moving cross-town traffic efficiently.

    - Policy M.2.2: Provide pedestrian crossings of San Marcos Boulevard with signals timed for pedestrian convenience and safety.

    - Policy M.2.3: Encourage strategically located pedestrian crossings over San Marcos Creek, where feasible, including at the terminus of McMahr Road, to improve neighborhood connectivity and access to the Creek District's open space and trail system.

- Goal M.3: Increased use of public transit by Creek District residents and visitors to the District

Specifically, the Specific Plan Update focuses on creating interconnected neighborhoods and commercial districts that promote internal walking and bicycling, and link directly to the City's active transportation routes (Goal 1.5); development of an internal circulation system that prioritizes pedestrians and cyclists (Goal 4.1); and increased use of public transportation (Goal 4.3).

4.10.4.2 Environmental Analysis

Since certification of the 2007 EIR, the City has adopted several plans, ordinances, and policies addressing the City's circulation system including, but not limited to the following: updated General Plan, ATP, TIAG, and codified TDM regulations.

a. City General Plan/ Transportation Impact Analysis Guidelines

SEIR Section 4.7.5.3.b provides detailed discussions of the Specific Plan Update's consistency with Mobility Element goals (see Table 4.7-1), and specifically the project's consistency with the City's road operation standard of LOS D. In summary, Section 4.7.5.3.b identifies the specific roadways and intersections that comprise the study area for purposes of analyzing project consistency. Relying on the Specific Plan Update's proposed roadway network (see Figure 3-3), including proposed roadway modifications (see Section 3.3.8.1), the Specific Plan Update LTA calculated LOS as a means to determine project consistency with the General Plan and TIAG. Previously identified mitigation measures would no longer be relevant; however, due to the identification of potentially significant impacts associated with the project's inability to meet the City's applicable land use plans and policies related to circulation, future projects would be required to implement subsequent mitigation measure S-LU-1.

S-LU-1 (Transportation Systems Management and Operations): Future projects that have the potential to improve travel time for the roadways listed above, where capacity cannot be increased, shall evaluate transportation systems management and operations solutions to include, but not be limited to, the following: adaptive signal timing, transit signal priority, and active transportation demand management.

b. Active Transportation Plan

The City's ATP is the City's planning framework for encouraging non-motorized modes of transportation, primarily walking and biking, by recommending projects, programs, and policies that enhance the active transportation experience throughout the City. The ATP provides policies and actions to be implemented through capital improvement and private development projects as a means to increase physical activity, reduce vehicular trips, and provide low-cost, equitable options to automobile ownership and usage. The ATP is aligned with the 2025 Regional Plan, the North County CMCP, the City's General Plan, and the City's Climate Action Plan. Table 4.10-1 summarizes the project's consistency with ATP recommendations.

Table 4.10-1
Project Consistency with Active Transportation Plan

Recommendation Explanation	Project's Consistency with Applicable Recommendations
Bicycle Network: Recommendations for future bicycle facilities are broken down into interim and ultimate conditions. With respect to the ultimate bicycle network, the City recommends a total of 110.9 miles of protected Class I and Class IV bicycle facilities. Developers will be required to implement the ultimate bicycle network recommendations when considering setbacks, frontage improvements, and design, and may be required to construct the ultimate facilities based upon roadway characteristics, adjacent facilities, and the ability to design and construct appropriate transitions into the ultimate improvements.	The Specific Plan Update includes the addition of new bicycle facilities to existing roadways and new internal roadways within the Planning Area. Specifically, the Specific Plan Update would include bicycle facilities designed to improve safety, connectivity, and access throughout the Planning Area and to surrounding areas. These facilities would support reduced vehicle trips, enhance access to public open spaces, and connect to existing and planned bicycle infrastructure consistent with the ATP (see Figure 3-4). Future projects within the Planning Area would be required to include these facilities as project-level components to meet the vision of the Specific Plan Update, thereby fulfilling this ATP recommendation.
Pedestrian Network: Recommendations for future pedestrian facilities are broken down into interim and ultimate conditions. With respect to the ultimate pedestrian network, the City recommends a total of 26 miles of sidewalks and pathways. The pedestrian networks identify a variety of infrastructure improvements, including adding sidewalk, providing mid-block crossings, closing sidewalk gaps, enhancing the pedestrian environment (widening sidewalk, installing landscape buffers, and implementing placemaking), installing fenced medians, and constructing Class I multi-use paths.	The Specific Plan Update includes the addition of new pedestrian facilities to existing roadways, as well as new pedestrian paseos throughout the Planning Area (see Figure 3-3). Future projects within the Planning Area would be required to include these facilities as project-level components to meet the vision of the Specific Plan Update, thereby fulfilling this ATP recommendation.

Table 4.10-1 Project Consistency with Active Transportation Plan	
Recommendation Explanation	Project's Consistency with Applicable Recommendations
Mobility Hubs: The ATP recommends the extension of public transit throughout the City to assist communities with "first- and last-mile gaps." The ATP focuses on the improvement of regional connections, micromobility (i.e., e-scooters and bike-share), additional mobility nodes, and on-demand neighborhood electric vehicles. The ATP identifies the Planning Area as an Urban Core with higher intensity mobility choice with three proposed mobility node locations.	The Specific Plan Update includes a framework to improve internal circulation within the Planning Area with connectivity to locations throughout the City and region. The Specific Plan Update would provide for transit connections to nearby activity centers, including the SPRINTER light rail station on East Mission Road, Cal State San Marcos, North City, the City Hall complex, Kaiser Medical Center, and San Marcos High School. Transit services would be implemented through coordination with the NCTD and other major institutions, thereby fulfilling this ATP recommendation.

c. City Transportation Demand Management Ordinance

TDM is a system of strategies, policies, and programs that aim to increase availability and convenience of alternative travel modes to reduce the number of single-occupancy vehicle trips (SMMC Section 20.360.030.I). The ordinance requires the following:

- Prepare and implement project-specific TDM plans for applicable development projects.
- Incorporate a City-adopted TDM Policy, which includes a menu of strategies (e.g., transit incentives, carpooling, bicycle facilities, parking management) to reduce single-occupant vehicle trips.
- Establish mandatory and optional measures, with required implementation of core strategies and additional measures selected to achieve trip reduction targets.
- Require monitoring, reporting, and enforcement to ensure ongoing effectiveness of TDM measures.

Future development under the Specific Plan Update would be required to comply with the City's TDM Ordinance (SMMC Chapter 20.360), which mandates implementation of measures to reduce vehicle trips and support transit, bicycle, and pedestrian travel. Compliance with these requirements would ensure consistency with adopted plans and policies addressing the circulation system. Accordingly, no conflict would occur.

4.10.4.2 Conclusion

The Specific Plan Update would be consistent with the City's ATP and TDM Ordinance, as it incorporates multimodal transportation improvements, including bicycle and pedestrian facilities, mobility hubs, and project-level TDM measures to reduce vehicle trips and support alternative modes of transportation.

However, as discussed above, the Specific Plan Update would not be consistent with the City's General Plan Mobility Element and TIAG with respect to applicable land use plans and policies related to circulation. Implementation of the Specific Plan Update would result in inconsistencies with the City's Mobility Element and TIAG because several roadway segments and intersections would be inconsistent with City-applicable land use plans and policies related to roadway operations because several roadway segments and intersections would not meet the City's standard and the improvements necessary to achieve compliance would be infeasible. Therefore, impacts associated with consistency with applicable land use plans and policies would be potentially significant. With implementation of subsequent mitigation measure S-LU-1, impacts would be reduced to less than significant.

4.10.5 Threshold b: Vehicle Miles Traveled

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

For purposes of this analysis, a project would be considered inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), if it would result in VMT exceeding applicable thresholds or otherwise increase VMT in a manner that would be considered significant under the City's TIAG.

In addition to the CEQA Guidelines threshold, the City's TIAG provides guidelines and thresholds for individual land use projects and Area Plan projects, such as specific plans. Based on the City's TIAG, the following thresholds are also established for the Specific Plan Update:

- Residential Uses (Area Plan Threshold): If the plan generates VMT per capita in the future plus project scenario that exceeds the VMT per resident under existing conditions and future no project/previous plan scenarios.
- Retail Uses (Land Use Threshold; no threshold for Area Plan): A net increase in existing total citywide VMT.

4.10.5.1 Methodology

The 2007 EIR analyzed the Adopted Specific Plan's potential to generate a net change over the General Plan land uses and impact on existing LOS for intersections and roadway segments within the Planning Area. The CEQA Guidelines regarding LOS were updated in December 2018 to implement requirements outlined within SB 743 regarding the use of VMT instead of LOS to determine transportation related impacts under CEQA.

The TIS completed for the project (Appendix G) conducted a VMT impact analysis based on the proposed land use development and transportation infrastructure improvements included in the Specific Plan Update. Per the City's TIAG, an impact would occur if buildout of a project would result in an increase in vehicle travel or otherwise result in VMT exceeding applicable thresholds. The TIAG requires that both VMT per Capita and Total VMT be analyzed to determine if a project has a significant transportation-related impact. VMT per Capita (for residential uses) or VMT per Service population (for mixed-use/non-residential uses) represents the average amount of travel per person associated with the project, whereas Total VMT represents the aggregate number of miles traveled by all vehicles generated by a project over a defined time period. Additionally, according to the City's TIAG, VMT must be evaluated for each component of a mixed-use project independently and apply the corresponding significance threshold for each land use type separately. Therefore, the Specific Plan Update residential units and commercial uses analyze the VMT per Capita and net Total VMT, respectively.

VMT per Capita associated with the residential component was derived from the latest SANDAG SB 743 mapping tool. The VMT forecast for the retail component was calculated based on the Boundary Method, which calculates Total VMT by multiplying the average daily traffic volume to the average trip length (see Appendix F).

4.10.5.2 Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address reductions in VMT, including those related to prioritizing connectivity, multi-modal transportation, and "park once" strategies. See Section 4.10.4.1.

4.10.5.3 Environmental Analysis

a. Residential VMT

Pursuant to the City's TIAG, the Specific Plan Update would result in a significant VMT impacts associated with residential uses if the Specific Plan Update would generate VMT per capita in the future plus project scenario that exceeds the VMT per resident under existing conditions and future no project/previous plan scenarios. It is noted that the TIAG threshold requires a comparison of Future Year (2050) VMT per Capita and Future Year No Project/Previous Plan conditions; however, there is no comparable difference between the residential units of the Specific Plan Update and the Adopted Specific Plan; both plans are capped at 2,300 dwelling units. Therefore, the residential VMT per Capita was only analyzed against Existing/Base Year (2016) Conditions.

Table 4.10-2 presents the presents the project's residential VMT efficiency metrics for Horizon Year (2050) Conditions compared to the regional VMT per Capita for Base Year (2016).

Table 4.10-2 Resident VMT Impact Analysis					
Regional Base (2016) VMT per Capita Threshold (Miles)	Scenario	Proposed Project Resident VMT per Capita			Significant Impact
		Resident VMT per Capita	VMT per Capita Reduction[1]	Adjusted VMT per Capita (Miles)	
16.0	Base Year (2016)	12.5	-19.2	10.11	No
	Future Year (2025)	10.6	0	10.6	No
Source: Appendix G, Table 3.1 The VMT/Capita obtained from the SANDAG model was then adjusted to account for the VMT reductions associated with increased housing density using methodologies outlined in the CAPCOA GHG Handbooks (Measure T-1).					

As shown in Table 4.10-2, buildout of the Specific Plan Update would have a Future Year (2050) VMT per Capita less than the Base Year regional average. Therefore, the VMT-related impact for the project's residential units would be less than significant. It is noted that the VMT per Capita shown in Table 4.10-2 is a conservative scenario because it does not include future transit infrastructure identified in SANDAG's 2025 RTP that would further reduce VMT.

b. Commercial VMT

Pursuant to the City's TIAG, the Specific Plan Update would result in a significant VMT impacts associated with commercial uses if the Specific Plan Update would generate a net increase in existing total citywide VMT. Table 4.10-3 presents the project's net Total VMT for the Specific Plan Update commercial uses.

Table 4.10-3 Commercial VMT Impact Analysis			
Specific Plan Update ADT	Trip Length	Specific Plan Update Total VMT	Significant Impact
65,888	5.7	375,562	Yes
Source: Appendix G, Table 3.2			

As shown in Table 4.10-3, buildout of the Specific Plan Update would generate a net VMT of approximately 375,562 miles per day in the City. Therefore, since the Specific Plan Update is above the zero net threshold for Total VMT, the project's commercial component would result in a significant transportation impact. It is important to note that when future commercial projects come to fruition, those projects could be considered locally serving retail and could be screened out from conducting additional VMT analyses.

Future projects in the Specific Plan Update would be reviewed for consistency with General Plan and Specific Plan Update goals and policies that would support reduction in VMT. Specifically, Land Use and Mobility goals prioritize an internal circulation system for pedestrians and cyclists while

improving access and connectivity between the Planning Area and surrounding neighborhoods. Additional goals encourage increased use of public transit by both residents and visitors and a "park once" strategy to limit small single-use trips. Furthermore, the City's General Plan Mobility Element includes numerous policies and strategies that promote alternative modes of transportation that would reduce VMT. Future projects would also be required to adhere to City plans, including the ATP and TIAG.

Notwithstanding implementation of goals, policies, and regulations, project impacts related to commercial VMT would remain potentially significant, Therefore, future projects within the Planning Area would be required to implement the subsequent mitigation measure S-VMT-1, which would be included in the Specific Plan Update Modified MMRP (see Chapter 9).

S-VMT-1 (Project Level VMT Analysis): Applications for future commercial development under the Creek Plan Specific Plan Update (Specific Plan Update) shall conduct a project level vehicle miles traveled (VMT) analysis that determines whether the proposed development would meet the screening criteria outlined in the City of San Marcos's (City) Transportation Impact Analysis Guidelines (November 16, 2020), or any subsequent updates to these guidelines.

- If the proposed development does not meet any of the screening criteria outlined in the City's Transportation Impact Analysis Guidelines, the applicant shall conduct a project-level VMT analysis and identify VMT impacts associated with the proposed development. The project applicant shall reduce project-induced VMT impacts through implementation of VMT-reducing infrastructure and/or strategies that would mitigate the project's VMT-related impacts that would be incorporated into the commercial development. In addition, the applicant shall also prepare and submit a Transportation Demand Management (TDM) Plan, consistent to the City's TDM Ordinance (Chapter 20.350 of the Municipal Code), to the City for approval and/or participate in a local, regional, or stateside VMT mitigation program, if available. The TDM Plan shall be consistent with the City's TDM Ordinance and include a series of measures to reduce project-related VMT. Measures may include strategies such as ridesharing initiatives (e.g., carpooling), promoting alternative work schedules and telework, subsidizing employee use of public transit, and promoting bicycling, walking, and the use of public transit. The TDM Plan will be subject to the City's review and approval, and no development shall proceed until the TDM Plan is deemed acceptable by the City.

4.10.5.4 Conclusion

Implementation of the Specific Plan Update would result in mixed outcomes with respect to VMT. The residential component of the project would generate VMT per Capita that is below the applicable regional threshold, and therefore, impacts associated with residential VMT would be less than significant.

In contrast, the commercial component of the Specific Plan Update would result in a net increase in total citywide VMT which exceeds the City's threshold for commercial uses. As such, the project would result in a significant impact. Although future development within the Planning Area would be required to implement applicable plans, policies, and regulations intended to reduce VMT, including the City's TDM Ordinance, and would be subject to project-level VMT analysis pursuant to

mitigation measure S-VMT-1, it cannot be guaranteed at this program level that such measures would reduce VMT impacts to below applicable thresholds.

Therefore, VMT impacts associated with commercial development under the Specific Plan Update would be significant and unavoidable. This determination is reflected in the Statement of Overriding Considerations prepared for the project.

4.10.6 Threshold c: Hazards Due to a Design Feature

Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

4.10.6.1 Summary of Prior Analysis

The 2007 EIR determined that impacts related to design hazards were not significant during the initial study process and are therefore included in Chapter 5.0 (Environmental Effects Found Not to be Significant) of the 2007 EIR. Specifically, the 2007 EIR determined that no impact would occur from the addition of Planning Area roads that are constructed as a grid system.

4.10.6.2 Changes Since Certification of the EIR

a. Citywide

There have been no changes in the City's regulatory framework or site conditions that would affect the conclusions regarding the road design.

b. Specific Plan Update

The road design proposed for the Specific Plan Update is substantially the same as the Adopted Specific Plan. Specifically, the Planning Area roads are designed as a grid system of new collector and local access streets interconnected within the existing road framework. Therefore, there are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding design feature hazards.

4.10.6.3 Supplemental Environmental Analysis

As described above, the 2007 EIR concluded that implementation of the Adopted Specific Plan would not result in hazards related to roadway design features, as the circulation system was based on a grid network of collector and local streets designed in accordance with applicable engineering standards.

The Specific Plan Update retains this overall circulation framework and does not introduce new roadway configurations, geometric design features, or land use patterns that would create hazardous conditions. Roadways within the Planning Area would continue to be designed and constructed in accordance with applicable City standards, including those related to roadway geometry, sight distance, and intersection design.

In addition, the Specific Plan Update does not introduce incompatible land uses (e.g., agricultural operations or other uses involving slow-moving equipment) that would result in conflicts with the circulation system. Therefore, implementation of the Specific Plan Update would not result in new hazards due to a geometric design feature or incompatible uses, nor would it increase the severity of previously identified impacts. No new or more severe impacts would occur.

4.10.6.4 Conclusion

The 2007 EIR determined there would be no impacts related to hazards due to a geometric design feature or incompatible uses. As the Specific Plan Update does not introduce changes to the roadway network or land use patterns that would alter this conclusion, impacts would remain less than significant. The project would not result in new or more severe impacts, and no additional mitigation is required.

4.10.7 Threshold d: Emergency Access

Would the project result in inadequate emergency access?

4.10.7.1 Summary of Prior Analysis

The 2007 EIR determined that impacts related to design hazards were not significant during the initial study process and are therefore included in Chapter 5.0 (Environmental Effects Found Not to be Significant) of the 2007 EIR. Specifically, the 2007 EIR determined that the provision of additional roadways in the Planning Area would actually serve to enhance the movement of emergency vehicles to the area south of San Marcos Creek.

4.10.7.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, the City has adopted new and updated planning documents focused on emergency readiness and evacuation planning (see Section 4.5.2). For example, General Plan Policy S-3.3 requires development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address emergency access. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal M.1: An internal circulation system that prioritizes pedestrians and cyclists, with accommodation for cars and trucks at low speeds within the Creek District.

    - Policy M.1.2 Require developers to provide the public rights-of-way needed and identified in Chapter 5.0 to connect their planned projects to off-site streets and ensure circulation for emergency purposes. Create a mechanism that allows for fair-share reimbursements to developers from subsequent projects that use that infrastructure..

4.10.7.3 Supplemental Environmental Analysis

The 2007 EIR concluded that implementation of the Adopted Specific Plan would not result in inadequate emergency access and would, in fact, enhance emergency circulation through the addition of new roadways.

The Specific Plan Update retains the overall circulation framework evaluated in the 2007 EIR and continues to require interconnected roadway networks that support emergency access and evacuation. In addition, future development would be required to comply with applicable City policies and standards related to emergency access and roadway design.

Therefore, implementation of the Specific Plan Update would not result in inadequate emergency access, nor would it increase the severity of previously identified impacts. No new or more severe impacts would occur.

4.10.7.4 Conclusion

The 2007 EIR determined that impacts related to emergency access would be less than significant. As the Specific Plan Update does not introduce changes that would alter this conclusion, impacts would remain less than significant. The project would not result in new or more severe impacts, and no mitigation is required.

4.11 Utilities and Service Systems

This section of the Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with utilities and service systems in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). The impact analysis focuses on whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Where applicable, the SEIR incorporates and relies upon the prior 2007 EIR analysis and mitigation measures, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review. For a full analysis of impacts to utilities and service systems, this section of the SEIR should be reviewed in tandem with Section 3.11 of the 2007 EIR.

4.11.1 Existing Conditions

Most utility-related planning documents and programs have been updated since certification of the 2007 EIR. This section comprehensively updates and supplements Section 3.11 of the 2007 EIR, focusing on the most updated data available.

4.11.1.1 Water Demand/Supply

a. Water Demand

Current water use (2020) is discussed in the Vallecitos Water District (VWD) Urban Water Management Plan (UWMP). Table 4.11-1 summarizes the demands by use type and a summary of their 2020 demands.

Table 4.11-1
Demands for Water - Actual

Use Type	Additional Description	Level of Treatment when Delivered	Volume (MG)
Single-Family		Drinking Water	2,135
Multi-family		Drinking Water	741
Commercial		Drinking Water	342
Industrial		Drinking Water	40
Landscape		Drinking Water	841
Agricultural Irrigation		Drinking Water	201
Losses		Drinking Water	400
Other Potable	Fire Lines	Drinking Water	89
Other Potable	Construction Water	Drinking Water	24
Other Potable	Unmetered Unbilled	Drinking Water	22
Total			4,835

Source: VWD 2021 (Table 4-1)
MG= million gallons

As shown in Table 4.11-1, actual potable water demand within the VWD service area is primarily associated with residential uses, including single-family and multi-family development, with additional demand generated by landscape irrigation, commercial uses, and other potable uses.

To support long-term water supply planning, the VWD prepares water demand projections as part of its UWMP. These projections estimate future potable water demand within the service area based on anticipated population growth, land use development, and long-term water conservation trends. Projected water demands for the VWD are summarized in Table 4.11-2.

Table 4.11-2
Demands for Water – Projected

Use Type	Projected Water Use (MG)				
	2025	2030	2035	2040	2045
Single Family	2,803	2,911	3,023	3,235	3,557
Multi-family	973	1,010	1,049	1,123	1,235
Commercial	448	466	484	517	569
Industrial	53	55	57	61	67
Landscape	1,105	1,147	1,191	1,275	1,402
Agricultural Irrigation	263	274	284	304	334
Losses	525	545	566	606	666
Fire Lines	117	122	127	136	149
Construction Water	31	33	34	36	40
Unmetered Unbilled	29	30	31	33	36
Total	6,347	6,593	6,846	7,326	8,055

Source: VWD 2021 (Table 4-2)
MG= million gallons

As shown in Table 4.11-2, water demand within the VWD service area is projected to increase gradually over the planning horizon as population and development within the service area continues to grow.

b. Water Supply

Water service to the San Marcos Creek Specific Plan area (Planning Area) is provided by VWD. VWD provides potable water service to approximately 45 square miles in northern San Diego County, including the City of San Marcos (City) and portions of surrounding communities. VWD is a member agency of the San Diego County Water Authority (SDCWA), which purchases and imports water supplies from the Metropolitan Water District of Southern California and other regional sources. In addition, the regional supply portfolio includes locally developed sources such as desalinated seawater and conserved water transfer agreements. These supplies collectively provide the potable water delivered by the VWD to customers within its service area, including the Planning Area.

VWD does not operate local surface water reservoirs or groundwater basins, and therefore relies primarily on imported water purchased from SDCWA. The district's supply portfolio also includes desalinated seawater produced at the Claude "Bud" Lewis Carlsbad Desalination Plant, which

contributes to regional supply reliability. The following is a list of imported water supplies available to the VWD, summarized from the 2020 UWMP.

Colorado River Transfer - Imperial Irrigation District: The SDCWA obtains a portion of the Imperial Irrigation District's Colorado River water allocation through a long-term water conservation and transfer agreement executed between 1998 and 2003. Under this agreement, SDCWA initially received 10,000 acre-feet per year (AFY) beginning in 2003, with deliveries increasing incrementally to 200,000 AFY by 2021. The agreement has an initial 45-year term, with the option for a 30-year extension. This transfer provides a significant and reliable source of Colorado River water for the San Diego region.

All-American Canal and Coachella Canal Lining Projects: As part of the 2003 Quantification Settlement Agreement, SDCWA secured 77,700 AFY of conserved Colorado River water through projects that lined portions of the All-American Canal and Coachella Canal. These projects reduced water losses from seepage by constructing concrete-lined canals or parallel lined conveyance facilities. Deliveries of conserved water from the Coachella Canal began in 2007, followed by deliveries from the All-American Canal in 2010. Over the 110-year life of the agreement, the canal lining projects are expected to provide approximately 8.5 million acre-feet of conserved water to the San Diego region.

Carlsbad Seawater Desalination Facility: The Carlsbad Seawater Desalination Facility, located at the Encina Power Station site in the city of Carlsbad, began operations in December 2015, and is owned by Poseidon Resources Corporation. The facility produces approximately 18,250 million gallons (MG) of potable water annually (roughly 56,000 AFY) and provides a drought-resistant local supply for the San Diego region. Desalinated water is conveyed through a pipeline to the SDCWA aqueduct system and distributed to member agencies after blending with treated, imported water.

Recycled Water: VWD is actively involved in planning for the use of recycled water. VWD is a member of the North San Diego Water Reuse Coalition, participating in programs to expand recycled water use.

Collectively, these regional and local supply programs form a diversified water supply portfolio. Table 4.11-3 summarizes actual and projected water supplies for VWD.

Table 4.11-3
Water Supplies

Water Supply	2020 Actual Water (MG)	Projected Water Use (MG[1])				
		2025	2030	2035	2040	2045
Purchased or Imported	3,722	4,554	4,828	5,042	5,462	6,161
Desalinated	1,113	1,140	1,140	1,140	1,140	1,140
Total	**4,835**					
Recycled		471	471	771	771	771
Total		**6,165**	**6,439**	**6,653**	**7,373**	**8,072**

Source: VWD 2021 (Table 6-9)
MG= million gallons

As shown in Table 4.11-3, VWD's available water supplies are sufficient to meet both existing and projected potable water demands within the service area. Actual potable water demand in 2020 totaled approximately 4,835 MG, which was fully accommodated by the district's available supply. Projected water supplies, including imported water purchased from the SDCWA, desalinated water, and anticipated recycled water supplies, are anticipated to meet or exceed projected water demands throughout the UWMP planning horizon through 2045. The Planning Area is located within the VWD service area; therefore, water demand associated with existing development within the Planning Area is accounted for within the district's existing demand totals and supply planning projections.

4.11.2 Utility Facilities

4.11.2.1 Water System Infrastructure

VWD currently receives water from the SDCWA through five potable water connections (turnouts) to the SDCWA's aqueduct system. VWD currently operates an extensive water distribution system consisting of reservoirs, pump stations, and approximately 367 miles of water pipelines that convey imported and desalinated water supplies throughout the service area. According to the VWD 2018 Water, Wastewater, and Recycled Water Master Plan (2018 Master Plan), the existing water system is capable of serving current demands within the district. The Master Plan also identifies a series of planned infrastructure improvements, including reservoir expansions and pump station upgrades, that would be implemented over time to maintain system reliability and accommodate future demand associated with planned development within VWD's service area. Because the Planning Area lies within the VWD service area, water demand is accounted for within the district's system planning and infrastructure evaluations.

4.11.2.2 Wastewater System Infrastructure

Wastewater collection and conveyance service within the VWD service area is provided by the district's regional wastewater collection system. VWD operates an extensive wastewater conveyance system consisting of approximately 275 miles of sewer pipelines, lift stations, and related facilities that transport wastewater from residential, commercial, and industrial uses throughout the service area. Wastewater generated within the district is conveyed to regional treatment facilities, including the Meadowlark Water Reclamation Facility and the Encina Wastewater Authority. The Planning Area is specially served by the Encina Wastewater Authority. According to the 2018 Master Plan, the wastewater system serves current demands within VWD. Because the Planning Area lies within the VWD service area, wastewater flows associated with the Planning Area are accounted for within VWD's system planning and infrastructure evaluations.

4.11.2.3 Stormwater System Infrastructure

Stormwater drainage within the City, including the Planning Area, is managed through the City's municipal storm drain system and regional drainage facilities. The City operates a network of storm drains, culverts, and channels that convey runoff from developed areas to local receiving waters, including San Marcos Creek and its tributaries. Stormwater infrastructure within the Planning Area ultimately drains to San Marcos Creek, which serves as the primary drainage conveyance through

the Planning Area. The City regulates stormwater management through its municipal stormwater program and development standards, which require the incorporation of stormwater control measures and best management practices in new development projects. Because the Planning Area lies within the City's stormwater drainage system, runoff generated within the Planning Area is conveyed through the City's existing storm drainage infrastructure and is subject to the City's stormwater management requirements.

4.11.2.4 Solid Waste

Solid waste collection within the City, including the Planning Area, is provided by the City's franchised waste hauler, EDCO Waste & Recycling Services (EDCO). EDCO collects residential, commercial, and recyclable materials generated within the City. Because the Planning Area lies within the City, solid waste generated within the Planning Area would be collected and managed through the City's existing solid waste management system.

Solid waste generated within the City is transported to regional transfer and disposal facilities serving North San Diego County. The Escondido Resource Recovery and Transfer Station, operated by EDCO, receives and consolidates solid waste prior to transport to regional disposal facilities. The facility has historically operated under a permitted throughput of approximately 1,000 tons per day. Solid waste from the transfer station is typically transported to regional landfills, including the Sycamore Landfill in the city of San Diego. The Sycamore Landfill has a permitted disposal capacity of approximately 3,965 tons per day, although expansion proposals have evaluated increases to higher capacities and extended operational life (California Department of Resources Recycling and Recovery [CalRecycle] 2026).

4.11.2.5 Electricity, Natural Gas, and Telecommunications Facilities

San Diego Gas & Electric (SDG&E) provides energy service to an estimated 3.7 million consumers through 1.49 million electric meters and approximately 905,000 natural gas meters (SDG&E 2026). Pursuant to the Specific Plan Update, all existing overhead distribution lines for electricity, telephone, and telecommunications will be moved into underground joint trenches shared by service providers. Undergrounding of the existing overhead lines will be performed as new development occurs, with costs borne by developers.

4.11.3 Regulatory Framework

This section summarizes new and updated federal, state, and local regulations, plans, and policies that have been adopted or amended since certification of the 2007 EIR. Because this SEIR is intended to supplement, not replace, the previously certified document, both the 2007 EIR and this SEIR together form the most current and comprehensive regulatory framework for the project.

Users of this SEIR, including future project applicants, reviewers, and decision-makers, should review both this document and the 2007 EIR in tandem to ensure consistency with the most up-to-date regulatory framework.

4.11.3.1 Federal Regulations

a. Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) establishes the federal framework for the management of solid and hazardous waste. Under Subtitle D of RCRA, the U.S. Environmental Protection Agency sets minimum national criteria for non-hazardous solid waste disposal facilities, including municipal solid waste landfills. These regulations address landfill siting, design, operation, groundwater monitoring, and closure to ensure protection of human health and the environment. RCRA also establishes a system for tracking hazardous waste from generation through disposal. While solid waste management is largely implemented at the state and local level, RCRA provides overarching standards that guide landfill operations and environmental protection measures.

4.11.3.2 State Regulations

a. California Water Plan

The California Water Plan is the state's strategic plan for managing and developing water resources statewide for current and future generations, as required by the California Water Code. The plan is updated every five years. The most recent plan is the 2023 Update, which promotes climate resilience across regions and water sectors with a statewide vision, clear goals, a watershed planning framework and toolkit, and a progress-tracking dashboard of indicators. It also includes updated resource management strategies, regional planning and performance tracking tools, water balances, future scenarios, and other technical and policy-related activities related to water resilience and sustainability (California Department of Water Resources 2023).

b. California Integrated Waste Management Act (Assembly Bill 939)

The California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) established the foundation for modern solid waste management in California by requiring local jurisdictions to reduce the amount of waste disposed in landfills. AB 939 mandated that cities and counties achieve a minimum 50 percent diversion of solid waste through source reduction, recycling, and composting. The law also created CalRecycle, which oversees statewide waste management programs, compliance, and planning. Jurisdictions are required to prepare and implement Integrated Waste Management Plans demonstrating how diversion requirements will be achieved and maintained.

c. Assembly Bill 341 (Mandatory Commercial Recycling)

AB 341, enacted in 2011, expanded California's recycling requirements by mandating that businesses and public entities generating a specified amount of solid waste implement recycling programs. AB 341 also established a statewide goal of achieving 75 percent waste diversion through source reduction, recycling, and composting. The law is implemented by CalRecycle and local jurisdictions, including the City, through franchise waste haulers and local recycling programs.

d. Assembly Bill 1826 (Mandatory Commercial Organics Recycling)

AB 1826, adopted in 2014, requires certain commercial waste generators to arrange for recycling of organic waste, including food waste, green waste, and other compostable materials. The law was implemented in phases based on the amount of organic waste generated and applies to businesses, including restaurants, grocery stores, and multi-family residential developments. AB 1826 builds upon earlier recycling requirements by targeting organic waste streams that contribute significantly to landfill volume.

e. Senate Bill 1383 (Short-Lived Climate Pollutants Program)

Senate Bill (SB) 1383, adopted in 2016, represents a major expansion of California's solid waste regulatory framework and focuses on reducing methane emissions from landfills. SB 1383 requires a 75 percent reduction in the disposal of organic waste by 2025 and mandates that all residents and businesses participate in organic waste collection programs. The law also establishes requirements for edible food recovery to reduce food waste and support food security. SB 1383 is implemented at the local level through jurisdictional programs, including organics recycling services and procurement requirements, and is enforced by CalRecycle.

f. California Public Resources Code (Division 30 – Waste Management)

Division 30 of the California Public Resources Code provides the statutory authority for solid waste management in California, including planning, permitting, and regulation of solid waste facilities. It establishes requirements for local and regional planning, landfill permitting, and maintenance of adequate disposal capacity. These provisions are implemented by CalRecycle in coordination with local enforcement agencies and form the legal basis for many of the state's waste diversion and recycling laws.

4.11.3.3 Regional Regulations

a. San Diego County Integrated Waste Management Plan

The San Diego County Integrated Waste Management Plan provides a comprehensive framework for managing solid waste within the county, including the City. The Integrated Waste Management Plan includes a Siting Element that identifies existing and future landfill capacity needs and ensures that at least 15 years of disposal capacity is available, consistent with state law. The plan coordinates regional waste management strategies, including recycling, diversion, and disposal, and supports long-term planning for solid waste infrastructure.

b. Local Enforcement Agency Program

The Local Enforcement Agency (LEA) for the City is the San Diego County Department of Environmental Health and Quality, as designated by CalRecycle. The LEA is responsible for permitting, inspecting, and enforcing regulations at solid waste facilities such as landfills and transfer stations. The LEA ensures that facilities operate in compliance with state and federal regulations,

including those related to environmental protection, public health, and safety. The LEA plays a key role in implementing California's solid waste regulatory framework at the local level.

4.11.3.4 Local Regulations

a. Vallecitos Water District

Vallecitos Water District Urban Water Management Plan

The VWD 2020 UWMP was prepared in accordance with the California Urban Water Management Planning Act (California Water Code Sections 10610–10656), which requires urban water suppliers to prepare and update water management plans every five years. The UWMP evaluates existing and projected water demands within the service area and identifies the water supply sources available to meet those demands. The plan also includes an assessment of water supply reliability under normal, single dry-year, and multiple dry-year conditions, and identifies water conservation and demand management measures implemented by the district. The UWMP serves as a planning document that guides long-term water supply management and helps ensure that adequate water supplies are available to serve existing and planned development within the service area.

Vallecitos Water District Water, Wastewater, and Recycled Water Master Plan

The VWD 2018 Water Master Plan evaluates the capacity and performance of the district's existing water, wastewater, and recycled water infrastructure systems and identifies improvements needed to maintain system reliability and accommodate future growth within the service area. The 2018 Master Plan includes analyses of water storage, pumping, conveyance, and wastewater collection facilities based on projected demands associated with planned land uses. The document also identifies potential infrastructure improvements, such as reservoir expansions, pump station upgrades, and pipeline improvements, that may be implemented through the district's capital improvement program to ensure adequate utility service for future development.

b. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to utility infrastructure. The General Plan compatibility guidelines ensure that new developments are adequately served by utilities and service systems. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Conservation and Open Space Element

- Goal COS-5: Reduce water consumption and ensure reliable water supply through water efficiency, conservation, capture, and reuse.

- Goal COS-10: Establish and maintain an innovative, sustainable solid waste collection, recycling, and disposal delivery system for present and future generations.
    - Policy COS-10.1: Promote the curbside recycling program to divert residential refuse from the landfills.

Land Use and Community Design Element

- Goal LU-8: Ensure that existing and future development is adequately serviced by infrastructure and public services.
    - Policy LU-8.1: New development shall pay its fair share of required improvements to public facilities and services.
    - Policy LU-8.2: Promote development timing that is guided by the adequacy of existing and/or expandable infrastructure, services, and facilities.
- Goal LU-13: Water Service and Supply: Manage and conserve domestic water resources by reducing water usage and waste on a per capita basis, to ensure an adequate water supply for existing and future residents.
- Goal LU-14: Wastewater: Ensure an adequate wastewater system for existing and future development.
    - Policy LU-14.2: Ensure development approval is directly tied to commitments for the construction or improvement of primary water, wastewater, and circulation systems.
- Goal LU-16: Solid waste: reduce the amount of waste material entering regional landfills with an efficient and innovative waste management program.
    - Policy LU-16.2: Increase recycling, composting, source reduction, and education efforts throughout the city to reduce the amount of solid waste requiring disposal at landfills.

c. City of San Marcos Municipal Code

Since certification of the 2007 EIR, the following code sections have been codified into the San Marcos Municipal Code (SMMC). Future projects within the Planning Area would be required to adhere to all relevant regulations in effect at the time of project processing.

Title 8, Health and Sanitation

SMMC Title 8 contains regulations and provisions on sewers and sewage disposal plants, sewer connections, septic tanks, waste matter, garbage and refuse collection, and other matters concerning sanitation. Chapter 14.15 contains regulations concerning stormwater management and discharge control. Chapter 14.24 contains regulations concerning underground utility facilities.

Title 20, Water Efficient Landscaping Ordinance

SMMC Chapter 20.330 details the City's Water Efficient Landscape, which establishes specific standards for landscape and irrigation design and installation to ensure beneficial, efficient, and responsible use of water resources within the City.

SMMC Chapter 20.445 establishes requirements for the provision and design of refuse and recycling facilities for new development. The chapter requires that all development projects incorporate adequate space for the storage and collection of solid waste, recyclable materials, and, where applicable, organic waste. Standards address the location, size, accessibility, and screening of refuse and recycling areas, ensuring that facilities are functional for collection vehicles while minimizing visual and environmental impacts. The code also requires that projects comply with applicable state and local recycling and diversion regulations and support the City's franchise-based waste collection system, under which authorized haulers provide refuse and recycling services. Overall, the chapter ensures that new development is designed to accommodate efficient waste management practices and support compliance with state-mandated recycling and diversion goals.

4.11.4 2007 Thresholds of Significance

Subsection 3.11 of the 2007 EIR evaluated impacts based on whether the San Marcos Creek Specific Plan (Adopted Specific Plan) would:

Water

a. Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

b. Have insufficient water supplies available to serve the project from existing entitlements and resources or require new or expanded entitlements.

Wastewater

c. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

d. Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Solid Waste

f. The project area is unable to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

g. Project development does not comply with federal, state, and local statutes and regulations related to solid waste.

4.11.4.1 Updated Thresholds of Significance

Since certification of the 2007 EIR, the California Environmental Quality Act Guidelines Thresholds of Significance have been revised related to the subject area of utilities and service systems. The thresholds have been reorganized and condensed to better reflect a focused discussion of potential impacts related to hydrology and water quality. To provide a comprehensive supplemental analysis, the determinations of the 2007 EIR are summarized; however, the updated evaluation is based on the following updated thresholds.

Would the Specific Plan Update:

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.

The following analysis supplements the 2007 EIR using the updated thresholds.

4.11.5 Threshold a: Facilities

Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

4.11.5.1 Summary of Prior Analysis

The 2007 EIR did not include an analysis of stormwater drainage, electric power, natural gas, or telecommunications facilities.

a. Water

The 2007 EIR evaluated water infrastructure required to serve development within the Planning Area. The analysis concluded that domestic water service and fire protection would be provided through new water mains and fire hydrants constructed in accordance with VWD standards. Water supply to the site would be provided through an existing 12-inch water line located beneath Creekside Road, with additional water lines proposed along McMahr Road, Via Vera Cruz, and Bent Avenue to extend service throughout the Planning Area. On-site water infrastructure improvements were included within the project footprint and analyzed as part of the overall project, and the 2007 EIR concluded that installation of these facilities would result in less than significant environmental impacts. However, because the extent of potential off-site water infrastructure improvements was not known at the time, the 2007 EIR concluded that impacts associated with possible off-site infrastructure could be significant.

The 2007 EIR included mitigation measure MM 3.11-1, the implementation of which would reduce potentially significant impacts related to off-site infrastructure requirements to less than significant levels.

> MM 3.11-1: Future development within the Specific Plan (Phase 2) shall not occur until the VWD San Marcos Interceptor project has been completed. Additionally, Water and Sewer Studies shall be prepared to the satisfaction of VWD and shall identify the needed infrastructure needed to support Phase 2 development of the project. Future developers within the Specific Plan area shall be responsible for the payment of fair share fees for the necessary water and sewer infrastructure upgrades. Additional environmental review shall be required for any off-site improvements. Additionally, prior to the issuance of building permits for Phase 2 development, the Water Supply Assessment shall be revised by VWD.

b. Wastewater

The 2007 EIR evaluated wastewater infrastructure required to serve development within the Planning Area. The project proposed installation of an eight-inch sewer line along Creekside Road, with six- to eight-inch laterals extending throughout the internal street network to serve the Planning Area. These on-site sewer infrastructure improvements were included within the overall project footprint analyzed in the 2007 EIR. The 2007 EIR concluded that installation of the on-site wastewater infrastructure would not result in additional environmental impacts. However, the 2007 EIR concluded that potential off-site wastewater infrastructure improvements that may be required to serve the project were not fully defined at the time, and therefore could result in a potentially significant impact.

The 2007 EIR included mitigation measure MM 3.11-1, the implementation of which would reduce potentially significant impacts related to off-site infrastructure requirements to less than significant levels.

4.11.5.2 Changes Since Certification of the 2007 EIR

a. Citywide

The City's General Plan Update contains goals and policies ensuring adequate facilities are available to support new development (see Section 4.11.3.5).

The completion of the City Interceptor project is discussed in Section 4.11.6, Threshold b: Sufficient Water Supplies, due to its relationship to wastewater capacity.

b. Specific Plan Update

The Specific Plan Update includes several goals and policies focused on the utility facilities planning. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal IPS.1: Water, sewer, flood control, and other critical infrastructure facilities that accommodate buildout of the Creek District as envisioned in this Specific Plan.
    - Policy IPS.1.1: Coordinate with the VWD to ensure that Planning Area and citywide development projections are incorporated into VWD's long-range plans for water supply and delivery and wastewater collection and treatment.
    - Policy IPS.1.5: Identify approaches to relocating existing above-ground utilities underground, and require that all new development install underground utilities.

4.11.5.3 Environmental Analysis

a. Water

Development consistent with the Specific Plan Update would increase existing water infrastructure demands, requiring expansion of the VWD water delivery system; however, the required level of improvements would not exceed the capacity studied in the 2007 EIR. The Specific Plan Update's conceptual water distribution system is illustrated in Figure 2-4; all potential environmental impacts associated with the construction of the infrastructure improvements within the Planning Area are included as part of the project and evaluated throughout this SEIR. Future projects would be reviewed for consistency with the City's General Plan, including policies related to providing adequate water infrastructure. For example, Policies LU 8.1 and 8.2 direct new development to pay its fair share of required infrastructure improvements and promote development timing to ensure the adequacy of existing infrastructure. While application of policy standards would ensure adequate infrastructure would be available to serve future projects, similar to the conclusions reached in the 2007 EIR, because the extent of potential off-site water infrastructure improvements is not known at this time, impacts associated with possible off-site infrastructure improvements (outside the Planning Area) could be significant. Implementation of existing mitigation measure MM 3.11-1 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program) would require project-level water studies

be prepared to the satisfaction of VWD to identify infrastructure improvements. If required, future development within the Planning Area would be responsible for payment of fair share fees associated with identified water infrastructure upgrades. The mitigation measure also requires any off-site infrastructure improvements undergo project-level environmental review. Implementation of mitigation measure MM 3.11-1 would reduce potentially significant impacts associated with water infrastructure to less than significant levels.

b. Wastewater

Development consistent with the Specific Plan Update would increase existing wastewater infrastructure demands, requiring expansion of the VWD sewer delivery system; however, the required level of improvements would not exceed the capacity studied in the 2007 EIR. The Specific Plan Update's conceptual sewer distribution system is illustrated in Figure 2-5; all potential environmental impacts associated with the construction of the infrastructure improvements within the Planning Area are included as part of the project and evaluated throughout this SEIR. Future projects would be reviewed for consistency with the City's General Plan, including policies related to providing adequate wastewater infrastructure. For example, Policy LU-14.2 ties development approval to commitments for the construction or improvement of wastewater systems. While application of policy standards would ensure adequate infrastructure would be available to serve future projects, similar to the conclusions reached in the 2007 EIR, because the extent of potential off-site wastewater improvements is not known at this time, impacts associated with possible off-site infrastructure improvements (outside the Planning Area) could be significant. Implementation of existing mitigation measure MM 3.11-1 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program) would require project-level sewer studies be prepared to the satisfaction of VWD to identify infrastructure improvements. If required, future development within the Planning Area would be responsible for payment of fair share fees associated with identified infrastructure upgrades. The mitigation measure also requires any off-site infrastructure improvements undergo project-level environmental review. Implementation of mitigation measure MM 3.11-1 would reduce potentially significant impacts associated with wastewater infrastructure to less than significant levels.

c. Stormwater

New development resulting from implementation of the Specific Plan Update would result in greater impervious surfaces and could increase stormwater run-off, alter drainage patterns, and exceed stormwater facility capacity. As discussed in Section 4.6.5, the project would implement one of two solutions to support increased size and configuration capable of managing project runoff: an on-site conveyance alternative and an off-site infrastructure alternative. The impacts associated with drainage improvements have been considered as part of the project's environmental impact assessment.

Under either alternative, conceptual drainage plans would guide implementation, and improvements would be constructed incrementally in conjunction with future development projects. Developers would be required to prepare detailed engineering plans for their respective portions of the drainage system improvements. In addition, all future development and redevelopment would incorporate best management practices and low-impact development measures to manage project-level runoff

and minimize increases in flow volume and velocity. Compliance with applicable regional and local stormwater regulations would reduce potential effects on drainage patterns and flood flows.

Accordingly, through compliance with applicable regulatory requirements, implementation of City standards of approval, and construction of required drainage improvements at the project level, impacts associated with stormwater infrastructure would be less than significant.

d. Electric Power/Natural Gas/Telecommunication

The project would be served by SDG&E for electricity and gas services. Telephone and data services would be provided by private companies. In addition to expanding service, all existing overhead distribution lines for electricity, telephone, and telecommunications would be moved into underground joint trenches shared by service providers. Undergrounding of the existing overhead lines would be performed as new development occurs, with costs borne by developers. A new gas line and joint utilities trench would be installed as determined by the utility providers. Future projects would also be reviewed for compliance with the Specific Plan Update goals and policies. Specifically, Policy 5.1.5 requires the relocation of existing above-ground utilities underground and requires that all new developments install underground utilities. As new utility lines would be established consistently with and as a part of new development proposals, impacts associated with electric power, natural gas, and telecommunication lines would be less than significant.

4.11.5.4 Conclusion

Mitigation measure MM 3.11-1, identified in the 2007 EIR, would continue to apply to future projects and remain effective in addressing water and wastewater facilities. Impacts associated with stormwater, electric power, natural gas, and telecommunications would be less than significant. With this measure carried forward, impacts associated with water and wastewater facilities would remain less than significant, and no new mitigation measures would be required.

4.11.6 Threshold b: Sufficient Water Supplies

Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

4.11.6.1 Summary of Prior Analysis

The 2007 EIR evaluated the availability of water supplies to serve buildout of the Adopted Specific Plan using a Water Supply Assessment prepared for the project. The analysis estimated that development would result in an average potable water demand of approximately 428,930 gallons per day (approximately 494.7 AFY) at buildout. This demand represented approximately 2 percent of the VWD's existing district-wide demand, which was estimated at approximately 17,200 AFY. The Water Supply Assessment concluded that VWD had sufficient water supplies to meet the project's anticipated demand. In addition, long-term water supply projections prepared by VWD indicated that adequate water supplies would be available through 2030 under normal, single dry-year, and multiple dry-year conditions, particularly with implementation of planned water conservation measures. Based on these findings, the 2007 EIR concluded that sufficient water supplies were

available to serve development under the Specific Plan, and impacts were determined to be less than significant.

4.11.6.2 Changes Since Certification of the 2007 EIR

a. Citywide

Since certification of the 2007 EIR, VWD has adopted updated water supply plans, including the VWD 2020 UWMP and the VWD 2018 Water Master Plan, which realign anticipated demands with water supply. Additionally, the City's General Plan Update contains goals and policies directed at ensuring adequate water supplies are available to support the demands of new development (see Section 4.11.3.5).

b. Specific Plan Update

See Section 4.11.5.2.

4.11.6.3 Environmental Analysis

The 2007 EIR evaluated the availability of water supplies to serve buildout of the Adopted Specific Plan based on a Water Supply Assessment prepared for the project and concluded that sufficient water supplies were available to meet anticipated demands under normal, single dry-year, and multiple dry-year conditions. The Specific Plan Update would accommodate the same general overall development potential as was assumed in the 2007 EIR; therefore, no substantial increase in total water demand is anticipated. Current baseline information was evaluated using the VWD 2020 UWMP (see Section 4.11.1). Pursuant to the VWD 2020 UWMP, supplies would be available to meet projected short-range and long-range demands through 2045 under ordinary-year conditions. For the single and multiple dry-year scenarios, the 2020 UWMP provides an updated calculation of available supply. As shown in Tables 4.11-4 and 4.11-5, there would be adequate supply to support VWD's single and multiple dry-year needs.

Table 4.11-4
Single Dry-Year Supply and Demand Comparison

	Projected Water Use (MG)				
	2025	2030	2035	2040	2045
Supply Totals	7,296	7,558	7,828	8,663	9,444
Demand Totals	7,296	7,558	7,828	8,663	9,444
Difference	0	0	0	0	0

Source: VWD 2021 (Table 7-3)
MG= million gallons

Table 4.11-5 Multiple Dry-Years Supply and Demand Comparison						
		Projected Water Use (MG)				
	Totals	2025	2030	2035	2040	2045
First Year	Supply Totals	7,296	7,558	7,828	8,663	9,444
	Demand Total	7.296	7,558	7,828	8,663	9,444
	Difference	0	0	000	0	0
Second Year	Supply Totals	7,364	7,628	7,901	8,744	9,532
	Demand Total	7,364	7,628	7,901	8,744	9,532
	Difference	0	0	0	0	0
Third Year	Supply Totals	7,364	7,628	7,901	8,744	9,532
	Demand Total	7,364	7,628	7,901	8,744	9,532
	Difference	0	0	0	0	0
Fourth Year	Supply Totals	7,432	7,699	7,975	8,825	9,620
	Demand Total	7,432	7,699	7,975	8,825	9,620
	Difference	0	0	0	0	0
Fifth Year	Supply Totals	7,432	7,699	7,975	8,825	9,620
	Demand Total	7,432	7,699	7,975	8,825	9,620
	Difference	0	0	0	0	0
Source: VWD 2021 (Table 7-4s) MG= million gallons						

The VWD 2020 UWMP projects future water demands based on regional growth forecasts and land use assumptions provided by the San Diego Association of Governments and local jurisdictions, including the City General Plan. These planning assumptions include development within the Planning Area, which has been designated for urban development since adoption of the original Specific Plan.

The Specific Plan Update would not increase overall development potential beyond that previously planned and evaluated; rather, it would allow for a similar or reduced level of development intensity. As such, projected water demands associated with buildout of the Planning Area are within the range of demand already accounted for in the UWMP. Future projects would be reviewed for consistency with the City's General Plan, including policies related to ensuring sufficient water capacity and encouraging water conservation. For example, Goal LU 13 encourages implementation of policies that manage and conserve domestic water resources by reducing water usage and ensures the adequacy of water supply for existing and future residents.

Therefore, based on the 2020 UWMP's conclusion that sufficient water supplies are available to meet projected demands through 2045 under all conditions, impacts related to water supply would be less than significant.

4.11.6.4 Conclusion

Consistent with the 2007 EIR, impacts associated with sufficient water supply would remain less than significant, and no new mitigation measures would be required.

4.11.7 Threshold c: Wastewater Capacity

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

4.11.7.1 Summary of Prior Analysis

The 2007 EIR evaluated the capacity of the wastewater collection and treatment system to accommodate development under the Specific Plan. At the time, the VWD conveyed an average wastewater flow of approximately 7.5 MG per day. Buildout of the Adopted Specific Plan was estimated to generate an additional 600,000 gallons per day of wastewater. The 2007 EIR concluded that wastewater generated by the project would need to be accommodated within the planned City Interceptor project and could result in increased flows within downstream sewer collection and conveyance facilities. Because the additional flows could have a significant impact on the existing sewer system and treatment facilities and could require upgrades to the wastewater collection, conveyance, and treatment infrastructure, the 2007 EIR concluded that impacts related to wastewater system capacity would be significant.

The 2007 EIR included mitigation measure MM 3.11-1, the implementation of which would reduce potentially significant impacts related to wastewater capacity to less than significant levels.

4.11.7.2 Changes Since Certification of the 2007 EIR

a. Citywide

The City's General Plan Update contains goals and policies directed at ensuring service systems are available to support the demands of new development (see Section 4.11.3.6).

b. Specific Plan Update

See Section 4.11.5.2.

4.11.7.3 Environmental Analysis

Since certification of the 2007 EIR, the City Interceptor project has been completed. This improvement was identified in the 2007 EIR as necessary to accommodate wastewater flows associated with development under the Specific Plan and to provide sufficient conveyance capacity within the sewer system. It was specifically called out as part of mitigation measure MM 3.11-1.

The Specific Plan Update would not increase overall development potential beyond that evaluated in the 2007 EIR and would allow for a similar or reduced level of development intensity. As such, wastewater generation under the Specific Plan Update would be within the range of flows previously analyzed. In addition, wastewater treatment and conveyance services are provided by VWD, which plans for and maintains sufficient capacity to serve existing and projected development through capital improvement planning, system upgrades, and ongoing coordination with regional treatment

facilities. With completion of the City Interceptor project and implementation of the remaining measures included in existing mitigation measure MM 3.11-1 (see Chapter 9, Modified Mitigation, Monitoring and Reporting Program), including preparation of project-level sewer studies and payment of applicable development impact fees, sufficient wastewater conveyance and treatment capacity is available to serve development within the Planning Area. Future projects would be reviewed for consistency with the City's General Plan, including policies related to ensuring sufficient wastewater capacity. For example, Goal LU-14 encourages implementation of policies that ensure an adequate wastewater system for existing and future development.

Therefore, the Specific Plan Update would not result in a new significant impact or a substantial increase in the severity of the previously identified impact. Impacts related to wastewater system capacity would be less than significant.

4.11.7.4 Conclusion

Portions of mitigation measure MM 3.11-1 identified in the 2007 EIR would continue to apply to the project and remain effective in addressing potential impacts to wastewater capacity. With this measure carried forward, the findings and determinations of the 2007 EIR remain valid.

4.11.8 Threshold d: Solid Waste

Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

4.11.8.1 Summary of Prior Analysis

The 2007 EIR evaluated the solid waste generated by buildout of the Adopted Specific Plan using waste generation rates developed by the California Integrated Waste Management Board. The analysis estimated that the project would generate approximately 10,455 tons of solid waste per year, or approximately 28.6 tons per day, assuming no recycling or diversion. Applying the City's reported diversion rate of approximately 52 percent, the amount of waste requiring landfill disposal was estimated to be approximately 5,019 tons per year, or 13.8 tons per day. Solid waste generated by the project would be transported to regional disposal facilities, including the Sycamore Landfill, which had a permitted capacity of approximately 3,965 tons per day. Because the project's waste generation represented a small fraction of the landfill's permitted capacity, and correspondence from EDCO indicated that both the Escondido Transfer Station and Sycamore Landfill had adequate capacity to accommodate the additional waste, the 2007 EIR concluded that impacts related to landfill capacity would be less than significant.

4.11.8.2 Changes Since Certification of the 2007 EIR

a. Citywide

Solid waste generation and disposal within the City are regulated by a comprehensive framework of federal, state, and local laws. At the federal level, the Resource Conservation and Recovery Act establishes standards for solid waste handling and landfill operations. At the state level, the California Integrated Waste Management Act (AB 939) and subsequent legislation, including AB 341, AB 1826, and SB 1383, require waste diversion, recycling, and organic waste reduction. These regulations are implemented by CalRecycle and enforced locally through the County's Local Enforcement Agency and Integrated Waste Management Plan. At the local level, the City provides solid waste services through franchise haulers and implements recycling and organics collection programs consistent with state requirements. Collectively, these regulations reduce the volume of waste disposed in landfills and ensure adequate long-term disposal capacity.

The City's General Plan Update contains goals and policies directed at reduction of solid waste and encouragement of recycling programs (see Section 4.11.3.6).

b. Specific Plan Update

Solid waste services for the Planning Area are provided by private franchise haulers (e.g., EDCO) serving residential, commercial, and industrial customers. Provisions are made for collecting recyclables and organic waste in addition to regular trash.

4.11.8.3 Environmental Analysis

The 2007 EIR evaluated solid waste generation associated with buildout of the Adopted Specific Plan using generation rates developed by the California Integrated Waste Management Board. The Specific Plan Update would not increase overall development potential beyond that evaluated in the 2007 EIR and would allow for a similar or reduced level of development intensity. Therefore, solid waste generation associated with buildout of the Planning Area would be within the range previously analyzed.

Solid waste services within the Planning Area are provided by private franchise haulers serving residential, commercial, and industrial uses. In addition to regular refuse collection, recycling and organic waste collection programs are implemented, which reduce the amount of waste requiring landfill disposal compared to conditions evaluated in the 2007 EIR. Solid waste generated within the Planning Area would continue to be processed through regional facilities, including transfer and disposal at permitted landfills with available capacity. Future projects would be reviewed for consistency with the City's General Plan, including policies related to ensuring adequate solid waste management. For example, Goal LU-16 encourages implementation of policies that reduce the amount of waste material entering regional landfills with an efficient and innovative waste management program.

Because the Specific Plan Update would not substantially increase solid waste generation beyond that previously analyzed, and because adequate regional disposal capacity and diversion programs are in place, the project would not result in a new significant impact or a substantial increase in the severity of the previously identified less than significant impact. Impacts related to solid waste would remain less than significant.

4.11.8.4 Conclusion

, Consistent with the 2007 EIR, impacts associated with solid waste generation would remain less than significant, and no new mitigation measures would be required.

4.11.9 Threshold e: Compliance with Solid Waste Regulations

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

4.11.9.1 Summary of Prior Analysis

The 2007 EIR estimated solid waste generation using California Integrated Waste Management Board rates and determined that buildout of the Adopted Specific Plan would generate approximately 10,455 tons per year (28.6 tons per day) assuming no diversion. Applying the City's diversion rate of approximately 52 percent, waste requiring landfill disposal was estimated at approximately 5,019 tons per year (13.8 tons per day). This represented a small fraction (approximately 0.3 percent) of the permitted daily capacity of the Sycamore Sanitary Landfill (3,965 tons per day). Correspondence from EDCO confirmed that the Escondido Transfer Station and Sycamore Landfill had sufficient capacity to accommodate the project's waste. Based on these findings, the 2007 EIR concluded that impacts related to landfill capacity would be less than significant.

4.11.9.2 Changes Since Certification of the 2007 EIR

a. Citywide

Solid waste services within the City are provided through franchise agreements with private haulers which serve residential, commercial, and industrial customers. The City implements programs to comply with state regulations, including recycling and organic waste collection consistent with AB 341, AB 1826, and SB 1383. These programs include curbside recycling, green waste and food waste collection, and public education initiatives designed to reduce landfill disposal. Through these efforts, the City supports statewide diversion goals and ensures that solid waste is managed in a manner that protects public health and the environment.

The City's General Plan Update contains goals and policies directed at reduction of solid waste and encouragement of recycling programs (see Section 4.11.3).

b. Specific Plan Update

Solid waste services for the Planning Area are provided by private franchise haulers (e.g., EDCO) serving residential, commercial, and industrial customers. Provisions are made for collecting recyclables and organic waste in addition to regular trash.

4.11.9.3 Environmental Analysis

The Specific Plan Update would continue to comply with the current solid waste management framework and would support the City's General Plan policies. SMMC Chapter 20.445 requires new development to provide adequate space for recycling and refuse receptacles, with dedicated enclosure areas designed in accordance with City standards. The municipal code chapter applies to all new construction and is intended to ensure that development is physically designed to accommodate ongoing refuse and recycling service.

The Specific Plan Update would not increase overall development potential beyond that previously evaluated and therefore would not generate substantially greater solid waste volumes than those analyzed in the 2007 EIR. In addition, the project would be required to comply with SMMC Chapter 20.445, which requires new development to provide adequate refuse and recycling areas and dedicated enclosure space to support ongoing collection services. Current state laws, including AB 939, AB 341, AB 1826, and SB 1383, further require recycling and organic waste diversion programs that reduce the amount of waste requiring landfill disposal. Consistent with these regulatory requirements, solid waste services in the Planning Area would continue to include regular refuse collection, recycling, and organics collection. Accordingly, the Specific Plan Update would be consistent with applicable federal, state, and local solid waste regulations, including the SMMC, and would support General Plan Goal COS-10 to maintain an innovative and sustainable solid waste collection, recycling, and disposal system, and Goal LU-16 which strives to reduce the amount of waste entering regional landfills through an efficient and innovative waste management program. Therefore, the Specific Plan Update would not result in a new significant impact or a substantial increase in the severity of the previously identified less than significant solid waste impact.

4.11.9.4 Conclusion

Consistent with the 2007 EIR, impacts associated with solid waste would remain less than significant, and no new mitigation measures would be required.

4.12 Greenhouse Gas Emissions

Since certification of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR), Appendix G the California Environmental Quality Act (CEQA) Guidelines were updated to include thresholds of significance related to greenhouse gas (GHG) emissions. This section of the Subsequent Environmental Impact Report (SEIR) therefore evaluates potential impacts associated with the Creek Plan Specific Plan Update (Specific Plan Update; project) that were not previously evaluated in the 2007 EIR.

A Greenhouse Gas Analysis for the Creek Plan Specific Plan Update was prepared for the project, and is attached as Appendix H.

4.12.1 Existing Conditions

4.12.1.1 Greenhouse Gases and Climate Change

There are numerous GHGs, both naturally occurring and anthropogenic. Each GHG has variable atmospheric lifetime and global warming potential (GWP). The atmospheric lifetime of the gas is the average time a molecule stays stable in the atmosphere. Most GHGs have long atmospheric lifetimes, staying in the atmosphere hundreds or thousands of years. GWP is a measure of the potential for a gas to trap heat and warm the atmosphere. Although GWP is related to its atmospheric lifetime, many other factors, including chemical reactivity of the gas, also influence GWP. GWP is reported as a unitless factor representing the potential for the gas to affect global climate relative to the potential of carbon dioxide (CO_2). Because CO_2 is the reference gas for establishing GWP, by definition its GWP is 1. Although methane (CH_4) has a shorter atmospheric lifetime than CO_2, it has a 100-year GWP of 28; this means that CH_4 has 28 times more effect on global warming than CO_2.

The GWP is officially defined as (U.S. Environmental Protection Agency [U.S. EPA] 2010):

> The cumulative radiative forcing—both direct and indirect effects—integrated over a period of time from the emission of a unit mass of gas relative to some reference gas.

GHG emissions estimates are typically represented in terms of equivalent metric tons of CO_2 (MT CO_2E). CO_2E emissions are the product of the amount of each gas by its GWP. The effects of several GHGs may be discussed in terms of MT CO_2E and can be summed to represent the total potential of these gases to warm the global climate. Table 4.12-1 summarizes some of the most common GHGs.

Table 4.12-1
Global Warming Potentials and Atmospheric Lifetimes

Gas	Atmospheric Lifetime (years)	100-year GWP	20-year GWP
Carbon dioxide (CO_2)	50–200	1	1
Methane (CH_4)	12.4	25/28*	84
Nitrous oxide (N_2O)	121	298/265*	264
HFC-23	222	12,400	10,800
HFC-32	5.2	677	2,430
HFC-125	28.2	3,170	6,090
HFC-134a	13.4	1,300	3,710
HFC-143a	47.1	4,800	6,940
HFC-152a	1.5	138	506
HFC-227ea	38.9	3,350	5,360
HFC-236fa	242	8,060	6,940
HFC-43-10mee	16.1	1,650	4,310
CF_4	50,000	6,630	4,880
C_2F_6	10,000	11,100	8,210
C_3F_8	2,600	8,900	6,640
C_4F_{10}	2,600	9,200	6,870
c-C_4F_8	3,200	9,540	7,110
C_5F_{12}	4,100	8,550	6,350
C_6F_{14}	3,100	7,910	5,890
SF_6	3,200	23,500	17,500

GWP = global warming potential
SOURCE: Intergovernmental Panel on Climate Change 2007, 2014.
*The CH_4 and N_2O 100-year GWPs included in CalEEMod are 25 and 298, respectively, from the Intergovernmental Panel on Climate Change Fourth Assessment Report. All other values are from the current Fifth Assessment Report.

It should be noted that the U.S. EPA and other organizations update the GWP values they use occasionally. This change can be due to updated scientific estimates of the energy absorption or lifetime of the gases or to changing atmospheric concentrations of GHGs that result in a change in the energy absorption of one additional ton of a gas relative to another. The GWPs shown in Table 4.12-1 are the most current. However, it should be noted that in the California Emissions Estimator Model (CalEEMod), which is the model used in this analysis to calculate emission, CH_4 has a GWP of 25 and nitrous oxide (N_2O) has a GWP of 298, consistent with the *2017 Climate Change Scoping Plan Update, the Strategy for Achieving California's 2030 Greenhouse Gas Target* (2017 Scoping Plan; California Air Resources Board [CARB] 2017).

The gases in Table 4.12-1 are produced by either biogenic (natural) sources, anthropogenic (human) sources, or both. These are the GHGs of primary concern in this analysis. CO_2 would be emitted by the project due to the combustion of fossil fuels in vehicles (including construction), from electricity generation and natural gas consumption, from water use, and from solid waste disposal. Smaller amounts of CH_4 and N_2O would be emitted from the same sources.

4.12.1.2 GHG Inventories

a. State

The CARB performs statewide GHG inventories. The inventory is divided into nine broad sectors of economic activity: agriculture, commercial, electricity generation, forestry, high GWP emitters, industrial, recycling and waste, residential, and transportation. Emissions are quantified in million metric tons of CO_2 equivalent (MMT CO_2E). Table 4.12-2 shows the estimated statewide GHG emissions for the years 1990, 2005, 2012, and 2023. Although annual GHG inventory data is available for years 2000 through 2023, the years 1990, 2005, 2012, and 2023 are highlighted in Table 4.12-2 because 1990 is the baseline year for established reduction targets, 2005 and 2012 correspond to the same years for which inventory data for the City of San Marcos (City) is available, and 2023 is the most recent data available.

Table 4.12-2
California GHG Emissions by Sector

Sector	1990[1] Emissions in MMT CO_2E (% total)[2]	2005[3] Emissions in MMT CO_2E (% total)[2]	2012[3] Emissions in MMT CO_2E (% total)[2]	2023[3] Emissions in MMT CO_2E (% total)[2]
Electricity Generation	110.5 (25.7%)	108.2 (22.9%)	99.7 (22.9%)	57.3 (15.9%)
Transportation	150.6 (35.0%)	187.0 (39.7%)	161.5 (37.1%)	137.2 (38.1%)
Industrial	105.3 (24.4%)	96.0 (20.4%)	88.8 (20.4%)	78.4 (21.8%)
Commercial	14.4 (3.4%)	16.1 (3.4%)	20.1 (4.6%)	23.5 (6.5%)
Residential	29.7 (6.9%)	30.4 (6.4%)	30.9 (7.1%)	34.7 (9.6%)
Agriculture & Forestry	18.9 (4.4%)	33.8 (7.2%)	34.9 (8.0%)	29.2 (8.1%)
Not Specified	1.3 (0.3%)	--	--	--
TOTAL[4]	**430.7**	**471.5**	**435.8**	**360.4**

GHG = greenhouse gas; MMT CO_2E= million metric tons of carbon dioxide equivalent; % = percent
SOURCE: California Air Resources Board (CARB) 2007 and 2025.
[1]1990 data was obtained from the CARB 2007 source and are based on the Intergovernmental Panel on Climate Change fourth assessment report global warming potentials.
[2]Percentages may not total 100 due to rounding.
[3]2005, 2012, and 2023 data was retrieved from the CARB 2025 source and are based on Intergovernmental Panel on Climate Change fourth assessment report global warming potentials.
[4]Totals may vary due to independent rounding.

As shown in Table 4.12-2, statewide GHG source emissions totaled approximately 430.7 MMT CO_2E in 1990, 471.5 MMT CO_2E in 2005, 435.8 MMT CO_2E in 2012, and 360.4 MMT CO_2E in 2023. Many factors affect year-to-year changes in GHG emissions, including economic activity, demographic influences, environmental conditions such as drought, and the impact of regulatory efforts to control GHG emissions. As shown in Table 4.12-2, transportation-related emissions consistently contribute to the most GHG emissions.

b. Local

GHG emission inventories were prepared as a part of the City's original 2013 Climate Action Plan (CAP) and the current CAP that was adopted in 2020. The year 2005 GHG inventory from the original CAP and the year 2012 GHG inventory from the current CAP are presented in Table 4.12-3.

Table 4.12-3
City of San Marcos GHG Emissions in 2005 and 2012

Source	2005 Inventory		2012 Inventory	
	MT CO_2E	%	MT CO_2E	%
On-Road Transportation	144,517	35	322,000	54
Electricity and Natural Gas[1]	185,946	45	237,000	39
Solid Waste	21,714	5	15,000	3
Off-Road Transportation	40,437	10	14,000	2
Water	12,757	3	9,000	1
Wastewater	6,568	2	3,000	<1
TOTAL[2]	**411,939**	**100**	**599,000**	**100**

GHG = greenhouse gas; MT CO_2E = metric tons of carbon dioxide equivalent; % = percent
SOURCE: City of San Marcos 2013 and 2020a.
[1]The 2005 inventory provides combined electricity and natural gas emissions for the residential sector and the commercial/industrial sector while the 2012 inventory provides total combined electricity emissions and total combined natural gas emissions. All energy-related GHG emissions were combined for the purposes of this summary.
[2]Total may vary due to independent rounding.

4.12.2 Regulatory Framework

In response to rising concern associated with increasing GHG emissions and global climate change impacts, several plans and regulations have been adopted at the international, national, and state levels with the aim of reducing GHG emissions. The following is a discussion of the federal, state, regional and local plans and regulations most applicable to the project.

4.12.2.1 Federal Regulations

a. U.S. Environmental Protection Agency

In 2009, the U.S. EPA issued its science-based finding that the buildup of heat-trapping GHGs in the atmosphere endangers public health and welfare. The "Endangerment Finding" reflects the overwhelming scientific evidence on the causes and impacts of climate change. It was made after a thorough rulemaking process considering thousands of public comments and was upheld by the federal courts.

The U.S. EPA has many federal-level programs and projects to reduce GHG emissions. The U.S. EPA provides regulatory actions and initiatives to reduce GHGs associated with high global warming chemicals; transportation/mobile sources; and stationary sources such as oil and gas industries and power plants, and landfills. The GHG Reporting Program collects GHG data from large emission

sources across a range of industry sectors, as well as suppliers of products that would emit GHGs if released or combusted. Under the federal Clean Air Act (CAA; 40 Code of Federal Regulations Part 98), facilities that meet reporting thresholds must report GHG emissions to the program annually (U.S. EPA 2025).

In *Massachusetts et al. v. Environmental Protection Agency et al.,* 549 U.S. 497 (2007), the Supreme Court of the United States ruled that CO_2 is an air pollutant as defined under the CAA and that the U.S. EPA has the authority to regulate GHG emissions. In 2010, the U.S. EPA started to address GHG emissions from stationary sources through its New Source Review permitting program, including operating permits for "major sources" issued under Title V of the CAA.

On February 12, 2026, the U.S. EPA repealed the Endangerment Finding along with all GHG emission standards for light-duty, medium-duty, and heavy-duty vehicles and engines pursuant to CAA Section 202(a).

b. Corporate Average Fuel Economy Standards

The federal Corporate Average Fuel Economy (CAFE) standards determine the fuel efficiency of certain vehicle classes in the U.S. The National Highway Traffic Safety Administration sets CAFE standards for passenger cars and light trucks (collectively, light-duty vehicles) and separately sets fuel consumption standards for medium- and heavy-duty trucks and engines. With improved gas mileage, fewer gallons of transportation fuel would be combusted to travel the same distance, thereby reducing nationwide GHG emissions associated with vehicle travel. The most recent standards require an industry-wide fleet average of approximately 50.4 miles per gallon for passenger cars and light trucks in model year 2031. The final CAFE standards increase at a rate of 2 percent per year for passenger cars in model years 2027 to 2031, and 2 percent per year for light trucks in model years 2029 to 2031.

4.12.2.2 Public Laws

There have been recent congressional actions that affect California emission standards. They are discussed below.

a. Public Law No. 119-15

On June 12, 2025, Public Law No. 119-15, enacting House Joint Resolution 87, was signed into law. The law used the Congressional Review Act to nullify U.S. EPA's rule that had granted California a waiver to enforce stricter emissions standards for heavy-duty vehicles under the CAA. The disapproved rule included programs such as the Advanced Clean Trucks regulation and zero-emission requirements for airport shuttles. Passed under the Congressional Review Act, the law prevents U.S. EPA from implementing or reissuing the same or similar rules without new congressional authorization. This effectively blocks California, and other states that follow its standards, from enforcing these specific vehicle emission and warranty regulations.

b. Public Law No. 119-16

Similarly on June 12, 2025, Public Law No. 119-16, enacting House Joint Resolution 88, became law. The law also relied on the Congressional Review Act to void the U.S. EPA's December 2024 waiver under the CAA that allowed California to implement and enforce the Advanced Clean Cars (ACC) II regulation. Advanced Clean Cars II included a zero-emission vehicle mandate targeting 100 percent new light-duty zero-emission vehicle sales by 2035. Public Law No. 119-16 marks the first ever occurrence that waivers under the CAA have been revoked under the Congressional Review Act. The implications of this law on the state's capability to enforce its independent fuel economy standards are uncertain at this time, as the California Attorney General is pursuing legal action challenging Public Law No. 119-16.

4.12.2.2 State Regulations

a. Statewide GHG Emission Targets

Executive Order S-3-05 – Statewide GHG Emission Targets

Executive Order (EO) S-3-05 established the following GHG emission reduction targets for the state of California:

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

This EO also directs the secretary of the California Environmental Protection Agency to oversee the efforts made to reach these targets, and to prepare biannual reports on the progress made toward meeting the targets and on the impacts to California related to global warming, including impacts to water supply, public health, agriculture, the coastline, and forestry. With regard to impacts, the report shall also prepare and document mitigation and adaptation plans to combat the impacts. The first Climate Action Team Assessment Report was produced in March 2006 and has since been updated every two years.

Executive Order B-30-15 – 2030 Statewide GHG Emission Goal

EO B-30-15, issued on April 29, 2015, establishes an interim GHG emission reduction goal for the state of California by 2030 of 40 percent below 1990 levels. This EO 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 EO S-3-05. Additionally, this EO directed CARB to update its Climate Change Scoping Plan to address the 2030 goal.

Assembly Bill 1279

Assembly Bill (AB) 1279, approved in September 2022, requires the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter, and to ensure that by 2045, statewide anthropogenic GHG emissions are reduced to at least 85 percent below 1990 levels. The bill would require the state board to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals and to identify and implement a variety of policies and strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage technologies.

b. California Global Warming Solutions Act

In response to EO S-3-05, the California Legislature passed AB 32, the California Global Warming Solutions Act of 2006, and thereby enacted Sections 38500–38599 of the California Health and Safety Code. The heart of AB 32 is its requirement that CARB establish an emissions cap and adopt rules and regulations that would reduce GHG emissions to 1990 levels by 2020. AB 32 also required CARB to adopt a plan by January 1, 2009, indicating how emission reductions would be achieved from significant GHG sources via regulations, market mechanisms, and other actions.

In 2008, CARB estimated that annual statewide GHG emissions were 427 MMT CO_2E in 1990 and would reach 596 MMT CO_2E by 2020 under a business as usual (BAU) condition (CARB 2008). To achieve the mandate of AB 32, CARB determined that a 169 MMT CO_2E (or approximately 28.5 percent) reduction in BAU emissions was needed by 2020. In 2010, CARB prepared an updated 2020 forecast to account for the economic recession and slower forecasted growth. CARB determined that the economic downturn reduced the 2020 BAU by 55 MMT CO_2E; as a result, achieving the 1990 emissions level by 2020 would require a reduction in GHG emissions of 21.7 (not 28.5) percent from the 2020 BAU. California has achieved its 2020 goal.

Approved in September 2016, Senate Bill (SB) 32 updates the California Global Warming Solutions Act of 2006 and enacts EO B-30-15. Under SB 32, the state would reduce its GHG emissions to 40 percent below 1990 levels by 2030. This is equivalent to an emissions level of approximately 260 MMT CO_2E for 2030. In implementing the 40 percent reduction goal, CARB is required to prioritize emissions reductions to consider the social costs of the emissions of GHGs, where "social costs" is defined as "an estimate of the economic damages, including, but not limited to, changes in net agricultural productivity; impacts to public health; climate adaptation impacts, such as property damages from increased flood risk; and changes in energy system costs, per metric ton of greenhouse gas emission per year."

c. Climate Change Scoping Plan

As directed by the California Global Warming Solutions Act of 2006, in 2008, CARB adopted the *Climate Change Scoping Plan: A Framework for Change* (Scoping Plan), which identifies the main strategies California will implement to achieve the GHG reductions necessary to reduce forecasted BAU emissions in 2020 to the state's historic 1990 emissions level (CARB 2008). In November 2017, CARB released the 2017 Scoping Plan (CARB 2017). The 2017 Scoping Plan identifies state strategies for achieving the state's 2030 GHG emissions reduction target codified by SB 32. Measures under

the 2017 Scoping Plan Scenario build on existing programs such as the Low Carbon Fuel Standard, Advanced Clean Cars Program, Renewables Portfolio Standard (RPS), Sustainable Communities Strategy (SCS), Short-Lived Climate Pollutant Reduction Strategy, and the Cap-and-Trade Program. Additionally, the 2017 Scoping Plan proposes new policies to address GHG emissions from natural and working lands. The *2022 Scoping Plan Update for Achieving Carbon Neutrality* (2022 Scoping Plan; CARB 2022) was adopted in December 2022. The 2022 Scoping Plan assesses the progress towards the 2030 GHG emissions reduction target identified in the 2017 Scoping Plan and lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by AB 1279. The 2022 Scoping Plan identifies strategies related to clean technology, energy development, natural and working lands, and others, and is designed to meet the state's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

d. Regional Emissions Targets – SB 375

SB 375, the 2008 Sustainable Communities and Climate Protection Act, was signed into law in September 2008 and requires CARB to set regional targets for reducing passenger vehicle GHG emissions in accordance with the Scoping Plan. The purpose of SB 375 is to align regional transportation planning efforts, regional GHG reduction targets, and fair-share housing allocations under state housing law. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a SCS or Alternative Planning Strategy to address GHG reduction targets from cars and light-duty trucks in the context of that MPO's Regional Transportation Plan (RTP). The County of San Diego's (County) MPO is the San Diego Association of Governments (SANDAG), and the region's Sustainable Communities SCS/RTP is the 2025 Regional Plan (see Section 4.3.2). The current targets for the region are a 15 percent reduction in GHG emissions per capita from automobiles and light-duty trucks compared to 2005 levels by 2020, and a 19 percent reduction by 2035. These targets will be reviewed and updated in 2026.

e. Renewables Portfolio Standard

The RPS promotes diversification of the state's electricity supply and decreased reliance on fossil fuel energy sources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. Originally adopted in 2002 with a goal to achieve a 20 percent renewable energy mix by 2020 (referred to as the "Initial RPS"), the goal has been accelerated and increased by EOs S-14-08 and S-21-09 to a goal of 33 percent by 2020. In April 2011, SB 2 (1X) codified California's 33 percent RPS goal. SB 350 (2015) increased California's renewable energy mix goal to 50 percent by the year 2030. SB 100 (2018) further increased the standard set by SB 350, establishing the RPS goal of 44 percent by the end of 2024, 52 percent by the end of 2027, and 60 percent by 2030. SB 1020 (2022) again revised the policy, establishing the RPS goal of 90 percent by the end of 2035, 95 percent by the end of 2040, and 100 percent by the end of 2045. SB 1020 also broadened the applicability of electricity sources eligible under RPS to include "zero-carbon resources," which allows for large hydroelectric sources to be considered towards RPS procurement targets.

f. California Building Standards Code (Title 24)

The California Code of Regulations, Title 24, is referred to as the California Building Code, or CBC. It consists of a compilation of several distinct standards and codes related to building construction, including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility, among other building-related standards. Of particular relevance to GHG reductions are the CBC's energy efficiency and green building standards, as outlined below.

Title 24, Part 6 – Energy Code

The California Code of Regulations, Title 24, Part 6 is the California Energy Efficiency Standards for Residential and Nonresidential Buildings (also known as the California Energy Code). This code, originally enacted in 1978, establishes energy efficiency standards for residential and nonresidential buildings in order to reduce California's energy consumption. The Energy Code is updated periodically to incorporate and consider new energy-efficient technologies and methodologies as they become available, and incentives in the form of rebates and tax breaks are provided on a sliding scale for buildings achieving energy efficiency above the minimum standards.

The current 2025 Title 24 Building Energy Efficiency Standards went into effect on January 1, 2026. The 2025 Energy Code builds on previous versions and expands the use of heat pumps in newly constructed residential buildings, encourages electric readiness, and strengthens ventilation standards. New construction and major renovations must demonstrate their compliance with the current Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC). The compliance reports must demonstrate a building's energy performance through use of CEC-approved energy performance software that shows iterative increases in energy efficiency given the selection of various heating, ventilation, and air conditioning; sealing; glazing; insulation; and other components related to the building envelope.

Title 24, Part 11 – California Green Building Standards Code

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11 first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 CBC). The current 2025 CALGreen standards became effective January 1, 2026. CALGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of nonresidential and residential structures. Local jurisdictions must enforce the minimum mandatory Green Building Standards and may adopt additional amendments for stricter requirements. The mandatory measures are related to planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. CALGreen also includes two tiers of residential and nonresidential voluntary measures that encourage local jurisdictions to raise the sustainability goals: Tier 1 adds additional requirements beyond the mandatory measures, and Tier 2 further increases the requirements.

Similar to the reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen mandatory requirements must be demonstrated through completion of compliance forms and worksheets.

4.12.2.3 Regional Regulations

a. Regional Transportation Plan/Sustainable Communities Strategy

The 2025 Regional Plan was adopted by SANDAG on December 12, 2025 (SANDAG 2025). The 2025 Regional Plan consists of the following three components: (1) the RTP that describes existing and projected transportation needs, conditions, and financing affecting all modes of transportation; (2) the SCS that integrates transportation, land use, and housing into the planning process and demonstrates how GHG emissions will be reduced to meet state mandated targets; and (3) the Regional Comprehensive Plan based on local general and regional plans that integrates land uses, transportation systems, infrastructure needs, and public investment strategies within a regional framework in cooperation with member agencies and the public. The 2025 Regional Plan includes a blueprint for a regional transportation system serving existing and projected residents and workers within the San Diego region that further enhances quality of life and offers more mobility options for people and goods. The 2025 Regional Plan looks ahead to 2050, and accommodates more than 112,000 new residents, approximately 170,000 new jobs, and over 202,000 new housing units.

The purpose of the 2025 Regional Plan is to develop a regional strategy that meets federal and state planning requirements and addresses the regional transportation needs of both the population of today and the population of the future. These transportation needs impact the quality of life in the San Diego region, including ensuring access to economic opportunities, remedying historical social inequities, planning for climate change, and prioritizing public health and safety. The 2025 Regional Plan envisions a sustainable and resilient future for the region and economy supported by a transportation network that is convenient, equitable, healthy, and safe. To accomplish this purpose, the objectives of the 2025 Regional Plan are:

- Focus population and employment growth to protect sensitive habitat and natural resource areas.
- Provide transportation investments that support compact land development patterns and reduce vehicle miles traveled (VMT).
- Meet GHG emissions targets established for the San Diego region by CARB.
- Provide transportation investments and a land use pattern that promotes social equity.
- Provide transportation investments and a land use pattern that improves air quality.
- Provide multimodal access to employment centers and key destinations for all communities.
- Enhance the efficiency of the transportation network for moving people and goods through the deployment of new technologies.

The SCS portion of the 2025 Regional Plan directly applies to GHG emissions. The purpose of an SCS is to align regional transportation, housing, and land use planning to attain the regional GHG reduction target. The SCS land use pattern identifies areas in the region sufficient for housing for the required eight-year projection of the regional housing need. The proposed SCS land use pattern is

derived from jurisdictions' general plans, those general plan amendments pending at the time of SCS land use pattern development, and more specifically the most recent adopted housing elements approved by the California Department of Housing and Community Development. The 2025 Regional Plan's transportation network would make travel safer and more efficient while offering people more alternatives to driving alone, including more transit options, more Flexible Fleets (i.e., on-demand, shared services), and more opportunities for biking, walking, and other forms of active transportation. Capital investments include an updated Regional Active Transportation Network that represents a significant increase in investment in safety and mobility for people who travel the region by foot, bike, scooter, transit, or other means outside of a car. They also include Complete Corridors that incorporate various transportation improvements to enhance connectivity, including managed lanes, connectors and direct access ramps for managed lanes, transportation technology and Smart Intersection Systems, and goods movement. Lastly, capital investments include transit investments that include regional rail, light rail, streetcar, a variety of bus options, an Airport Transit Connection, and pricing strategies for transit, Flexible Fleets, and parking. The 2025 Regional Plan also includes several supporting policies and programs and investments to support them, as well as investments in systemwide support services.

4.12.2.4 Local Regulations

a. City of San Marcos Climate Action Plan

The City's CAP was first adopted in 2013 in compliance with the adopted policies in the General Plan and consistent with California's AB 32. On December 8, 2020, the City adopted an updated CAP. The updated 2020 CAP contains a baseline 2012 City GHG inventory and establishes projected GHG emissions and reduction targets for the year 2030 to meet the state's GHG reduction goals mandated by SB 32, and to make reasonable progress towards the state's post-2030 GHG reduction goals, including achieving carbon neutrality statewide by 2045. The City plans to achieve the following municipal and community GHG emissions reductions (City of San Marcos 2020a):

- 4 percent below 2012 levels by 2020, and
- 42 percent below 2012 levels by 2030.

The CAP identifies eight strategies and 22 measures to achieve these GHG emissions reduction targets and achieve proportionate progress towards the state's post-2030 GHG reduction goals. The City's CAP is a qualified GHG reduction plan consistent with CEQA Guidelines Section 15183.5. Development projects consistent with an applicable local qualified GHG reduction plan are eligible for streamlined GHG analysis.

b. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to GHG emissions. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Land Use and Community Design Element

- Goal LU-2: Promote development standards and land use patterns that encourage long-term environmental sustainability
    - Policy LU-2.1: Promote compact development patterns that reduce air pollution and automobile dependence and facilitate walking, bicycling, and transit use.
    - Policy LU-2.2: Encourage new development to be sited to respond to climatic conditions, such as solar orientation, wind, and shading patterns.
    - Policy LU-2.3: Require the incorporation of green building practices, technologies, and strategies into development projects per code standards.
    - Policy LU-2.4: Encourage retrofits of existing buildings to promote energy efficiency and indoor air quality.
    - Policy LU-2.5: Promote landscaping (e.g., native, drought-tolerant plants) that minimizes demands on water supply.
    - Policy LU-2.6: Promote use of community gardens, farmers markets, and agricultural lands to provide locally grown food.
    - Policy LU-2.7: Promote the instillation of trees to reduce the urban heat-island effect and green infrastructure to reduce storm water runoff.
- Goal LU-3: Develop land use patterns that are compatible with and support a variety of mobility opportunities and choices.
    - Policy LU-3.4: Provide non-motorized (pedestrian and bicycle) access/circulation within, and to, mixed-use centers to reduce reliance on the automobile.
    - Policy LU-3.9: Review SANDAG's Regional Transportation Plan/ Sustainable Communities Strategy each time the City reviews and updates its General Plan and any specific plan, strategy, and zoning, to ensure overall consistency among all of these plans and strategies and allow for associated CEQA streamlining and eligibility for State transportation funding.
- Goal LU-7: Direct and sustain growth and expansion in areas of San Marcos that can support a concentration of a variety of uses and are particularly suitable for multimodal transportation and infrastructure expansion and improvements.
    - Policy LU-7.1: Support walkable, mixed-use development along main transit and transportation corridors.
    - Policy LU-7-2: Coordinate pedestrian, transit and infrastructure upgrades with infill and redevelopment opportunities.

Mobility Element

- Goal M-1: Provide a comprehensive multimodal circulation system that serves the City land uses and provides for the safe and effective movement of people and goods.
    - Policy M-1.5: Continue to participate in SANDAG's efforts to coordinate regional transportation planning with its member agencies, and continue to consult with Caltrans on transportation planning, operations, and funding to develop the City's circulation system as it relates to State Route 78 capacity and access.
    - Policy M-1.6: Work to improve connectivity within the City by closing gaps in the existing bicycle, pedestrian, trail, transit, and roadway network. Work with new development to provide connectivity and redundancy in the mobility network.
    - Policy M-1.7: Strive to ensure that streets within San Marcos shall be complete streets where feasible; thereby providing accessibility, safety, connectivity, and comfort for all modes and users of the system. Appropriate new local streets and Main Streets will prioritize pedestrian and bicycle users through the corridor.
    - Policy M-1.8: Continue to utilize technology and intelligent transportation systems to stabilize street system flow and efficiency as an alternative to roadway widening, where feasible.
    - Policy M-1.9: Continue to work with new development, local agencies, and regional agencies to implement additional freeway connections across existing barriers (freeways, major roadways, creaks, etc.) for bicycles and pedestrians.
- Goal M-3: Promote and encourage use of alternative transportation modes such as transit, bicycles, neighborhood electric vehicles (NEVs), and walking, within the City.
    - Policy M-3.1: Develop an integrated, multimodal circulation system that accommodates transit, bicycles, pedestrians, and vehicles; provides opportunities to reduce air pollution and greenhouse gas emissions; and reinforces the role of the street as a public space that unites the City.
    - Policy M-3.2: Improve safety conditions, efficiency, and comfort for bicyclists and pedestrians through design, maintenance, and law enforcement. Install wider sidewalks and curb extensions at pedestrian crossings (bulb outs) where appropriate.
    - Policy M-3.3: Provide a pedestrian and bicycle network that maximizes connectivity between major destinations.
    - Policy M-3.4: Develop and maintain appropriate planning documents such as Active Transportation Plans and Trails Master Plans to support the development of facilities that promote active transportation throughout the city.
    - Policy M-3.5: Ensure that streets in areas with high levels of pedestrian activity (such as employment centers, residential areas, mixed use areas, and schools) support safe

pedestrian travel by providing detached sidewalks, bulb-outs, enhanced pedestrian crossings, pedestrian bridges, and medians.

- Policy M-3.6: Establish an intra-city shuttle system that connects the central development nodes of the City with Palomar Community College, California State University San Marcos, and the urban core of the community.

- Policy M-3.7: Coordinate with NCTD and other transit agencies to minimize overlap of the transit system, while maximizing the service areas covered by the complete transit system.

- Policy M-3.8: Work with regional agencies, such as SANDAG, to install appropriate recharging stations to support the use of electric vehicles. Work with developers to install recharging stations at appropriate activity, employment, and transit centers to support electric vehicle use.

- Policy M-3.9: Develop enhanced pedestrian environments to improve the character and function of the pedestrian space including amenities such as lighting, wider sidewalks, landscaping, buffers, benches, signage, and transit shelters.

Conservation and Open Space Element

- Goal COS-4: Improve regional air quality and reduce greenhouse gas emissions that contribute to climate change.

  - Policy COS-4.1: Continue to work with the U.S. Environmental Protection Agency (EPA), California Air Resources Board, SANDAG, and the San Diego Air Pollution Control District (SDAPCD) to meet State and federal ambient air quality standards.

  - Policy COS-4.2: Require new sensitive-use development, such as schools, day care centers and hospitals, located near mobile and stationary toxic air contaminants be designed with consideration of site and building orientation, location of trees, and incorporation of appropriate technology (i.e., ventilation and filtration) for improved air quality to lessen any potential health risks.

  - Policy COS-4.3: Participate in regional efforts to reduce greenhouse gas emissions.

  - Policy COS-4.4: Quantify community-wide and municipal greenhouse gas (GHG) emissions, set a reduction goal, identify and implement measures to reduce greenhouse gas emissions as required by governing legislation.

  - Policy COS-4.5: Encourage energy conservation and the use of alternative energy sources within the community.

  - Policy COS-4.6: Promote efficient use of energy and conservation of available resources in the design, construction, maintenance and operation of public and private facilities, infrastructure and equipment.

- Policy COS-4.7: As City facilities and services are constructed or upgraded, incorporate energy and resource conservation standards and practices by:
  - Taking a leadership role in implementing programs for energy and water conservation, waste reduction, recycling and reuse and increased reliance on renewable energy.
  - Upgrading City buildings and infrastructure facilities to comply with State of California green building standards.
  - Implementing landscaping that reduces demands on potable water; this may include the use of drought tolerant landscaping and/ or use of well water for irrigation, favoring recycling and energy-efficient products and practices when issuing City purchase agreements.
- Policy COS-4.8: Encourage and support the generation, transmission and use of renewable energy.
- Policy COS-4.9: Encourage use and retrofitting of existing buildings under Title 24 of the California Building Energy Code.

- Goal COS-10: Establish and maintain an innovative, sustainable solid waste collection, recycling, and disposal delivery system for present and future generations.
  - Policy COS-10.4: Support alternative energy opportunities (methane recovery) at solid waste facilities.

Safety Element

- Goal S-8: Protect the community from risks posed by climate change.
  - PolicyS-8.1: Collaborate with local, regional, state and/or federal jurisdictions and agencies on climate resiliency and adaptation strategies.
  - Policy S-8.2: Develop a climate resiliency plan that integrates and builds upon the strategies identified in the General Plan and Climate Action Plan.
  - Policy S-8.3: Monitor climate change-related effects with local, regional, state, and/or federal partners to provide information of effectiveness of existing infrastructure and programs.

4.12.3 Thresholds of Significance

Based on the CEQA Guidelines Appendix G, impacts related to GHG emissions would be significant if the project would:

a. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or

b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs.

As stated in the CEQA Guidelines, these questions are "intended to encourage thoughtful assessment of impacts and do not necessarily represent thresholds of significance" (Title 14, Division 6, Chapter 3 Guidelines for Implementation of the CEQA, Appendix G, Environmental Checklist Form). The CEQA Guidelines encourage lead agencies to adopt regionally specific thresholds of significance. When adopting these thresholds, the amended Guidelines allow lead agencies to consider thresholds of significance adopted or recommended by other public agencies, or recommended by experts, provided that the thresholds are supported by substantial evidence.

As discussed in Section 4.12.1, the City has adopted a CAP which is a qualified GHG reduction plan consistent with CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of the CAP. The City has also developed a CAP Consistency Checklist (Checklist), in conjunction with the CAP, to provide a streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA. A memorandum titled *Guidance to Demonstrating Consistency with the City of San Marcos Climate Action Plan: For Discretionary Projects Subject to CEQA* (GHG Memorandum) provides guidance on demonstrating consistency with the CAP through use of the Checklist or other methods (City of San Marcos 2020b).

The City has established a GHG screening threshold of 500 MT CO_2E per year for new development projects in order to determine if a project would need to demonstrate consistency with the CAP through the Checklist. Under City screening criteria, projects that are projected to emit fewer than 500 MT CO_2E per year would not make a considerable contribution to the cumulative impact of climate change and would not need to provide additional analysis to demonstrate consistency with the CAP. Table 4.12-4 summarizes the types and sizes of projects that correspond to 500 MT CO_2E annually. Projects that are projected to emit more than 500 MT CO_2E of GHGs annually would need to comply with applicable CAP strategies and measures through completion of the Checklist.

Table 4.12-4 Project Review Thresholds		
Project/Plan Type[1]	Screening Threshold[2]	SFE Factor
Single-Family Housing	36 dwelling units	1.0
Multi-Family Housing	55 dwelling units	0.7
Office	43 ksf	0.8
Commercial Space	20 ksf	1.8
Regional Shopping Center	18 ksf	2.0
Hotel	37 rooms	1.0
Restaurant (Sit-Down)	6.5 ksf	5.5
Restaurant (Drive-Thru, High Turnover)	2.4 ksf	15.0
General Light Industrial	58 ksf	0.6
University	263 students	0.1
Mixed-Use	[3]	--

SOURCE: City of San Marcos 2020b
NOTES: ksf = thousand square feet; SFE = single-family equivalency
[1]For project types not listed in this table, the need for GHG analysis and mitigation will be made on a project-specific basis, considering the 500 MT CO_2E per year screening level.
[2]The screening threshold represents the maximum project size at which a project is estimated to emit less than 500 MT CO_2E per year without the application of additional mitigation measures or project design features. Projects proposing greater unit, square footage, rooms, or student amounts than the above screening thresholds would be required to complete the CAP Consistency Checklist.
[3]Mixed-Use projects can provide a comparison to the screening thresholds using an SFE factor. All projects that demonstrate they would propose development equal to or less than 36 SFE units are considered below the screening threshold. For example, a mixed-use development proposing 20 multi-family dwelling units and 10 ksf of commercial space would have an SFE value of 32 [equation: (20 x 0.7) + (10 x 1.8) = 32], and would be below the screening threshold.

For projects at or above the screening threshold of 500 MT CO_2E e, applicants are required to complete the Checklist, which is meant to provide a streamlined review process for proposed new development projects. A properly completed Checklist documents how a project complies with the CAP, and in so doing demonstrates that the project's contribution to climate change impacts is not cumulatively considerable. Additionally, a project requiring a land use designation change that is more GHG-intensive than the land use assumed under the CAP must prepare a project-specific GHG analysis in accordance with the applicable CEQA Guidelines.

If a project would exceed the screening threshold, the next step in the Checklist assesses a project's consistency with the growth projections and land use assumptions made in the CAP. If a project is consistent with the projections in the CAP, its associated growth in terms of GHG emissions was accounted for in the CAP's business-as-usual projection and is within the scope of the CAP's analysis and program of measures that contribute towards reducing overall City GHG emissions below identified GHG targets. If a project is consistent with the existing General Plan land use designation(s), it can be determined to be consistent with the CAP projections and can move forward to Step 2 of the Checklist. Not all projects that are proposing development not consistent with the existing General Plan land use designations would conflict with the CAP's projections. For example, if a project includes a General Plan land use amendment that would result in an equivalent or less GHG-intensive project when compared to the existing designations, it would still be within the projections assumed

in the CAP. In addition to providing evidence to support the conclusion that the project would generate fewer emissions than existing designations, these projects would demonstrate consistency with the CAP through completion of Step 2 of the Checklist. If a land use designation amendment results in a more GHG-intensive project, the project is required to prepare a quantitative GHG analysis based on applicable sections of the CEQA Guidelines and is not eligible for GHG analysis streamlining using the CAP Checklist.

The GHG Memorandum also provides an alternative compliance threshold for projects that are consistent with the General Plan but have unique land uses or circumstances for which no measures in the Checklist would apply. Projects that are consistent with the City's General Plan may apply the City's recommended numerical GHG threshold of 2.1 MT CO_2E per service population per year. Service population is defined as the sum of number of residents and jobs anticipated to be generated by the project. This threshold was established based on the CAP GHG reduction target in 2030 and demographics projections (i.e., population and employment) for the same year.

Based on this guidance, for this program-level analysis, GHG emissions were calculated for buildout of the project and compared to GHG emissions associated with buildout of the Adopted Specific Plan to demonstrate if the project would be consistent with the CAP's projections.

4.12.4 GHG Calculations

4.12.4.1 Methodology

The project's GHG emissions were calculated using the CalEEMod Version 2022.1.44 (Appendix G: Attachment 1). The CalEEMod program is a tool used to estimate air emissions resulting from land development projects based on California-specific emission factors (California Air Pollution Control Officers Association 2022). CalEEMod can be used to calculate emissions from mobile (on-road vehicles), energy (electricity and natural gas), area (landscape maintenance equipment), water and wastewater, solid waste sources, stationary sources, and refrigerants. GHG emissions are estimated in terms of total MT CO_2E.

The analysis methodology and input data are described in the following sections. Where project-specific data was not available, model inputs were based on information provided in the CalEEMod User's Guide.

Inputs to CalEEMod include such items as the air basin containing the project, land uses, trip generation rates, trip lengths, vehicle fleet mix (percentage of autos, medium truck, etc.), trip destination (percent of trips from home to work, etc.), duration of construction phases, construction equipment usage, grading areas, season, and ambient temperature, as well as other parameters. CalEEMod output files for project operation are contained in Appendix G. CalEEMod output files for Adopted Specific Plan operation are contained in Appendix G: Attachment 1.

4.12.4.2 Construction Emissions

Construction activities emit GHGs primarily through combustion of fuels (mostly diesel) in the engines of off-road construction equipment and through combustion of diesel and gasoline in on-road construction vehicles and the commute vehicles of the construction workers. Smaller amounts of GHGs are also emitted through the energy use embodied in water use for fugitive dust control. Every phase of the construction process, including demolition, grading, paving, and building, emits GHGs in volumes directly related to the quantity and type of construction equipment used when building the project. GHG emissions associated with each phase of construction are calculated by multiplying the total fuel consumed by the construction equipment and worker trips by applicable emission factors.

GHG emissions generated by future development within the Planning Area would vary depending upon the number of projects occurring simultaneously and the size of each individual project. The exact number and timing of all development projects that could occur under project buildout are unknown. At a program level, it would be speculative to estimate the schedule and construction requirements of each individual site-specific project that could occur as a result of the project. Based on the City's GHG inventory shown in Table 4.12-3, off-road transportation emissions are estimated as 2 percent of the total GHG emissions inventory. Thus, for the purposes of this analysis, construction emissions were calculated as 2 percent of the total operational emissions. This is conservative, since this emission category includes gasoline and diesel fuel use from recreational vehicles, construction equipment, and residential and commercial equipment, and is therefore an overestimate of emissions from construction equipment alone.

4.12.4.3 Operational Emissions

a. Mobile Emissions

Mobile source operational emissions are based on the trip rate and trip length. Table 4.12-5 summarizes the trip generation and VMT associated with both the buildout of the project and the existing Adopted Specific Plan (Appendix H). Default vehicle emission factors for the buildout year of 2050 were used.

Table 4.12-5
Trip Generation and Vehicle Miles Traveled

	Adopted Specific Plan		Specific Plan Update	
Land Use	Trips	VMT	Trips	VMT
Residential	12,420	83,249	11,480	81,571
Commercial	101,682	568,632	65,888	375,562
Total	114,102	651,881	77,368	457,136

SOURCE: Appendix H

b. Energy Use Emissions

For typical development projects, GHGs are emitted through activities in buildings utilizing electricity and natural gas as energy sources. GHGs are also emitted during the generation of electricity from fossil fuels off-site in power plants. These emissions are considered indirect but are calculated in association with a building's overall operation. Electric power generation accounts for the second largest sector contributing to both inventoried and projected statewide GHG emissions. Combustion of fossil fuel emits criteria pollutants and GHGs directly into the atmosphere. When this occurs in a building, it is considered a direct emissions source associated with the building. CalEEMod estimates emissions from the direct combustion of natural gas for space and water heating. The Specific Plan Update includes development and design standards that apply to all future development within the Planning Area. These standards include all-electric development with no natural gas appliances. However, as a conservative quantification of emissions, energy-source emissions associated with natural gas were modeled using CalEEMod default assumptions

CalEEMod estimates GHG emissions from energy use by multiplying average rates of residential and nonresidential energy consumption by the quantities of residential units and nonresidential square footage entered in the land use module to obtain total projected energy use. This value is then multiplied by electricity and natural gas GHG emission factors applicable to the project location and utility provider.

Within Title 24 of the California Code of Regulations (Building Standards Code) is Part 6, the Building Energy Efficiency Standards (Energy Code). The Energy Code contains energy conservation standards applicable to particular end-use categories for all new or altered residential and nonresidential buildings throughout California. Energy consumption values are based on the CEC's 2018–2030 Uncalibrated Commercial Sector Forecast and the 2019 Residential Appliance Saturation Survey. GHG emissions were calculated using the default CalEEMod Version 2022.1 emission factors.

c. Area Source Emissions

Area sources include criteria pollutant and GHG emissions that would occur from the use of landscaping equipment. The use of landscape equipment emits criteria pollutant and GHGs associated with the equipment's fuel combustion. Default statewide emission rates from landscaping equipment were developed using the CARB Small Off-Road Engines Model v1.1. Area sources also include consumer products and architectural coatings. However, only criteria pollutant emissions are associated with these sources and not GHG emissions. Area source emissions were calculated using default CalEEMod emission factors.

d. Water and Wastewater Emissions

The amount of water used and wastewater generated by a project has indirect GHG emissions associated with it. These emissions are a result of the energy used to supply, distribute, and treat the water and wastewater. In addition to the indirect GHG emissions associated with energy use, wastewater treatment can directly emit both CH_4 and N_2O.

CalEEMod Version 2022.1 calculates outdoor water use based on the Department of Water Resources Model Water Efficient Landscape Ordinance and calculates nonresidential indoor water used based on the Pacific Institute's *Waste Not, Want Not: The Potential for Urban Water Conservation in California* 2003. Wastewater treatment is based on the region-specific distribution of wastewater treatment methods.

e. Solid Waste Emissions

The disposal of solid waste produces GHG emissions from anaerobic decomposition in landfills, incineration, and transportation of waste. To calculate the GHG emissions generated by disposing of solid waste for the project, the total volume of solid waste was calculated using waste disposal rates identified by California Department of Resources Recycling and Recovery. The methods for quantifying GHG emissions from solid waste are based on the Intergovernmental Panel on Climate Change method, using the degradable organic content of waste. GHG emissions associated with the project's waste disposal were calculated using these parameters.

f. Refrigerants

Small amounts of GHG emissions are generated by refrigerants used in air conditioning and refrigeration equipment. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime and then derives average annual emissions from the lifetime estimate. Emissions due to refrigerants were calculated using CalEEMod default values, which are based on industry data from the U.S. EPA. GHG emissions associated with refrigerants were calculated using CalEEMod defaults.

4.12.4.4 Total GHG Emissions

Table 4.12-6 provides a summary of the operational emissions generated by the Adopted Specific Plan and the project. CalEEMod output files for project operation are contained in Appendix G. As shown, the Specific Plan Update would result in a reduction in GHG emissions when compared to the Adopted Specific Plan.

Table 4.12-6
GHG Emissions (MT CO_2E per year)

Source	Adopted Specific Plan	Specific Plan Update	Difference
Mobile	69,102	48,388	-20,714
Energy	47	38	-9
Area	2,633	2,075	-558
Water/Wastewater	341	255	-86
Solid Waste	946	746	1200
Refrigerants	5	3	-1
Total Operational Emissions	73,074	51,506	-21,569
Construction (2% of Operational Emissions)	1,461	1,030	-431
TOTAL	**74,536**	**52,536**	**-22,000**

SOURCE: See the modeling outputs in Appendix H.
NOTE: Totals may vary due to independent rounding.

4.12.5 Threshold a: GHG Emissions

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

4.12.5.1 Specific Plan Update

In tandem with the CAP, the Specific Plan Update provides opportunities to reduce GHG emissions needed to support adopted regulatory objectives. The project's Sustainability and Infrastructure Standards promote emerging green building practices. In addition to specific design recommendations, there is a requirement to promote sustainable design through the development process. The following four objectives would inform and support future development to reach beyond existing regulatory requirements:

1. Increase renewable energy production and reduce energy requirements. The Specific Plan Update encourages exceeding California Green Building Standards Code/Title 24 standards by promoting the inclusion of other complementary renewable energy production (kinetic energy, wind, etc.) in development project designs. Energy storage systems like batteries are encouraged to ensure that renewable energy can be efficiently utilized on-site. Buildings would prioritize passive design strategies to reduce energy loads by optimizing natural light, ventilation, and thermal mass to minimize reliance on mechanical systems. If mechanical systems are used, buildings are encouraged to exceed Title 24 energy efficiency standards through electric and green building systems such as heat pumps and smart building systems that minimize energy consumption.

2. Reduce carbon and other GHG emissions into the environment. The Specific Plan Update promotes building and neighborhood design that reduces personal vehicle use. Reducing carbon can be achieved by shifting to active transportation modes, which can be promoted though development policies like micro electric vehicle incentives (instead of vehicle parking, recommending a Cargo e-bike for a 1-bedroom unit), electric vehicle parking, electric vehicle chargers, repair facilities, and other amenities.

3. Choose materials used for physical development that support sustainability. The Specific Plan Update prioritizes sustainable, non-toxic, and locally sourced materials, whenever feasible. This includes the reuse of materials such as recycled steel or reclaimed wood, and low-carbon alternatives like rammed earth construction. Furthermore, buildings should use materials with low volatile organic compounds to improve indoor air quality and avoid polluting soil and groundwater.

4. Improve water conservation and use practices. The Specific Plan Update encourages on-site rainwater capture, storage, and reuse, as well as water-efficient fixtures and systems such as low-flow toilets, faucets, and greywater recycling systems. Landscaping must consist of drought-tolerant plants that require minimal irrigation.

4.12.5.2 Environmental Analysis

As discussed in Section 4.12.3, as a program-level analysis, GHG emissions were calculated for buildout of the Specific Plan Update and compared to GHG emissions associated with buildout of the Adopted Specific Plan to demonstrate if the Specific Plan Update would be consistent with the CAP's projections. As shown in Table 4.12-6, buildout of the Adopted Specific Plan would result in 74,563 MT CO_2E per year and buildout of the Specific Plan Update would result in 52,563 MT CO_2E per year, for a total GHG emission reduction of 22,000 MT CO_2E. The CAP GHG emission forecasts and reductions account for growth anticipated under the Adopted Specific Plan. Because the Specific Plan Update would result in a reduction in development and associated GHG emissions when compared to the Adopted Specific Plan, GHG emissions associated with the Specific Plan Update are accounted for in the CAP. Because the CAP is a qualified GHG reduction plan consistent with CEQA Guidelines Section 15183.5, future development proposed under the Specific Plan Update would be determined not to be significant if it complies with the requirements of the CAP. This would be demonstrated through completion of a CAP Checklist where individual future development projects would demonstrate that GHG emissions would be less than the GHG screening threshold of 500 MT CO_2E per year (see Table 4.12-4) or would implement the measures outlined in Step 2 of the Checklist. These measures include the following (City of San Marcos 2020a):

1. Electric Vehicle Charging Stations (Measure T-2)

   Multi-Family Residential and Non-Residential: Will the project install electric vehicle charging stations (Level 2 or better) in at least five percent of the total parking spaces provided on-site?

2. Bicycle Infrastructure (Measure T-8)

   Residential and Non-Residential Projects: If the following conditions are met, would the project pay its fair-share contribution to bicycle infrastructure improvements?

   - Intersection or roadway segment improvements are proposed as part of the project and,
   - The City's General Plan Mobility Element identifies bicycle infrastructure improvements at any intersection(s) or roadway segment(s) that would be improved as part of the project.

3. Transportation Demand Management (Measure T-9)

   Residential and Non-Residential: Will the project comply with the City's Transportation Demand Management (TDM) Ordinance (Chapter 20.350 of the Municipal Code) and the TDM Policy?

4. Reduce Parking Near Transit (Measure T-12)

Multi-Family Residential: If located within a half-mile of a major transit stop 2 , would the project provide at least 27 percent fewer parking spaces than required for the same use based on the City's municipal code parking requirements?

5. Water Heaters (Measure E-1)

   Residential: Will the project install one of, or a combination of, the following water heater types in place of natural gas water heaters?

   - Electric heat pump water heater
   - Instantaneous electric water heater
   - Electric tank
   - Solar water heater with heat pump water heater backup
   - Solar water heater with electric tank backup

6. Photovoltaic Installation (Measure E-2)

   Non-Residential: Will the project install photovoltaic systems with a minimum capacity of two watts per square foot of gross floor area?

7. Landscaping Water Use (Measure W-1)

   Residential and Non-Residential: Will the project comply with the City's Water Efficient Landscape Ordinance?

8. Urban Tree Canopy (Measure C-2)

   Single-Family Residential: Will the project plant a minimum of one tree per single-family residential unit?

   -or-

   Multi-Family Residential and Non-Residential: If the project is providing more than 10 parking spaces, will the project plant at least one tree per five parking spaces provided?

Overall, because buildout of the Specific Plan Update would not exceed the CAP projections and future development would be required to demonstrate consistency with the CAP through submission of a project-specific CAP Checklist, the Specific Plan Update would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

4.12.5.3 Conclusion

Buildout of the Specific Plan Update would generate approximately 50,138 MT CO_2E per year, which is 23,969 MT CO_2E less than the 74,107 MT CO_2E projected for buildout of the Adopted Specific Plan. Because the Specific Plan Update results in reduced development and associated GHG emissions compared to the Adopted Specific Plan, the emissions are accounted for within the projections of the City's CAP, which is a qualified GHG reduction plan under CEQA Guidelines Section 15183.5. Consistent with City standards, future development would be required to demonstrate consistency with the CAP. Impacts would be less than significant

4.12.6 Threshold b: GHG Plans

Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs?

4.12.6.1 Specific Plan Update

See Section 4.12.5.1.

4.12.6.2 Environmental Analysis

This section evaluates the project's consistency with the relevant executive orders, 2025 Regional Plan, 2022 Scoping Plan, and the City's General Plan.

a. Executive Orders

EOs S-3-05 and B-30-15 established GHG emission reduction targets for the state, and AB 32 launched the CARB Climate Change Scoping Plan that outlined the reduction measures needed to reach the 2020 target, which the state has achieved. As required by SB 32, CARB's 2017 Scoping Plan outlines reduction measures needed to achieve the interim 2030 target, and the 2022 Scoping Plan outlines the path towards carbon neutrality by 2045. As detailed in Section 4.12.5.2 above, the project would be consistent with the City's CAP, which is a qualified GHG reduction plan consistent with CEQA Guidelines Section 15183.5. The CAP includes reduction targets for the year 2030 to meet the state's GHG reduction goals mandated by SB 32 and identifies how the City would make reasonable progress towards the state's post-2030 GHG reduction goals, including achieving carbon neutrality statewide by 2045. Construction and operation of future development implemented under the Specific Plan Update would not result in emissions that would adversely affect statewide attainment of GHG emission reduction goals as described in AB 32, EOs S-3-05 and B-30-15, and SB 32.

b. 2025 Regional Plan/ 2022 Scoping Plan

The Specific Plan Update was also evaluated for consistency with the 2025 Regional Plan (SANDAG 2025). As discussed in Section 4.12..2.3, the 2025 Regional Plan provides direction for how the region will meet its transportation-related GHG reduction goals. The 2025 Regional Plan maintains the region's commitment to multimodal, sustainable, and equitable mobility while expanding transit,

updating regional growth forecasts (Series 15), advancing equity, health, and safety through improved access to jobs and essential services, and applying updated modeling tools and performance metrics to meet state GHG reduction targets. A reduction in regional VMT (and VMT-related GHG emissions) is a primary objective of the 2025 Regional Plan in accordance with the mandates of SB 375. The Guiding Principles of the Specific Plan Update (see Section 4.12.5.1) along with the proposed land use plan would be consistent with VMT reduction strategies identified in the 2025 Regional Plan.

Reduction in VMT is identified as a key component of the mobile source GHG emissions reduction policies and control measures in the CARB 2022 Scoping Plan. A Transportation Impact Study was prepared for the Specific Plan Update (Appendix G). As discussed in greater detail in Section 4.10, The project is anticipated to have a VMT per capita less than the regional average and would result in less than significant VMT impacts for its residential units. However, the project's commercial component is anticipated to result in a significant impact. The Specific Plan Update includes several components focused on the reduction of Planning Area reliance on motor vehicles and the encouragement of alternative modes of transportation. Specifically, multi-use pathways, Class IV Cycle Tracks, and bicycle routes would be constructed and extended to existing roadways and new internal roadways within the Planning Area. Roadway improvements are planned along the existing Las Posas Road, Via Vera Cruz, Bent Avenue, and Creekside Drive that would contribute to an expanded multimodal transportation network by providing new bicycle and pedestrian facilities on those roadways. Additionally, the proposed roadway connections along Pacific Street, McMahr Drive, and Creekside Drive would provide direct connections through the Planning Area as well as onto major arterial roadways, and would improve traffic congestion in the area, as well as add new bicycle and pedestrian facilities that would improve connectivity to the surrounding area. To further reduce VMT impacts associated with commercial development, future commercial projects within the Planning Area would implement mitigation measure S-VMT-1, requiring future commercial development in the Planning Area to conduct a project-level VMT analysis to determine whether the proposed development would meet the screening criteria outlined in the City's Transportation Impact Analysis Guidelines (City of San Marcos 2020c) or any subsequent updates to these guidelines. If a project is not screened out, a project level VMT analysis would be prepared to identify VMT-reducing infrastructure and/or strategies that would mitigate the project's VMT-related impacts.

S-VMT-1: Applications for future commercial development under the project shall conduct a project-level vehicle miles traveled (VMT) analysis that determines whether the proposed development would meet the screening criteria outlined in the City of San Marcos' (City) Transportation Impact Analysis Guidelines (November 16, 2020), or any subsequent updates to these guidelines. If the proposed development does not meet any of the screening criteria outlined in the City's Transportation Impact Analysis Guidelines, the applicant shall conduct a project-level VMT analysis and identify VMT impacts associated with the proposed development. The project applicant shall reduce project-induced VMT impacts through implementation of VMT-reducing infrastructure and/or strategies that would mitigate the project's VMT-related impacts that would be incorporated into commercial development.

In addition, the applicant shall also prepare and submit a Transportation Demand Management (TDM) Plan to the City for approval, and/or participate in a local, regional, or stateside VMT mitigation program, if available. The TDM Plan shall include a series of measures to reduce project-related VMT. Measures may include strategies such as ridesharing initiatives (e.g., carpooling), promoting alternative work schedules and telework, subsidizing employee use of public transit, and promoting bicycling, walking, and the use of public transit. The TDM Plan will be subject to the City's review and approval, and no development shall proceed until the TDM Plan is deemed acceptable by the City.

c. General Plan Goals

As discussed in Table 4.7-1, the Specific Plan Update would be consistent will all relevant goals supporting the reduction of GHG emissions and implementation of sustainable development throughout the Planning Area.

4.12.6.3 Conclusion

Construction and operation of future development implemented under the project would not result in emissions that would adversely affect statewide attainment of GHG emission reduction goals as described in AB 32, EOs S-3-05 and B-30-15, and SB 32. With the inclusion of VMT-reducing project features and implementation of subsequent mitigation measure S-VMT-1, the project's potentially significant impacts associated with conflicts with implementation of statewide GHG reduction goals, the 2022 Scoping Plan, the 2025 Regional Plan, and the City General Plan would be less than significant.

4.13 Energy

Since certification of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR), Appendix G the California Environmental Quality Act (CEQA) Guidelines were updated to include thresholds of significance related to energy use. This section of the Subsequent Environmental Impact Report (SEIR) therefore evaluates potential impacts associated with the Creek Plan Specific Plan Update (Specific Plan Update; project) that were not previously evaluated in the 2007 EIR. This section addresses potential project impacts related to energy conservation that could result from implementation of the Specific Plan Update.

4.13.1 Existing Conditions

4.13.1.1 Utility Provider

San Diego Gas & Electric (SDG&E) currently provides natural gas and electricity transmission and distribution infrastructure in San Diego County. SDG&E is regulated by the California Public Utilities Commission (CPUC), which is responsible for making sure that California utilities' customers have safe and reliable utility service. The program's energy needs would be supplied through the various combinations of energy resources available within the program areas, and the analysis in this section takes into account the anticipated future SDG&E energy resource use patterns.

Senate Bill (SB) 1078 established the California Renewables Portfolio Standard (RPS) Program, which required SDG&E and other statewide energy utility providers to achieve a 33 percent renewable energy mix by 2020. The RPS standards have been periodically updated, now with a goal of 44 percent by the end of 2024, 52 percent by the end of 2027, and 60 percent by 2030. Table 4.13-1 summarizes the SDG&E power mix as of 2024. As shown, SDG&E used biomass, solar, wind, hydroelectric, natural gas, nuclear, and unspecified sources, and obtained 41 percent of its energy from renewable resources in 2024 (SDG&E 2025).

Table 4.13-1
SDG&E 2024 Power Content Label
(percentage)

Energy Sources	2024 SDG&E Power Mix	California Utility Average
GHG Emissions Intensity (pounds of carbon dioxide equivalent [CO_2E] per megawatt hour)[1]	663	359
Eligible Renewable[1]	41	45
- Biomass & Biowaste	1	2
- Geothermal	0.0	5
- Eligible Hydroelectric	0.0	2
- Solar	24	23
- Wind	16	14
- Large Hydroelectric	0	10
- Nuclear	0	11

Table 4.13-1 SDG&E 2024 Power Content Label (percentage)		
Energy Sources	2024 SDG&E Power Mix	California Utility Average
Emerging Technologies	0	0
Other	0.0	90
Natural Gas	59	10
Coal and Petroleum	0	2
Unspecified Power (primarily fossil fuel)[2]	0	22
TOTAL	100.0	100.0

SOURCE: SDG&E 2025.
NOTE: This label does not reflect compliance with the RPS, which measures the use of tracking instruments called Renewable Energy Credits (RECs) over the course of multi-year compliance periods. RECs that are purchased separately from the renewable energy ("Unbundled RECs") can be used for RPS compliance, but they do not factor into the power mixes or GHG emissions intensities above.
[1]Greenhouse gas intensity figures exclude biogenic carbon dioxide and emissions from geothermal sources and grandfathered imports of firmed-and-shaped energy. For detailed information about all greenhouse gas emissions from California's retail electricity suppliers, visit the California Energy Commission webpage at the link: https://www.sdge.com/node/20821
[2]Unspecified power is electricity purchased from a genericized pool on the open market.

4.13.1.2 Local Sustainability Efforts

To reduce reliance on these energy sources and assist in meeting greenhouse gas (GHG) emission targets (see Section 4.12), the City of San Marcos (City) is committed to providing green, renewable, and reliable energy (City of San Marcos, 2020). Pursuant to the City's Climate Action Plan (CAP), the following strategies demonstrate the City's commitment to investing in renewable energy and energy efficiency improvements:

- Increase use of zero-emissions of alternative fuel vehicles
- Reduce fossil fuel use
- Reduce vehicle miles traveled (VMT)
- Increase building energy efficiency
- Increase renewable and zero-carbon energy
- Reduce water use
- Reduce and recycle solid waste
- Increase urban tree cover

To further foster sustainability efforts and support CAP goals, the City joined the Clean Energy Alliance (CEA) in April 2023. The CEA provides a community choice aggregation program for residents and local businesses that offers a higher proportion of renewable energy options compared to traditional utility providers, thereby supporting local and statewide efforts to reduce GHG emissions.

Additional plans are continuing to expand existing efforts as discussed in Section 4.7.3.

4.13.2 Regulatory Framework

In response to rising concern associated with energy use and global climate change impacts, several plans and regulations have been adopted at the international, national, and state levels with the aim of increasing energy use from renewable sources. The following is a discussion of the state, regional, and local plans and regulations most applicable to the project.

4.13.2.1 State Regulations

a. California Building Energy Action Plan

In September 2008, the CPUC adopted the Long Term Energy Efficiency Strategic Plan, which established the first integrated framework of goals and strategies for saving energy, covering government, utility, and private sector actions. Subsequently, Assembly Bill 758 in 2010 established a requirement for regular updates to the plan, and SB 350 in 2015 identified plan goal of achieving a doubling of statewide energy efficiency savings in electricity and natural gas end uses of retail customers by January 1, 2030 (relative to 2015 base year). Since 2008, the plan has been implemented through focused action plans such as the Zero Net Energy Commercial Building Action Plan in June 2011, the Research and Technology Action Plan in August 2013, the Lighting Action Plan in November 2013, the Codes and Standards Action Plan in March 2014, and the New Residential Zero Net Energy Action Plan in June 2015.

The first comprehensive update to the plan, the *2019 California Energy Efficiency Action Plan*, was adopted in November 2019 (California Energy Commission [CEC] 2019). In response to new direction from legislature, the focus of the new plan has been expanded. Rather than being focused on traditional end-use energy efficiency, the new plan also includes measures aimed at building decarbonization.

The 2025 update, the *2025 Energy Action Plan*, presents a statewide, multiagency perspective on ways to achieve greater decarbonization of existing buildings through improved energy efficiency, electrification, and supporting strategies (CEC 2025).

b. Sustainable Communities Strategy

SB 375, the 2008 Sustainable Communities and Climate Protection Act, provides for a planning process that coordinates land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals. SB 375 requires regional transportation plans developed by metropolitan planning organizations to incorporate a Sustainable Communities Strategy (SCS) in their plans. The goal of the SCS is to reduce regional VMT through land use planning and consequent transportation patterns. SB 375 also includes provisions for streamlined CEQA review for some infill projects, such as transit-oriented development. The SCS for the region is the San Diego Association of Governments (SANDAG) 2025 Regional Plan (see Section 4.13.2.2(b).

c. Renewables Portfolio Standard

The RPS promotes diversification of the state's electricity supply and decreased reliance on fossil fuel energy sources. Renewable energy includes, but is not limited to, wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. Originally adopted in 2002 with a goal to achieve a 20 percent renewable energy mix by 2020 (referred to as the "Initial RPS"), the goal has been accelerated and increased by Executive Orders S-14-08 and S-21-09 to a goal of 33 percent by 2020. In April 2011, SB 2 (1X) codified California's 33 percent RPS goal. SB 350 (2015) increased California's renewable energy mix goal to 50 percent by the year 2030. SB 100 (2018) further increased the standard set by SB 350, establishing the RPS goal of 44 percent by the end of 2024, 52 percent by the end of 2027, and 60 percent by 2030. This bill also says that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100 percent of retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. SDG&E's 2023 RPS Procurement Plan (SDG&E 2024) estimates that it procured approximately 50 percent of its electricity from renewable resources in 2023. The statewide 2025 RPS Annual Report reports that SDG&E achieved 45 percent renewables in 2024 (CPUC 2025).

d. California Code of Regulations, Title 24 – California Building Code

The California Code of Regulations (CCR), Title 24, is referred to as the California Building Code. It consists of a compilation of several distinct standards and codes related to building construction, including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility.

Title 24, Part 6 – Energy Efficiency Standards

The California Code of Regulations, Title 24, Part 6 is the Energy Efficiency Standards or California Energy Code. This code, first enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy consumption. The California Energy Code is updated periodically to incorporate and consider new energy-efficiency technologies and methodologies as they become available. New construction and major renovations must demonstrate their compliance with the current California Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC.

The current 2025 Title 24 Building Energy Efficiency Standards went into effect on January 1, 2026. The 2025 Energy Code builds on previous versions and expands the use of heat pumps in newly constructed residential buildings, encourages electric readiness, and strengthens ventilation standards.

New construction and major renovations must demonstrate their compliance with the current California Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. The compliance reports must demonstrate a building's energy performance through use of CEC-approved energy performance software that shows iterative increases in energy efficiency given the selection of various heating, ventilation, and air conditioning; sealing; glazing; insulation; and other components related to the building envelope.

Title 24, Part 11 – California Green Building Standards Code

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11 first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Code). The current 2025 CALGreen standards became effective January 1, 2026. CALGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of nonresidential and residential structures. Local jurisdictions must enforce the minimum mandatory Green Building Standards and may adopt additional amendments for stricter requirements. The mandatory measures are related to planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. CALGreen also includes two tiers of residential and nonresidential voluntary measures that encourage local jurisdictions to raise the sustainability goals: Tier 1 adds additional requirements beyond the mandatory measures, and Tier 2 further increases the requirements.

Similar to the reporting procedure for demonstrating California Energy Code compliance in new buildings and major renovations, compliance with the CALGreen mandatory requirements must be demonstrated through completion of compliance forms and worksheets.

4.13.2.2 Regional Regulations

a. Regional Energy Strategy

The Regional Energy Strategy establishes goals for the San Diego region to be more energy efficient, increase use of renewable energy sources, and enhance the region's energy infrastructure in order to meet the growing energy demand. The Regional Energy Strategy serves as an energy policy guide to support decision-making by SANDAG and its member agencies as the region strives to meet the energy needs of a growing population, housing stock, and number of workers while maintaining and enhancing regional quality of life and economic stability.

b. Sustainable Communities Strategy – San Diego Forward: The 2025 Regional Plan

The 2025 Regional Plan (SANDAG 2025) includes an SCS, as required by California SB 375, for the San Diego region. This SCS describes how coordinated transportation, housing, and land use will meet the target for reducing per capita GHG emissions set by the California Air Resources Board (CARB). The state-mandated target for the San Diego region is a 19 percent per capita reduction in emissions from cars and light duty trucks by 2035 from 2005 levels. The 2025 Regional Plan achieves a 19.35 percent reduction in 2035.

c. SANDAG Energy Roadmap Program

This program, which is funded by a Local Government Partnership with SDG&E, provides free energy assessments and energy management plans to local jurisdictions. The City has benefitted from SANDAG funding and technical assistance and continues to work with SANDAG to align the City's climate action efforts with regional goals and policies.

4.13.2.3 Local Regulations

a. City of San Marcos Climate Action Plan

The City's CAP, adopted in 2020, provides policy direction for energy efficiency and renewable energy. The CAP considers how energy demand is driven by land use patterns, transportation, economic activity, consumer choices, and climate change. The goals and policies of the CAP are supported by specific GHG emission reduction measures. The following policies are examples of those that would be relevant to successful implementation of the Specific Plan Update and would be applicable to future development:

- Policy T-2.1: Develop, adopt, and implement an ordinance to require EV charging stations in new multi-family and non-residential developments.
- Policy T-8.2: Expand and link the City's bicycle and pedestrian network consistent with the General Plan Mobility Element and Trails Master Plan.
- Policy T-8.3: Consider ordinance updates to increase the number of bicycle parking facilities in front of retail, restaurants, and employment centers.
- Policy T-9.1: Work with developers to integrate bicycle and pedestrian amenities within their development plans.
- Policy T-10.2: Establish an intra-City shuttle system that connects the central development nodes of the City with Palomar Community College, CSU San Marcos, and the urban core of the community.
- Policy S-1.1: Develop, adopt, and implement an ordinance requiring 75 percent construction and demolition waste diversion requirement for applicable projects.
- Policy S-1.2: Develop and adopt citywide goals for solid waste diversion to achieve an 85 percent reduction in solid waste.
- Policy C-1.3: Manage parks, open space, and other natural areas to ensure long-term health and viability of trees and other vegetation.

b. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to climate change and energy. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Conservation and Open Space Element

- **Goal COS-4: Improve regional air quality and reduce greenhouse gas emissions that contribute to climate change.**
    - Policy COS-4.5: Encourage energy conservation and the use of alternative energy sources within the community.
    - Policy COS-4.6: Promote efficient use of energy and conservation of available resources in the design, construction, maintenance and operation of public and private facilities, infrastructure and equipment.
    - Policy COS-4.8: Encourage and support the generation, transmission and use of renewable energy.

4.13.3 Thresholds of Significance

Based on the CEQA Guidelines Appendix G, impacts related to energy would be significant if the project would:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.13.4 Threshold a: Energy Consumption

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

4.13.4.1 Specific Plan Update

As detailed in Section 4.12.5.1 of this SEIR, the Specific Plan Update incorporates sustainability policies and infrastructure standards intended to support the City's GHG reduction goals and encourage development that exceeds minimum regulatory requirements. The Plan promotes renewable energy generation and energy-efficient building design, reduced vehicle emissions through active transportation and electric vehicle infrastructure, the use of sustainable and low-carbon building materials, and enhanced water conservation through rainwater capture, efficient fixtures, greywater reuse, and drought-tolerant landscaping. These objectives are intended to reduce energy use, GHG emissions, resource consumption, and environmental impacts associated with future development.

The Specific Plan Update includes several goals and policies intended to address energy consumption. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal S.1: A model of sustainability that integrates nature and the city.
    - Policy S.1.1: Promote and educate regarding the importance of water and water conservation through incorporation of interpretive signage and exhibits as part of open space improvements.

4.13.4.2 Environmental Analysis

Implementation of the Specific Plan Update could impact energy consumption due to the anticipated increase in density and intensity of land uses. Impacts to energy resources could be significant if buildout under the Specific Plan Update would create land uses and patterns that would cause the wasteful, inefficient, and unnecessary consumption of energy or the construction of new or retrofitted buildings that would have excessive energy requirements for daily operation. To better analyze the environmental effects associated with the Specific Plan Update, energy use is evaluated in three distinct categories:

1. Equipment energy use from construction of future development and redevelopment projects;

2. Transportation energy use from people traveling to, from, and within the Planning Area; and

3. Building energy use within the Planning Area after buildout.

a. Construction-Related Energy Use

During construction, energy use would occur in two general categories: fuel use from vehicles used by workers commuting to and from the construction site, and fuel use by vehicles and other equipment to conduct construction activities. At the program level, it is too speculative to quantify the construction-related energy consumption of future development, either in total or by fuel type. Although the exact details of future development are not known, there are no known conditions in the City that would require nonstandard equipment or construction practices that would increase fuel-energy consumption above typical rates. It should also be noted that all construction equipment is subject to the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation. This regulation, which applies to all off-road diesel vehicles 25 horsepower or greater, limits unnecessary idling to five minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment and phases out Tier 1 and 2 equipment (thereby replacing fleets with cleaner equipment), and requires that fleets comply with Best Available Control Technology requirements, which would increase construction equipment fuel efficiency. Therefore, future development within the Planning Area would not result in the use of excessive amounts of fuel or other forms of energy during construction of future projects.

b. Transportation-Related Energy Use

Buildout of the Specific Plan Update would consume energy associated with transportation uses. Trips by individuals traveling to, from, and within the Planning Area would largely rely on passenger vehicles or public transit. Passenger vehicles would be mostly powered by gasoline, with some fueled by diesel or electricity. Public transit would be powered by diesel or natural gas and could potentially be fueled by electricity.

As noted in Section 4.12 of this SEIR, the Specific Plan Update would reduce both number of average daily trips (ADT) and VMT compared to the Adopted Specific Plan. ADT would be reduced by 24,769 trips, and VMT would be reduced by 216,501 miles. This reduction is due to a more compact development design with greater emphasis on multi-modal corridors. As further discussed in Section 4.7, future development within the Planning Area would adhere to Specific Plan Update policies focused on coordination of land uses and mobility planning to promote walking, biking, and transit, and improve access throughout the Planning Area. The Land Use chapter gives details on how the Specific Plan Update supports new mobility connections, including expanded transit, bicycle/pedestrian facilities, and greenways, to reduce dependence on automobiles and improve linkages between the corridors. Therefore, future development within the Planning Area would not result in excessive amounts of transportation-related energy use.

c. Building-Related Energy Use

As future development within the Planning Area is implemented, new or renovated buildings would be required to use electricity to run all appliances and equipment as the Specific Plan Update specifically prohibits natural gas and petroleum powered appliances, heating, ventilation, and air conditioning, and mechanical systems. Additionally, the Specific Plan Update requires a minimum of 30 percent solar panel roof cover, depending on type of use and building energy needs. Generally, electricity use is higher in the warmer months due to increased air conditioning needs. Residential uses would likely see the most energy use in the evening as people return from work, while most non-residential facilities would have high energy use during normal business hours and lower levels at other times.

Energy use associated with the project were calculated using CalEEMod as a part of the Greenhouse Gas Analysis (Appendix H). Calculation methodology is discussed in Section 4.12.4.3(b). These calculations conservatively modeled default natural gas consumption. As discussed above, the Specific Plan Update specifically prohibits natural gas. However, existing development within the Planning Area may continue to consume natural gas. Table 4.13-2 shows the energy consumption associated with project buildout.

Table 4.13-2 Energy Use				
	Adopted Specific Plan		Specific Plan Update	
Land Use	Electricity (kWh per year)	Natural Gas (kBTU per year)	Electricity (kWh per year)	Natural Gas (kBTU per year)
Residential	7,799,001	16,280,404	7,748,138	16,174,227
Non-Residential	11,150,417	5,474,182	5,590,105	2,744,404
Total	18,949,418	21,754,586	13,338,243	18,918,631
SOURCE: Appendix H.				

Future development would, at a minimum, be required to comply with the mandatory measures included in the current 2025 Energy Code (California Code of Regulations, Title 24, Part 6) and the 2025 CALGreen standards, and future Code iterations thereafter. New construction and major renovations must demonstrate their compliance with the current Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. The compliance reports must demonstrate a building's energy performance through use of CEC-approved energy performance software that shows iterative increases in energy efficiency given the selection of various heating, ventilation, and air conditioning; sealing; glazing; insulation; and other components related to the building envelope.

In addition to the energy efficiencies that would be realized from compliance with current CALGreen and Title 24 standards in new developments, future development would be reviewed for consistency with General Plan and Specific Plan Update policies. For example, General Plan Policy COS-4.5 expressly encourages energy conservation and the use of alternative energy sources within the community. The Specific Plan Update encourages exceeding regulatory standards and promoting other complementary renewable energy production (kinetic energy, wind, etc.), recommending sustainable design through the development process. Additionally, as discussed in Section 4.13.1.2, the City is a member of the CEA, which provides renewable energy services to the Planning Area.

As detailed in Section 4.12 of this SEIR, the City's CAP includes GHG reduction goals related to energy use and energy conservation. Future development would be required to demonstrate consistency with the CAP. Therefore, through decreased reliance on oil and natural gas, regulatory and policy compliance, and implementation of CAP reduction measures, the Specific Plan Update would not create a land use pattern that would result in wasteful, inefficient, or unnecessary use of building-related energy.

4.13.4.3 Conclusion

Energy conservation measures required by applicable energy conservation regulations (e.g., CALGreen, Title 24) and energy conservation policies included in the General Plan and Specific Plan Update, as well as implementation of the CAP reduction measures, would support the minimization of energy consumption associated with future construction, transportation-related, and building-related sources. ADT and VMT associated with buildout of the Specific Plan Update would be less than that associated with buildout of the Adopted Specific Plan. Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant. No new mitigation would be required.

4.13.5 Threshold b: Renewable Energy and Efficiency Plans

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

4.13.5.1 Specific Plan Update

See Section 4.13.4.1.

4.13.5.2 Environmental Analysis

The applicable state plans that address renewable energy and energy efficiency are CALGreen, the California Energy Code, and RPS. As discussed under Section 4.13.4.2 above, future development throughout the Specific Plan Update would be required at a minimum to meet the mandatory energy requirements of CALGreen and the California Energy Code in effect at the time of development. Based on the latest report to the legislature, SDG&E procured 45 percent of energy from renewable resources in 2024 (CPUC 2025) and is on track to achieve future RPS goals. Thus, consistent with energy efficiency plans and programs, electricity provided to the City is increasingly coming from renewable sources. Implementation of the Specific Plan Update would not interfere with SDG&E's progress towards achieving RPS goals, but rather foster achievement through additional goals and policies. Additionally, buildout under the Specific Plan Update would result in less VMT and less building energy consumption compared to buildout of the Adopted Specific Plan. Therefore, the project would not conflict with or obstruct implementation of CALGreen and the California Energy Code, or SDG&E's implementation of RPS.

4.13.5.3 Conclusion

Future development under the SPU would implement applicable regulations and be reviewed for compliance with policies that would ensure development would be energy efficient. Therefore, the project would not conflict with or obstruct implementation of CALGreen and the California Energy Code, or with SDG&E's implementation of RPS, and impacts would be less than significant. No new mitigation would be required.

4.14 Wildfire

Since certification of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR), Appendix G the California Environmental Quality Act (CEQA) Guidelines were updated to include thresholds of significance related to wildfire. This section of the Supplemental Environmental Impact Report (SEIR) therefore evaluates potential impacts associated with the Creek Plan Specific Plan Update (Specific Plan Update; project) that were not previously evaluated in the 2007 EIR.

4.14.1 Existing Conditions

As discussed in Section 4.5, the San Marcos Creek Specific Plan area (Planning Area) is outside designated high and very high Fire Hazard Severity Zones (FHSZs) under the most recent California Department of Forestry and Fire Protection (CAL FIRE) mapping (see Figure 4.5-1).

4.14.1.1 Wildfire Hazards

The risk of wildland fires is related to a combination of factors, including winds, temperatures, humidity levels, and fuel moisture content. Of these four factors, wind is the most crucial. Consistent with southern California weather patterns, the Planning Area experiences persistent gentle winds throughout the year. The prevailing westerly wind pattern is sometimes interrupted by regional "Santa Ana" conditions. Santa Ana winds occur when a strong high pressure develops over the Nevada-Utah area and overcomes the prevailing westerly coastal winds, sending strong, steady, hot, dry northeasterly winds over the mountains and out to sea. Generally, these winds contribute to fire hazards by intensifying fire and making fire suppression difficult. However, the lack of steep slopes and expanses of native vegetation within the Planning Area makes wildfire risk relatively low compared to other areas in and adjacent to the City of San Marcos (City).

CAL FIRE has developed a Fire Hazard Severity Scale that uses three criteria, fuel loading, fire weather, and topography, to evaluate potential fire hazards in wildland areas CAL FIRE presents the results of this evaluation through mapping of FHSZs, which are classified as moderate, high, or very high (CAL FIRE 2026). Figure 4.5-1 presents the distribution of FHSZs in proximity to the Planning Area. As shown in Figure 4.5-1, the Planning Area is not mapped within a FHSZ.

4.14.1.2 Wildfire Preparedness

Since 2007, the City has been actively working to enhance wildfire preparedness through various initiatives and community engagement.

a. Vegetation Management Program

The San Marcos Fire Department (SMFD) implements a vegetation management program to reduce the potential for major wildland fires. The program includes inspecting properties to minimize

overgrowth and ensuring compliance with ordinances prohibiting the accumulation of weeds, grass, and vegetation (San Marcos Municipal Code [SMMC] Section 8.64.010).

b. Community Wildfire Protection Plan

Community Wildfire Protection Plans (CWPP) are blueprints for preparedness at the neighborhood level, organizing community efforts to protect against wildfires. They include educating homeowners, ensuring defensible space clearing, and safeguarding communities through fuels treatment (see Section 4.14.2.6).

c. HeloPod Collaboration

The Vallecitos Water District and the City have collaborated with CAL FIRE to provide a new water source for firefighting helicopters, which can be filled by water from Vallecitos's Palomar Tank. This new tool is designed to help firefighters access clean water quickly and efficiently.

4.14.1.3 City of San Marcos Fire District

SMFD is a full-service department serving the City and the San Marcos Fire Protection District, covering 33 square miles and approximately 95,000 residents (City of San Marcos 2026). The SMFD protects a diverse community with residential neighborhoods, commercial and retail centers, office buildings, industrial parks, and educational institutions such as California State University San Marcos and Palomar College. It also manages several thousand acres of wildland and wildland-urban interface areas. With an Insurance Services Office Class 1 rating, the SMFD provides the following services:

- Fire suppression
- Rescue
- Emergency medical services
- Fire prevention
- Vegetation management
- Public education
- Emergency preparedness
- Trauma support

The SMFD operates four fire stations and a regional emergency services training facility. Daily emergency resources include:

- 4 Fire stations
- 4 Paramedic assessment engine companies
- 1 Paramedic assessment truck company
- 5 Paramedic transport ambulances (24-hour units)
- 1 Shift Battalion Chief
- 1 On-call Duty Chief

4.14.2 Regulatory Framework

In response to rising concern associated with increasing wildfire impacts, several plans and regulations have been adopted at the national and state levels with the aim of reducing wildfire hazards. The following is a discussion of the federal, state, regional, and local plans and regulations most applicable to the project.

4.14.2.1 Federal Regulations

a. Disaster Mitigation Act

The Disaster Mitigation Act of 2000 requires that a state mitigation plan, as a condition of disaster assistance, add incentives for increased coordination and integration of mitigation activities at the state level through the establishment of requirements for two different levels of state plans: "Standard" and "Enhanced." The Disaster Mitigation Act also established a new requirement for local mitigation plans. It states that jurisdictions that wish to be eligible for federal hazard mitigation grant funding must prepare a hazard mitigation plan that meets a certain set of guidelines and submit this plan to the Federal Emergency Management Agency for review and approval. These guidelines are outlined in the Code of Federal Regulations, Title 44, Part 201.

4.14.2.2 State Regulations

a. California Fire Code

The California Fire Code (Fire Code; California Code of Regulations Title 24, Part 9) establishes regulations to safeguard the public health, safety, and general welfare from hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas. The City has adopted the Fire Code as Chapter 15.32 of the SMMC.

b. Attorney General Wildfire Guidance

The California Office of the Attorney General issued guidance (Guidance) outlining best practices for analyzing and mitigating wildfire impacts of development projects under CEQA (California Office of the Attorney General 2022). The Guidance is intended to help local governments' evaluation and approval considerations for development projects in fire-prone areas and to help project design in a way that minimizes wildfire ignition and incorporates emergency access and evacuation measures. Importantly, the Guidance does not impose additional legal requirements on local governments, nor does it alter any applicable laws or regulations. The Guidance suggests best practices including

establishing baseline conditions, guidance for local governments in establishing thresholds of significance, modeling fire behavior and risk, providing qualitative assessment of fire risk, and offering potential measures to mitigate fire risk. The Guidance additionally addresses wildfire evacuation analysis best practices.

c. Evacuation Planning Bills – Senate Bill 99 and Assembly Bill 747

Senate Bill 99 [Government Code Section 65302, subdivision (g)(5)] requires safety elements to identify residential developments in any hazard area that do not have at least two emergency evacuation routes. Assembly Bill 747 (Government Code Section 65302.15) requires jurisdictions to identify evacuation routes and their capacity, safety, and viability under various emergency scenarios.

4.14.2.3 Regional Regulations

a. San Diego County Multi-Jurisdictional Hazard Mitigation Plan

On February 7, 2023, the Board of Supervisors of the County of San Diego adopted the revised 2023 Multi-Jurisdictional Hazard Mitigation Plan (MJHMP; County of San Diego 2023a). The MJHMP is a countywide plan that identifies risks and ways to minimize damage by natural and man-made disasters. The MJHMP is a comprehensive document that serves many purposes, including creating a decision tool for management, promoting compliance with state and federal program requirements, enhancing local policies for hazard mitigation capability, and providing inter-jurisdictional coordination. The MJHMP includes potential mitigation actions related to wildfires and release of hazardous materials.

Specifically, the City Annex identifies wildfire as the highest threat to the City (County of San Diego 2023b). The City has developed the following goals related to the development of mitigation strategies to reduce hazards related to wildfire:

- Goal: Promote public awareness of hazard risk and mitigation of wildfires.
- Goal: Reduce the possibility of damage and losses to existing assets, particularly people, critical facilities/infrastructure, and City-owned facilities and assets, in an all-hazard approach (including wildfire, structure fire, water system contamination, and cyber-attacks).

4.14.2.4 Local Regulations

a. Multi-Jurisdictional Hazard Mitigation Plan (City of San Marcos Annex)

The City participates in hazard mitigation planning through its inclusion in the San Diego County MJHMP, which identifies natural and human-caused hazards, assesses vulnerabilities, and outlines strategies to reduce risk to life and property. The MJHMP, last revised in 2023 and formally adopted by the County of San Diego, provides a framework for hazard identification, risk assessment, and mitigation actions that are integrated into local planning and emergency management efforts.

The MJHMP includes wildfire as one of the City's primary hazards due to the impacts of the 2014 Cocos Fire and the regional threat of the 2017 Lilac Fire. Hazard mitigation strategies related to wildfire include public education, fire department support (additional station planning), and development of resilient communities (maintained defensible space, fuel breaks, and vacant lots).

b. City of San Marcos Community Wildfire Protection Plan

The City's 2024 CWPP was developed as a blueprint for wildfire preparedness at the neighborhood level. The key goals of the CWPP include the following:

- Align with the San Diego region's cohesive pre-fire strategy, which includes educating homeowners and building an understanding of wildland fire, ensuring defensible space clearing and structure hardening, safeguarding communities through fuels treatment, and protecting evacuation corridors.
- Identify and prioritize areas for hazardous fuel reduction treatment.
- Recommend the types and methods of treatment that will protect the community.
- Recommend measures to reduce the ignitability of structures throughout the area addressed by the plan.

The CWPP summarizes the City's priorities for wildfire prevention and recommends projects, the implementation of which would address safety concerns including community education, structural hardening, defensible space, fuel treatment, and evacuation.

c. City of San Marcos General Plan

Since certification of the 2007 EIR, the City adopted an updated General Plan on February 14, 2012. The General Plan policy framework addresses issues related to wildfire hazards. Future projects within the Planning Area would be required to adhere to all relevant General Plan goals and policies, examples of which are summarized herein. This is not an all-inclusive list, and future project proponents are required to review the General Plan to ensure project consistency.

Safety Element

- **Goal S-2: Minimize the risk to people, property, and the environment due to flooding hazards.**
    - Policy S-2.2: Require existing private development to take responsibility for maintenance and repair of structures to resist flood damage.
- **Goal S-3: Minimize injury, loss of life, and damage to property resulting from structural or wildland fire hazards.**
    - Policy S-3.1: Require development to be located, designed and constructed to provide adequate defensibility and reduce the risk of structural loss and life resulting from

wildland fires. Development will consider hazards relative to terrain, topography, accessibility and proximity to vegetation. One such provision for development to minimize the risk of structural loss and life shall be the inclusion of overhead fire sprinklers.

- Policy S-3.2: Provide sufficient level of fire protection service to reduce risk from urban and wildland fire. Advocate and support regional coordination among fire protection and emergency service providers.

- Policy S-3.3: Require development to provide additional access roads when necessary to provide for safe access of emergency equipment and civilian evacuation concurrently.

d. City of San Marcos Municipal Code

Title 8, Chapter 8.64, Abatement of Weeds, Shrubs, Dead Trees, and Certain Waste Matter

SMMC Section 8.64.010 declares that all weeds, dry grasses, dead shrubs, dead trees, rubbish, or other materials growing upon streets, sidewalks, or private property which bear seeds of a wingy or downy nature, or which by reason of their size, manner of growth, and location constitute a fire hazard, are considered a public nuisance.

Title 17, Chapter 17.64, California Fire Code

SMMC Chapter 17.64 formally promulgates the adoption of the 2022 California Fire Code and 2021 International Fire Code with modifications and changes and related standards as is reasonable and necessary due to the local climatic, geological and topographical conditions (Ordinance No. 2022-1525).

4.14.3 Thresholds of Significance

Based on Appendix G of the CEQA Guidelines, the project would have a significant effect on the environment if the project would:

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; or

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.

4.14.4 Threshold a: Emergency Response Plans

Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

4.14.4.1 Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address emergency response. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal IPS.2: Public services funding approaches that minimize impacts on the City General Fund.
    - Policy IPS.2.2: Annex the Creekside District into the city of San Marcos's Community Facilities District 2001-01 to ensure that District development funds the expansion of fire and emergency medical services.
- Goal M.1: An internal circulation system that prioritizes pedestrians and cyclists, with accommodation for cars and trucks at low speeds within the Creek District.
    - Policy M.1.2: Require developers to provide the public rights-of-way needed and identified in Chapter 5.0 to connect their planned projects to off-site streets and ensure circulation for emergency purposes. Create a mechanism that allows for fair-share reimbursements to developers from subsequent projects that use that infrastructure.

4.14.4.2 Environmental Analysis

Although the project could increase the demand on emergency response services and evacuation routes, the focus of new development within the Planning Area has been anticipated by the City since 2007. The Specific Plan Update reinforces the placement of future development and redevelopment in areas and along existing and proposed transportation corridors that would continue to allow for evacuation and emergency response. As shown in Figure 4.5-1, the Planning Area remains outside of high and very high fire FHSZs. Nonetheless, future development throughout the Planning Area would be designed consistently with the requirements of the MJHMP and City Fire Code requiring emergency response mitigation strategies. Future development would also be designed consistently with the goals and policies of the City's General Plan related to the emergency response. Specifically, implementation of Policy S-3.2 would require projects to provide a sufficient level of fire protection service to reduce risk from urban and wildfires. Likewise, Policy S-3.3 would require future development to provide adequate access roads to provide for safe access of emergency equipment and civilian evacuation.

Future projects would also be required to be planned consistently with the Specific Plan Update, participate in the City Community Facilities District, and adhere to applicable fire protection standards. Through regulatory compliance and consistency with City planning strategies, including

goals and policies contained in the Specific Plan Update, future development and redevelopment throughout the Planning Area would allow for evacuation and response. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

4.14.4.3 Conclusion

Impacts would be less than significant. No new mitigation measures related to emergency response plans would be required to be added to the project's Modified Mitigation, Monitoring and Reporting Program.

4.14.5 Threshold b: Wildfire

Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

4.14.5.1 Specific Plan Update

See Section 4.14.4.1 of this SEIR.

4.14.5.2 Environmental Analysis

As shown in Figure 4.5-1, the Planning Area is not mapped as a FHSZ. Nonetheless, future development and redevelopment throughout the Planning Area would be designed to implement the City's fire mitigation strategies, including ensuring adequate fuel breaks and defensible space. Fire safety goals from the City's Fire Code and General Plan include implementation of Goal S-3, requiring future projects to be designed to minimize injury, loss of life, and damage to property resulting from structural or wildland fires. General Plan Policy S-3.1 requires development to be located, designed, and constructed to provide adequate defensibility and reduce the risk of structural loss and life resulting from wildland fires.

Future projects would also be required to be annexed into existing Community Facilities District that fund emergency services. Through regulatory compliance and consistency with City planning strategies, including the Specific Plan Update, impacts related to risk of loss, injury, or death involving wildland fires would be less than significant.

4.14.5.3 Conclusion

Impacts would be less than significant. No new mitigation measures related to emergency response plans would be required to be added to the project's Modified Mitigation, Monitoring and Reporting Program.

4.14.6 Threshold c: Infrastructure

Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

4.14.6.1 Specific Plan Update

See Section 4.14.4.1 of this SEIR.

4.14.6.2 Environmental Analysis

Future projects within the Planning Area would result in an increase in density and intensity of uses compared to the existing condition. The Specific Plan Update includes objectives, policies, and design measures focused on ensuring that construction of future site-specific infrastructure requirements are developed consistent with the requirements of the General Plan Safety Element. Specifically, Policy S-3.3 requires development to provide adequate access roads to provide safe access for emergency equipment and civilian evacuation concurrently with development project designs. The Specific Plan Update does not require the installation or maintenance of infrastructure that may exacerbate fire risk; rather, compliance with Specific Plan Update and City General Plan objectives would ensure that individual projects would include infrastructure (i.e., water lines and/or access roads) that would reduce fire risk. Therefore, future infrastructure development would not exacerbate fire risk, and impacts would be less than significant.

4.14.6.3 Conclusion

Impacts would be less than significant. No new mitigation measures related to emergency response plans would be required to be added to the project's Modified Mitigation, Monitoring and Reporting Program.

4.14.7 Threshold d: Flooding or Landslide

Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

4.14.7.1 Specific Plan Update

The Specific Plan Update includes several goals and policies intended to address flooding. Representative provisions include the following. This summary is not intended to be exhaustive, and future implementing projects would be reviewed by the City for consistency with all applicable goals, policies, and development standards of the Specific Plan Update.

- Goal IPS.1: Water, sewer, flood control, and other critical infrastructure facilities that accommodate buildout of the Creek District as envisioned in this Specific Plan.

    - Policy IPS.1.1.4: Prioritize use of the multi-benefit open channel flood control approach (see LU.6.1) to address 100-year floodplain development constraints but provide flexibility for developers to propose alternative strategies that provide required flood protection and desired open spaces within the Creek District.

The Specific Plan Update also includes design standards related to stormwater approaches to ensure consistency with SMMC Section 17.160. As part of the planning for the Specific Plan Update, project engineers evaluated options for additional flood improvements to be addressed: either (1) continuing to have individual property owners resolve conditions at the time they wish to develop or redevelop, or (2) pursuing a comprehensive flood control approach using a multi-benefit channel engineered to accommodate 100-flood flows.

4.14.7.2 Environmental Analysis

Flooding after a fire occurs due to the alteration of terrain and ground conditions caused by the fire, and is more likely until vegetation is restored. While large portions of the Planning Area are designated as regulatory floodways, with additional areas mapped within the 100- and 500-year floodplains (see Figure 4.5-1), even areas that are not traditionally flood-prone are at risk due to changes to the landscape caused by fire. Flooding after fire is also often more severe because rainwater picks up debris and ash left from the fire, along with loose soil and sediment. Landslides can likewise occur post wildfire as a result of increased water absorption of burnt soil and the loss of plant roots, which hold soil in place. As discussed in Section 4.6.6, future projects located within the Federal Emergency Management Agency flood mapping boundaries would be subject to general flooding and would require implementation of mitigation measure MM 3.6-4. However, the specific issue related to fire induced flooding would not trigger additional mitigation.

In post-fire conditions, the potential risk associated with flooding or landslides from runoff or drainage changes would not be increased. All future development and redevelopment within the Planning Area would be required to comply with the SMMC, which includes regulations applicable to all new development to reduce stormwater runoff flood hazards (SMMC Section 14.15.050). Furthermore, the City General Plan includes goals, policies, and actions related to flooding hazards. For example, Policy S-2.2 requires existing private development to take responsibility for maintenance and repair of structures to resist flood damage. Implementation of the Specific Plan Update would also require individual project proponents to ensure adequate infrastructure design measures to improve flood control. Through the requirement for project-specific hydrological improvements, the project 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, and impacts would be less than significant.

4.14.7.3 Conclusion

Impacts would be less than significant. No new mitigation measures related to emergency response plans would be required to be added to the project's Modified Mitigation, Monitoring and Reporting Program.

Chapter 5.0
Cumulative Impact Analysis

5.1 Introduction

California Environmental Quality Act (CEQA) Guidelines Section 15130(a) requires an environmental impact report (EIR) to discuss the cumulative impacts of a project "when the project's incremental effect is cumulatively considerable, as defined in CEQA Guidelines Section 15065(a)(3)." Section 15355 defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

Cumulative impacts associated with development of the San Marcos Creek Specific Plan (Adopted Specific Plan) were evaluated in the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). Consistent with CEQA Guidelines Sections 15162 and 15163, this section evaluates whether implementation of the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new or more severe cumulatively considerable impacts beyond those previously identified.

The discussion of cumulative impacts is guided by standards of practicality and reasonableness, as provided in CEQA Guidelines Section 15130(b), and focuses on whether (1) the combined impact of the project and other past, present, and reasonably foreseeable future projects would be cumulatively significant; and (2) the project's incremental contribution to that impact would be cumulatively considerable.

The geographic scope for evaluating cumulative impacts varies by environmental resource topic. Consistent with CEQA Guidelines Section 15130(b)(3), Table 5-1 identifies the relevant geographic context for each topic.

Table 5-1
Geographic Scope of Cumulative Impact Analyses

Environmental Topic	Geographic Scope of Cumulative Impact Analyses
Aesthetics	The geographic scope for the cumulative impact analysis for aesthetics is the City of San Marcos (City).
Air Quality	The geographic scope for the cumulative analysis of criteria pollutant emissions is the San Diego Air Basin. The geographic scope for the cumulative analysis of sensitive receptors is the area in the immediate vicinity of the Creek District (Planning Area). The geographic scope for the cumulative analysis of odors is the area immediately surrounding potential odor sources. Because odors rapidly disperse beyond their source, associated impacts are generally not cumulative in nature.
Biological Resources	The geographic scope for the cumulative analysis of biological resources includes the localized habitat areas defined generally by topography and man-made features that reduce wildlife movement and generally create a local wildlife ecoregion. This ecoregion includes the entirety of the City.

Table 5-1 Geographic Scope of Cumulative Impact Analyses	
Environmental Topic	Geographic Scope of Cumulative Impact Analyses
Cultural and Tribal Cultural Resources	The geographic scope for the cumulative analysis of historic resources, archaeological resources, human remains, and tribal cultural resources are the City and the traditional use areas of local tribes.
Hazards and Hazardous Materials	The geographic scope for the cumulative analysis of hazards and hazardous materials is the Planning Area and the immediate vicinity.
Hydrology/Water Quality	The geographic scope for the cumulative analysis of hydrology and water quality is the Carlsbad Watershed Management Area.
Land Use and Planning	The geographic scope for the cumulative analysis of land use and planning includes the City and surrounding jurisdictions, where cumulative development could result in inconsistencies with applicable land use plans or the physical division of established communities.
Noise	The geographic scope for the cumulative analysis of noise is the Planning Area and immediate vicinity.
Public Services	The geographic scope for the cumulative analysis related to public services includes the San Marcos Fire Department, the San Diego County Sheriff's Department, the San Marcos Unified School District, City parkland, and the San Diego County Library, San Marcos branch.
Transportation	The geographic scope for the cumulative analysis related to the circulation system, vehicle miles traveled, traffic hazards, and emergency access is the circulation network in the vicinity of the Planning Area.
Utilities and Service Systems	The geographic scope for the cumulative analysis of utilities and service systems is Vallecitos Water District and San Diego Gas & Electric.
Greenhouse Gas Emissions	The geographic scope for the cumulative analysis of greenhouse gas emissions is global, as greenhouse gas emissions contribute to climate change on a regional and worldwide scale.
Energy	The geographic scope for the cumulative analysis relative to energy use is the service areas of the energy (electricity and natural gas) providers in the Planning Area.
Wildfire	The geographic scope for the cumulative analysis of wildfire risk includes the Planning Area and surrounding region, where wildfire hazards are influenced by fuel conditions, topography, weather, and patterns of development.

5.2 Cumulative Impact Analysis Methodology

CEQA Guidelines Section 15130(b) identifies two approaches for evaluating cumulative impacts: (1) a list of past, present, and probable future projects; or (2) a summary of projections contained in an adopted planning document or prior environmental document. This analysis utilizes the summary of projections approach.

Growth projections from the California Department of Finance and the San Diego Association of Governments (SANDAG) are used to characterize cumulative conditions within the City of San Marcos (City). These projections are consistent with regional planning assumptions and provide a

reasonable basis for evaluating cumulative impacts. For resource topics for which cumulative conditions are more appropriately evaluated at a different geographic or service-area scale, the analysis also considers the applicable regional planning documents, regulatory programs, infrastructure plans, and other projections identified in the corresponding resource analysis.

This cumulative analysis focuses on whether the project would contribute to cumulative impacts beyond those identified in the 2007 EIR based on updated projections and current regulatory conditions. For each environmental resource topic, the analysis first considers whether cumulative development within the applicable cumulative area would result in a significant cumulative impact. Where a significant cumulative impact could occur, the analysis then evaluates whether the Specific Plan Update's incremental contribution would be cumulatively considerable. The analysis also considers whether changes to the Specific Plan, environmental conditions, or the regulatory framework since certification of the 2007 EIR would result in a new or substantially more severe cumulative impact pursuant to CEQA Guidelines Sections 15162 and 15163.

5.2.1 Projections

SANDAG growth projections have been updated since certification of the 2007 EIR. This cumulative discussion supplements, where relevant, the 2007 EIR cumulative analysis based on the updated projections.

Table 5-2 identifies growth projections for population, housing units, and employment for the years 2029, 2040, and 2050. As shown in Table 5-2, the population of the City is forecast to increase by approximately 12.95 percent between 2029 and 2050.

Table 5-2
City of San Marcos Forecast of Population, Households, and Employment

Category	2029	2040	2050
Population	97,305	112,280	109,912
Housing Units	35,226	42,369	42,719
Employment	42,703	49,479	52,317

Sources: SANDAG 2025

5.3 Cumulative Impact Analysis

This section addresses potential cumulative impacts associated with each environmental resource topic analyzed in Chapter 4.0. As discussed in Chapter 7.0, the project would result in negligible effects on the remaining environmental resources topics identified in CEQA Guidelines Appendix G. Therefore, the project would not have the potential to result in a cumulatively considerable contribution to environmental impacts related to those environmental resource categories, and they are not addressed in this chapter.

5.3.1 Aesthetics

The geographic scope of the cumulative analysis for aesthetics is the City, as cumulative visual effects result from the combined influence of development over time. As recognized in the 2007 EIR, cumulative development within the City would gradually change portions of the City from vacant, semi-rural, or underutilized areas to a more urbanized visual environment. Updated growth projections prepared by SANDAG indicate that this general pattern of urbanization would continue over the planning horizon. Accordingly, cumulative development would continue to alter the visual character of portions of the City; however, such changes would occur within the context of adopted land use plans and development standards governing building scale, design, scenic resources, lighting, and visual quality.

5.3.1.1 Impact Analysis

a. Scenic Vistas/Scenic Resources (Thresholds a and b)

Within this cumulative context, the Specific Plan Update would not introduce building heights, land use intensities, or visual conditions that exceed or materially differ from those evaluated in the 2007 EIR. In addition, no new scenic vista or scenic resource designations apply to the Planning Area, and updated City policies and development standards would regulate site design and visual quality. Consistent with the conclusions of the 2007 EIR, and given the updated regulations, the project's incremental contribution to cumulative impacts related to scenic resources would not be cumulatively considerable. The Specific Plan Update would therefore not result in a new or substantially more severe cumulative impact than identified in the 2007 EIR, and cumulative impacts would remain less than significant.

b. Visual Character and Quality (Threshold c)

The Specific Plan Update would revise the organizational framework for the Planning Area by replacing the prior sub-district structure with land use-based development standards. Although this would modify how development is organized within the Planning Area, it would not result in building massing, intensity, or visual character beyond that previously evaluated. Updated City policies and development standards would continue to regulate building articulation, landscaping, lighting, and architectural quality. Consistent with the conclusions of the 2007 EIR, and given the implementation of updated regulatory protections, the project's incremental contribution to cumulative impacts related to visual character and quality would not be cumulatively considerable. The Specific Plan Update would therefore not result in a new or substantially more severe cumulative impact than identified in the 2007 EIR, and cumulative impacts would remain less than significant.

c. Light and Glare (Threshold d)

Cumulative light and glare impacts within the City would primarily result from residential, commercial, and transportation-related development. The Specific Plan Update would not introduce a new or intensified source of light or glare beyond that previously analyzed and would not combine with other development to substantially affect daytime or nighttime views. Consistent with the

conclusions of the 2007 EIR, and given the implementation of updated regulatory protections, the project's incremental contribution to cumulative impacts related to light and glare would not be cumulatively considerable. The Specific Plan Update would therefore not result in a new or substantially more severe cumulative impact than identified in the 2007 EIR, and cumulative impacts would remain less than significant.

5.3.2 Air Quality

5.3.2.1 Impact Analysis

The geographic scope for the cumulative analysis of air quality plan consistency and criteria pollutant emissions is the San Diego Air Basin (SDAB). As discussed in the 2007 EIR, operation of the Adopted Specific Plan was determined to contribute to a significant cumulative air quality impact related to regional emissions of particulate matter with an aerodynamic diameter of 10 microns or less, nitrogen oxide, and reactive organic gases. Regional development within the SDAB would continue to generate criteria pollutant emissions, and regional air quality conditions may therefore remain cumulatively significant. The relevant question for the Specific Plan Update is whether its incremental contribution to those regional emissions would be cumulatively considerable.

a. Air Quality Plans (Threshold a)

The evaluation of consistency with applicable air quality planning is cumulative in nature because it considers consistency with regional plans that rely on jurisdictional land use assumptions throughout the SDAB. The San Diego Air Pollution Control District prepares and implements the Regional Air Quality Strategy using growth assumptions based on local general plans, SANDAG forecasts, and regional transportation planning. The Specific Plan Update would reduce allowable development intensity and traffic generation compared to the Adopted Specific Plan and would remain within the general pattern of growth anticipated by regional and local planning documents. Accordingly, unlike the Adopted Specific Plan, the project's incremental contribution to cumulative impacts related to air quality plans would not be cumulatively considerable. Therefore, cumulative impacts associated with the Specific Plan Update would be less than significant.

b. Violate Air Quality Standards and Criteria Pollutant Emissions (Thresholds b and c)

As discussed in Section 4.2.5, the Specific Plan Update would not result in a significant impact related to construction emissions and would not substantially increase the severity of previously identified construction-related air quality impacts. With respect to operational emissions, the Specific Plan Update would generate fewer emissions than buildout under the Adopted Specific Plan due to reduced development intensity and associated trip generation. In addition, implementation of mitigation measure S-AQ-1 would require subsequent site-specific development to evaluate operational emissions and implement project-specific design features and mitigation, as necessary, to reduce emissions to applicable significance thresholds. Accordingly, unlike the Adopted Specific Plan, the project's incremental contribution to cumulative impacts related to air quality standards would not be cumulatively considerable. Therefore, although cumulative regional air quality impacts

could be significant, the Specific Plan Update's contribution would not be cumulatively considerable and would not result in a new or substantially more severe cumulative impact than identified in the 2007 EIR.

c. Sensitive Receptors (Threshold d)

The geographic scope for the cumulative analysis of sensitive receptors is the immediate vicinity of the Planning Area. Sensitive receptors near the Planning Area include existing and planned residential uses and nearby schools. As discussed in Section 4.2.6, buildout of the Specific Plan Update would not create localized carbon monoxide hotspots. In addition, construction equipment would be subject to applicable California Air Resources Board regulations governing diesel-fueled off-road fleets, which would reduce diesel particulate matter emissions over time. No sensitive receptors are proposed within 500 feet of the nearest freeway, State Route 78; therefore, the project would not expose sensitive receptors to substantial long-term freeway-related diesel particulate matter. Accordingly, unlike the Adopted Specific Plan, the project's incremental contribution to cumulative impacts related to sensitive receptors would not be cumulatively considerable. Therefore, cumulative impacts would be less than significant.

d. Odor (Threshold e)

The geographic scope for the cumulative analysis of odors is the area immediately surrounding potential odor sources. Because odors dissipate rapidly and are typically localized, odor impacts are generally not cumulative in nature. As discussed in Section 4.2.7, the project would not result in substantial odor generation during construction or operation. Accordingly, the project's incremental contribution to cumulative impacts related to odor would not be cumulatively considerable. Therefore, cumulative impacts would be less than significant.

5.3.3 Biological Resources

5.3.3.1 Impact Analysis

The geographic scope for the cumulative analysis of biological resources includes the localized habitat areas defined generally by topography and man-made features that reduce wildlife movement and generally create a local wildlife ecoregion. This ecoregion includes the entirety of the City.

a. Sensitive Species (Threshold a), Riparian and Sensitive Natural Communities (Threshold b), Federally Protected Wetlands (Threshold c), and Wildlife Corridors (Threshold d)

As described in the 2007 EIR, cumulative development within the City and surrounding area would result in impacts to sensitive biological resources through the conversion and fragmentation of natural habitats. These impacts were determined to be cumulatively significant. However, the 2007 EIR concluded that project-level impacts would be mitigated to below a level of significance

through habitat preservation, restoration, and compliance with applicable regulatory requirements, and would not result in a cumulatively considerable contribution.

The project similarly includes mitigation measures to reduce impacts to sensitive species, sensitive natural communities and riparian habitat, federally protected wetlands, and wildlife corridors. As detailed in Section 4.3, implementation of mitigation measures MM 3.3-2, MM 3.3-3, MM 3.3-4, MM 3.3-6, MM 3.3-8, MM 3.3-9, MM 3.3-10, MM 3.3-11, and supplemental mitigation measures S-BIO-1 through S-BIO-9b, would reduce project-level impacts to less than significant.

Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements and mitigation measures, the project's incremental contribution to cumulative impacts related to sensitive species sensitive natural communities, wetlands, and wildlife movement would not be cumulatively considerable. Although the cumulative loss and fragmentation of biological resources within the cumulative study area could be significant, the Specific Plan Update would not make a cumulatively considerable contribution to that impact and would not result in a new or substantially more severe cumulative impact than identified in the 2007 EIR.

b. Local Policies and Ordinances (Threshold e)

Compliance with applicable local, regional, state, and federal regulations, together with implementation of the identified mitigation measures, would ensure that the project would not conflict with local policies or ordinances protecting biological resources, including provisions of the City's General Plan.

Although cumulative development in and around the Planning Area has the potential to result in impacts to biological resources, the project's incremental contribution would be reduced through adherence to applicable regulatory requirements, project design features, and implementation of mitigation measures that avoid, minimize, and compensate for impacts to biological resources. These measures include habitat preservation and restoration, avoidance of sensitive resources to the extent feasible, and compliance with applicable permitting requirements.

Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements, the project's incremental contribution to cumulative impacts related to policy consistency would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

c. Multiple Habitat Conservation Program Consistency (Threshold f)

At the time of certification of the 2007 EIR, the City's Multiple Habitat Conservation Program (MHCP) Subarea Plan was in draft form and had not been formally approved. The Subarea Plan remains in draft status and has not been adopted or implemented through an executed agreement with the wildlife agencies.

Because the regulatory framework and planning context related to the MHCP have not materially changed since certification of the 2007 EIR, the project would not introduce new or more severe impacts related to consistency with regional conservation planning. In addition, the project would remain subject to applicable regulatory requirements governing biological resources.

Consistent with the 2007 EIR, the project's incremental contribution to cumulative impacts related to MHCP consistency would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

5.3.4 Cultural and Tribal Cultural Resources

The geographic scope for the cumulative analysis of historic resources, archaeological resources, human remains, and tribal cultural resources is the City and the traditional use areas of local tribes. Because archaeological and Tribal cultural resources are finite and may be permanently lost or altered through development, cumulative development within the City and the traditional use areas of local tribes has the potential to result in the progressive loss of such resources.

5.3.4.1 Impact Analysis

a. Archaeological Resources (Threshold a)/Tribal Cultural Resources (Threshold e)

As described in the 2007 EIR, cumulative development within the City has the potential to disturb archaeological and cultural resources. However, the 2007 EIR concluded that such impacts are typically addressed at the project level through avoidance, preservation in place, or data recovery, and would not result in a cumulatively considerable impact.

As detailed in Section 4.4.4, implementation of mitigation measures MM 3.4-2a and MM 3.4-2b, which require monitoring, tribal consultation, and appropriate treatment of required resources, would reduce potentially significant impacts to unknown archaeological resources or Tribal cultural resources.

Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements and mitigation measures, the project's incremental contribution to cumulative impacts related to archeological and Tribal cultural resources would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

b. Historical Resources (Threshold b)

As described in the 2007 EIR, impacts to historical resources from cumulative development are addressed through project-level identification, evaluation, and treatment measures, and were determined not to result in a cumulatively considerable impact.

As detailed in Section 4.4.5, implementation of mitigation measures MM 3.4-3 and MM 3.4-4, and supplemental mitigation measure S-HIST-1, would ensure that potentially significant impacts to historical resources are reduced to less than significant.

Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements and mitigation measures, the project's incremental contribution to cumulative impacts related to historical resources would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

c. Paleontological Resources (Threshold c)

As described in the 2007 EIR, cumulative development in areas underlain by sensitive geologic formations has the potential to impact paleontological resources. However, such impacts are typically addressed through monitoring, recovery, and documentation, and were determined not to result in a cumulatively considerable impact

As detailed in Section 4.4.6, implementation of mitigation measure MM 3.4-5 would reduce potentially significant impacts to paleontological resources. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements, the project's incremental contribution to cumulative impacts related to paleontological resources would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

d. Human Remains (Threshold d)

Disturbance of human remains during ground-disturbing activities is considered a potentially significant impact; however, compliance with state regulations governing the treatment of human remains ensures that such impacts are appropriately addressed.

As required by Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, if human remains are encountered, construction activities would cease in the vicinity of the find and appropriate procedures would be followed, including consultation with the Native American Heritage Commission, as applicable. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements, the project's incremental contribution to cumulative impacts related to human remains would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

5.3.5 Hazards and Hazardous Materials

The geographic scope for the cumulative analysis of hazards and hazardous materials is the Planning Area and the immediate vicinity.

5.3.5.1 Impact Analysis

a. Accidental Release (Thresholds a and c)

As described in the 2007 EIR, hazards related to the accidental release of hazardous materials are regulated through comprehensive federal, state, and local requirements, and were determined not to result in cumulatively significant impacts.

As detailed in Section 4.5.4, the Specific Plan Update contemplates commercial uses that could involve the use of hazardous materials; however, such uses would be subject to discretionary review and compliance with applicable regulatory requirements. These controls would minimize the potential for accidental release and associated risks to nearby receptors, including sensitive uses such as Discovery Elementary School. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements, permitting requirements, and project design

features, the project's incremental contribution to cumulative impacts related to accidental release of hazardous materials would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

b. Routine Transport, Use or Disposal (Threshold b)

As described in the 2007 EIR, the routine transport, use, and disposal of hazardous materials are subject to established regulatory requirements and were determined not to result in cumulatively significant impacts.

As detailed in Section 4.5.5, implementation of mitigation measure MM 3.5-1b would require preparation and approval of a Risk Management Plan prior to grading, which would identify appropriate handling, storage, and response procedures to protect against potential soil or groundwater contamination. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements and mitigation measures, the project's incremental contribution to cumulative impacts related to routine transport, use, or disposal of hazardous materials would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

c. Hazardous Materials Site (Threshold d)

As described in the 2007 EIR, the routine transport, use, and disposal of hazardous materials are subject to established regulatory requirements and were determined not to result in cumulatively significant impacts.

As detailed in Section 4.5.5, implementation of mitigation measure MM 3.5-1b would require preparation and approval of a Risk Management Plan prior to grading, which would identify appropriate handling, storage, and response procedures to protect against potential soil or groundwater contamination. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements and mitigation measures, the project's incremental contribution to cumulative impacts related to hazardous materials sites would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

d. Located Within an Airport Land Use Plan (Threshold e) or Within the Vicinity of a Private Airstrip (Threshold f)

As described in Section 4.5.6, the Planning Area is not located within an Airport Land Use Plan or in the vicinity of a private airstrip and would not expose people or structures to safety hazards related to aircraft operations. Because no impact would occur, the project would not contribute to any cumulative impact related to airport hazards. Therefore, cumulative impacts associated with the Specific Plan Update would be less than significant.

5.3.6 Hydrology and Water Quality

The geographic scope for the cumulative analysis of hydrology and water quality is the Carlsbad Watershed Management Area. Cumulative development within the watershed has the potential to affect surface water hydrology, water quality, and flood conditions through increases in impervious surfaces, changes in drainage patterns, and pollutant loading. Because individual development projects discharge to interconnected drainage systems and ultimately to common receiving waters, increases in runoff, pollutant loading, or alterations to drainage patterns could combine to result in cumulative watershed-level effects.

5.3.6.1 Impact Analysis

a. Water Quality Standards (Threshold a), Drainage Patterns (Threshold b), Flood Hazard (Threshold c), Water Quality Plans (Threshold d)

As described in the 2007 EIR, cumulative development within the watershed would increase impervious surfaces and stormwater runoff, with the potential to affect water quality and drainage patterns. However, these impacts were determined to be less than cumulatively significant due to the application of project-level controls, including stormwater management requirements, implementation of Best Management Practices, and preparation of Stormwater Pollution Prevention Plans and Water Quality Management Plans.

Since certification of the 2007 EIR, the regulatory framework governing stormwater and water quality has been updated and strengthened, including implementation of the Municipal Separate Storm Sewer System permit and watershed-based planning through the Carlsbad Watershed Management Area Water Quality Improvement Plan. These programs require implementation of construction and post-construction Best Management Practices designed to reduce pollutant discharge, control runoff, and maintain pre-development hydrology to the extent feasible.

As detailed in Section 4.6, implementation of project design features and compliance with applicable regulatory requirements would ensure that construction and operation of the project would not result in significant impacts related to water quality, drainage patterns, or flood hazards. In addition, mitigation measures MM 3.6-1 and MM 3.6-2 are now incorporated into and required by current regulatory programs, while mitigation measure MM 3.6-4 would continue to apply, as applicable, to address flood hazards. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements, permitting requirements, project design features, and mitigation measures, the project's incremental contribution to cumulative impacts would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

5.3.7 Land Use and Planning

The geographic scope for the cumulative analysis of land use and planning includes the City and surrounding jurisdictions, where cumulative development could result in inconsistencies with applicable land use plans or the physical division of established communities.

5.3.7.1 Impact Analysis

a. Physically Divide an Established Community (Threshold a)

As described in the 2007 EIR, impacts related to the physical division of a community are generally site-specific and were determined to not result in cumulatively significant impacts.

As discussed in Section 4.7, buildout of the Planning Area would occur within existing and planned development areas and would not introduce physical barriers that would divide an established community. Improvements to the circulation network would maintain or enhance connectivity within the area. Consistent with the conclusions of the 2007 EIR, the project's incremental contribution to cumulative impacts related to physically dividing a community would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

b. Consistency with Applicable Land Use Plans, Policies, and Regulations (Threshold b)

As described in the 2007 EIR, cumulative development within the City and surrounding jurisdictions would include a mix of residential, commercial, institutional, and recreational uses. Some projects, including the project evaluated in the 2007 EIR, required General Plan amendments and rezones; however, the overall pattern of development was determined to be consistent with the City's long-term planning framework and would not result in cumulatively significant land use impacts.

As detailed in Section 4.7.5.3.a, the project would be consistent with applicable land use plans and policies governing the overall pattern and intensity of development. The Specific Plan Update would not introduce land uses or development patterns that would fundamentally alter the planned development framework evaluated in the 2007 EIR or conflict with the broader pattern of planned development within the City and surrounding jurisdictions. However, as discussed in Section 4.7.5.3.b, buildout under the Specific Plan Update would result in roadway segments and intersections operating below the standards established by the City's General Plan Mobility Element and Transportation Impact Analysis Guidelines, and certain improvements necessary to achieve compliance would be infeasible. Although these roadway operational conditions are also relevant to the circulation system analysis in Section 4.10, their significance under this threshold is based on the Specific Plan Update's consistency with applicable City land use plans and policies governing roadway operations. This condition could occur in combination with cumulative growth that would also increase demand on the City's circulation network. Implementation of subsequent mitigation measure S-LU-1 would reduce potentially significant impacts related to land use plan consistency to less than significant.

Consistent with the conclusions of the 2007 EIR, and with implementation of subsequent mitigation measure S-LU-1, the project's incremental contribution to cumulative impacts to land use plan consistency would not be cumulatively considerable. Accordingly, the Specific Plan Update would not result in a new or substantially more severe cumulative land use impact than identified in the 2007 EIR, and cumulative impacts would remain less than significant.

5.3.8 Noise

The geographic scope for the cumulative analysis of noise is the Planning Area and immediate vicinity. Noise and vibration attenuate with distance, and cumulative impacts would occur only if construction of nearby projects generated substantial noise simultaneously and in close proximity to sensitive receptors.

5.3.8.1 Impact Analysis

a. Ambient Noise (Threshold a)

As described in the 2007 EIR, construction of cumulative projects has the potential to result in temporary increases in noise levels. However, due to the limited duration of construction activities, adherence to construction hour restrictions, and the attenuation of noise over distance, cumulative construction noise impacts were determined to be less than significant. Operational noise increases associated with buildout of the General Plan were also determined to be less than cumulatively significant, as increases in ambient noise levels were generally below perceptible thresholds.

As detailed in Section 4.8.4, implementation of mitigation measures MM 3.8-1 through MM 3.8-6 and MM 3.3-11 would reduce potentially significant impacts related to construction noise and operational noise (including stationary sources and interior and exterior noise levels) to less than significant. Although construction under the Specific Plan Update could overlap temporally with construction of other development within or adjacent to the Planning Area, construction noise is localized and attenuates with distance. Compliance with construction-hour restrictions and implementation of the identified mitigation measures would limit the duration and intensity of project-generated construction noise at shared sensitive receptors. Operational noise impacts are evaluated using a projections approach that considers buildout of the General Plan as the cumulative condition. Under this framework, the project's contribution to ambient noise levels is assessed in combination with projected future traffic volumes and land uses. As demonstrated in Section 4.8, increases in ambient noise levels associated with the project would not exceed applicable thresholds when considered in the context of cumulative conditions. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements, project design features, and mitigation measures, the project's incremental contribution to cumulative impacts related to ambient noise increases would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

b. Vibration (Threshold b)

As described in the 2007 EIR, vibration impacts are typically limited to construction activities and are localized in nature and were not determined to result in cumulatively significant impacts.

As detailed in Section 4.8.5, the Specific Plan Update does not propose uses that would generate substantial operational vibration. In addition, the San Marcos Municipal Code Section 20.300.070(F) prohibits vibration that is perceptible without instruments at or beyond the property line. Construction-related vibration would be temporary and would attenuate with distance, and standard construction practices would limit the potential for excessive vibration. Consistent with the

conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements and project design features, the project's incremental contribution to cumulative impacts related to vibration would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

c. Airports (Threshold c)

As described in the 2007 EIR, aircraft-related noise is dependent on proximity to airport operations and was not determined to result in cumulatively significant impacts within the project vicinity.

As detailed in Section 4.8.6, the Planning Area is located approximately 2.2 miles east of the 60 Community Noise Equivalent Level noise contour for McClellan-Palomar Airport. As such, aircraft-related noise levels at the site would be well below levels considered to be significant. Because the project would not be exposed to excessive airport-related noise, it would not contribute to any cumulative impact related to airport noise. Therefore, cumulative impacts would remain less than significant.

5.3.9 Public Services

The geographic scope for the cumulative analysis related to public services includes the San Marcos Fire Department, the San Diego County Sheriff's Department, the San Marcos Unified School District, City parkland, and San Diego County Libraries.

5.3.9.1 Impact Analysis

The 2007 EIR concluded that development of the Specific Plan, in combination with cumulative projects, would increase demand for public services, including fire and police protection, as well as schools, libraries, and parks and recreation associated with residential development. The 2007 EIR determined that these increased demands would be addressed through implementation of applicable funding mechanisms, including annexation into community facilities districts, payment of school fees, and payment of public facility finance fees to support parks and other public facilities. Based on these mechanisms, cumulative impacts on public services were determined to be less than significant, and the project would not contribute to a cumulatively considerable impact.

Cumulative population growth within the City and surrounding area would increase demand for the same public services. However, service providers plan for and accommodate such increases through implementation of applicable service standards, capital improvement programs, development fees, and public facility finance fees. The cumulative demand associated with development under the Specific Plan Update is consistent with growth assumptions used in these planning documents. Accordingly, although cumulative development would increase demand for public services, increased demand alone would not constitute a significant cumulative environmental impact. A cumulative impact would occur if that demand required construction of new or expanded facilities which had significant environmental effects.

Implementation of the project would not result in the need for new or physically altered public facilities beyond those already planned to serve growth, nor would it require the construction of facilities that could result in significant environmental impacts. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable regulatory requirements and program fees, the project's incremental contribution to cumulative impacts related to public services would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

5.3.10 Transportation

5.3.10.1 Impact Analysis

The geographic scope for the cumulative analysis related to the circulation system, vehicle miles traveled (VMT), traffic hazards, and emergency access is the circulation network in the vicinity of the Planning Area.

a. Circulation System Policy Consistency

The cumulative analysis of consistency with circulation system policies considers whether the Specific Plan Update, in combination with other past, present, and reasonably foreseeable future development, would conflict with adopted plans, ordinances, or policies addressing the circulation system. Cumulative development would increase use of the City's multimodal circulation network and could affect the ability of the transportation system to operate consistently with adopted circulation plans and policies.

As discussed in Section 4.10.4, the Specific Plan Update would be consistent with plans and policies supporting multimodal transportation. The Specific Plan Update would provide bicycle and pedestrian facilities, mobility hubs, and implementation of project-level TDM measures. Future development within the Planning Area would also be required to implement applicable multimodal improvements and comply with the City's TDM requirements. These features and requirements would support cumulative efforts to improve multimodal connectivity, increase opportunities for alternative modes of transportation, and reduce reliance on single-occupant vehicle travel.

Cumulative development would also increase demand on the City's roadway network. As discussed in Sections 4.7 and 4.10.4, implementation of the Specific Plan Update would result in several roadway segments and intersections operating below the standards established by the City's General Plan Mobility Element and Transportation Impact Analysis Guidelines, and certain improvements necessary to achieve compliance would be infeasible. Because the significance of this condition is based on inconsistency with applicable City land use plans and policies governing roadway operations, the impact is evaluated in Section 4.7, Land Use/Planning. Implementation of subsequent mitigation measure S-LU-1 would require future development with the potential to improve travel time on affected roadways where capacity cannot be increased to evaluate transportation systems management and operations solutions. With implementation of S-LU-1, the Specific Plan Update's contribution to cumulative roadway operational conditions would not result in a cumulatively considerable contribution to a significant land use plan consistency impact.

Accordingly, although cumulative development would increase demand on the City's circulation system, the Specific Plan Update would support adopted multimodal transportation policies and, with implementation of S-LU-1, would not make a cumulatively considerable contribution to conflicts with applicable plans and policies governing roadway operations. Therefore, the Specific Plan Update would not result in a new or substantially more severe cumulative impact related to circulation system policy consistency than identified in the 2007 EIR, and cumulative impacts would remain less than significant.

b. Vehicle Miles Traveled

Cumulative VMT impacts are evaluated based on whether the Specific Plan Update would contribute to a cumulatively considerable increase in VMT, consistent with CEQA Guidelines Section 15064.3.

As discussed in Section 4.10.5, the residential component of the Specific Plan Update would generate VMT per capita below applicable thresholds and would therefore represent an efficient land use pattern that supports regional VMT reduction goals. As such, the residential component would not result in a cumulatively considerable contribution to VMT impacts.

In contrast, the commercial component of the Specific Plan Update would result in a net increase in total citywide VMT, which exceeds the City's threshold for commercial uses. When considered in combination with other cumulative development in the region, this increase in VMT would contribute to overall regional travel demand. Although implementation of applicable plans, policies, and regulations, including the City's TDM Ordinance, and compliance with mitigation measure S-VMT-1 would reduce VMT associated with future development, it cannot be guaranteed at this program level that such measures would reduce VMT impacts to below applicable thresholds. Therefore, the project's contribution to cumulative VMT impacts associated with commercial development would be cumulatively considerable, and cumulative impacts would be significant and unavoidable.

5.3.11 Utilities and Service Systems

The geographic scope for the cumulative analysis of utilities and service systems includes the applicable service areas and regional infrastructure systems serving the Planning Area, including Vallecitos Water District (VWD), San Diego Gas & Electric (SDG&E), City stormwater infrastructure, and regional solid waste disposal facilities.

5.3.1.1 Impact Analysis

a. Utility Facilities (Threshold a)

The 2007 EIR evaluated the need for water, wastewater, stormwater, and energy infrastructure required to serve buildout of the Adopted Specific Plan and cumulative development within the surrounding area. The analysis identified planned improvements to regional infrastructure systems, including water and wastewater conveyance and treatment facilities, that would be implemented to accommodate projected growth. Based on planned infrastructure upgrades, the 2007 EIR concluded that through implementation of mitigation measure MM 3.11-1, impacts related to the construction

or expansion of utility facilities would be less than significant, and the project would not contribute to a cumulatively considerable impact.

As discussed in Section 4.11.5, cumulative development within the service areas of VWD and SDG&E would increase demands for water, wastewater, stormwater, and energy infrastructure. Utility providers plan for such increases through master planning, capital improvement programs, and project-level review.

Implementation of the Specific Plan Update would require the relocation or construction of utility infrastructure; however, the extent of required improvements would not exceed the level of development or infrastructure capacity evaluated in the 2007 EIR. Future development would be required to demonstrate consistency with applicable policies, plans, and programs ensuring adequate capacity prior to project approval. Accordingly, the project would not result in the need for new or expanded utility infrastructure beyond that already anticipated for cumulative growth. Consistent with the conclusions of the 2007 EIR, and with implementation of applicable policies and plans, the project's incremental contribution to cumulative impacts related to utility facilities would not be cumulatively considerable. Therefore, cumulative impacts would remain less than significant.

b. Water Supplies (Threshold b)

The 2007 EIR evaluated water supply demands associated with buildout of the Specific Plan and cumulative development within the VWD service area. The Water Supply Assessment prepared for the Adopted Specific Plan determined that VWD had sufficient supplies to meet existing and projected future demands over a 20-year planning horizon. Based on regional water supply planning and infrastructure assumptions, the 2007 EIR concluded that cumulative impacts related to water supply would be less than significant.

As discussed in Section 4.11.6, cumulative development would increase water demand within the VWD service area. However, water supply planning is conducted on a regional basis and accounts for projected growth, including development within the Planning Area. The VWD's 2020 Urban Water Management Plan confirms that sufficient supplies are available to serve the project under applicable planning horizons (Vallecitos Water District 2021; see Tables 4.11-1, 4.11-2, 4.11-4 and 4.11-5). Consistent with the conclusions of the 2007 EIR, because the project's water demand is consistent with growth assumptions used in regional planning documents, implementation of the Specific Plan Update would not result in a cumulatively considerable contribution related to water supply impacts. Cumulative impacts would remain less than significant.

c. Wastewater Capacity (Threshold c)

The 2007 EIR concluded that cumulative development would increase wastewater generation and require expansion of regional infrastructure, including the San Marcos Interceptor project and downstream treatment facilities. However, through implementation of mitigation measure MM 3.11-1, coordination with VWD, payment of applicable fees, and timing of infrastructure improvements, adequate capacity would be provided. The 2007 EIR determined that cumulative impacts to wastewater infrastructure would be less than significant, and the project would not contribute to a cumulatively considerable impact.

As discussed in Section 4.11.7, cumulative development would increase wastewater generation within the VWD service area. Wastewater infrastructure improvements, including the San Marcos Interceptor project, are intended to accommodate projected growth. Implementation of mitigation measure MM 3.11-1 requires that future projects throughout the Planning Area would be responsible for the payment of fair share fees for the necessary water and sewer infrastructure upgrades. Additional environmental review would be required for any project-level off-site improvements. With implementation of MM 3.11-1 and adherence to VWD planning and permitting requirements, adequate wastewater treatment and conveyance capacity would be available to serve the project and cumulative development. Consistent with the conclusions of the 2007 EIR, the project would not result in a cumulatively considerable contribution related to wastewater capacity impacts, and cumulative impacts would remain less than significant.

d. Solid Waste (Thresholds d and e)

The 2007 EIR evaluated solid waste generation associated with the Adopted Specific Plan and cumulative development and determined that available regional landfill capacity, including the Sycamore and Prima Deshecha landfills, would be sufficient to accommodate projected waste streams. Compliance with applicable regulations and diversion requirements would ensure that cumulative impacts to solid waste facilities would be less than significant.

As discussed in Sections 4.11.8 and 4.11.9, cumulative development would increase the generation of solid waste within the Planning Area and throughout the City. However, solid waste facilities are planned and managed at a regional level, and available landfill capacity is evaluated based on projected waste streams from cumulative growth. Future development would be required to demonstrate compliance with all applicable federal, state, and local regulations related to solid waste disposal and diversion, including requirements of the San Marcos Municipal Code. Consistent with the conclusions of the 2007 EIR, the project's contribution to regional solid waste generation would be accommodated within existing and planned landfill capacity, and because all development would be required to comply with applicable waste management regulations, the project would not result in a cumulatively considerable contribution related to solid waste impacts. Cumulative impacts would remain less than significant.

5.3.12 Greenhouse Gas Emissions

The geographic scope for the cumulative analysis of greenhouse gas (GHG) emissions is global, as GHG emissions contribute to climate change on a worldwide scale.

5.3.12.1 Impact Analysis

a. GHG Emissions (Threshold a)

Climate change is a significant global cumulative impact resulting from the combined emissions of GHGs from past, present, and reasonably foreseeable future projects. As such, the evaluation of GHG emissions inherently considers cumulative conditions. Accordingly, the relevant inquiry is whether the Specific Plan Update would make a cumulatively considerable contribution to global GHG emissions. As discussed in Section 4.12.5, buildout of the Specific Plan Update would generate

approximately 52,563 metric tons (MT) of carbon dioxide equivalent (CO_2E) per year, which is lower than the 74,563 MT CO_2E projected for buildout of the Adopted Specific Plan evaluated in the 2007 EIR. Because the Specific Plan Update results in a reduction in development intensity and associated emissions, GHG emissions associated with the project are accounted for within the projections of the City's Climate Action Plan (CAP), which is a qualified GHG reduction plan pursuant to CEQA Guidelines Section 15183.5.

Future development under the project would be required to demonstrate consistency with the CAP, including implementation of applicable reduction measures. Consistency with a qualified CAP indicates that the project's GHG emissions would not exceed the level anticipated in the CAP and would support attainment of the City's GHG reduction targets. Accordingly, the project's incremental contribution related to cumulative GHG emissions would not be cumulatively considerable, and impacts would be less than significant.

b. Consistency with Plans (Threshold b)

As discussed in Section 4.12.6, construction and operation of development under the project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, including Assembly Bill 32, Senate Bill 32, Executive Orders S-3-05 and B-30-15, the California Air Resources Board's Scoping Plan, the SANDAG 2025 Regional Plan, the City's General Plan, and the City's CAP. Consistency with these plans and policies demonstrates that the project would contribute to statewide and regional efforts to reduce GHG emissions and would not interfere with attainment of established reduction targets. Accordingly, the project's incremental contribution related to cumulative GHG emissions would not be cumulatively considerable, and impacts would be less than significant.

5.3.13 Energy

The geographic scope for the cumulative analysis relative to energy use is the service areas of the energy (electricity and natural gas) providers in the Planning Area.

5.3.13.1 Impact Analysis

a. Energy Consumption

Cumulative energy impacts are evaluated in the context of growth within the service areas of the electricity and natural gas providers serving the Planning Area, which account for energy demand associated with construction, transportation, and building operations. Although the 2007 EIR did not evaluate energy, cumulative development in the region would result in increased demand for electricity, natural gas, and transportation fuels. However, as discussed in Section 4.13.4, implementation of the Specific Plan Update, along with all future projects, would be subject to and consistent with applicable energy conservation regulations, including Title 24 and the California Green Building Standards Code, as well as applicable General Plan policies and CAP measures intended to reduce energy consumption and improve efficiency.

In addition, buildout of the Specific Plan Update would result in fewer average daily trips and VMT compared to the Adopted Specific Plan, thereby reducing transportation-related energy demand relative to previously evaluated conditions. Given the regulatory framework and the Specific Plan Update's reduced energy demand profile, the Specific Plan Update would not result in wasteful, inefficient, or unnecessary consumption of energy resources, nor would it make a cumulatively considerable contribution to regional energy demand. Accordingly, the project's incremental contribution related to cumulative energy consumption would not be cumulatively considerable, and impacts would be less than significant.

b. Renewable Energy and Efficiency Plans

Cumulative impacts related to renewable energy and energy efficiency planning are also considered at a regional scale, as such plans are implemented through statewide mandates and utility provider programs. Development under the Specific Plan Update, in combination with cumulative development in the region, would be required to comply with applicable energy efficiency standards, including the California Green Building Standards Code and the California Energy Code, and would be subject to ongoing updates to these regulations. In addition, future development would be served by SDG&E, which is required to implement the state's Renewables Portfolio Standard and related programs to increase the proportion of energy derived from renewable sources. As such, the Specific Plan Update would not conflict with or obstruct the implementation of applicable renewable energy and efficiency plans, either on a project-specific or cumulative basis. Accordingly, the project's incremental contribution related to cumulative consistency with renewable energy and efficiency plans would not be cumulatively considerable, and impacts would be less than significant.

5.3.14 Wildfire

The geographic scope for the cumulative analysis of wildfire risk includes the Planning Area and surrounding region, where wildfire hazards are influenced by fuel conditions, topography, weather, and patterns of development.

5.3.14.1 Impact Analysis

a. Emergency Response Plans (Threshold a)

As discussed in Section 4.14.4, implementation of the Specific Plan Update would not impair an adopted emergency response plan or evacuation plan. Development within the Planning Area would be required to incorporate design features that maintain and enhance emergency access, including roadway connectivity and circulation improvements, and would be subject to review by the San Marcos Fire Department.

Future development would be planned in accordance with applicable policies in the City's General Plan and Specific Plan Update, including provisions requiring adequate emergency access and coordination with fire protection services. These requirements would ensure that future development under the project would not adversely affect emergency response or evacuation capabilities under cumulative conditions. Accordingly, the project's incremental contribution to cumulative impacts

related to emergency response would not be cumulatively considerable, and impacts would be less than significant.

b. Wildfire Risk (Threshold b)

Although regional development can contribute to cumulative wildfire risk by increasing development within fire-prone areas, evacuation demand, and the need for fire protection infrastructure, the Planning Area is not located within a mapped Fire Hazard Severity Zone. Nonetheless, future development would be required to comply with applicable fire protection standards, including defensible space requirements, fuel management practices, and building design features that reduce wildfire risk.

Implementation of the Specific Plan Update and compliance with the City's Fire Code and General Plan Safety Element would ensure that development is designed to minimize the risk of wildfire-related hazards. In addition, future development would include adequate water supply and fire flow infrastructure to support fire suppression. Because the project would not introduce uses or conditions that would exacerbate wildfire risk, it would not combine with other projects to result in a cumulatively significant wildfire impact. Accordingly, the project's incremental contribution to cumulative wildfire risk would not be cumulatively considerable, and impacts would be less than significant.

c. Infrastructure (Threshold c)

As discussed in Section 4.14.6, implementation of the Specific Plan Update would require infrastructure improvements, including water distribution systems and access roads, that are designed to support emergency response and reduce fire risk.

Future development under the project would not require the installation or maintenance of infrastructure that would exacerbate wildfire risk. Instead, infrastructure would be designed in accordance with applicable standards to improve fire protection and emergency access. Accordingly, the Project's incremental contribution to cumulative impacts related to wildfire infrastructure would not be cumulatively considerable, and impacts would be less than significant.

d. Post-Fire Flooding or Landslides (Threshold d)

As discussed in Section 4.14.7, the project would not expose people or structures to significant risks associated with post-fire flooding or landslides. Development within the Planning Area would be subject to applicable stormwater management and flood control regulations, as well as General Plan policies addressing flood hazards. Compliance with these requirements would ensure that drainage patterns and infrastructure are designed to minimize risks associated with runoff and slope instability, including under post-fire conditions. Accordingly, the project's incremental contribution to cumulative impacts related to post-fire flooding or landslides would not be cumulatively considerable, and impacts would be less than significant.

Chapter 6.0
Project Alternatives

The California Environmental Quality Act (CEQA) Guidelines Section 15126.6 requires that an Environmental Impact Report (EIR) compare the effects of a "reasonable range of alternatives" to the project. The CEQA Guidelines further specify that the alternatives selected should attain most of the basic project objectives and avoid or substantially lessen one or more significant effects of the project. The "range of alternatives" is governed by the "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (CEQA Guidelines Section 15126.6[f]). CEQA generally defines "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable period of time, while also taking into account economic, environmental, social, technological, and legal factors.

6.1 Selection of Alternatives

This Subsequent Environmental Impact Report (SEIR) evaluates the potential environmental effects associated with the Creek Plan Specific Plan Update (Specific Plan Update; project) in relation to the analysis and conclusions of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). Chapter 4.0 of this SEIR provides a supplemental analysis to the prior 2007 EIR, and addresses only those issues where new information, changed circumstances, or project modifications warrant additional environmental review.

The Specific Plan Update would result in significant unavoidable environmental impacts related to: commercial vehicle miles traveled (VMT). All other impacts were determined to be less than significant or would be mitigated to a level less than significant.

In developing the alternatives to be addressed, consideration was given to their ability to meet the basic objectives of the project and eliminate or substantially reduce significant environmental impacts. As identified in Chapter 3, the following project objectives, stated in Section 2.3.2 of the 2007 EIR, remain applicable to the project:

1. Protect the biological resources in San Marcos Creek through habitat creation and restoration.

2. Develop a "24-hour" mixed use neighborhood including residential, retail, and office uses.

3. Establish a distinct, regionally identifiable "downtown."

4. Establish a "walkable," pedestrian-friendly district.

The following additional objectives supplement those of the 2007 EIR, providing an updated focus related to the Specific Plan Update:

5. Promote a balanced community with an updated development pattern able to support the needs of the City both socially and economically.

6. Promote and support variety in housing design, cost, and density, with a firm commitment to integrate affordable housing districtwide.

7. Reinforce connections to the regional transportation network.

8. Highlight San Marcos Creek as a community amenity, including open space and trail connections for passive and active recreation.

As required under Section 15126.6 (e)(2) of the CEQA Guidelines, an EIR must identify the environmentally superior alternative. Pursuant to the CEQA Guidelines, if the No Project Alternative is determined to be the most environmentally superior project, then another alternative among the alternatives evaluated must be identified as the environmentally superior project. Section 6.3 addresses the environmentally superior alternative selected.

The following section provides an analysis of each issue area included in the supplemental impact analysis for the project (Chapter 4.0). Table 6-1 provides a matrix comparison of the significant impacts of the project as compared to each alternative.

Table 6-1
Matrix Comparison of the Project and Alternatives Impacts

Environmental Issue Area	Specific Plan Update	No Project (Adopted Specific Plan) Alternative
Aesthetics and Visual Quality	LTS	GREATER
Air Quality	SM	GREATER
Biological Resources		
- Sensitive Species	SM	GREATER
- Federal Wetland	SM	GREATER
- Wildlife Corridor	SM	GREATER
- Local Policies	LTS	SAME
- Multiple Habitat Conservation Program	LTS	SAME
Cultural and Tribal Cultural Resources	SM	SAME
- Cultural/Tribal Cultural	SM	SAME
- Historic	SM	GREATER
- Paleontological	SM	SAME
- Human Remains	LTS	SAME
Hazards and Hazardous Materials		
- Accidental Release	LTS	SAME
- Routine Transport, Use, or Disposal	SM	SAME
- Hazardous Materials Site	SM	SAME
- Airport Land Use Plan	LTS	SAME
- Emergency Response or Evacuation Plan	LTS	SAME
- Wildfire	LTS	SAME
Hydrology and Water Quality		
- Water Quality Standards	LTS	SAME

Table 6-1 Matrix Comparison of the Project and Alternatives Impacts		
Environmental Issue Area	Specific Plan Update	No Project (Adopted Specific Plan) Alternative
- Drainage Patterns	SM	SAME
- Flooding	SM	SAME
- Water Quality Plans	LTS	SAME
Land Use and Planning	LTS	GREATER
Noise		
- Ambient Noise	SM	SAME
- Vibration	LTS	SAME
- Airports	LTS	SAME
Public Services and Recreation		
- Fire, Police, Schools, Libraries	LTS	SAME
- Parks and Recreation	LTS	SAME
Transportation		
- Consistency with Plans	LTS	SAME
- Vehicle Miles Traveled	LTS (Residential) SU (Commercial)	GREATER
Utilities and Service System		
- Facilities	SM	SAME
- Water Supplies	LTS	SAME
- Wastewater Capacity	SM	SAME
- Solid Waste	LTS	SAME
- Compliance with Solid Waste Regulations	LTS	SAME
Greenhouse Gas Emissions	LTS	GREATER
Energy	LTS	SAME
Wildfire	LTS	SAME
LTS = less than significant; SM = significant and mitigated; SU = significant and unavoidable		

6.2 Project Alternatives

Consistent with CEQA Guidelines Section 15126(d), the alternatives described below are analyzed to include sufficient information to allow a meaningful analysis and comparison with the project. The following subsections include a discussion of the impacts of the alternatives compared to the project. The conclusion for each alternative also provides an overview of how the alternative meets, partially meets, or fails to meet the project objectives.

6.2.1 Alternatives Considered but Rejected

6.2.1.1 Reduced Density/Lower Intensity Alternative

A Reduced Density/Lower Intensity Alternative was considered that would limit the intensity of development within the Planning Area. This alternative would reduce the amount of residential, commercial, and office development, thereby potentially reducing impacts related to land use consistency, including LOS considerations. However, this alternative was rejected from further consideration because it would not meet the fundamental objectives of the project.

Reducing development intensity would limit the feasibility of establishing a vibrant, mixed-use, "24-hour" neighborhood that integrates residential, retail, and office uses. The reduced scale of development would also constrain the City's ability to create a distinct, regionally identifiable downtown and would diminish the critical mass needed to support a walkable, pedestrian-oriented district. In addition, a lower density development pattern would reduce opportunities to provide a diverse range of housing types, including affordable housing, and would not adequately support the City's goals of promoting a balanced community that meets social and economic needs. Reduced intensity would also limit the effectiveness of planned connections to the regional transportation network by decreasing transit-supportive densities.

While the Reduced Density/Lower Intensity Alternative could lessen certain land use compatibility considerations, it would not meaningfully advance key project objectives. Therefore, because this alternative would fail to achieve the primary objectives of the Specific Plan Update and would not provide a balanced or feasible development framework, it was eliminated from further consideration.

6.2.2 No Project (Adopted Specific Plan) Alternative

The following discussion of the No Project Alternative is based on CEQA Guidelines Section 15126.6(e)(3)(A), which states:

> When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future. Typically this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

Consistent with CEQA Guidelines Section 15126.6(e)(3)(A), the No Project (Adopted Specific Plan) Alternative (No Project Alternative) represents the continued implementation of the Adopted General Plan land use and zoning for the project areas.

6.2.2.1 Description of the No Project Alternative

Under the No Project Alternative, the proposed changes and refinements of the Specific Plan Update would not occur. Growth and development within the Planning Area would continue to be guided by the existing land use and zoning established in the Adopted Specific Plan, as analyzed within the

2007 EIR. Under the No Project Alternative, future planning initiatives would continue to occur through site-specific proposals under the existing mixed-use, open space, and park land use designations of the Adopted Specific Plan. Seven sub-districts, including the San Marcos Boulevard, Downtown Core, Creekside, Bent Avenue, Midtown, East End, and West End, would provide different land use concepts to help guide development. The planned densities under the Adopted Specific Plan are shown in Table 3-7. It would allow for up to 2,300 dwelling units, 1,265,000 square feet of commercial uses, 20.6 acres of park space, 73.6 acres of open space, and 38.5 acres of rights-of-way. The Adopted Specific Plan consisted of three components: (1) floodway improvements to San Marcos Creek, including hydraulic improvements to State Route 78; (2) roadway and infrastructure improvements; and (3) the Adopted Specific Plan. All three components were addressed in the 2007 EIR and approved by the City simultaneously with the 2007 EIR certification. However, since 2007, the floodway improvements to San Marcos Creek and new creek crossing bridges at Bent Avenue and Via Vera Cruz have been completed. The project considered herein focuses only on proposed modifications to the Adopted Specific Plan. Therefore, the analysis of the No Project Alternative only compares the land use and policy components of the Adopted Specific Plan and the Specific Plan Update.

The No Project Alternative would generally meet all of the project objectives except for Objective 6. It would not satisfy Objective 6 because, while the Adopted Specific Plan would have provided a variety of housing types, the Specific Plan Update specifically commits to a 15 percent affordable component Planning Area-wide. The Adopted Specific Plan would also not meet Objectives 5 through 8 to the same extent as the Specific Plan Update. While both the Adopted Specific Plan and the Specific Plan Update would highlight connections between urban living and nature, the supplemental objectives provide greater emphasis on activating and highlighting San Marcos Creek as a community amenity. The Specific Plan Update also emphasizes a proposed multimodal network within the Planning Area that promotes walking, biking, and "park once" strategies to provide people with active opportunities to explore urban and natural areas of the Planning Area. The Adopted Specific Plan has similar policies, but not to the same extent as the Specific Plan Update.

6.2.2.2 Comparative Analysis of the No Project Alternative

a. Aesthetics

Consistent with the findings of the 2007 EIR, the No Project Alternative would not result in substantial adverse effects on scenic vistas, visual character, or light and glare. Although development would introduce urban uses and buildings ranging from approximately 25 to 70 feet in height across seven interconnected Sub-Districts, the Planning Area does not contain designated scenic vistas, scenic highways, or important ridgelines, and views of nearby hillsides and the San Marcos Creek corridor would not be substantially obstructed. While development would result in localized changes to the visual character of the area, the No Project Alternative's mix of commercial, entertainment, office, lodging, and residential uses, organized across Sub-Districts such as the San Marcos Boulevard corridor, Downtown Core, Creekside, Bent Avenue Center, and Midtown/East End/West End areas, would create distinct neighborhood identities while maintaining overall visual quality. The No Project Alternative would result in creek revegetation, parks, trails, and a creekside promenade intended to enhance visual amenities and provide public vantage points. In addition, detailed design standards, architectural guidelines, landscaping requirements, and lighting standards would guide future

development to ensure high-quality building design and minimize light and glare through the use of shielded, downward-directed fixtures. Based on these features, the No Project Alternative would result in less than significant impacts related to scenic vistas, visual character, and light and glare.

The Specific Plan Update includes similar design standards to guide future development; however, because the land use plan creates a more cohesive community with greater open space and integration between nature and urban living, impacts associated with aesthetics would be incrementally reduced compared to the Adopted Specific Plan. Therefore, impacts associated with aesthetics would be greater compared to the Specific Plan Update.

b. Air Quality

At the time the Adopted Specific Plan was approved, it included a General Plan Amendment and therefore was not fully consistent with the growth projections used in the Regional Air Quality Strategy and State Implementation Plan. However, since adoption of the Specific Plan, the Regional Air Quality Strategy and State Implementation Plan have been updated to reflect revised regional growth projections. The City's General Plan, last updated in 2012, incorporates the land use designations and growth anticipated under the Adopted Specific Plan. Accordingly, the No Project Alternative, which assumes continued implementation of the Adopted Specific Plan, would be consistent with the applicable air quality plans.

The No Project Alternative would generate approximately 98,352 average daily trips (ADT), an estimated net increase of approximately 9,792 ADT, including 1,177 a.m. peak hour trips and 1,087 p.m. peak hour trips over existing conditions. As this increase in trips has been accounted for in the City's General Plan, it would result in less than significant impacts related to the emission of criteria pollutants. Based on the air quality modeling conducted for the 2007 EIR, the No Project Alternative would result in localized increases in carbon monoxide (CO) concentrations that would be minimal and would remain below the applicable California Ambient Air Quality Standards. Additionally, the No Project Alternative's localized CO concentrations would be within the buildout conditions of the City's General Plan. As such, implementation of the No Project Alternative would not result in localized CO "hot spots" or exceed ambient air quality standards, and impacts to sensitive receptors would be less than significant. Regarding odors, the residential, commercial, and office uses of the No Project Alternative would not be expected to generate objectionable odors; therefore, odor impacts were also determined to be less than significant. The No Project Alternative would have less than significant impacts related to air quality plans, air quality standards and the emission of criteria pollutants, the exposure of sensitive receptors to CO concentrations, and the emission of odors.

The Specific Plan Update would generate approximately 77,368 ADT, which would be fewer ADT compared to the No Project Alternative. Therefore, while the No Project Alternative would have a less than significant effect on air quality, it would be incrementally greater compared to the Specific Plan Update.

c. Biological Resources

Under the No Project Alternative, biological impacts were found to be less than significant with the implementation of mitigation measures (which would remain applicable to the Specific Plan Update).

Sensitive Habitats and Special Status Species

Under the No Project Alternative, potentially significant impacts to sensitive habitats and special status species would be reduced to less than significant levels through implementation of the following mitigation measures: MM 3.3-6, which requires compensatory habitat mitigation at a 1:1 ratio consistent with City habitat planning requirements; MM 3.3-8, which required salvage, seed collection, propagation, and relocation of affected southern tarplant plants to suitable on- or off-site habitats to ensure long-term population viability; MM 3.3-10, which requires biological monitoring, pre-construction nesting bird surveys, seasonal construction restrictions, protective buffers around active nests, and protocol surveys; and MM 3.3-11, which requires protective measures if coastal California gnatcatcher habitat is occupied prior to grading permit issuance. Since certification of the 2007 EIR, several plant and wildlife species have become federally or state-listed or a candidate for listing, and additional observations of special-status species have been added to databases. As such, the No Project Alternative would not provide protective mitigation for potential impacts to these recently added plant species (San Diego sagewort, Palmer's goldenbush, and San Diego marsh-elder) and wildlife species (western spadefoot, tricolored blackbird, Crotch's bumble bee, and the non-listed mammals and reptiles identified in Appendix B, Attachment 3a). In addition, since certification of the 2007 EIR, on-site vegetation communities have changed due to construction and buildout of portions of the Planning Area in accordance with the Adopted Specific Plan, as well as due to restoration of riparian habitat along San Marcos Creek, for which no mitigation was required.

In addition to carrying forward the mitigation measures identified in the 2007 EIR, the Specific Plan Update includes supplemental measures to address previously unidentified on-site habitats and newly identified special species, including subsequent mitigation measures S-BIO-1 through S-BIO-8b (see Table 4.3-3). Because these subsequent mitigation measures would reduce previously unidentified, potentially significant biological impacts that were not addressed under the No Project Alternative, impacts to sensitive habitats and special-status species would be greater under the No Project Alternative compared to the Specific Plan Update.

Federally Protected Wetlands

The 2007 EIR determined that implementation of the Adopted Specific Plan would result in potentially significant impacts to approximately 0.78 acres of jurisdictional wetlands along San Marcos Creek, including southern willow scrub and herbaceous wetlands. With implementation of best management practices (BMPs), project design features, regulatory permitting, and mitigation measures MM 3.3-2 (requiring compensatory wetland mitigation at ratios up to 3:1) and MM 3.3-4 (requiring weed control and revegetation to enhance riparian habitat function), impacts to federally protected wetlands were determined to be reduced to less than significant levels.

Since certification of the 2007 EIR, the City's General Plan was comprehensively updated and adopted in 2012. The Conservation and Open Space Element includes goals and policies that address the protection of wetland and riparian habitats associated with San Marcos Creek, and requires that

development proposals demonstrate avoidance or minimization of impacts, or implementation of appropriate mitigation measures to address potential effects (City of San Marcos 2012). These policies would also apply to future development under the No Project Alternative.

In addition to carrying forward the mitigation measures identified in the 2007 EIR, the Specific Plan Update includes subsequent mitigation measures required for habitat-based mitigation and to acquire permits for impacts to jurisdictional aquatic resources, including subsequent mitigation measures S-BIO-9a and S-BIO-9b (see Table 4.3-4). Because these subsequent mitigation measures would reduce previously unidentified, potentially significant biological impacts that were not addressed under the No Project Alternative, impacts to federally protected wetlands would be greater under the No Project Alternative compared to the Specific Plan Update.

Wildlife Corridors

The San Marcos Creek and the surrounding riparian habitats represent a wildlife corridor within the Planning Area. The 2007 EIR determined that implementation of the Adopted Specific Plan would result in less than significant impacts. However, the 2007 EIR did not account for special-status wildlife species with potential to occur within the Planning Area, including western spadefoot, tricolored blackbird, Crotch's bumble bee, special-status bats, San Diego desert woodrat, American badger, and certain non-listed mammals and reptiles identified in Appendix B, Attachment 3a. As such, the No Project Alternative would not provide protective mitigation for potential impacts to these recently added wildlife species which could rely on the San Marcos Creek corridor.

The Specific Plan Update includes supplemental measures to address previously unidentified species, including mitigation measures S-BIO-2 through S-BIO-9b (see Table 4.3-5). These subsequent mitigation measures would reduce previously unidentified, potentially significant impacts associated with wildlife corridors for which no mitigation is provided under the No Project Alternative. Therefore, impacts to wildlife corridors would be greater under the No Project Alternative compared to the Specific Plan Update.

Local Policies

Although the Adopted Specific Plan was approved prior to the City's adoption of the 2012 General Plan, future development within the Planning Area would be reviewed for consistency with current goals and policies. Both the No Project Alternative and the Specific Plan Update would be required to be consistent with specific plan policies. Therefore, impacts related to local policies and ordinances would be the same under either scenario.

Multiple Habitat Conservation Program Consistency

Both the No Project Alternative and the Specific Plan Update would be consistent with the Multiple Habitat Conservation Program. At the time of certification of the 2007 EIR, the City's Subarea Plan was in draft form and had not yet been formally approved by the wildlife agencies. The Subarea Plan remains in draft status. Therefore, impacts related to Multiple Habitat Conservation Program consistency would be the same under either scenario.

d. Cultural and Tribal Cultural Resources

Archeological and Tribal Cultural Resources

Under the No Project Alternative, potentially significant impacts on cultural and tribal cultural resources would be reduced to less than significant levels through the following mitigation measures: MM 3.4-1, which required a data recovery program specific to site CA-SDI-17423; MM 3.4-2a, which requires archaeological monitoring for all project sites adjacent to the San Marcos Creek; and MM 3.4-2b, which requires a pre-excavation agreement to be entered with the San Luis Rey Band of Mission Indians regarding treatment and disposition of resources found during grading activities.

Since certification of the 2007 EIR, the City adopted its General Plan Update as well as the Archaeological and Historical Resources Consultant Guidelines. The Conservation and Open Space Element includes Goal COS-11, which addresses cultural and archeological resources, with specific policies requiring the identification and protection and/or mitigation of cultural resources (City of San Marcos 2012). These policies would also apply to future development under the No Project Alternative.

Both the No Project Alternative and the Specific Plan Update would rely on the previous mitigation measures identified in the 2007 EIR, as well as with applicable General Plan policies. Impacts associated with archeological and tribal cultural resources under the No Project Alternative would be the same compared to the Specific Plan Update.

Historic Resources

Under the No Project Alternative, potentially significant impacts on historical resources would be reduced to less than significant levels through the following mitigation measures: MM 3.4-3, which requires relocation of 918 Discovery Street; and MM 3.4-4, which requires rehabilitation of 918 Discovery Street.

Since certification of the 2007 EIR, no additional measures have been identified to address potential impacts to structures that may now meet the age threshold for consideration as historic resources. As a result, under the No Project Alternative, there would be no specific mechanism to identify or evaluate structures that have reached 50 years of age since 2007 and may qualify as historical resources. The Specific Plan Update includes subsequent mitigation measure S-HIST-1, which requires preparation of a historic resource survey for any structure 50 years of age or older within the Planning Area that could be demolished or otherwise impacted by project development. Implementation of this measure would ensure that previously unidentified historic resources are evaluated and, if necessary, appropriate mitigation is identified. Therefore, the Specific Plan Update would reduce potentially significant impacts associated with historic resources that are not addressed under the No Project Alternative, and impacts to historic resources would be greater under the No Project Alternative compared to the Specific Plan Update.

Paleontological Resources

Development within the Planning Area could potentially encounter deeper, older deposits or previously unidentified fossil materials during ground-disturbing activities. To reduce potentially significant impacts to paleontological resources to less than significant levels, the No Project Alternative would implement MM 3.4-5, which requires a paleontological survey and monitor, if deemed necessary.

The Specific Plan Update would result in similar potential impacts and would carry forward the mitigation measure identified in the 2007 EIR. Therefore, impacts related to paleontological resources would be the same under either scenario.

Human Remains

Development of the No Project Alternative could result in the discovery of human remains. Compliance with State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 would ensure appropriate treatment, including notification of the County of San Diego (County) Coroner, the Native American Heritage Commission, and coordination with a Most Likely Descendant, as applicable. Impacts related to the potential discovery of human remains under the Specific Plan Update would be same and subject to the same regulatory requirements. Therefore, impacts related to human remains would be the same under either scenario.

e. Hazardous Materials

Accidental Release of Hazardous Materials

The land use plans under both the No Project Alternative and the Specific Plan Update would support similar uses, including primarily residential and commercial. Under either scenario, any limited quantities of hazardous materials released by tenants working or residing within the Planning Area would be subject to existing state regulations governing proper handling and disposal, the implementation of which would reduce potentially significant impacts to less than significant levels. Therefore, impacts related to the accidental release of hazardous materials under either scenario would be the same.

Routine Transport, Use, or Disposal of Hazardous Materials

Project grading under both the No Project Alternative and the Specific Plan Update could require upward of 650,000 cubic yards of fill material. Absent the ability to identify the source of soil, this magnitude of import could result in a potentially significant impact if contaminated soils were used. Under either scenario, future development would implement mitigation measure MM 3.5-1b, which requires the preparation of project-specific Risk Management Plans to establish soil management and control specifications for grading and construction, the implementation of which would reduce potentially significant impacts to less than significant levels. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials under either scenario would be the same.

Hazardous Materials Site

The Planning Area contains three leaking underground storage tanks that are under investigation or post-remediation monitoring. Under both the No Project Alternative and the Specific Plan Update, development within or adjacent to these sites could result in release of hazardous materials, and the following mitigation measures would be implemented: MM 3.5-2, which requires confirmation of no hazardous materials of site; MM 3.5-3, which requires an approved workplan for sites that are identified as hazardous materials sites; MM 3.5-4, which requires a determination of the presence of asbestos and asbestos-containing materials prior to demolition of structures; and MM 3.5-5. which requires determination of the presence of lead-based-paint-containing materials prior to demolition of structures. The implementation of these mitigation measures would reduce potentially significant impacts to less than significant levels; therefore, impacts related to hazardous materials sites under either scenario would be the same.

Airport Land Use Plan

The Planning Area is not located within an Airport Land Use Plan or near any private airstrips No impacts would occur under the No Project Alternative or the Specific Plan Update. Therefore, impacts related to airport land use plans under either scenario would be the same.

Emergency Response or Evacuation Plan

All future developments under either the No Project Alternative or the Specific Plan Update would be reviewed to ensure consistency with the City's General Plan Safety Element, specifically Policy S-3.3, which requires development to provide safe access for emergency equipment and civilian evacuation. To further enhance the City's emergency response programs, future development would be designed, constructed, and maintained in accordance with applicable standards associated with the County's Multi-Jurisdictional Hazards Mitigation Plan and the City's Annex, including the provision of adequate emergency access and access to evacuation routes. Under either scenario, implementation of programs and plans related to emergency response and evacuation would ensure impacts would be less than significant. Therefore, impacts related to emergency response or evacuation plans under either scenario would be the same.

Wildfire

Regarding wildfire adjacency, all future development under the No Project Alternative would be required to comply with the Specific Plan Update, participate in the City Community Facilities District, and adhere to applicable fire protection standards. The No Project Alternative would result in less than significant impacts related to hazards and hazardous materials and would be the same as the project.

f. Hydrology and Water Quality

Water Quality Standards

The No Project Alternative continues to implement the Adopted Specific Plan for which the 2007 EIR was certified. The 2007 EIR included mitigation measures to reduce potentially significant impacts associated with water quality. Specifically, mitigation measure MM 3.6-1 requires project-specific Storm Water Pollution Prevention Plans to be prepared to inform construction BMPs. Additionally, mitigation measure MM 3.6-2 requires project-specific Water Quality Technical Reports to identify potential operational pollutants and select the appropriate BMPs to be designed and implemented to avoid significant water quality impacts. The No Project Alternative's implementation of these mitigation measures would reduce potentially significant impacts to less than significant levels.

Since 2007, the regulatory framework associated with water quality has expanded to include an updated Municipal Separate Storm Sewer System Permit (Order No. R9-2013-0001, National Pollutant Discharge Elimination System No. CAS0109266, as amended), 2021 Jurisdictional Runoff Management Program, and the City's 2025 BMP Design Manual. Under the current regulatory framework, preparation and implementation of a Stormwater Pollution Prevention Plan and compliance with applicable post-construction stormwater requirements are mandatory for qualifying development. Thus, many of the requirements previously imposed through mitigation measures MM 3.6-1 and MM 3.6-2 are now incorporated into applicable regulatory requirements.

Under either the No Project Alternative or the Specific Plan Update, future development would therefore be required to implement construction and operational BMPs to prevent or minimize pollutant discharges and comply with applicable water quality standards. Although the mechanisms for ensuring compliance differ, the No Project Alternative would continue to rely on the mitigation framework established by the 2007 EIR, while development under the Specific Plan Update would be subject to the current regulatory framework. Both would reduce potential impacts related to water quality to less than significant levels. Accordingly, impacts related to water quality under the No Project Alternative would be similar to those of the Specific Plan Update.

Drainage Patterns

The No Project Alternative continues to implement the Adopted Specific Plan for which the 2007 EIR was certified. The 2007 EIR included mitigation measures to reduce potentially significant impacts associated with drainage patterns. Specifically, mitigation measure MM 3.6-3a requires construction of a check dam within San Marcos Creek at the Via Vera Cruz crossing to reduce sediment delivery to Lake San Marcos. Additionally, mitigation measure MM 3.6-3b requires construction of a check dam upstream of Discovery Street. The No Project Alternative's implementation of these mitigation measures would reduce potentially significant impacts to less than significant levels. It is noted that while mitigation measures MM 3.6-3a and MM 3.6-3b were included in the 2007 EIR, the check dam was never required as part of the City's detailed creek improvement designs.

The Specific Plan Update includes two alternative solutions to manage drainage flows. Under either alternative, conceptual drainage plans would guide implementation, and improvements would be constructed incrementally in conjunction with future development projects. Under either scenario, all future development and redevelopment within the Planning Area would incorporate stormwater reduction measures to minimize increases in drainage flow volume and velocity. Therefore, impacts related to drainage patterns under either scenario would be the same.

Flooding

The No Project Alternative continues to implement the Adopted Specific Plan for which the 2007 EIR was certified. The 2007 EIR included mitigation measures to reduce potentially significant impacts associated with flooding. Specifically, mitigation measure MM3.6-4 requires all projects within the 100-year floodplain to demonstrate that a Letter of Map Revision removing the affected parcels from the floodplain or Conditional Letter of Map Revision has been obtained from the Federal Insurance Administration of the Federal Emergency Management Agency. The No Project Alternative's implementation of this mitigation measure would reduce potentially significant impacts to less than significant levels.

Since certification of the 2007 EIR, several flood control improvements within the San Marcos Creek corridor/100-year floodplain have been completed. Accordingly, all future development under either the No Project Alternative or the Specific Plan Update would be required to comply with updated floodplain management regulations and Federal Emergency Management Agency review procedures, which provide additional safeguards beyond those in place at the time of the 2007 EIR. Additionally, mitigation measure MM 3.6-4 identified in the 2007 EIR would continue to apply to the future projects and remain effective in addressing potential impacts to flood hazards. Therefore, impacts related to flooding under either scenario would be the same.

Water Quality Plans

Future development under either the No Project Alternative or the Specific Plan Update would be required to comply with applicable water quality plans including but not limited to the following: the Clean Water Act; a Municipal Separate Storm Sewer System Permit; the City's Jurisdictional Runoff Management Program and Water Quality Improvement Plan; and the City' BMP Plan. Therefore, impacts related to water quality plans under either scenario would be the same.

g. Land Use and Planning

Future development under the No Project Alternative would occur in accordance with the Adopted Specific Plan, which would allow future planning initiatives to continue as site-specific proposals under the existing mixed-use, open space, and park land use designations within the seven Sub-Districts, as described in Section 8.2.1.1. However, future site-specific development under the No Project Alternative would not benefit from the Specific Plan Update policies and land use planning direction that provide greater emphasis on San Marcos Creek as a community amenity; establish a more comprehensive multimodal network; promote walking, biking, and "park once" strategies; and encourage development patterns that better integrate urban uses with natural features within the Planning Area.

While both scenarios would result in a significant and unavoidable impact related to conflicts with the City's Mobility Element relating to standard roadway operations, impacts related to land use and planning under the No Project Alternative would be incrementally greater due to the absence of updated policy guidance and integrated land use strategies that support multimodal accessibility, connectivity, and cohesive site design across the Planning Area.

h. Noise

Ambient Noise

The No Project Alternative continues to implement the Adopted Specific Plan for which the 2007 EIR was certified. Although projects would be required to adhere to San Marcos Municipal Code regulations related to construction hours of operation, the 2007 EIR included mitigation measures to reduce potentially significant impacts associated with construction noise and stationary noise volumes. Specifically, mitigation measure MM 3.8-1 requires individual project conditions relating to construction timing, diesel generator use, and truck routes. Additionally, mitigation measure MM 3.8-2 requires posting of readily visible informational signs at each entrance of the construction area indicating that the site is a "Noise Controlled Zone." For stationary noise volume mitigation, mitigation measures MM 3.8-3 through MM 3.8-5 require noise attenuation of external areas to 65 A-weighted decibels Community Noise Level Equivalent (CNEL) or lower, interior noise attenuation design features, structural noise reduction measures, and commercial residential interface noise studies. Implementation of these mitigation measures would reduce the No Project Alternative noise levels to less than significant. Under the No Project Alternative, impacts related to traffic and General Plan compatibility were determined to be less than significant.

The Specific Plan Update allows land use density and intensity similar to the No Project Alternative. Based on the Noise Study prepared for the Specific Plan Update, all mitigation measures identified in the 2007 EIR would continue to apply to future projects within the Planning Area and would remain effective in addressing potentially significant noise impacts. Therefore, impacts related to ambient noise under either scenario would be the same.

Vibration

Due to the similarity in land uses, the No Project Alternative and Specific Plan Update would result in similar vibration impacts. Under either scenario there is no expectation of construction activities that would cause vibration to exceed standard construction levels. Additionally, there are no proposed uses that would be characterized as capable of causing excessive groundborne vibration or groundborne noise during operation. Therefore, impacts related to vibration under either scenario would be the same.

Airports

The closest airport is the McClellan-Palomar Airport, located approximately four miles west of the Planning Area. Noise contours for the McClellan-Palomar Airport are provided in the Airport Land Use Compatibility Plan (San Diego County Airport Land Use Commission 2011). The Planning Area is located 2.2 miles east from the 60 CNEL airport noise contour; thus, under either scenario aircraft noise levels at the Planning Area would be less than 60 CNEL. Therefore, impacts related to airport noise levels under either scenario would be the same.

i. Public Services and Recreation

Fire, Police, Schools, Libraries

Future site-specific development under either the No Project Alternative or Specific Plan Update would occur incrementally, based on market conditions and other factors, such that public services and associated facilities are not overburdened at any given time. The City's General Plan includes Policies LU-8.1 and LU-8.2, the implementation of which ensures that new development shall pay its fair share of required improvements to public facilities and services and promote development timing that is guided by the adequacy of existing and/or expandable infrastructure, services, and facilities. Additionally, San Marcos Municipal Code regulations require future development to contribute to the City's Development Services Fees to ensure adequate services are available as needed. It is also noted that through implementation of General Plan policies and regulatory requirements, impacts under either scenario would be the same.

Parks and Recreation

Both the No Project Alternative and Specific Plan Update estimate no more than 2,300 dwelling units will be constructed within the Planning Area. This expansion of residences would be estimated to add an additional 3,531 residents to the City. Assuming five acres of park space per 1,000 residents, an additional 17.7 acres of park space would be required to satisfy City Park standards. Buildout of the No Project Alternative would result in 20.6 acres of parkland; buildout of the Specific Plan Update would result in a total of 25.62 acres (parkland plus the Creekside promenade). Therefore, both scenarios would meet City park standards. Nonetheless, under either scenario, future developers could be required to pay the City's Public Facilities Fees, which are required by all projects that increase the demand for park and recreation needs in the City. Therefore, impacts under either scenario would be the same.

j. Transportation

Consistency with Plans

Under the No Project Alternative, development would occur in accordance with the Adopted Specific Plan. Similar to the Specific Plan Update, buildout under the Adopted Specific Plan would be subject to applicable City plans, policies, and regulations addressing the circulation system, including the Active Transportation Plan and Transportation Demand Management Ordinance.

However, as with the Specific Plan Update, implementation of the Adopted Specific Plan would be constrained in its ability to meet roadway standards pursuant to the City's General Plan and Transportation Impact Analysis Guidelines due to the infeasibility of certain roadway improvements. Therefore, impacts related to consistency with circulation system policies would be similar to those identified for the Specific Plan Update.

Vehicle Miles Traveled

Under the No Project Alternative, development would occur in accordance with the Adopted Specific Plan, which would generate VMT associated with residential and commercial uses within the Planning Area. As discussed in Section 4.10.6, the Specific Plan Update would reduce both residential and commercial VMT compared to the Adopted Specific Plan.

Although the Adopted Specific Plan and the Specific Plan Update would both result in a net increase in total VMT associated with commercial uses, the Adopted Specific Plan would result in higher overall VMT compared to the Specific Plan Update. Therefore, the No Project Alternative would result in similar but incrementally greater VMT impacts compared to the Specific Plan Update.

k. Utilities and Service Systems

Facilities

Demands on existing utility facilities would increase under either the No Project Alternative or Specific Plan Update. Future projects under either scenario would be reviewed for consistency with the City's General Plan, including policies related to providing adequate water infrastructure. Policies LU 8.1 and 8.2 direct new development to pay its fair share of required infrastructure improvements and promote development timing to ensure the adequacy of existing infrastructure. Additionally, mitigation measure MM 3.11-1, set out in the 2007 EIR, would apply to the No Project Alternative as well as the Specific Plan Update, requiring project-specific water and sewer studies to be prepared to identify any infrastructure needed to support the proposed development. Implementation of these mitigation measures would reduce potentially significant impacts associated with new/expanded facilities to less than significant levels. Therefore, impacts related to under either scenario would be the same.

Water Supplies

Development potential under either the No Project Alternative or Specific Plan Update would yield similar increased demands on water supply. As described in Section 4.11.1 and 4.11.6, adequate water supplies exist to accommodate future growth within the Planning Area under normal, single dry year, and multi dry year scenarios. Future projects under either scenario would be reviewed for consistency with the City's General Plan, including Goal LU-13, which encourages implementation of policies that manage and conserve domestic water resources by reducing water usage and ensures the adequacy of water supply for existing and future residents. Therefore, impacts related to water supply would be the same.

Wastewater Capacity

Development potential under either the No Project Alternative or Specific Plan Update would yield similar increased demands on the capacity of the wastewater collection and treatment system to accommodate development. Future projects under either scenario would implement mitigation measure MM 3.11-1 as well as relevant City regulations and General Plan Goal LU-14, which encourages implementation of policies that manage wastewater systems for existing and future residents. Implementation of these mitigation measures and regulatory compliance would reduce potentially significant impacts associated with sufficient wastewater capacity to less than significant levels. Therefore, impacts related to under either scenario would be the same.

Solid Waste

Development potential under either the No Project Alternative or Specific Plan Update would yield similar increased demands on the capacity of local landfills to accommodate development. Future projects under either scenario would be reviewed for consistency with General Plan Goal LU-16, which encourages implementation of policies that reduce the amount of waste material entering regional landfills with an efficient and innovative waste management program. Implementation of policy compliance would reduce potentially significant impacts associated with solid waste to less than significant levels. Therefore, impacts related to under either scenario would be the same.

Compliance with Solid Waste Regulations

Both the No Project Alternative and the Specific Plan Update would be reviewed for consistency with applicable federal, state, and local policies, plans, and regulations. Either scenario would be required to comply with San Marcos Municipal Code Chapter 20.445, which requires new development to provide adequate refuse and recycling areas and dedicated enclosure space to support ongoing collection services. Current state laws, including Assembly Bill (AB) 939, AB 341, AB 1826, and Senate Bill 1383, further require recycling and organic waste diversion programs that reduce the amount of waste requiring landfill disposal. Additionally, future projects would be required to implement General Plan Goals COS-10, which encourages innovative and sustainable solid waste collection, recycling, and disposal systems; and LU-16, which strives to reduce the amount of waste entering regional landfills. Implementation of policy compliance would reduce potentially significant impacts associated with compliance with solid waste regulations to less than significant levels. Therefore, impacts related to under either scenario would be the same.

I. Greenhouse Gas Emissions

The No Project Alternative continues to implement the Adopted Specific Plan, which was adopted prior to the City's Climate Action Plan (CAP). The CAP was first adopted in 2013 and updated in 2020. The CAP therefore considers the projected land uses of the Adopted Specific Plan, and greenhouse gas (GHG) emission associated with the No Project Alternative are included in the City's CAP assumptions.

A Greenhouse Gas Analysis for the San Marcos Creek Specific Plan Update was prepared for the project and is attached as Appendix H. Based on the modelling and analysis therein, it was calculated that total GHG emissions generated by the Adopted Specific Plan would total approximately

74,536 metric tons of carbon dioxide (MT CO_2E), including all sources of operational and construction emissions (see Table 4.12-6). The GHG emissions generated by the Specific Plan Update would total approximately 52,536 MT CO_2E, which would be approximately 22,000 MT CO_2E less compared to the No Project Alternative. Therefore, while the No Project Alternative would be consistent with the City CAP and have a less than significant effect on GHG, it would be incrementally greater compared to the Specific Plan Update.

m. Energy

Under the No Project Alternative, the Planning Area would be developed in accordance with the Adopted Specific Plan as evaluated in the 2007 EIR. Although energy was not specifically analyzed in the 2007 EIR, buildout under the Adopted Specific Plan would result in energy consumption associated with construction, building operations, and transportation. The same as the Specific Plan Update, future development under the No Project Alternative would be required to comply with applicable energy efficiency regulations, including Title 24 and the California Green Building Standards Code, as well as relevant General Plan policies and CAP measures, which would serve to reduce overall energy demand and improve efficiency.

However, buildout under the Specific Plan Update would result in reduced ADT and VMT compared to the Adopted Specific Plan, and therefore lower transportation-related energy consumption. Accordingly, the No Project Alternative would result in greater overall energy demand relative to the Specific Plan Update. Nonetheless, due to regulatory compliance and ongoing consistency with policies and the City's CAP, energy consumption under the No Project Alternative would not be considered wasteful, inefficient, or unnecessary, as development would remain subject to applicable regulatory requirements; impacts would be the same under either scenario.

n. Wildfire

Both the No Project Alternative and the Specific Plan Update would be reviewed for consistency with applicable federal, state, and local policies, plans, and regulations. As discussed in Section 4.14, the Planning Area is not within a fire hazard safety zone. However, under either scenario, future projects would be required to implement the City's fire mitigation strategies, including ensuring adequate fuel breaks and defensible space. Fire safety goals from the City's Fire Code and General Plan include implementation of Goal S-3, requiring future projects to be designed to minimize injury, loss of life, and damage to property resulting from structural or wildland fires. Implementation of policy compliance would reduce potentially significant impacts associated with wildfire to less than significant levels. Therefore, impacts related to wildfire under either scenario would be the same.

6.2.2.3 Conclusion Regarding the No Project Alternative

As shown in Table 6-1, compared to the Specific Plan Update, the No Project Alternative would result in greater impacts associated with aesthetics and visual quality, air quality, biological resources (sensitive species and wildlife corridors), historic resources, GHG emissions, and land use and planning. The incremental increase in these impacts is due to greater ADT generated by the No Project Alternative, and the absence of updated policy guidance and integrated land use strategies that support multimodal accessibility, connectivity, and cohesive site design across the Planning Area.

The No Project Alternative would not meet the updated project objectives to the same level as the Specific Plan Update, including: promote a balanced community with an updated development pattern able to support the needs of the City both socially and economically; promote and support variety in housing design, cost, and density, with a firm commitment to integrate affordable housing districtwide; reinforce connections to the regional transportation network; and highlight San Marcos Creek as a community amenity, including open space and trail connections for passive and active recreation.

6.3 Environmentally Superior Alternative

CEQA Guidelines Section 15126.6 requires an EIR to identify an environmentally superior alternative among the alternatives evaluated. If the environmentally superior alternative is the No Project Alternative, the EIR must also identify an environmentally superior alternative among the other alternatives evaluated.

The No Project Alternative would avoid implementation of the Specific Plan Update and would instead allow continued development pursuant to the Adopted Specific Plan. However, the No Project Alternative would not result in reduced environmental impacts compared to the Specific Plan Update. For most environmental, impacts under the No Project Alternative would be similar to those identified for the Specific Plan Update. For several issue areas, including aesthetics and visual quality, air quality, biological resources, historical resources, land use and planning, transportation/VMT, and GHG emissions, impacts under the No Project Alternative would be greater than those associated with the Specific Plan Update. The No Project Alternative would not result in lesser impacts for any of the environmental issue areas evaluated.

Accordingly, the No Project Alternative would not be environmentally superior to the Specific Plan Update. Based on the comparative analysis presented in this chapter and summarized in Table 6-1, the Specific Plan Update would result in the least overall environmental impact and is therefore environmentally superior to the No Project Alternative.

Because the No Project Alternative is the only alternative evaluated in detail and would not be environmentally superior to the Specific Plan Update, there is no environmentally superior project alternative to identify. As discussed in Section 6.2.1, Alternatives Considered but Rejected, a Reduced Density Alternative was considered but rejected from detailed analysis because it would not meaningfully advance key project objectives.

Chapter 7.0
Effects Found Not to be Significant

The certified San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (State Clearinghouse No. 2006121080; 2007 EIR) included an Initial Study prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines to determine the potential environmental effects associated with implementation of the Specific Plan. Through the Initial Study process, certain environmental issue areas were determined to have no impact or less than significant impacts and as such, these issue areas were not analyzed in detail in the 2007 EIR. CEQA Guidelines Section 15128 requires an EIR to briefly describe potential environmental effects determined not to be significant and therefore not discussed in detail in the EIR.

This Subsequent Environmental Impact Report (SEIR) evaluates whether the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in changes to the project or new information of substantial importance that would create new significant impacts or a substantial increase in the severity of previously identified impacts, pursuant to CEQA Guidelines Section 15162. The environmental issue areas identified in the 2007 EIR Initial Study as having no impact or less than significant impacts have been reviewed in light of the proposed modifications to determine whether the conclusions of the prior analysis remain valid.

Based on this review, the following environmental topics continue to result in no impact or less than significant impacts, and do not require further detailed analysis in this SEIR. No new information or project changes would alter the conclusions reached in the 2007 EIR with respect to these issue areas.

7.1 Agricultural Resources

7.1.1 Summary of Prior Analysis

The 2007 EIR concluded that the San Marcos Creek Specific Plan (Adopted Specific Plan) area is not located within land identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Although the Creek District (Planning Area) includes a small area of agricultural zoning, it is in an urbanized area of the City of San Marcos (City) where existing agricultural operations are not occurring. The 2007 EIR also determined that no Williamson Act contracts occur within the Planning Area. Therefore, the 2007 EIR found that impacts on agricultural resources would be less than significant.

7.1.2 Changes Since Certification of the 2007 EIR

7.1.2.1 Citywide

Since certification of the 2007 EIR, no agriculture-specific regulatory updates have been adopted by the City.

7.1.2.2 Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding agricultural resources.

7.1.3 Supplemental Impact Analysis

The Specific Plan Update includes the same Planning Area as the Adopted Specific Plan. Since certification of the 2007 EIR, no land uses within the Planning Area have been utilized as farmland.

7.1.4 Conclusion

Consistent with the 2007 EIR, impacts associated with agricultural resources would remain less than significant. Therefore, the findings and determinations of the 2007 EIR remain valid.

7.2 Geology and Soils

7.2.1 Summary of Prior Analysis

7.2.1.1 Earthquakes, Seismic Shaking, Seismic-Related Ground Failure, and Landslides

The 2007 EIR concluded that the Planning Area would be subjected to seismic shaking due to earthquake events on off-site active faults in the region (San Jacinto and Elsinore). However, the Planning Area is not located in an area delineated as an earthquake fault on the Alquist-Priolo Earthquake Fault Zoning Map. Therefore, the Adopted Specific Plan would not expose people or structures to a significant risk from ground shaking, liquefaction, or landslide. Additionally, in accordance with the City's requirements (Grading Ordinance and Uniform Building Code Compliance), all project design must meet acceptable standards. Therefore, the 2007 EIR found impacts related to earthquakes, strong seismic shaking, seismic-related ground failure, including liquefaction, and landslides as less than significant.

7.2.1.2 Loss of Topsoil

The 2007 EIR concluded that the majority of the Planning Area has been previously graded and does not require substantial grading. Therefore, the 2007 EIR found that impacts related to the substantial loss of topsoil would be less than significant.

7.2.1.3 Unstable Geologic Unit or Soil

The 2007 EIR concluded that fill soils, alluvium, and decomposed granite occur throughout the Planning Area. The majority of the Planning Area has been previously graded and does not require substantial grading. Moist to saturated alluvium compressed soils are found in the floodplains of the

San Marcos Creek. The liquefaction potential of the saturated alluvial sediments along the channel is low. Grading of the alluvial solid soils would comply with the Grading Ordinance and adequate biological buffers would be designed. All future grading of over 50 cubic yards in the Planning Area would require the issuance of a grading permit. Furthermore, the Planning Area is not known to be located on a geologic unit or soil that is unstable. Therefore, the 2007 EIR found that impacts related to a geologic unit or soil that is unstable would be less than significant.

7.2.1.4 Slope Stability

A preliminary geotechnical investigation was prepared to analyze impacts associated with the levee proposed as part of the 2007 floodway improvements. The geotechnical investigation was included as Appendix K to the 2007 EIR. The geotechnical investigation included a slope stability analysis which concluded that the levee profiles met the minimum guidelines for rotational failure for the levee slopes under static loading and pseudo-seismic loadings. Therefore, the 2007 EIR found that impacts related to slope stability would be less than significant.

7.2.1.5 Septic Tanks or Alternative Wastewater Disposal Systems

The 2007 EIR concluded that the Planning Area is located within a developed area of the City with existing sewer systems. No septic tanks or alternative wastewater disposal systems were proposed as part of the Adopted Specific Plan. Therefore, the 2007 EIR found that impacts related to septic tanks or alternative wastewater disposal systems would not occur.

7.2.2 Changes Since Certification of the 2007 EIR

7.2.2.1 Citywide

Since certification of the 2007 EIR, the City has updated its building regulations and General Plan safety policies to reflect current state requirements for seismic hazards and building design. SMMC Chapter 17.08 specifically adopted the 2022 California Building Code (Ord. No. 2022-1526, October 25, 2022), which includes updated seismic design criteria for new construction and substantial remodels (see SMCC Section 17.30.020). Additionally, the General Plan Safety Element, adopted in 2012, includes seismic hazard information and guidance for development within seismically active areas. Additionally, General Plan Goal S-1 and associated Policy S-1.1 focuses on the reduction of risks from earthquakes through application of geologic and seismic hazards by applying current and proper land use planning, development, engineering, building construction, and retrofitting requirements (General Plan Policy S-1.1). The Specific Plan Update would be subject to these current building codes and safety policies, ensuring that development complies with modern seismic design standards.

7.2.2.2 Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding geological conditions.

7.2.3 Supplemental Impact Analysis

Future site-specific projects under the Specific Plan Update would be required to comply with updated City policies and regulations. Compliance with these requirements would ensure that impacts related to geology and soils would be less than significant.

7.2.4 Conclusion

Consistent with the 2007 EIR, impacts associated with geology and soils would remain less than significant. Therefore, the findings and determinations of the 2007 EIR remain valid.

7.3 Hydrology/Water Quality (Groundwater Quality and Supply)

7.3.1 Summary of Prior Analysis

7.3.1.1 Groundwater Quality

The 2007 EIR concluded that the Adopted Specific Plan does not propose any uses that would impact groundwater quality or degrade beneficial uses. All drainage from the future development area would convey runoff through a desiltation system and/or filtering system prior to outlet into San Marcos Creek and Lake San Marcos, per the requirements of existing regulations. Therefore, the 2007 EIR found that impacts related to groundwater quality would be less than significant.

7.3.1.2 Groundwater Supply

The 2007 EIR concluded that the Adopted Specific Plan is located within a developed area of the City and is eligible for water service from the Vallecitos Water District (VWD). Groundwater sources for irrigation and wetland restoration may be used within the Adopted Specific Plan area; however, the groundwater would not be used for potable supplies. The majority of the water that would be used would be supplied by VWD. Therefore, the Adopted Specific Plan would not substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Therefore, the 2007 EIR found that impacts on groundwater supply would be less than significant.

7.3.2 Changes Since Certification of the 2007 EIR

Refer to Section 4.6 for changes related to Hydrology/Water Quality since certification of the 2007 EIR.

7.3.3 Supplemental Impact Analysis

The Specific Plan Update includes the same Planning Area as the Adopted Specific Plan. Construction and operation of future site-specific projects would not utilize groundwater for potable supplies as water service would be provided by VWD. To minimize potential water quality impacts during construction, future development and redevelopment would be required to comply with the Municipal Separate Storm Sewer System permit, including preparation and implementation of a Stormwater Pollution Prevention Plan. Accordingly, the Specific Plan Update would not result in impacts to groundwater quality or supply.

7.3.4 Conclusion

Consistent with the 2007 EIR, impacts associated with groundwater quality and supply would remain less than significant. Therefore, the findings and determinations of the 2007 EIR remain valid.

7.4 Mineral Resources

7.4.1 Summary of Prior Analysis

The 2007 EIR concluded that the state's Mineral Land Classification Maps identify the City as unsuitable as a source for mineral resources. Therefore, the 2007 EIR found that mineral resources impacts would not occur.

7.4.2 Changes Since Certification of the 2007 EIR

7.4.2.1 Citywide

Since certification of the 2007 EIR, there have been state-level updates in laws and regulatory guidance related to mineral resources, but no specific local mineral-resource regulations have been adopted by the City. At the state level, the Surface Mining and Reclamation Act continues to be the primary regulatory framework governing mineral resource classification, production, reclamation, and conservation, and it has seen procedural, reporting, and administrative updates over time, including recent rulemaking activities and updated guidance from the State Mining and Geology Board. These efforts include revisions to mineral classification guidelines and proposed rulemaking under the Surface Mining and Reclamation Act that could affect how minerals are treated in state policy.

7.4.2.2 Specific Plan Update

There are no changes proposed to the Specific Plan Update, including its policies, land use designations, or development standards, that alter the analysis or conclusions regarding mineral resources.

7.4.3 Supplemental Impact Analysis

The Specific Plan Update includes the same Planning Area as the Adopted Specific Plan. Since certification of the 2007 EIR, no changes were made to the mineral resource classifications mapped within the Planning Area.

7.4.4 Conclusion

Consistent with the 2007 EIR, impacts associated with mineral resources would remain less than significant. Therefore, the findings and determinations of the 2007 EIR remain valid.

7.5 Population and Housing

7.5.1 Summary of Prior Analysis

The 2007 EIR concluded that the Adopted Specific Plan would not induce substantial population growth, as it is an infill mixed-use project located within an existing commercial and industrial district of the City. Implementation of certain project components could require acquisition of land that is privately owned and/or properties improved with structures, including private residences. The 2007 EIR determined that, if acquisition were necessary, the City would be required to comply with applicable federal and state laws governing property acquisition, compensation to property owners, and relocation assistance and benefits for people who may be displaced. With compliance with these applicable laws, the 2007 EIR concluded that impacts to population and housing would be less than significant.

7.5.2 Changes Since Certification of the 2007 EIR

7.5.2.1 Citywide

Since certification of the 2007 EIR, there have been no changes in the City's regulatory framework, Planning Area site conditions, or anticipated long term growth that would affect the conclusions regarding population and housing.

7.5.2.2 Specific Plan Update

The general mix of land uses within the Planning Area would remain the same under the Specific Plan Update compared to the Adopted Specific Plan, with dwelling units capped at 2,300. The Planning Area would continue to support commercial and mixed-use residential development, along with designated open space and community amenities. Where the Adopted Specific Plan divides the Planning Area into seven distinct neighborhoods, with a focus on facilitating a new downtown mixed-use district, the Specific Plan Update provides an updated approach to creating a more cohesive community with greater open space and integration between nature and urban living.

7.5.3 Supplemental Impact Analysis

The Specific Plan Update would continue to support commercial and mixed-use residential development, along with designated open space and community amenities. Unlike the Adopted Specific Plan, the Specific Plan Update would not require property acquisition. Accordingly, the Specific Plan Update would not result in impacts to population and housing.

7.5.4 Conclusion

Consistent with the 2007 EIR, impacts associated with population and housing would remain less than significant. Therefore, the findings and determinations of the 2007 EIR remain valid.

Chapter 8.0
CEQA Mandated Analysis

The California Environmental Quality Act (CEQA) Guidelines Sections 15126.2(b) and (c) require that an Environmental Impact Report (EIR) evaluate the significant unavoidable impacts of a project, as well as any significant irreversible environmental changes that would result from project implementation. In addition, CEQA Guidelines Section 15126.2(e) requires an evaluation of a project's potential growth-inducing effects.

These topics were addressed in the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR). Consistent with the supplemental review framework set forth in CEQA Guidelines Sections 15162 and 15163, this chapter evaluates whether implementation of the Creek Plan Specific Plan Update (Specific Plan Update; project) would result in new or more severe growth-inducing impacts or significant irreversible environmental changes beyond those previously identified. Where no such changes would occur, the conclusions of the 2007 EIR remain applicable.

8.1 Significant Environmental Effects Which Cannot Be Avoided if the Project is Implemented

In accordance with CEQA Guidelines Section 15126.2(b), any significant unavoidable impacts of a project, including those impacts that can be mitigated but not reduced to below a level of significance despite the applicant's willingness to implement all feasible mitigation measures, must be identified. Implementation of the project would result in significant, unavoidable impacts associated with the following issues: Land Use and Planning (Mobility Element Standard-Level of Service [LOS]) and Vehicle Miles Traveled (Commercial Development).

As discussed in Section 4.7.5.3(b), mitigation measures MM 3.5-2 through MM 3.5-5, identified in the 2007 EIR, would continue to apply to the project; however, due to the infeasibility of specific roadway improvements required to improve LOS, significant impacts associated with land use consistency at these locations would remain significant and unavoidable. As discussed in Section 4.10.6(b), no feasible mitigation measures are available to reduce vehicle miles traveled. Therefore, impacts related to vehicle miles traveled would remain significant and unavoidable at this program level of analysis.

A Statement of Overriding Considerations, consistent with CEQA Guidelines Section 15093, will be prepared for certification with the Final EIR, identifying specific economic, legal, social, technological, or other benefits of the project which support the claim that approval of the project would outweigh its unavoidable environmental impacts.

8.2 Significant Irreversible Environmental Changes Which Would Result if the Project is Implemented

In accordance with CEQA Guidelines Section 15126.2(d), an EIR must evaluate significant irreversible environmental changes that would result from project implementation, including the consumption of nonrenewable resources and commitments that could limit future options. These impacts were evaluated in Section 8.2 of the 2007 EIR.

Implementation of the Specific Plan Update would result in the continued use of nonrenewable and slowly renewable resources associated with future site-specific development, including energy supplies and construction materials such as lumber, steel, aggregate, and petroleum-based products. Energy resources (e.g., natural gas, electricity, and fuel) would be consumed during construction and operation for activities such as transportation, building operations, and infrastructure services. Development would also require the use of water and other material resources typical of urban development.

These resource commitments would be similar in nature and scale to those evaluated in the 2007 EIR, as the Specific Plan Update does not increase the overall development intensity or alter the fundamental land use pattern previously analyzed. While such use represents an irretrievable commitment of resources, this condition is inherent in urban development and was previously determined to be less than significant. Compliance with applicable building codes and resource efficiency standards in effect at the time of development would further reduce the potential for inefficient or wasteful consumption.

As noted in the 2007 EIR, regional demand for nonrenewable resources is expected to increase over time due to population growth, regardless of implementation of the Specific Plan. This conclusion remains applicable to the Specific Plan Update. Accordingly, the project would not result in new or more severe significant irreversible environmental changes beyond those previously identified.

8.3 Growth Inducement

CEQA Guidelines Section 15126.2(e) requires an EIR to evaluate the potential for a project to induce population growth, either directly (e.g., through the provision of new housing or employment opportunities) or indirectly (e.g., through the extension of infrastructure or removal of obstacles to growth). These growth-inducing effects were evaluated in the 2007 EIR.

This section evaluates whether implementation of the Specific Plan Update would result in new or more severe growth-inducing impacts beyond those previously identified. The analysis considers: (1) population and housing growth; (2) the removal of impediments to growth, such as through infrastructure improvements; and (3) the potential to foster economic or employment growth. Where no new or more severe impacts would occur, the conclusions of the 2007 EIR remain applicable.

8.3.1 Population and Housing Growth

The project would not induce substantial population growth within the Creek District (Planning Area). The number of dwelling units permitted under the Specific Plan Update remains capped at 2,300, consistent with the development assumptions evaluated in the 2007 EIR. Buildout under the Specific Plan Update would continue to support development of a mixed-use, cohesive community and would accommodate anticipated future housing needs identified by the City of San Marcos. Because the Specific Plan Update does not increase the allowable residential density or unit yield beyond that previously analyzed, it would not result in population growth in excess of that evaluated in the Adopted Specific Plan EIR.

8.3.2 Removal of an Impediment to Growth

The Adopted Specific Plan includes goals, policies, design guidelines, and development standards intended to facilitate coordinated redevelopment of the Planning Area from its current underutilized condition. The Specific Plan Update contains similar objectives. However, all improvements and development design measures would occur within an area that is already served by existing roads, utilities, and public services, and would not extend infrastructure into previously undeveloped or inaccessible areas. Therefore, the Specific Plan Update would not remove a physical or regulatory impediment to growth beyond that previously evaluated in the 2007 EIR.

8.3.3 Foster Economic or Employment Growth

The Specific Plan Update does not designate new major employment centers or substantially increase the intensity of commercial or employment-generating land uses beyond those evaluated in the 2007 EIR. Rather, the land use plan would continue to accommodate commercial and retail uses intended to serve the Planning Area and support anticipated growth. Therefore, implementation of the Specific Plan Update would not result in economic or employment growth beyond that previously analyzed and would not induce substantial growth.

8.4 Conclusion

As discussed above, implementation of the Specific Plan Update would not result in new or more severe growth-inducing impacts beyond those identified in the 2007 EIR. The project would not remove an impediment to growth, induce substantial population growth, or foster economic or employment expansion beyond that previously evaluated.

The Specific Plan Update would accommodate projected population and economic growth within the Planning Area consistent with prior planning assumptions and would not extend development into previously undeveloped or inaccessible areas. Accordingly, the project would not be considered growth-inducing under CEQA.

Chapter 9.0
Modified Mitigation Monitoring and Reporting Program

Section 21081.6 of the California Environmental Quality Act Guidelines requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted when a lead agency makes findings pursuant to Public Resources Code Section 21081(a)(1) to ensure implementation of mitigation measures adopted as conditions of project approval. This Modified MMRP has been prepared for the Creek Plan Specific Plan Update (Specific Plan Update; project) and incorporates both (1) mitigation measures adopted as part of the 2007 San Marcos Creek Specific Plan and Floodway Improvement Project Environmental Impact Report (2007 EIR) that remain applicable to the Specific Plan Update and future development within the Planning Area; and (2) new or modified mitigation measures identified in this Subsequent EIR (SEIR) prepared for the Specific Plan Update. Together, these measures comprise the mitigation requirements applicable to the Specific Plan Update. The Modified MMRP additionally identifies the party responsible for implementing and/or monitoring each mitigation measure and the timing or phase during which implementation is required. The issues addressed in this SEIR prepared for the Specific Plan Update include Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Public Services and Recreation, Transportation, Utilities and Service Systems, Greenhouse Gas Emissions, Energy, and Wildfire. Public Resources Code Section 21081.6 requires monitoring of only those impacts identified as significant or potentially significant. Potentially significant impacts were identified for Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Transportation, Utilities and Service Systems, and Greenhouse Gas.

Implementation of the mitigation measures identified in this SEIR would reduce potentially significant impacts to below a level of significance for all the environmental issue areas except Transportation: vehicle miles travelled associated with the project's commercial component. Because no feasible mitigation measure was identified at this program level of review to reduce commercial vehicle miles travelled to a less than significant level, this impact would remain significant and unavoidable.

The Modified MMRP for the Specific Plan Update is under the jurisdiction of the City of San Marcos. As shown in Table 9-1, the Modified MMRP summarizes the mitigation measures carried forward from the 2007 EIR, as applicable, as well as new or modified mitigation measures, and specifies the implementation and monitoring requirements necessary to ensure that each measure is properly implemented.

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
Air Quality			
S-AQ-1	**Daily Operational Emissions** For individual projects that may exceed the daily operational emissions thresholds established by the City and the SDAPCD, the owner/permitee shall conduct an analysis of the project's operational air quality impacts using the latest available CalEEMod mode, or other analytical method determined in conjunction with the City. If such analyses identify potentially significant regional or local air quality impacts, project-level mitigation and/or project design features would be required to reduce operational impacts to less than significant. Mitigation to reduce operational impacts depends on the specific project, but may include measures such as, but not limited to the following: • Demonstration of net zero energy expenditure. • Implementation of transportation demand management measures. • Prohibition of the installation of woodstoves, hearths, and fireplaces in new construction. • Expansion and facilitation of the completion of planned networks of active transportation infrastructure. • Implementation of electric vehicle charging infrastructure beyond requirements set forth in the 2025 California Green Building Standards Code mandatory measures, such as Tier 2 voluntary measures, or future more stringent standards. • Implementation of traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and providing car/bike sharing services, that will reduce daily individual car usage and reduce project VMT.	Prior to and during construction.	City of San Marcos/ City Engineer
Biological Resources			
MM 3.3-2	**Jurisdictional Waters** Permanent impacts to jurisdictional waters of the U.S., including wetlands, totaling 0.78 acres due to Phase 2 development, shall be mitigated per the ratios identified in the table below. This mitigation would be the responsibility of future developers within the	Prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1
Modified Mitigation Monitoring and Reporting Program

<table>
<tr><th>Mitigation Measure</th><th>Timing</th><th>Monitoring, Enforcement, and Reporting Responsibility</th></tr>
<tr><td>Specific Plan Area, if the habitat identified in the table below occurs on their specific project area.

<table><tr><th>Habitat Type</th><th>Permanent Impacts (acres)</th><th>Mitigation Ratio</th><th>Mitigation Required</th></tr><tr><td>Southern willow scrub</td><td>0.07</td><td>3:1</td><td>0.21</td></tr><tr><td>Herbaceous wetlands</td><td>0.55</td><td>1:1</td><td>0.55</td></tr><tr><td>Disturbed herbaceous wetlands</td><td>0.16</td><td>1:1</td><td>0.16</td></tr><tr><td>Total</td><td>0.78</td><td></td><td>0.92</td></tr></table></td><td></td><td></td></tr>
<tr><td>MM 3.3-3 Temporary Impacts

Temporary impacts during Phase 1 to vegetated wetlands, totaling 7.20 acres, shall be restored at a 1:1 ratio to pre-construction contours and vegetation types.</td><td>Prior to issuance of grading permit; post construction.</td><td>City of San Marcos/ Planning Director</td></tr>
<tr><td>MM 3.3-4 Site Revegetation

A weed eradication program shall also be implemented during the revegetation site preparation procedures and would continue throughout the long-term maintenance period. The mitigation areas, through expansion of the riparian zone, should provide increased benefits to native wildlife by providing additional buffering effects from the adjacent developments, increasing habitat diversity and increasing foraging opportunities, thus increasing the overall habitat function and value of this portion of San Marcos Creek.

Several mitigation measures were applicable to potentially significant impacts associated with floodway and infrastructure improvements; these mitigation measures would not be applicable to the Specific Plan Update and are not included herein.</td><td>Prior to issuance of grading permit; post construction.</td><td>City of San Marcos/ Planning Director</td></tr>
<tr><td>MM 3.3-6 Impacts to Sensitive Upland Habitat

Future development within the Specific Plan area (Phase 2) would result in impact to 0.74 acre of disturbed coyote brush scrub and 0.02 acre of disturbed isocoma scrub. This habitat would be mitigated at a proposed ration of 1:1 in accordance with the City's Draft Subarea Plan. Therefore, a total of 0.76 acres of mitigation is required for impacts to these vegetation communities. This mitigation shall be the responsibility of future developers</td><td>Prior to issuance of grading permit.</td><td>City of San Marcos/ Planning Director</td></tr>
</table>

Table 9-1 Modified Mitigation Monitoring and Reporting Program		
Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
within the Specific Plan Area, if the habitat identified above occurs on their specific project area.		
MM 3.3-8 Impacts to Sensitive Plants – Southern Tarplant Impact to 1,600 southern tarplant due to future development in the Specific Plan area (Phase 2), shall be mitigated through relocation to suitable on- and off-site locations. This would be achieved through a combination of direct transplanting of mature plants, direct seeding, and planting of southern tarplant grown from seeds collected from the project area. Southern tarplant salvage areas shall be flagged for seed collection and individual plant salvaging during the appropriate collection period. Seed shall be collected from populations to be impacted and stored for subsequent seeding efforts at proposed translocation sites. A portion of the seed shall be propagated at a native plant nursery to produce container plants for out-planting at the proposed translocation sites. Each southern tarplant translocation site shall be designed in a location(s) where long-term viability of the populations can be assured (size of translocation site to be based upon original impacts to the existing population, estimated at 1,600 individuals). Soils and solar exposure shall be comparable to the original donor site. The translocated populations shall border native areas or shall be established in context to the native plant revegetation effort, to help avoid invasion of non-native plant species. Proof of habitat acquisition shall be provided to the Planning Director prior to issuance of a grading permit.	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
MM 3.3-9 Sensitive Plants- Southwestern Spiny Rush Direct impacts to southwestern spiny rush shall be mitigated through replanting within the project area. Southwestern spiny rush individuals potentially impacted would be planted within the project area within suitable riparian habitat.	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
MM 3.3-10 Impacts to Sensitive Wildlife To reduce indirect impacts to migratory birds, the City shall retain a qualified biologist to provide biological monitoring while work occurs within San Marcos Creek to assure that sensitive species present within the creek are not directly impacted by the proposed work. Construction would be phased, where feasible, to avoid work during the breeding season (i.e., January through September). If construction activity is to commence during the breeding season (January 1 through September 15), a one-time preconstruction biological survey for nesting bird species must be conducted within the proposed impact area 72	Prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program		
Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
hours prior to construction. This survey is necessary to assure avoidance of impacts to nesting raptors (i.e., Cooper's hawk) and/or birds projected by the federal Migratory Bird Treaty Act. If any active nests are detected, the area would be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum buffer of 300 feet for raptors, as determined by the project biologist, and would be avoided until the nesting cycle is complete.		
MM 3.3-11 California Coastal Gnatcatcher Prior to issuance of grading permit, a protocol California coastal gnatcatcher survey shall be required. The survey shall be conducted by a permitted CAGN biologist. If the habitat is found to be occupied by a California gnatcatcher, no clearing or construction shall be allowed during the breeding season (February 15 – August 31). If construction should occur during the breeding season, a 300-foot buffer shall be established between construction activities and any occupied habitat. Protocol survey results shall be submitted to the Planning Director and USFWS for review	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
S-BIO-1 Biological Resource Surveys Prior to the construction of any project phase or component sited within or adjacent to undeveloped and undisturbed areas (i.e., an area supporting naturalized habitat, sensitive habitat, and/or habitat potentially suitable for special-status species), the City of San Marcos (City) or project applicant shall retain a qualified biologist to perform a general biological survey/habitat assessment to verify existing biological resources on and adjacent to the impact area. The general biological survey/habitat assessment shall occur within 100 feet of the proposed project components where access is allowed, with binocular surveys conducted to the extent possible in areas where access is not secured. The City or project applicant shall provide the biologist with a copy of project plans that clearly depict the construction work limits, including construction staging, storage, and access areas, to determine which specific portion(s) of the proposed project activities will require inspection. The survey shall verify whether sensitive natural communities, including habitat suitable for special-status species, in addition to potential jurisdictional aquatic resources, occur within 100 feet from planned project activities. The biologist shall perform a visual inspection of the survey area, characterize the existing habitat types, and determine the likelihood for special-status species to occur, including but not limited to special-status plants, western spadefoot (*Spea hammondii*), Crotch's bumble	Prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	bee (*Bombus crotchii*), tricolored blackbird (*Agelaius tricolor*), and non-listed mammals and reptiles. The survey results shall be submitted to the City or project applicant to determine the need to implement project-specific mitigation measures to avoid, minimize, and mitigate impacts to such resources. The report shall verify whether the construction activities result in direct or indirect impacts to sensitive natural communities, special status species, and potential jurisdictional aquatic resources.		
S-BIO-2	**Mitigation for Upland Habitat** The City of San Marcos or project applicant shall mitigate for permanent and temporary impacts to habitat types according to the mitigation ratios listed in Table 4-6 in the San Diego Association of Governments' 2003 Multiple Habitat Conservation Program Final MHCP Plan, and Table 10 of the City of San Marcos Subarea Plan. This mitigation shall occur through off-site creation, restoration, enhancement, preservation, or purchase of credits at an approved mitigation bank.	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
S-BIO-3a	**Rare Plant Surveys** If it is confirmed through the implementation of mitigation measure S-BIO-1 that project components could impact suitable habitat for special-status plant species, the City of San Marcos or project applicant shall retain a qualified biologist to conduct focused presence/absence surveys for rare plants prior to project construction within at least 100 feet of project work activities, if accessible. Surveys shall follow protocols and guidelines approved by the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and/or California Native Plant Society, and shall be conducted by qualified biologists. Surveys for sensitive plants should occur during the blooming period of target species, which may require two surveys to cover the spring and summer blooming species. One survey should occur in the spring (March to April), and a second survey should occur in the summer (late May to early July). The specific timing shall be determined by the qualified biologist.	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
S-BIO-3b	**Rare Plant Avoidance** If any special-status plants are identified within a project impact area, then the City of San Marcos or project applicant shall avoid impacts to the occurrence to the extent feasible through project-level design changes and/or construction methods.	Design; prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	Prior to initiating construction activities, the City of San Marcos or project applicant shall require that the plant locations detected during focused rare plant surveys that are intended to be avoided are provided to the construction contractor and that the locations also are demarcated in the field by a qualified biologist. The rare plant locations to be avoided shall be protected-in-place through the installation of temporary construction fencing or alternative means that are approved by qualified biologists. Staking and installation of construction fencing shall be monitored by the qualified biologist to help ensure avoidance of the demarcated areas and to ensure the fencing is kept in good condition.		
S-BIO-3c	**Rare Plant Mitigation** If the project design (see S-BIO-3b) cannot be modified to avoid impacts to rare plant species, the City of San Marcos (City) or project applicant will consult with a qualified biologist to determine the extent of those impacts. Mitigation will be required if more than 5 percent of a mapped rare plant occurrence (i.e., all individuals mapped within at least 100 feet of project work activities) of a California Rare Plant Ranks (CRPR) 1 or 2 species or a regionally significant population of CRPR 4 species (i.e., one of particularly large size or unique geographic location) will be permanently impacted (i.e., removed). If more than 5 percent of a mapped rare plant occurrence is impacted, the City or project applicant shall provide mitigation for those significant impacts that include one or a combination of the following: 1. Purchase of preservation credits at a 1:1 mitigation ratio for habitat occupied by that species from a conservation bank approved by the U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife; 2. Acquisition and preservation of off-site mitigation land containing occupied habitat for that species; and/or 3. Preparation and implementation of a rare plant salvage and relocation plan, to include the following requirements, at a minimum: • Evaluation of options for plant salvage and relocation, including native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within existing or proposed preserved lands;	Prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	• Seed collection and/or transplantation to a suitable receptor site based on the most reliable methods of successful relocation; • Recommendation for the method of salvage and relocation/application based on feasibility of implementation and likelihood of success; and • Preparation of an implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures. In addition, a post-construction monitoring report shall be prepared by the qualified biologist and submitted to the City or project applicant for their records summarizing monitoring activities conducted for any special-status plants. The post-construction report shall be prepared within one month of the completion of construction activities and shall document what impacts occurred, if any, to special-status plant species. The report shall provide documentation showing where and how many special-status plants were (1) observed during pre construction surveys, and (2) were impacted and/or avoided. Details on the duration and frequency of monitoring also shall be provided.		
S-BIO-4a	**Federal and State Wildlife Species Surveys and Avoidance** If it is confirmed through implementation of S-BIO-1 that project activities would impact suitable habitat for federally or state listed (including state candidate) wildlife species, the City of San Marcos (City) or project applicant shall retain a qualified biologist to conduct focused, protocol-level surveys for those species prior to commencement of construction activities. This applies to the following species, at a minimum: tricolored blackbird (*Agelaius tricolor*) nesting colonies, least Bell's vireo (*Vireo bellii pusillus*), and Crotch's bumble bee (*Bombus crotchii*). Surveys shall follow protocols and guidelines approved by U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife and shall be conducted by qualified biologists permitted by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, as applicable. If listed wildlife species are identified within a project impact area, the City or project applicant shall avoid impacts to species and their habitat through project-level design changes and/or construction methods or implement S-BIO-4b if avoidance is infeasible.	Design; prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1
Modified Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
S-BIO-4b **Listed Wildlife Species Permitting** If impacts to listed wildlife cannot be avoided, the City of San Marcos (City) or project applicant shall seek incidental take authorization described below. The City or project applicant may elect to seek incidental take authorization from the U.S. Fish and Wildlife Service (USFWS) pursuant to Federal Endangered Species Act Sections 7 or 10 and/or California Department of Fish and Wildlife (CDFW) under California Fish and Game Code Sections 2080.1 and 2081(b), as applicable. • Where species protected under federal law may be impacted, the City or project applicant shall either consult directly with the USFWS to develop and implement a habitat conservation plan and obtain an Incidental Take Permit pursuant to Federal Endangered Species Act Section 10(a) or, in the case of projects with a federal action agency, the City or project applicant shall adhere to the requirements of Federal Endangered Species Act Section 7, which requires the federal action agency to consult with the USFWS to obtain a Biological Opinion and Incidental Take Statement for the proposed project; and/or • Where species protected under state law may be impacted, the City or project applicant shall consult with the CDFW pursuant to Sections 2081 or 2080.1 of the California Endangered Species Act. For projects with direct or indirect impacts to species that are only state listed and not federally listed as endangered or threatened, the City or project applicant shall obtain a California Endangered Species Act Section 2081 Incidental Take Permit from the CDFW. For projects with impacts to species that are both state and federally listed as endangered or threatened, the City or project applicant shall obtain a California Endangered Species Act Section 2080.1 Consistency Determination from the CDFW, unless otherwise required by the CDFW.	Prior to issuance of grading permit; post construction.	City of San Marcos/ Planning Director
S-BIO-5 **Direct Impact Avoidance for Crotch's Bumble Bee** To avoid direct impacts to Crotch's bumble bee (*Bombus crotchii*), the following seasonal restrictions shall be implemented: • Removal, trimming, or trampling of habitat (i.e., any areas with floral resources) in the proposed area of disturbance must occur outside of the flight season between February 15 and September 30. If removal of floral resources in the proposed area of disturbance must occur during the flight season, a foraging bumble bee survey shall be conducted within a year of project or phase commencement.	Design; prior to issuance of grading permit; construction.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program		
Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
• Within potential overwintering or nest sites, no soil disturbance (grading, digging, etc.) will occur between October 1 and February 14. If ground disturbance must occur between October 1 and February 14, a qualified biologist shall conduct an overwintering/nest survey to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance. The surveys shall be conducted within 300 feet of project work resulting in removal, trimming, or trampling of habitat within one year prior to the initiation of project activities (including removal of vegetation). Survey methods will be developed in consultation with the California Department of Fish and Wildlife (CDFW) and follow their existing guidance (e.g., Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, dated June 6, 2023). Consistent with CDFW guidance in effect at the time of survey, surveys may consist of three separate visits spaced two to four weeks apart. Survey results will be considered valid until the start of the next colony active period. Survey methods that involve lethal take of species are not acceptable. The qualified biologist shall submit the results (including positive or negative survey results) of the pre-activity survey to CDFW for review. If pre-activity surveys identify Crotch's bumble bee individuals on-site, the qualified biologist shall notify and consult with CDFW to determine whether an avoidance plan would be an option. If it is determined that project activities would result in impacts to Crotch's bumble bee, an Incidental Take Permit (ITP) may be required. Take of any endangered, threatened, or candidate species that results from the Planning Area is prohibited, except as authorized by state law (California Fish and Game Code Sections 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, Title 14, Section 786.9) under the CESA. Regardless of the outcome of the pre-activity survey, a qualified biologist shall conduct a pre construction survey for Crotch's bumble bee within 14 days prior to ground-disturbing or vegetation removal activities within suitable habitat, during suitable weather conditions. Surveys shall follow existing guidance (e.g., Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species) for pre-construction surveys. If Crotch's bumble bee or their nests are observed, the biologist shall defer to the avoidance plan (if applicable) and/or ITP (if applicable). If there is no existing Crotch's bumble bee avoidance plan or ITP conservation measures, a 50 foot no-disturbance buffer around the observation or nest site will be established until the completion of the nest.		

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
S-BIO-6	**Non-Listed Special-Status Wildlife Species Mitigation** For non-listed wildlife species, particularly reptiles and small mammals, an analysis shall be made after biological resource surveys are conducted in accordance with the S-BIO-1 to determine if there are special-status species present. Unless there is a regionally significant population of a non-listed special-status wildlife species (e.g., multiple species within high quality habitat, etc.) mitigation measures MM 3.3-6, MM 3.3-10, and S-BIO-2 shall be sufficient to reduce impacts to non-listed wildlife species. If a regionally significant population of non-listed special-status wildlife are noted during surveys, the City of San Marcos or project applicant shall consult with California Department of Fish and Wildlife to determine if additional compensatory mitigation is required.	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
S-BIO-7	**Maternal Bat Roost Avoidance** Prior to construction, the City of San Marcos or project applicant shall have a qualified biologist conduct a survey of potential bat roosts located within and/or immediately adjacent to the areas where project activities have the potential to directly impact active roosts or disrupt bat breeding activities. Potential roost sites (e.g., palm fronds, trees, rock crevices, abandoned buildings, etc.) will be identified by a qualified bat biologist and searched for signs of bat use, such as urine streaking, grease marks and droppings, moth wings, and dead bats. If any project activities are proposed during the bat maternity season (April 1 through August 31), a qualified biologist will conduct a dusk emergent bat survey of potential roost sites that have signs of bat use no more than two weeks prior to construction. Dusk emergence count surveys shall be conducted on a warm night when nighttime lows are not less than 45 degrees Fahrenheit and during dry weather conditions. Surveys should be conducted from approximately 15 minutes before sunset to 1 hour after sunset. Prior to any dusk emergence count, the lead biologist shall identify the primary locations where bats may be roosting so these locations can be targeted during the emergence count. Surveys should include both a visual component using night vision googles as appropriate, as well as an electronic acoustic monitoring device/bat detector (e.g., AnaBat). If bats are detected during the dusk emergence surveys, the City of San Marcos or project applicant will not trim or remove the roost (e.g., palm trees) until it can be determined that the bats are no longer are present. In addition, if a maternal roost is identified, no construction	Prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	will occur within 200 feet of the maternal roost during the pupping season (typically April 1 through August 31).		
S-BIO-8a	**Biological Monitoring and Temporary Construction Fencing** If it is confirmed through pre-construction surveys that implementation of an individual project would occur within or immediately adjacent to sensitive habitat areas (including aquatic resources) and/or habitat occupied by special-status species, then the City of San Marcos (City) or project applicant shall retain a qualified biologist to monitor construction activities and supervise the installation of temporary construction fencing which clearly delineates the edge of the approved limits of grading and clearing, and the edges of environmentally sensitive areas that occur beyond the approved limits. This fencing shall be installed prior to construction and maintained for the duration of construction activity. Fencing shall be installed in a manner that does not impact habitats to be avoided. Once the fencing is installed, the City or project applicant and qualified biologist shall determine the need for additional inspections and monitoring activities throughout the duration of construction, not to be less than once per week. If determined necessary by the City and qualified biologist, the monitoring shall include the inspection of construction work areas, including staging and storage areas, to confirm that activities are kept within the approved limits and that best management practices are in place to prevent incidental animal entrapment and burrow and nest establishment within equipment and staged materials. If work occurs beyond the fenced or demarcated limits of impact, or if a trapped animal or burrow or nest is found, work in the affected areas shall cease until the problem has been remedied and mitigation identified by the City and qualified biologist. Temporary construction fencing shall be removed upon completion of construction of the project.	Prior to issuance of grading permit; construction.	City of San Marcos/ Planning Director
S-BIO-8b	**Worker Environmental Awareness Training** Immediately prior to the start of any necessary biological monitoring or installation of temporary construction fencing identified in S-BIO-8a (i.e., project activities within or immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species), the City of San Marcos or project applicant shall retain a qualified biologist to prepare and present a worker environmental awareness training to inform construction crews of the sensitive resources and associated avoidance and/or minimization requirements.	Prior to issuance of grading permit; construction.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
S-BIO-9a	**Acquire Permits for Impacts to Jurisdictional Aquatic Resources** Prior to construction or ground-disturbing activities occurring within potentially jurisdictional aquatic resources for any phase or component of the Specific Plan, the City of San Marcos or project applicant shall apply for and obtain the following regulatory permits and approvals from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife, as applicable: • Clean Water Act Section 404 Permit; • Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirement; and/or • California Fish and Game Code Section 1602 Streambed Alteration Agreement.	Prior to issuance of grading permit; post construction.	City of San Marcos/ Planning Director
S-BIO-9b	**Mitigation for Jurisdictional Impacts** The City of San Marcos or project applicant shall mitigate for permanent and temporary impacts to jurisdictional aquatic resources off-site in accordance with the applicable permit condition(s) described in mitigation measure BIO 8a, estimated at no less than a 1:1 ratio. Temporary impacts are to be restored in place, and permanent impacts shall include a minimum 1:1 establishment/re-establishment component, unless otherwise negotiated by the City of San Marcos or project applicant with the regulatory agencies.	Prior to issuance of grading permit; post-construction.	City of San Marcos/ Planning Director
Cultural Resources and Tribal Cultural Resources			
MM 3.4-3	**Historic American Building Survey (HABS)** Prior to relocation of the residence at 918 Discovery Street, a Historic American Building Survey (HABS) shall be conducted. The survey shall be prepared by a qualified historian and shall include large-format black and white photography of the exterior elevations and interior of the house. The survey shall also include a ground plan of the building, additional archive research and preparation of a detailed history of the building and its occupants.	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
MM 3.4-4	**Rehabilitation** Prior to any surface disturbance activities associated with the floodway improvement project, the residence at 918 Discovery Street shall be relocated to another location within the City of San Marcos. Upon relocation, the residence shall be rehabilitated. Rehabilitation	Prior to issuance of grading permit.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	shall occur in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation.		
S-HIST-1	**Historical Built Environment Review** Prior to issuance of any demolition permit or approval of discretionary development that would alter or remove a structure 50 years of age or older within the Planning Area, the City shall require preparation of a historic resource evaluation by a qualified professional meeting the Secretary of the Interior's Professional Qualification Standards. The evaluation shall determine whether the structure qualifies as a historical resource under CEQA Guidelines Section 15064.5. If the structure is determined to be a historical resource, appropriate avoidance, preservation, or mitigation measures shall be identified and implemented to reduce potential impacts to a less than significant level.	Prior to issuance of demolition or construction permit.	City of San Marcos/ Planning Director
MM 3.4-5	**Paleontological Resources** Prior to the issuance of the grading permit for any grading within the project area (including Caltrans right-of-way), a qualified paleontologist shall review the proposed project area to determine the potential for paleontological resources to be encountered. If there is a potential for paleontological resources to occur, the paleontologist shall identify the area(s) where these resources are expected to be present, and a qualified paleontological monitor shall be retained to monitor the initial cut in any areas that have the potential to contain paleontological resources. If fossils are discovered during project construction, the paleontologist shall recover them. In most cases, this fossil salvage can be completed in short period of time. However, some fossil specimens may require an extended salvage period. Under this scenario, the paleontologist shall be allowed to temporarily divert or direct grading and excavation to allow for recovery of fossil remains.	Prior to issuance of grading permit.	City of San Marcos/ Planning Director
S-TCR-1	**Cultural Resources** Prior to the issuance of a Grading Permit, or ground disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resources Treatment and Repatriation Agreement (Pre-Excavation Agreement) with a Traditionally and Culturally Affiliated Native American Tribe (TCA Tribe), identified in consultation with the City of San Marcos. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection, treatment, and repatriation of Native	Prior to issuance of grading permit; construction.	City of San Marcos/ Planning Director; Tribal representative(s)

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas, and other tribal cultural resources. Such resources may be located within and/or discovered during ground disturbing and/or construction activities for the project, including any additional culturally appropriate archaeological studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and other ground disturbing activities. Any project-specific monitoring plans and/or excavation plans prepared by the project archaeologist shall include the TCA Tribe requirements for protocols and protection of tribal cultural resources that were agreed to during the tribal consultation. The landowner shall relinquish ownership of all non-burial-related tribal cultural resources collected during construction monitoring and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Pre-Excavation Agreement, unless ordered to do otherwise by a responsible agency or court of competent jurisdiction. The requirement and timing of such release of ownership, and the recipient thereof, shall be reflected in the Pre-Excavation Agreement. If the TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.		
S-TCR-2	**Construction Monitoring** Prior to the issuance of a Grading Permit or ground disturbing activities, the Applicant/Owner or Grading Contractor shall provide written documentation (either as signed letters, contracts, or emails) to the City of San Marcos' Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA Native American monitor) have been retained at the Applicant/Owner or Grading Contractor's expense to implement the construction monitoring program, as described in the Pre-Excavation Agreement. The Qualified Archaeologist and TCA Native American monitor shall be invited to attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to present the construction monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that occur in areas of native soil or other permeable natural surfaces that have the potential to unearth any evidence of potential archaeological resources or tribal cultural resources. In areas of artificial paving, the Qualified	Prior to issuance of grading permit; construction.	City of San Marcos/ Planning Director; Tribal representative(s)

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that have the potential to disturb more than six inches below the original pre-project ground surface to identify any evidence of potential archaeological or tribal cultural resources. No monitoring of fill material, existing or imported, will be required if the General Contractor or developer can provide documentation to the satisfaction of the City that all fill materials being utilized at the site are either: (1) from existing commercial (previously permitted) sources of materials; or (2) are from private or other non-commercial sources that have been determined to be absent of tribal cultural resources by the Qualified Archaeologist and TCA Native American monitor. The Qualified Archaeologist and TCA Native American monitor shall maintain ongoing collaborative coordination with one another during all ground disturbing activities. The requirement for the construction monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall provide written notice to the Planning Division and the TCA Tribe, preferably through email, of the start and end of all ground disturbing activities. Prior to the release of any grading bonds, or prior to the issuance of any project Certificate of Occupancy, an archaeological monitoring report, which describes the results, analysis, and conclusions of the construction monitoring, shall be submitted by the Qualified Archaeologist, along with any TCA Native American monitor's notes and comments received by the Qualified Archaeologist, to the Planning Division Manager for approval. Once approved, a final copy of the archaeological monitoring report shall be retained in a confidential City project file and may be released, as a formal condition of Assembly Bill (AB) 52 consultation, to any parties involved in the project-specific monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, will also be submitted to the South Coastal Information Center after approval by the City.		
S-TCR-3	**Unanticipated Discovery Procedures** Both the Qualified Archaeologist and the Traditionally and Culturally Affiliated Native American monitor (TCA Native American monitor) may temporarily halt or divert ground-disturbing activities if potential archaeological resources or tribal cultural resources are discovered during construction activities. Ground-disturbing activities shall be temporarily directed away from the area of discovery for a reasonable amount of time to allow a	Construction.	City of San Marcos/ Planning Director; Tribal representative(s)

Table 9-1 Modified Mitigation Monitoring and Reporting Program		
Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
determination of the resource's potential significance. Isolates and clearly non-significant archaeological resources (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA Tribe), and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by a responsible agency or court of competent jurisdiction. If a determination is made that the archaeological resources or tribal cultural resources are considered potentially significant by the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor, then the City of San Marcos (City) and the TCA Tribe shall determine, in consultation with the Applicant/Owner and the Qualified Archaeologist, the culturally appropriate treatment of those resources. If the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of the California Environmental Quality Act and California Public Resources Code Section 21083.2(b) with respect to archaeological resources, and California Public Resources Section 21704 and 21084.3 with respect to tribal cultural resources, and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe. All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If avoidance of the resource is determined to be infeasible by the City as the Lead Agency, then the City shall require additional culturally appropriate mitigation to address the negative impact to the resource, such as, but not limited to, the funding of an ethnographic study and/or a data recovery plan, as determined by the City in consultation with the Qualified Archaeologist and the TCA Tribe. The TCA Tribe shall be notified and consulted regarding the determination and implementation of culturally appropriate mitigation and the drafting and finalization of any ethnographic study and/or data recovery plan, and/or other culturally appropriate mitigation. Any archaeological isolates or other cultural materials that cannot be avoided or preserved in place as the preferred mitigation shall be temporarily stored in a secure location on-site (or as otherwise agreed upon by the Qualified Archaeologist and TCA Tribe) and repatriated according to the terms of the Pre-Excavation Agreement, unless		

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	ordered to do otherwise by a responsible agency or court of competent jurisdiction. The removal of any artifacts from the project site will be inventoried with oversight by the TCA Native American monitor. If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the TCA Native American monitor may, at their discretion, collect said resources for later reburial or storage at a local curation facility, as described in the Pre-Excavation Agreement. In the event that curation of archaeological resources or tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved local facility within San Diego County and the curation shall be guided by California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections. The City shall provide the Applicant/Owner final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The Applicant/Owner shall be responsible for all repatriation and curation costs and provide to the City written documentation from the TCA Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.		
S-TCR-4	**Unanticipated Discovery Procedures** As specified by California Health and Safety Code Section 7050.5, if human remains, or remains that are potentially human, are found on the project site during ground-disturbing activities or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the Traditionally and Culturally Affiliated [TCA] Native American monitor) shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98.	Construction.	City of San Marcos/ Planning Director; Tribal representative(s)

Table 9-1 Modified Mitigation Monitoring and Reporting Program		
Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission will make a determination as to the Most Likely Descendent, who shall be afforded 48 hours from the time access is granted to the discovery site to make recommendations regarding culturally appropriate treatment. If suspected Native American remains are discovered, the remains shall be kept in situ (in place) until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendent is identified, at which time the archaeological examination of the remains shall only occur on-site in the presence of the Most Likely Descendent. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the Applicant/Owner and the Most Likely Descendant are in disagreement regarding the disposition of the remains, State law will apply, and the mediation process will occur with the Native American Heritage Commission. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).		
Hazards and Hazardous Materials		
MM 3.5-1b Risk Management Plan Prior to the issuance of any grading, demolition, or building permits for the project site, a Risk Management Plan (RMP) shall be prepared for the project site. At a minimum, the RMP shall establish soil and groundwater mitigation and control specifications for grading and construction activities at the site, including health and safety provisions for monitoring exposure to construction workers, procedures to be undertaken in the event that previously unreported contamination is discovered, and emergency procedures and responsible personnel. The RMP shall also include procedures for managing soils and groundwater	Prior to issuance of grading, demolition or building permits.	City of San Marcos/ Planning Director; Fire Department

Table 9-1 Modified Mitigation Monitoring and Reporting Program		
Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of in accordance with applicable regulations and permits. The RMP shall also include an Operations and Maintenance Plan component, to ensure that health and safety measures required for future construction and maintenance at the project site shall be enforced in perpetuity. The RMP shall be submitted to the City Fire Department for review and approval.		
MM 3.5-2 USTs Prior to initiation of any grading, it shall be confirmed that there are no hazardous materials on the project site. In the event that hazards materials are found on the project site, the materials shall be remedied in accordance with all federal and state requirements. Remediation shall be completed prior to construction within the impacted area.	Prior to project grading.	City of San Marcos/ Planning Director
MM 3.5-3 USTs Project construction in areas where leaking underground storage tanks have been identified shall be avoided until proper clean up of the tanks pursuant to adopted state regulations has occurred. All clean up shall occur under a Workplan approved and overseen by the appropriate regulatory agency that has jurisdiction for the clean up. The Workplan shall include a summary of any Phase 1 and Phase II investigations and a summary table of sampling results for which hazardous materials were found.	Prior to project grading.	City of San Marcos/ Planning Director
MM 3.5-4 ACMs/LBPs Prior to demolition of any facilities or relocation of any buildings on the project site, a licensed asbestos inspector shall be retained to determine the presence of asbestos and asbestos containing materials (ACMs) within structures. The inspection shall be consistent with the federal and state occupational exposure standards for asbestos and ACMs. The applicant shall comply with all applicable state and federal abatement policies and procedures for removal of ACMs present on the site.	Prior to demolition of any structures or facilities or prior to relocation of structures.	City of San Marcos/ Planning Director
MM 3.5-5 ACMs/LBPs Prior to demolition of any facilities or relocation of any buildings on the project site, a licensed lead-based paint (LBP) inspector shall be retained to determine the presence of lead-based paint and lead-based paint containing materials (LBPCM) within structures. The inspection shall be consistent with federal and state occupational exposure standards for	Prior to demolition of any structures or facilities or prior to relocation of structures.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	LBP and LBPCM. The applicant shall comply with state and federal abatement policies and procedures for removal of LBP and LBPCM present on the site. Mitigation measures specifically related to impacts to State Route 78 are not included herein because hydraulic improvements have been completed.		
Hydrology			
MM 3.6-4	**FEMA Floodplain** Before any specific plan development may be approved by the City of San Marcos within properties currently within the 100-year floodplain, the applicant must demonstrate that a Letter of Map Revision (LOMR) removing the affected parcels from the floodplain or CLOMR has been obtained from the Federal Insurance Administration of FEMA.	Prior to issuance of grading permits.	City of San Marcos/ City Engineer
Land Use/Planning			
S-LU-1	**Transportation Systems Management and Operations** Future projects that have the potential to improve travel time for the roadways listed above, where capacity cannot be increased, shall evaluate transportation systems management and operations solutions to include, but not be limited to, the following: adaptive signal timing, transit signal priority, and active transportation demand management.	Prior to the issuance of any land development permits or development activities.	City of San Marcos/ Planning Director; City Engineer
Noise			
MM 3.8-1	**Construction Noise** A condition on the improvement plans and within construction contracts which require: • Exterior construction, hauling, or delivery activities shall be scheduled to occur during normal daytime working hours, i.e. 7:00 a.m. and 6:00 p.m., Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturday. No construction would occur on Sundays and legal holidays. These criteria shall be included in the improvement plans prior to initiation of construction. Exceptions to allow expanded construction activity hours shall be reviewed on a case-by-case basis as determined by the Planning Director. • All heavy construction equipment and all stationary noise sources (such as diesel generators) shall be fitted with factory-specified mufflers.	During improvement plan preparation and review and project construction.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	• Truck routes, equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from existing residences, schools and other sensitive receptors, as is feasible. The condition shall be reviewed and approved by the Development Services prior to the issuance of permits.		
MM 3.8-2	**Noise Signage** The applicant shall prepare and post readily visible informational signs at each entrance of the construction area indicating that the site is a "Noise Controlled Zone" and that person, vehicles, machinery and equipment may be barred from the site for violations of the noise regulations. A Noise Complaint Hotline telephone number shall appear prominently on the sign. The overall sign, including format, size, style and content shall be pre-approved by the City prior to posting. See **MM 3.3-11** for noise-sensitive avian habitats.	Prior to construction.	City of San Marcos/ Planning Director
MM 3.8-3	**Future Residential Exterior Noise Levels** As development proposals come forward for the Specific Plan area, noise attenuation shall be required to reduce noise levels to acceptable standards. In the event that patios and balconies are determined to occur within the 65 dBA noise contour, noise attenuation would be required to reduce noise levels to 65 dBA CNEL or lower. This may include the use of architectural treatments, barriers, or other noise attenuating measures. The mitigation measures shall provide sound level reductions so that future uses within the Specific Plan area are consistent with the CNEL levels identified in the San Marcos General Plan.	Prior to issuance of building permits.	City of San Marcos/ Planning Director
MM 3.8-4	**Future Residential Interior Noise Levels** Residential uses adjacent to project site roadways shall have dual-paned windows and supplemental ventilation (e.g., air conditioning systems) on their facades facing exterior roads.	Prior to issuance of building permits.	City of San Marcos/ City Engineer
MM 3.8-5	**Future Residential Interior Noise Levels** Noise-sensitive uses within 500 feet of San Marcos Boulevard shall be shielded by intervening structures, or shall employ upgraded noise mitigation (e.g., premium windows,	Prior to issuance of building permits.	City of San Marcos/ City Engineer

Table 9-1 Modified Mitigation Monitoring and Reporting Program			
	Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
	etc.). The hierarchy of structural noise reduction is shown in Section 4.8.4.1 d, and shall be employed as needed to meet interior noise level of 45 dB.		
MM 3.8-6	**Commercial Residential Interface** As development proposal come forward for the Specific Plan area, a site specific noise study shall be prepared for the development. The noise study shall analyze the impact of co-locating residential and commercial uses on the project site. Mitigation measures shall be identified and incorporated into the Conditional Use Permits, to reduce noise impacts associated with these uses. The mitigation measures shall provide sound level reductions so that future uses within the Specific Plan area are consistent with the CNEL levels identified in the San Marcos General Plan.	Prior to issuance of a Conditional Use Permit.	City of San Marcos/ Planning Director
Transportation			
S-LU-1	**Transportation Systems Management and Operations** Future projects that have the potential to improve travel time for the roadways listed above, where capacity cannot be increased, shall evaluate transportation systems management and operations solutions to include, but not be limited to, the following: adaptive signal timing, transit signal priority, and active transportation demand management.	Prior to the issuance of any land development permits or development activities.	City of San Marcos/ Planning Director; City Engineer
Utilities and Service Systems			
MM 3.11-1	**Fair Share Fees** Future developers within the Specific Plan area shall be responsible for the payment of fair share fees for the necessary water and sewer infrastructure upgrades.	Prior to issuance of building permit.	City of San Marcos/ City Engineer; Vallecitos Water District
Greenhouse Gas Emissions			
S-VMT-1	**Project Level VMT Analysis** Applications for future commercial development under the project shall conduct a project-level vehicle miles traveled (VMT) analysis that determines whether the proposed development would meet the screening criteria outlined in the City of San Marcos' (City) Transportation Impact Analysis Guidelines (November 16, 2020), or any subsequent updates to these guidelines. If the proposed development does not meet any of the screening criteria outlined in the City's Transportation Impact Analysis Guidelines, the applicant shall conduct a project-level VMT analysis and identify VMT impacts associated with the proposed development. The project applicant shall reduce project-induced VMT impacts through	Prior to the issuance of any land development permits or development activities.	City of San Marcos/ Planning Director

Table 9-1 Modified Mitigation Monitoring and Reporting Program		
Mitigation Measure	Timing	Monitoring, Enforcement, and Reporting Responsibility
implementation of VMT-reducing infrastructure and/or strategies that would mitigate the project's VMT-related impacts that would be incorporated into commercial development.		

Chapter 10
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Chapter 11
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