

**LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT**

FOR MEETING OF: DECEMBER 2, 2013

**Proposal**

“Vista Business Park Reorganization” (Vallecitos Water District)  
(DA13-46)

**Proponent**

Property owner, by petition

**Description/Justification**

Proposed by petition of the landowner is a reorganization of one incorporated parcel located within the City of Vista (Assessor Parcel Number 221-661-23, totaling approximately 17.17-acres) involving detachment from the Vista Irrigation District (ID) and annexation to the Vallecitos Water District (WD) for the provision of sewer and water services. The proposed reorganization area is located within the adopted sphere of influence of the Vallecitos WD.

The City of Vista has approved a Tentative Parcel Map (PC3-182) for the proposal territory that creates five industrial lots on the site and adopted a Mitigated Negative Declaration that mitigates all identified potentially significant impacts to a less-than-significant level. While the proposal area is currently located within the water service area and sphere of influence of the Vista ID, the subject districts have determined that Vallecitos WD has both sewer and water infrastructure adjacent to the site and that consolidation of the service provision under Vallecitos WD would be the most efficient service arrangement.

The Vallecitos WD has indicated that capacity is available to extend public sewer and water services to the proposal territory. The landowner will finance all costs for the approximate 70-foot connections to the Vallecitos WD sewer and water mains located adjacent to the proposal territory within Aveneda Michelle.

As part of the subject reorganization, it is recommended that the proposal territory be modified to include an adjacent segment of San Marcos Boulevard and an undeveloped triangular parcel (APN 221-661-18; approximately 1.28 acres) that is owned by the City of San Marcos. This approximate 4.32-acre modification will create a more logical district boundary between Vista ID and Vallecitos WD following the proposed reorganization.

The proposal territory is surrounded by single-family residential and commercial/industrial development and will continue to receive fire protection services from the City of Vista

following the proposed reorganization. The Board of Supervisors has adopted a Master Enterprise District Resolution stating that no property tax transfer would be required as a result of this jurisdictional change.

**General Plan/Zoning**

City of Vista General Plan: Specific Plan Area (SPA) – Visa Business Park  
City of Vista zoning: SPA

**Location**

North of San Marcos Blvd.; east of Business Park Drive; south of SR-78; and west of Rancho Santa Fe Road (Thomas Bros. Page 1128/A1-2).

**Executive Officer Recommendation**

- (1) Find that the Commission, acting as a responsible agency, has considered the environmental effects of the project as shown in the attached mitigated negative declaration prepared by the City of Vista. The mitigation is under the jurisdiction of the City and not LAFCO because the affected resources and the extension of public services will be within the city limits upon annexation; and
- (2) Adopt the form of resolution approving this reorganization for the reasons set forth in the Executive Officer’s Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following conditions:

Vallecitos Water District

Payment by the property owners of water and sewer annexation fees, and State Board of Equalization charges.

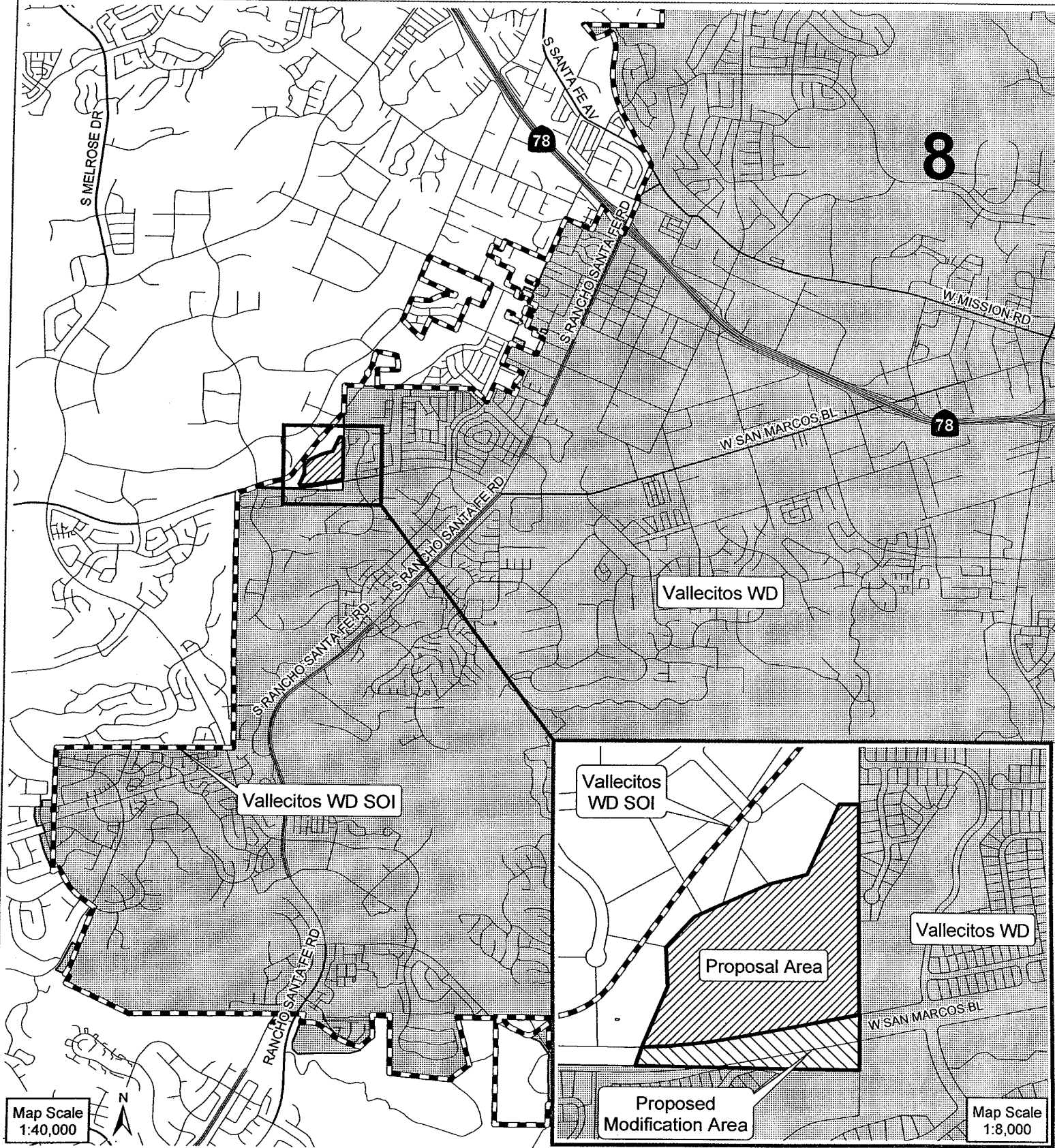
Vista Irrigation District

Payment by the property owners of fees for the assignment of the right to use associated water facilities, plus documentation fees.

**Attachments**




Vicinity Map  
Mitigated Negative Declaration, City of Vista (PC3-182; June 28, 2011)

MDO:RB:trl



RO13-46

**PROPOSED "VISTA BUSINESS PARK REORGANIZATION"  
(VALLECITOS WATER DISTRICT)**

-  Proposal Area
  -  Vallecitos WD
  -  Vallecitos WD SOI
- SOI = Sphere of Influence

SAN DIEGO **LAFCO**

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**ZONING ADMINISTRATOR RESOLUTION NO. 2011-10**

**A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF VISTA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR A TENTATIVE PARCEL MAP FOR FIVE INDUSTRIAL PARCELS AT 3240 EXECUTIVE RIDGE**

**APPLICANT: Moxie Pacific Palomar, LLC  
PLANNING CASE NO. 3-182**

WHEREAS, the applicant filed an application for a Tentative Parcel Map to create five industrial lots on a 17.17-acre site at 3240 Executive Ridge, and more particularly described as:

Assessor's Parcel Numbers 221-661-23-00; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) a Mitigated Declaration was prepared for this project and was circulated for public review and comment beginning on May 11, 2010 and ending on June 9, 2010; and

WHEREAS, a notice describing the proposed project and the intent to adopt a Mitigated Negative Declaration was duly mailed to all property owners within 500 feet of the property boundaries and published in the "North County Times," a newspaper of general circulation, more than 30 days prior to the Zoning Administrator public hearing in order to provide an opportunity for public comment on the Mitigated Negative Declaration; and

WHEREAS, six comments were received and responses to comments were sent to each commenter by June 15, 2011; and

WHEREAS, responses to comments on the Mitigated Negative Declaration required minor revisions to the document, which are included in Exhibits "A" and "B;" however, no substantial revisions to the Mitigated Negative Declaration were made that could trigger recirculation in accordance with CEQA Guidelines Section 15073.5; and

WHEREAS, in accordance with the California Environmental Quality Act and the State CEQA Guidelines, the Zoning Administrator has reviewed and considered said Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, all written comments received, and all comments presented at the public hearing in reaching his decision on the application.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Administrator of the City of Vista as follows:

1. The above recitals are true and correct.

2. Based upon the Initial Study and the reports, comments and recommendations received, the Zoning Administrator finds and determines that there is no substantial evidence in the record before it that the application may have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
3. The Zoning Administrator, pursuant to Section 15074 of the California Environmental Quality Act Guidelines, hereby approves the Mitigated Negative Declaration, a copy of which is attached hereto as Exhibit "A".
4. The Zoning Administrator hereby adopts the Mitigation Monitoring and Reporting Program attached to the Mitigated Negative Declaration, included as Exhibit "A".
5. The Zoning Administrator hereby authorizes and directs the City Planner to prepare and file a Notice of Determination with respect to said Mitigated Negative Declaration in the office of the County Clerk of the County of San Diego, as provided in the California Environmental Quality Act.

PASSED, APPROVED AND ADOPTED on the 28<sup>th</sup> day of June, 2011, by the Zoning Administrator of the City of Vista.

  
ZONING ADMINISTRATOR

  
DATE

Exhibits:

- A. Mitigated Negative Declaration
- B. Comments on Mitigated Negative Declaration and Responses



**INITIAL STUDY AND  
DRAFT MITIGATED NEGATIVE DECLARATION  
PC3-182**

**PROJECT NAME:** Executive Ridge Industrial Subdivision

**PROJECT LOCATION:** North side of W. San Marcos Boulevard, between Business Park Drive (in Vista) and Avenida de las Rosas (in San Marcos)

**APN:** 221-661-23

**PROJECT APPLICANT:** Excel Engineering, Inc.  
Michael Levin, L.S.  
440 State Place  
Escondido, California 92029  
(760) 745-8118

**LEAD AGENCY:** City of Vista  
Community Development Department  
Planning Division  
200 Civic Center Drive  
Vista, California 92084  
John Hamilton, Environmental Planner  
(760) 726-1340, ext. 1215  
jhamilton@cityofvista.com

**PUBLIC REVIEW PERIOD:** May 11, 2010 to June 9, 2010

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

Comments regarding this document must be made in writing to Mr. John Hamilton, Environmental Planner, City of Vista Planning Division, 200 Civic Center Drive, Vista, California 92084. All comments must be received in the Planning Division office no later than 5:00 P.M. on the last day of the public review period.

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## ACRONYMS AND ABBREVIATIONS

AB - Assembly Bill  
ACOE - Army Corps of Engineers  
ADT - average daily traffic  
BMPs - Best Management Practices  
CAA - U.S. Clean Air Act  
CAAQS - California Ambient Air Quality Standard  
CAPCOA - California Air Pollution Control Officers Association  
CARB - California Air Resources Board  
CBC - California Building Code  
CCAA - California Clean Air Act  
CDFG - California Department of Fish & Game  
CEQA - California Environmental Quality Act  
cfs - cubic feet per second  
City - City of Vista  
CNDDDB - California Natural Diversity Data Base  
CNEL - Community Noise Equivalent Level  
CNPS - California Native Plant Society  
CO - carbon monoxide  
CO<sub>2</sub> - carbon dioxide  
cu yds - cubic yards  
CWA - U.S. Clean Water Act  
dB - decibels  
dBA - decibels using an "A" weighted filter  
DTSC - Department of Toxic Substances Control  
E-1 - Estate Residential/one dwelling unit per acre  
EB - East Bound  
EIR - Environmental Impact Report  
EPA - U.S. Environmental Protection Agency  
FAR - Floor Area Ratio  
FEMA - Federal Emergency Management Agency  
GHG - greenhouse gas  
GIS - Geographic Information Systems  
gpd - gallons per day  
GWP - global warming potential  
IS/MND - Initial Study/Mitigated Negative Declaration  
LAFCO - Local Agency Formation Commission  
LDR - Low Density Residential  
LOS - Level of Service

CONTINUED - **ACRONYMS AND ABBREVIATIONS**

LUST - Leaking Underground Storage Tank  
MD - Medium Density  
mgd - million gallons per day  
MHCP - Multiple Habitat Conservation Plan  
mph - miles per hour  
N. - North  
NAAQS - National Ambient Air Quality Standard  
NO<sub>x</sub> - nitrogen oxides  
N<sub>2</sub>O - nitrous oxide  
NPDES - National Pollutant Discharge Elimination System  
O<sub>3</sub> - ozone  
OPR - Governor's Office of Planning and Research  
PM<sub>2.5</sub> - respirable 2.5-micron particulate matter  
PM<sub>10</sub> - respirable 10-micron particulate matter  
R-1-B - Single Family Residential  
RAQS - Regional Air Quality Strategy  
RCP - Reinforced Concrete Pipe  
ROG - reactive organic gases  
ROW - Right-of-Way  
RWQCB - Regional Water Quality Control Board  
SANDAG - San Diego Association of Governments  
SCAQMD - South Coast Air Quality Management District  
SDAB - San Diego Air Basin  
SDAPCD - San Diego Air Pollution Control District  
S. - South  
sq. ft. - square feet  
SO<sub>x</sub> - sulfur oxides  
SP - Specific Plan  
SPA - Specific Plan Area  
SUSMP - Standard Urban Stormwater Mitigation Plan  
SWPPP - Storm Water Pollution Prevention Plan  
SWRCB - State Water Resources Control Board  
tons per day - tpd  
UBC - Uniform Building Code  
USFW - U.S. Fish & Wildlife  
VID - Vista Irrigation District  
VOC - volatile organic compounds  
VWD - Vallecitos Water District  
W. - West

**Chapter 1****INTRODUCTION****Overview**

The site of the proposed Executive Ridge Industrial Subdivision (or the "project") was one of ten undeveloped sites that were included in the Vista Business Park Specific Plan - Final Supplemental EIR (The Keith Companies, December 1992). As noted in that Supplemental EIR, development of the southern portion (now the project site) would potentially affect sensitive biological resources existing on-site. In lieu of that fact and other changes to existing conditions (e.g., traffic, hydrology and water quality), the City of Vista (City) Planning Division has prepared this Initial Study and MND to evaluate the potential environmental consequences associated with the proposed project. The City's Planning Division is the Lead Agency for the proposed project under CEQA. The City of San Marcos, VWD, and LAFCO are Responsible Agencies, as these entities also have permit requirements that have to be met to implement the project.

**Authority**

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

**Scope**

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

- aesthetics
- agricultural resources
- air quality
- biological resources
- cultural resources
- geology and soils
- hazards and hazardous materials
- hydrology and water quality
- land use planning
- mineral resources
- noise
- population and housing
- public services
- recreation
- transportation/traffic
- utilities and service systems.

Please note that some of the design features discussed in the California Attorney General's *Addressing Climate Change at the Project Level* (January 7, 2010) that may reduce the global warming-related impacts of the project are discussed in Chapter 2, Proposed Project Description.

## Chapter 2

**ENVIRONMENTAL SETTING  
AND PROJECT DESCRIPTION****Project Overview**

The proposed Executive Ridge Industrial Subdivision involves the subdivision, grading and construction of building pads, utilities, and a private street in developing a five-parcel industrial subdivision located on one of the last remaining undeveloped parcels within the Vista Business Park in the southern portion of the City.

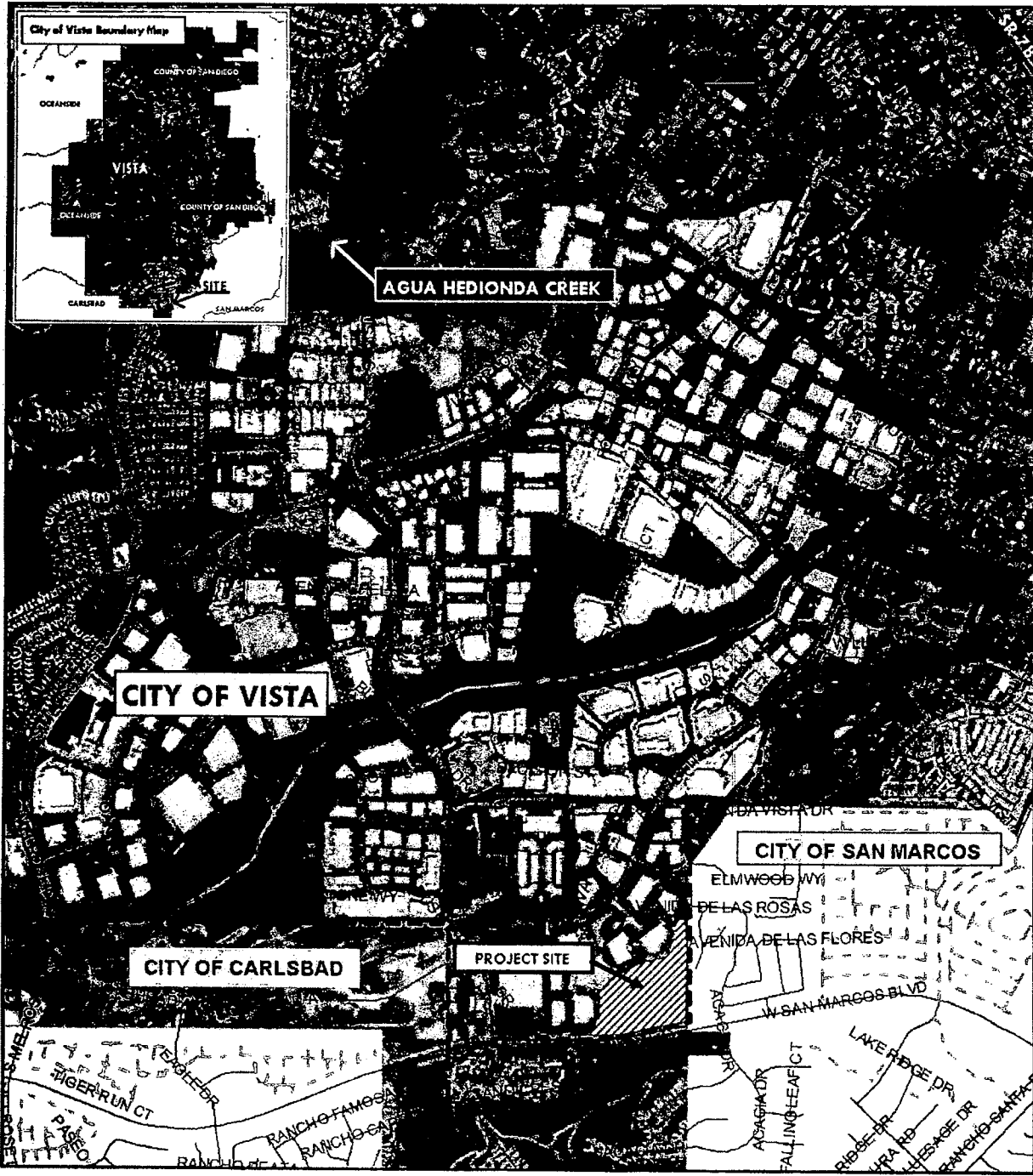
The project site is 17.17 gross acres in size and comprised of one parcel (APN: 221-661-23). The property is currently designated as "Vista Business Park SPA" in the General Plan, and is zoned as "B - Research, Light Industrial, and Business Support Group" in the Vista Business Park Specific Plan (or SP) (1993). The site is located approximately 1.8 miles west of State Route 78 on the northern side of W. San Marcos Boulevard, between Business Park Drive to the west (in Vista) and Avenida de las Rosas (in San Marcos) to the east (see Figure 1 - Location Map).


**Existing Environmental Setting and Surrounding Land Uses**

Vista is a largely built-out, predominantly low-density residential community located seven miles inland from the Pacific Ocean in northern San Diego County. Clusters of urbanizing higher density areas are scattered throughout its central portion. The City is located in rolling topography of the western foothills of the San Marcos Mountains, with elevations ranging from approximately 200 feet to about 750 feet above mean sea level. Pleasant views are found from various points throughout the City with some higher elevations offering captivating vistas of the Pacific Ocean to the west. In addition to the pleasing topography of the mountains and hills, the City is lushly vegetated from the low level creek beds to the steep slopes of the foothills, which also contributes to the overall beauty of the community. The City also has two major creeks that flow through its boundaries, Buena Vista Creek and Agua Hedionda Creek.

The existing 17.17-acre site of the proposed project is an undeveloped parcel within the Vista Business Park, and has approximately 1,178 feet of frontage on W. San Marcos Boulevard. Hydrologically, the site is situated in the Batiquitos Hydrologic Sub-Area (904.51) of the San Marcos Hydrologic Area (904.5) within the Carlsbad Hydrologic Unit (904.0). The topography of the site consists of relatively steep terrain including two north-south trending drainages; one occurs down the middle of the site (eastern drainage), and another occurs on the western portion of the site (western drainage). On-site elevations range from 555 feet above mean sea level near the northeastern corner of the site to approximately 430 feet above mean sea level in the eastern drainage bottom near the southeastern corner. Both of these drainages begin off-site to the north and are fed mainly by runoff from the existing business complexes above the site (see Figure 2 - Existing Site). They both empty into two-foot wide concrete-lined brow ditches at the bottom of the slope where the runoff is either directed into a small wetland located off-site to the southeast, or conveyed underground into a wetland that occurs on the south side of W. San Marcos Boulevard, and ultimately into San Marcos Creek and Batiquitos Lagoon. The soil type mapped for the project site is primarily composed of Gaviota fine sandy loam (9-30 percent slope); however, the western portion of the property consists of Huerhuero loam (9-15 percent slope), and the

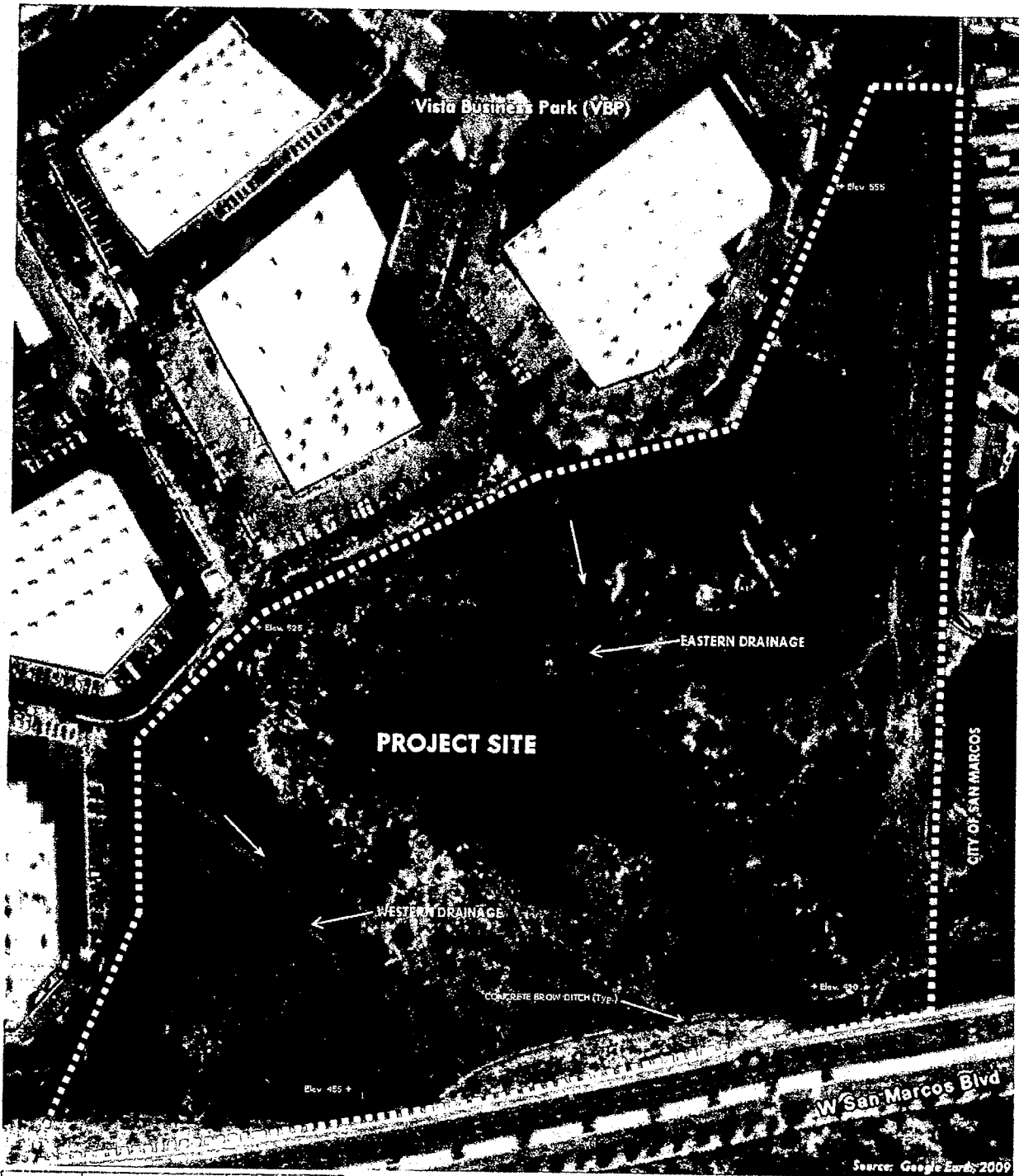
# EXECUTIVE RIDGE INDUSTRIAL SUBDIVISION



	Project Site Boundary is Approximate	No Scale
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**FIGURE 1**  
**LOCATION MAP**

# EXECUTIVE RIDGE INDUSTRIAL SUBDIVISION





	PROJECT SITE BOUNDARY AND ELEVATIONS ARE APPROXIMATE	No Scale
	FLOW DIRECTION	

FIGURE 2  
EXISTING SITE

northern tip is Los Flores loamy fine sand (2-9 percent slope). These soil types are characterized by well-drained to moderately well-drained loams with clay sub-soils. The underlying geology of the site consists of Santiago Formation.

Vegetation on the project site consists primarily of native upland habitat (9.30-acre of Southern Mixed Chaparral; 5.75-acre Diegan Coastal Sage Scrub; and 2.10-acre of Non-native Grassland), a small amount of wetland habitat (0.03-acre of Southern Willow Scrub), and some disturbed Non-native Grassland habitat along the edges adjacent to San Marcos Boulevard to the south and homes to the east. The site is surrounded by industrial or residential development with the exception of three small areas: one narrow strip of Diegan Coastal Sage Scrub adjacent to the northeastern corner of the property, which extends north less than 500 feet; another narrow strip of Sage Scrub adjacent to the southwestern corner that extends west less than 200 feet; and a small wetland corridor adjacent to the east-southeastern edge of the property within the City of San Marcos. There is also native habitat, including wetlands, south of the project site across W. San Marcos Boulevard that is also within San Marcos.

Immediately surrounding land uses consist of industrial and commercial uses of the Vista Business Park to the north and west, residences and designated open space within the City of San Marcos to the east, and designated open space to the south across W. San Marcos Boulevard, also within San Marcos. The closest fire station to the site would be Vista Fire Station No. 5 located on S. Melrose Drive approximately 3.14 miles to the north-northwest. The closest police station would be the Vista Sheriff's Department located approximately 5.46 miles to the north-northwest on S. Melrose Drive. The closest existing public school in Vista is Rancho Buena Vista High School, which is located 2.35 miles northwest of the project site on S. Melrose Drive. Agua Hedionda Creek is located approximately 1.52 miles north of the site, and Lake San Marcos is roughly 1.0 mile to the southeast. North County Transit District's Sprinter railroad station at Buena Creek is located about 2.81 miles to the north-northeast, and the McClellan-Palomar Airport is located approximately 2.54 miles to the west. The project site is located within VID's service area and within VWD's Sphere of Influence.<sup>1</sup>

## Project Site History

The Vista Business Park SP was originally approved on December 14, 1981, by Ordinance No. 81-78. The original plan addressed approximately 672 acres of land as a proposed Business/Research Park and divided the plan area into three groups: commercial, research/light industrial, and open space. The SP was subsequently expanded through various amendments, and on May 11, 1993 a Final Amendment was adopted by the Vista City Council, by Ordinance No. 93-13. As amended, the SP addresses 1,106 acres of land. The project site was included within "Project Parcel 5" in the Vista Business Park SP Final Supplemental EIR (The Keith Companies, December 1992).

The subject property was included in the MHCP regional conservation map as a Biological Core and Linkage Area and a Focused Planning Area for conservation planning. It was subsequently identified as a Preserve Area within the City's draft NCCP/HCP subarea conservation plan (unpublished). However, the proposed conservation designation of this site was predicated on a map error in land-use designation wherein the site was believed to be designated open space rather than its actual industrial zoning. As a result, the site has been deleted from presumed conservation purposes within draft conservation strategies in the City. This deletion has occurred fully within the framework of unadopted draft conservation planning, and thus they do not constitute a substantial land use constraint on site development at this time. However, this

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1. Confirmed by R. Barry, at LAFCO, via e-mail dated 5/04/10.

planning history is important in understanding the conservation values of the site, and the potential effects of development in the City's pursuit of a subarea conservation plan. The designation of the site as a Biological Core and Linkage Area is biologically meaningful in that it would indicate that the property was viewed as having conservation value within the regional conservation planning context.

## Proposed Project Description

The applicant seeks approval of a Tentative Parcel Map to subdivide the 17.17-acre site into five lots of varying sizes from 2.78 to 3.75 acres for an industrial development and a private street approximately 0.92 acre in size; however, no buildings are proposed at this time (see Figure 3 - Conceptual Grading Plan). Overall, the proposed project involves the grading and construction of building pads, wet and dry utilities, a private street, and landscaping. The proposed acreage of each lot is found in Table 2-1, below.

**TABLE 2-1  
PROPOSED LOT SIZE**

LOT NUMBER	ACRES* (Gross/Net)
1	2.78
2	2.97
3	3.75
4	3.70
5	3.04
Private street	0.93
<b>Total</b>	<b>17.17</b>

Source: Excel Engineering, 2009 \* Approximate

Although the project site is located within VID's service area, the District has stated that it does not and will not have water and sewer pipes in the area to serve the proposed project. However, the site is located within VWD's Sphere of Influence boundary. According to recent correspondence (see Section XVI, Utilities and Service Systems), potable water and wastewater services for the proposed project would be available through VWD. Therefore, as a separate but related action to the approval of the Tentative Parcel Map, the Owner will formally apply to LAFCO for approval of the site's detachment from VID's territory and annexation into VWD's territory, which LAFCO calls a "service reorganization". LAFCO is responsible for coordinating, directing, and overseeing logical and timely changes to local governmental boundaries, including annexation and detachment of territory, incorporation of cities, formation of special districts, and consolidation, merger, and dissolution of districts.

The project would be compatible with the "B - Research, Light Industrial, and Business Support Group" zoning designation in the Vista Business Park SP in terms of land use designations and zoning requirements (see Section IX - Land Use and Planning for further discussion). Future development of this subdivision is anticipated to consist of up to five buildings totaling approximately 283,000 sq. ft. with a maximum of three stories (not exceeding a height of 45 feet) that would likely utilize concrete tilt-up construction (or similar methods) on a conventional slab-on-grade foundation.<sup>2</sup> The project would be developed in two phases. The first phase generally consists of the development of the building pads, private street, and utilities, and is estimated to be completed in approximately six to eight months. The timing and length of the second phase, in which buildings would be constructed, is unknown at this point due to the uncertainty of the commercial market in the current recession. In the first phase of construction,

2. As part of the analysis in certain sections of this document, the noted square footage of the future buildings is calculated on a conservative (or worst-case scenario) FAR of 0.37 for industrial development in the City.

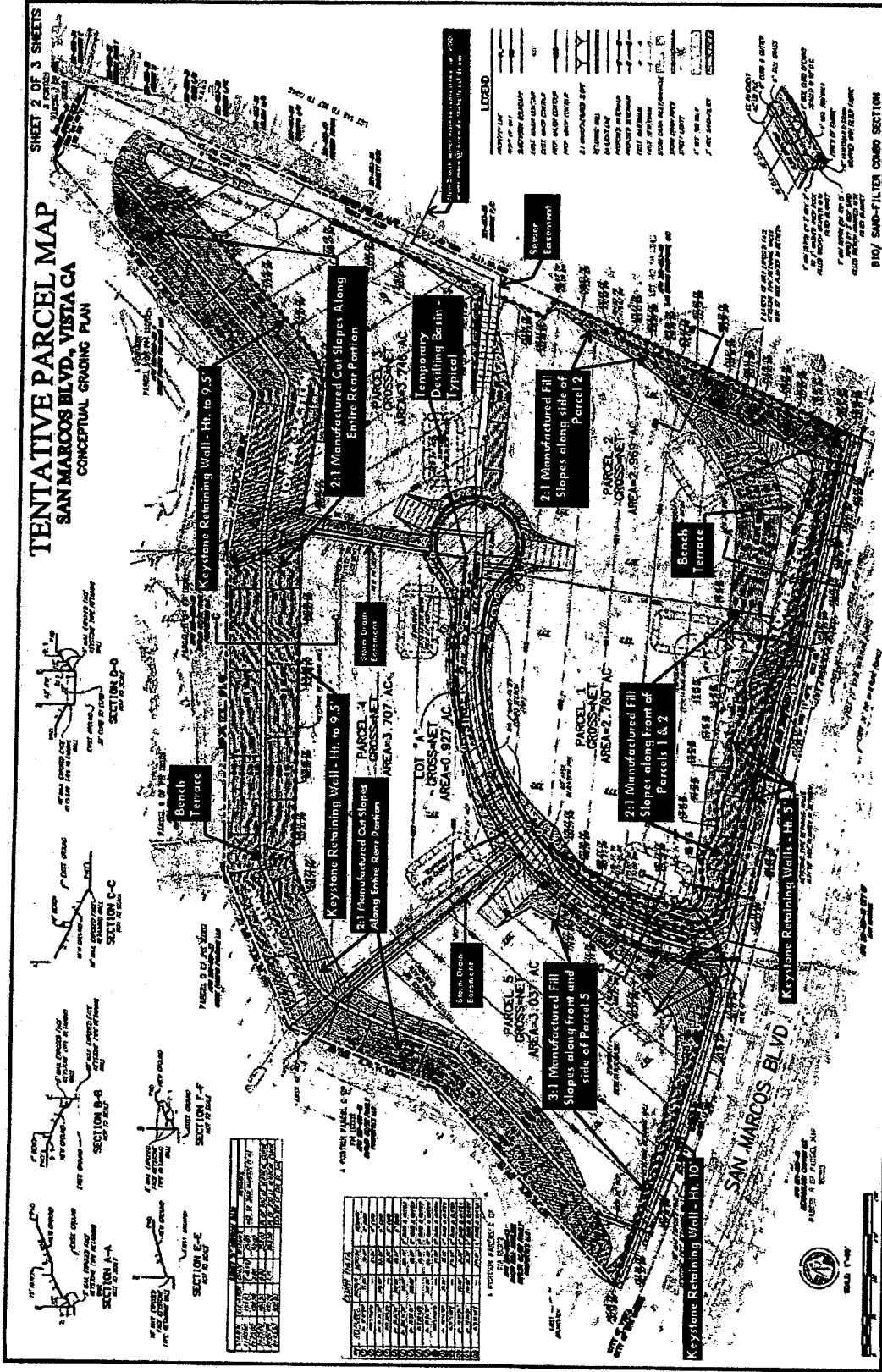


the initial stage involves the removal of debris and vegetation from all areas on the site except for the farthest northeastern portion and a 600-foot long by 25-foot wide section adjacent to the homes to the east. The next stage of development would consist of surface (mass) and remedial grading operations, both of which are described below. A private street approximately 735 feet long and 32 feet wide (curb to curb) is proposed to enter the site off W. San Marcos Boulevard allowing access to all five lots. It would include a 7.5-foot public access easement along the eastern side of the street, which would also wrap around the cul-de-sac. Due to the relatively steep slopes (general range is 10 to 19 percent), the overall grading scheme would essentially lower the northern portion of the property and raise the southern portion to produce relatively flat building pads that would terrace upward to the north along the private street. Preliminary calculations of the overall surface grading of the site are estimated at 173,817 cu yds of cut and 173,817 cu yds of fill, all of which would be balanced on-site. Preliminary calculations of remedial grading of the site are estimated at 35,000 cu yds of material. The most extensive surface grading would occur along the rear and front segments of the property. As shown on Figure 3, manufactured 2:1 (horizontal to vertical distance) cut slopes would be created along the rear (western, northern, and northeastern) portions of the site. Six-foot wide "bench" terraces would be incorporated into the slopes at approximately mid-slope to physically break up the slope heights into two sections and provide mid-slope drainage. The vertical height of the lower sections of the manufactured slopes would range from about 15 to 19 feet, and the vertical height of the upper sections would range from approximately 18 to 20 feet. Keystone walls would also be used to retain certain sections of the manufactured slopes within Parcels 3 and 4, with heights ranging up to about 9.5 feet.

Manufactured 2:1 and 3:1 fill slopes would also be formed along the front (southern) portions of the site, along the private street, and along the eastern side of Parcel 2 (see Figure 3). A 3:1 slope would be graded along the southern and eastern boundaries of Parcel 5, adjacent to W. San Marcos Boulevard and the private street respectively. The maximum vertical height of the slope form would be approximately 15 feet high at the southeastern corner (adjacent to the private street entrance), and then the slope height would quickly be reduced on either end. In addition, a 10-foot high exposed face keystone retaining wall would be used along the southern (front) and eastern (side) boundaries of this parcel to help maintain the angle of slope. As shown on Figure 3, manufactured 2:1 slopes would be graded along the southwestern boundary of Parcel 1 (adjacent to the private street), extend along the southern boundary of Parcels 1 and 2 (adjacent to W. San Marcos Boulevard), and then along a majority of the eastern boundary of Parcel 2. Terraces ranging in width from six to 50 feet would be incorporated into the slopes at approximately mid-slope to physically break up the slope heights into two sections, provide mid-slope drainage, and incorporate tree and shrub plantings.

Along the front portions of Parcels 1 and 2, the vertical height of the lower sections of the fill slopes would range from about four feet to 26 feet, and the vertical height of the upper sections would range from approximately five to 25 feet. As shown on Figure 3, two 5-foot tall exposed face keystone retaining walls separated by a 10-foot wide planting area would be also be constructed along the lower portion of this fill slope. The walls would start at about the mid-point of the western boundary of Parcel 1 (adjacent to the private street), extend along the southern boundary of both parcels (adjacent to W. San Marcos Boulevard), and extend along the entire eastern boundary of Parcel 2. In addition, another 5-foot tall exposed face keystone retaining wall would also be constructed along a portion of the northern edge of the terrace separating the two slopes. It would connect with one of the lower slope walls adjacent to the private street. The keystone walls, particularly adjacent to W. San Marcos Boulevard, are designed to retain the slope heights, provide planting areas, and visually reduce the slope height from the road.

# EXECUTIVE RIDGE INDUSTRIAL SUBDIVISION



## FIGURE 3 CONCEPTUAL GRADING PLAN

**NOTES:**

- Keystone Retaining Wall
- Manufactured Fill
- Manufactured Cut Slopes

Executive Ridge Industrial Subdivision - PCS-182  
Initial Study/Mitigated Negative Declaration

As detailed in the Preliminary Geotechnical Evaluation for the proposed project (Ninyo & Moore, January 26, 2009), remedial grading activities would take place during mass grading operations. It would consist of removing the existing topsoil and alluvium down to competent formational materials (Santiago Formation). The resulting surface would be scarified eight inches, moisture conditioned, and re-compacted to 90 percent, with subsequent lifts of recommended fill soils as detailed in the geotechnical report. The grading operations are anticipated to take up to 60 working days to complete. Temporary and permanent erosion control measures, such as vegetative protection, are required for all cut and fill slopes as detailed in Sections 17.56.280 (F), 17.56.290 (J), and 17.56.330 of the Development Code. See the Geology and the Hydrology/Water Quality sections of this document for additional discussion of geotechnical and hydrological issues of the proposed project.

Development of the proposed project would also include wet and dry utility connections, street improvements, and landscaping. A new VWD 385-foot by 20-foot sewer easement (see Figure 3), extending from the cul-de-sac of the new private street, then along the southern and southeastern boundary line of Parcel 3, would allow the provision of a new 8-inch sewer main, which would connect to an existing VWD 8-inch sewer main located at the Avenida Michelle cul-de-sac in San Marcos. The project's new sewer main would provide sewer laterals to the newly created building pads. New water lines for potable drinking water would extend from an existing VWD 8-inch water main located in W. San Marcos Boulevard. Fire hydrants would be installed at locations determined by the Vista Fire Department before precise grading begins.

Existing overhead electrical poles and service fronting the project site would be relocated and placed underground as required.<sup>3</sup> All new electrical service would be brought underground into the site from the existing service on the street. Two street lights (with 135 watt high-pressure sodium fixtures) would be installed; one placed at the entrance of the development, the other at the cul-de-sac.

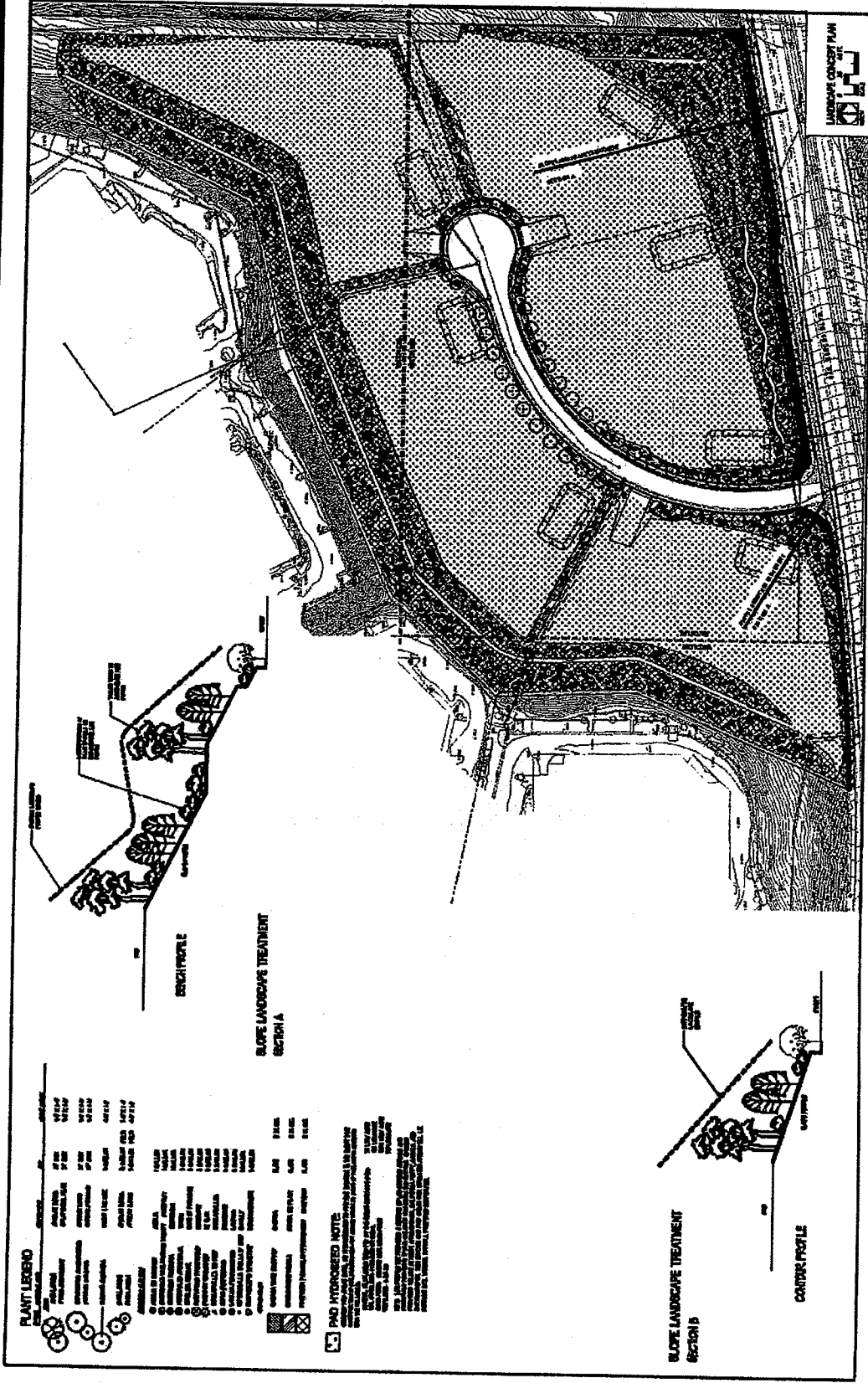
The proposed storm drain system would not substantially alter the existing drainage patterns flowing off-site, and it would be capable of maintaining the pre-existing 100-year discharge condition. The drainage improvements would convey storm water runoff from existing off-site sources above (and generally north of) the site in 24-inch storm drain RCP within two 10-foot private drainage easements to a new 36-inch storm drain RCP located under the new private street (see Figure 3). The 36-inch RCP would widen to 42-inches near the bottom of the new street, and then connect to a new 24-inch storm drain RCP installed along W. San Marcos Boulevard, parallel to the site. At the eastern end of this new parallel underground pipe, a connection would be made to an existing off-site 54-inch storm drain RCP, which would convey runoff under the street to the southern wetland noted above. At the intersection of the new private street with the existing public one, the new parallel underground pipe would connect to the existing 24-inch RCP, which extends under W. San Marcos Boulevard and discharges runoff to an existing wetland located on the south side of the street. At the western end of the parallel pipe, a connection would be made to the existing off-site brow ditch.

Temporary desiltation basins would also be established on the site during mass grading operations. There would be a total of seven temporary basins established, two each on Parcels 1 and 4 and one each on Parcels 2, 3 and 5. Overflow pipes would be installed at each basin and

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3. A guy wire that supports a 69kV power line on the southern side of W. San Marcos Boulevard will be protected in place to the satisfaction of SDG&E.

# EXECUTIVE RIDGE INDUSTRIAL SUBDIVISION



## FIGURE 4 CONCEPTUAL LANDSCAPE PLAN

	NOTE: Scale: 1/4" = 1'-0"	
	Source: City of Vista	

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connected into the newly constructed drainage system described above. The proposed drainage improvements would also include post-construction water quality BMPs such as media filter inserts for catch basins, 180 feet of 60-inch diameter underground detention pipe, hydroseeding of each pad, and a 570-foot long sand media filter trench. The underground detention pipe would be located near the bottom of the private street, and the sand media filter would be located along the eastern side of the private street. See Section VIII - Hydrology & Water Quality section for additional discussion on the drainage improvements and water quality. Street improvements along W. San Marcos Boulevard would include a new right turn pocket lane extending from the new private street east for approximately 300 feet; curbs, gutters and sidewalks; and new street pavement (width to be approved by City of San Marcos).

The landscape concept plan for the project proposes a combination of drought tolerant plant material such as evergreen and deciduous trees (e.g., Coast Live Oak and Chinese Pistache), shrubs (e.g., Rosemary and Lantana) and groundcover plants (e.g., Gazania) to be planted on all of the slopes and along the private street. The plant material would help stabilize the slopes, provide visual screening of the site from W. San Marcos Boulevard and the residential development to the east (see Figure 4), and reduce heat island effects from the private street. In addition, all of the pads would be hydroseeded with a mixture of low growing annuals and perennials, soil stabilizer, wood fiber and fertilizer to prevent erosion. A permanent automatic irrigation system would also be installed throughout the project site to provide irrigation to all plant material. It would be designed to respond to water conservation concerns, as well the requirements of the plants. Additional landscaping may be required when precise grading, building, and landscape plans are submitted to the City for grading and building permits.

The project design features shown in Table 2-2, below, have been incorporated into the design of the proposed project.

**TABLE 2-2  
PROJECT DESIGN FEATURES  
INCORPORATED INTO PROPOSED PROJECT**

Features
<p>1. Prior to any on-site construction work, a qualified biologist will assist the applicant in surveying, staking, and fencing (with "snow fencing") the project footprint or construction work limits, including the construction staging area(s). All construction staging areas shall be located in such a manner as to prevent runoff from entering the adjacent sensitive habitats. Movement of vehicles, equipment, and personnel will be confined within these delineated areas.</p>
<p>2. All temporary or permanent site or exterior light sources will be shielded and/or downward-directed to reduce light spillover into the adjacent native vegetated areas.</p>
<p>3. The use of any plant material that is listed in the current version of the Invasive Plant Inventory, prepared by the California Invasive Plant Council, is strictly prohibited. Before the installation of any temporary or permanent landscaping, all plant and seed lists shall be reviewed by the Planning Director for compliance with this ban.</p>

It is important to note that certain other design features of the project may also reduce global warming related impacts, as outlined in the California Attorney General's *Addressing Global Warming Impacts at the Local Agency Level* (updated 12/09/08). These features include water-efficient landscaping, LID site design BMPs (e.g., maximizing landscaped areas, etc.), and planting replacement trees and shrubs. Additional design features related to building and site design such

as energy and water efficient buildings, recycling programs, limiting the hours of outdoor lighting operations, and using landscaping adjacent to the exterior building walls to reduce energy use would be determined through compliance with building permit requirements.

Besides review under CEQA, the proposed project would be required to obtain the following additional approvals from the City: Landscape Construction Plan, Grading Permit, and (eventually) Building Permits. In addition, before the final Parcel Map is recorded, all Conditions of Approval (e.g., establishment of fuel modification zones, etc.) must be satisfactorily completed. Other public agency approvals are cited on page 3-1.

## Chapter 3

## INITIAL STUDY ENVIRONMENTAL CHECKLIST

### Project Information

**Project Title:** Executive Ridge Industrial Subdivision

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

**Contact Person:** John Hamilton, Environmental Planner  
(760) 726-1340, ext. 1215  
jhamilton@cityofvista.com

**Project Location:** North side of W. San Marcos Boulevard,  
between Business Park Drive (in Vista) and  
Avenida de las Rosas (in San Marcos)

**Project Applicant:** Excel Engineering, Inc.  
Michael Levin, L.S.  
440 State Place  
Escondido, California 92029  
(760) 745-8118

**General Plan Designation:** Existing/Proposed - Vista Business Park SPA

**Zoning Designation:** Existing/Proposed - "B" - Research, Light  
Industrial, and Business Support Group

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

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

**Other Public Agency Approvals:** Notice Of Intent to the RWQCB and preparation  
of a SWPPP in accordance with the  
requirements of the NPDES General  
Construction Activities Permit; 404 Permit from  
Army Corps Of Engineers; 401 Permit from  
RWQCB; 1602 Permit from CDFG; LAFCO  
approval of VID and VWD service area  
reorganization; and City of San Marcos approval  
of a Right-of-Way Permit, Street Improvement  
Permit, and Street Opening Permit

### Environmental Factors Potentially Affected

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

### Environmental Determination

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

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

  
 \_\_\_\_\_  
 John Hamilton, Environmental Planner

\_\_\_\_\_  
 May 7, 2010  
 Date

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

\_\_\_\_\_  
 Applicant or Owner

\_\_\_\_\_  
 Date



## Evaluation Of Environmental Impacts

The following IS checklist provides analysis of the proposed project's potential to result in significant adverse environmental impacts. Section 15063(c) of the Guidelines indicates that the purpose of an IS is to:

1. Provide the Lead Agency ("City of Vista") with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
  - a) Focusing the EIR on the effects determined to be significant;
  - b) Identifying the effects determined not to be significant;
  - c) Explaining the reasons why potentially significant effects would not be significant; and,
  - d) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project.
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.
6. Eliminate unnecessary EIRs.
7. Determine whether a previously prepared EIR could be used with the project.

### *Impact Terminology*

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

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

I. Aesthetics <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

**a. No Impact.** The proposed project would not adversely affect views of scenic vistas. A scenic vista is the view of an area that is visually or aesthetically pleasing. Scenic vistas or view-sheds that exist in the surrounding project area consist of a small group of mountains (Double Peak, Franks Peak and Mt. Whitney) in San Marcos, approximately 1.75 miles to the south-southwest. The overall topography of the project site consists of relatively steep terrain, and on-site elevations range from 555 to approximately 430 feet above mean sea level. There are views of the nearby surrounding hills as well as views of Mt. Whitney and other mountains from publicly accessible areas on the adjacent industrial developments to the north of the project site. However, the development of the proposed project would not adversely affect these views because the lower elevations of the graded site and the maximum allowed height of future buildings would still be lower than the elevations of the adjacent publicly accessible areas, and would not block these views. Therefore, no significant impacts would arise from project implementation.

**b. No Impact.** The proposed project would not substantially damage scenic resources or historic buildings within a state scenic highway. The existing 17.17-acre project site is one of the last undeveloped parcels located in the Vista Business Park, and is situated on the north side of W. San Marcos Boulevard in the southernmost portion of the City. It has an SPA designation in the General Plan and is zoned for Research, Light Industrial, and Business Support Group uses in the Vista Business Park SP. There are no identified scenic resources on or adjacent to the project site, and it is not located along a state scenic highway. Consequently, project implementation would not substantially damage scenic resources, and significant impacts would not occur.

**c. Less than Significant Impact.** The proposed project would not substantially degrade the existing visual character or quality of the project site or surroundings. The visual character of the subject property is currently defined by relatively steep slopes (ranging from 10 to 19 percent), native vegetation, and no development. The visual character of the immediately surrounding area is characterized by large (up to 45 feet tall) industrial buildings and ornamental landscaping to the west and north; contemporary styled one and two-story single-family homes with ornamental landscaping, and undeveloped land to the east (within San Marcos); and W. San Marcos Boulevard to the south beyond which is undeveloped land (also within San Marcos).

Although the proposed project would change the existing visual character of the site through the creation of 2:1 and 3:1 cut and fill slopes and keystone retaining walls, the change would be in keeping with the industrial developments of the Vista Business Park to the west and north of which it is a part. As noted in the Proposed Project Description, the overall grading scheme would essentially lower the northern portion of the property and raise the southern portion to produce relatively flat building pads that would terrace upward to the north along the private street. To lessen the visual height of the created (or manufactured) slopes, bench terraces of varying widths would be incorporated at approximately mid-slope to physically break up the slope heights into two sections and provide relatively flat areas for tree and shrub plantings. Keystone walls ranging from five to 10 feet high would also be incorporated into strategic areas to provide retention of slopes and additional planting areas. Most importantly, trees and shrubs proposed for planting along W. San Marcos Boulevard (e.g., African Sumac, New Zealand Flax) and on the front slopes (e.g., Coast Live Oak, Toyon) would help soften the height of manufactured slopes and appearance of the retaining walls, and integrate the site into the rest of the adjacent business park landscape as required by the Vista Business Park SP development standards. In addition, as required by the Development Standards (DS-8) in the Vista Business Park SP, there is a 75-foot building setback on Parcel 3 from the property line abutting the homes to the east. As a result, project implementation would not substantially degrade the existing visual character or quality of the project site or surroundings, and less than significant impacts would occur.

d. **No Impact.** The proposed project would not create a substantial source of light or glare. The proposed project would install two new street lights on-site; one located at the entrance to the development from San Marcos Boulevard and one at the end of the cul-de-sac, some 700 feet apart. Both lights would be specified to match City standards for street lights (e.g., approximate minimum height of 12 feet), and would include 135 watt high pressure sodium fixtures with cut-off lenses. The installation of two lights would not create a significant, substantial source of light or glare within the project area. Future inclusion of additional exterior lights on the site would be reviewed by the Land Development Engineer and City Planner before grading permits for precise grading are issued to ensure consistency with the development standards in the Vista Business Park SP. One of the main lighting requirements in the SP Development Standards is that all site lighting be shielded and directed away from residential property boundaries to minimize off-site impacts (DS-16 (f) Architectural and Design Standards). In addition, architectural plans would be reviewed by the Building Department and City Planner prior to the applicant obtaining building permits, including whether the exterior building materials or lights would produce substantial glare. Conformance with the development standards in the Vista Business Park SP, and permit plan checks and approvals by City Staff would ensure that substantial lighting and glare impacts from future building and site development would not be created. Therefore, significant impacts would not occur with project implementation.

II. Agriculture Resources <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

a. **No Impact.** The 17.17-acre site of the proposed project is located on W. San Marcos Boulevard in the southernmost portion of Vista. Based on farmland maps prepared by the California Department of Conservation, the property is not located in an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation, 2004). As a result, project implementation would not convert any Prime, Unique, or Important farmland to nonagricultural use, and significant impacts would not occur.

b. **No Impact.** The project site is located within the Vista Business Park. It is currently undeveloped, is covered predominately with native vegetation, and has an underlying specific plan zoning designation of "B" - Research, Light Industrial, and Business Support Group. In addition, the property is not under a Williamson Act contract. Therefore, project implementation would not conflict with existing agricultural zoning or Williamson Act contracts, and no significant impacts would arise.

c. **No Impact.** The undeveloped site of the proposed project is located in the Vista Business Park, surrounded by industrial buildings, homes, and undeveloped land. It is currently designated as Vista Business Park SPA and zoned for research, light industrial and business support uses. The project proposes to subdivide the property into five separate lots ranging in size from 2.78 to 3.75 acres. The proposed development would not involve or affect any other changes in the existing environment of the subject property or surrounding land that could result in the conversion of agricultural lands to non-agricultural uses. Consequently, project implementation would not convert any Farmland to nonagricultural use, and significant impacts would not occur.

<b>III. Air Quality</b> <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed qualitative thresholds for ozone precursors?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION**

**a. No Impact.** The project site is located within the SDAB, which is governed by the SDAPCD. The CCAA requires areas that have not attained ambient air quality standards for O<sub>3</sub>, CO, SO<sub>x</sub>, and NO<sub>x</sub>, to prepare plans to attain the state standards by the earliest practicable date. Each of these standards has been attained in San Diego County with the exception of O<sub>3</sub>. Accordingly, the San Diego RAQS was developed pursuant to the requirements of the CCAA, and identifies emission control measures to progress toward attainment of the state O<sub>3</sub> standard. The RAQS takes into account existing conditions; planned growth based on General Plans for jurisdictions (including Vista) within the SANDAG region, and air quality control measures implemented by the SDAPCD. The pollutants addressed in the strategy are VOC and NO<sub>x</sub>, which are precursors to the photochemical formation of O<sub>3</sub> (the primary component of smog). To determine whether the proposed project is consistent with the RAQS requires a comparison of net emissions from the proposed development to the emissions associated with previously approved and accounted for plans (commonly known as the *Consistency Criterion* of the RAQS). The proposed Executive Ridge Industrial Subdivision project would develop a use consistent with the current General Plan land use designation for the site and thus is by default consistent (i.e., conforming to the same principles or course of action) with the proposed SANDAG growth (or population) projections within this area. Therefore, the proposed project, by default, satisfies the *Consistency Criterion* of the RAQS and would be consistent with the State Implementation Plan for the criteria pollutants under examination. Consequently, no significant impacts would arise from project implementation.

**b. Less than Significant Impact.** Development of the proposed project would occur in two phases. The first phase would include development of the building pads, private street, and utilities; it is estimated to be completed in approximately 6 to 8 months. The timing and length of the second phase in which buildings would be constructed is unknown at this point. However, neither construction nor long-term operation of the site (including future facilities) would contribute substantially to air quality problems currently experienced in the SDAB as discussed below.

Under the federal CAA, the EPA established the National Ambient Air Quality Standards (or NAAQS) for criteria pollutants, including CO, sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>,

and lead (Pb). The CARB subsequently established more stringent California Ambient Air Quality Standards (or CAAQS) for these pollutants, as well as for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. Areas that do not meet the NAAQS or CAAQS for a particular pollutant are considered to be “nonattainment areas” for that pollutant. The SDAB is classified as a nonattainment area for O<sub>3</sub> under NAAQS (8-hour) and CAAQS (1-hour and 8-hour), as well as PM<sub>10</sub> and PM<sub>2.5</sub> under CAAQS.

### SDAPCD Criteria Pollutant Standards

Pursuant to the California Health & Safety Code (Division 26, Part 3, Chapter 1, Section 40002), the jurisdiction for regulation of air emissions from non-mobile sources within San Diego County has been delegated to the SDAPCD. As part of its air quality permitting process, the SDAPCD has established emission thresholds for the preparation of Air Quality Impact Assessments and/or Air Quality Conformity Assessments.

SDAPCD Rule 20.2 establishes significance criteria for stationary source emissions. The existing ambient conditions are compared to the “with project” and “without project” scenarios. If emissions of a proposed project result in an increase equal to or greater than the allowable thresholds, additional analysis would be conducted to determine whether the emissions would exceed an ambient air quality standard (e.g., CAAQS, NAAQS). Determination of significance considers both localized impacts and cumulative impacts. In the event that any criteria pollutant exceeds the threshold levels, the proposed project’s air quality impacts would be considered significant and mitigation measures would be required.

Significance thresholds for air quality impacts for the SDAPCD are shown in Table AQ-1 below. The identified pollutants include CO, VOC, SO<sub>x</sub>, NO<sub>x</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub>. The Pollutant Threshold Levels outlined in Table AQ-1 as Pounds per Day are per SDAPCD Rule 1501.

TABLE AQ-1  
SDAPCD SIGNIFICANCE THRESHOLDS

Pollutant	SDAPCD Thresholds (Pounds per Day)
CO	550
VOC	55
SO <sub>x</sub>	250
NO <sub>x</sub>	250
PM <sub>10</sub>	100
PM <sub>2.5</sub>	55

Source: SDAPCD Rule 1501, 20.2(d)(2)

### Analysis Methodology

Analyses of air quality impacts are based upon the approach recommended by the SCAQMD CEQA Handbook. The CEQA Handbook establishes aggregate emission calculations for modeling construction operations, fugitive dust, operational vehicles, and fixed sources in determining potential significance of a proposed action. In the event that the emissions exceed the established thresholds, air dispersion modeling may be conducted to assess whether the proposed action results in an exceedance of an air quality standard. This methodology has been adopted by the City.

### Existing Air Quality Levels

The 17.17-acre project site is located in the western coastal portion of the SDAB. The SDAB continues to have a transitional-attainment status of federal standards for O<sub>3</sub>. The SDAB is either in attainment or unclassified for federal air quality standards for CO, SO<sub>x</sub>, NO<sub>x</sub>, PM<sub>10</sub>, and lead.

Similarly, San Diego County areas (including Vista) are also in attainment of state air quality standards for all pollutants with the exception of O<sub>3</sub> and PM<sub>10</sub>.

**Construction Equipment Emission Levels**

Construction-phase vehicles and operations that would contribute to on-site pollutant emissions would consist primarily of graders, tracked dozers and loaders, pavers, loaders and haul truck activities such as asphalt delivery, and contractor vehicles. The predicted diesel construction equipment exhaust emissions are provided below in Table AQ-2 for the assumed construction activities at the project site under a worst case hours-per-day scenario. The assumptions for each construction activity is based upon construction operations at projects similar in size and grading quantity to that proposed. Based upon these values, no significant air quality impacts are anticipated since the projected levels would not exceed SDAPCD thresholds.

**TABLE AQ-2  
PREDICTED CONSTRUCTION EMISSIONS**

Equipment Used	Quantity Used	Duty Cycle (Hrs/day)	Emissions in Pounds/Day					
			CO	VOC	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Grading</b>								
Tracked Loader/Excavator	1	6	1.21	0.57	4.98	0.46	3.54	3.26
Wheeled Loader	2	6	6.86	2.76	22.80	2.18	2.04	1.88
Water Truck	2	6	7.20	2.40	25.20	2.40	1.80	1.66
Tracked Dozer	3	6	6.30	2.16	22.68	2.52	2.02	1.85
Motor Grader	1	6	0.91	0.23	4.28	0.52	0.37	0.34
Off-Highway Truck	1	6	10.80	1.14	25.02	2.70	1.56	1.44
Dump/Haul Trucks	4	6	19.44	6.48	68.04	6.48	4.86	4.47
Worker Trips	20		3.73	0.13	0.52	0.00	0.01	0.01
<b>Total</b>			<b>56.44</b>	<b>15.88</b>	<b>173.52</b>	<b>17.26</b>	<b>16.19</b>	<b>14.90</b>
Significance Threshold *			550	55	250	250	100	55
Significant?			No	No	No	No	No	No
<b>Utilities</b>								
Backhoe	2	6	13.50	2.70	19.80	1.80	0.90	0.83
Wheeled Loader	1	6	3.43	1.38	11.40	1.09	1.02	0.94
Concrete Trucks	1	4	1.50	0.50	5.25	0.50	0.38	0.35
Dump/Haul Trucks	3	6	14.58	4.86	51.03	4.86	3.65	3.35
Worker Trips	15		2.80	0.10	0.39	0.00	0.01	0.01
<b>Total</b>			<b>35.81</b>	<b>9.54</b>	<b>87.87</b>	<b>8.25</b>	<b>5.95</b>	<b>5.47</b>
Significance Threshold *			550	55	250	250	100	55
Significant?			No	No	No	No	No	No
<b>Paving</b>								
Dump/Haul Trucks	2	6	9.72	3.24	34.02	3.24	2.43	2.24
Paver	1	6	2.21	0.32	7.25	0.63	0.32	0.29
Roller	1	6	1.80	0.39	5.22	0.40	0.30	0.28
Asphalt Trucks	6	6	13.50	4.50	47.25	4.50	3.38	3.11
Worker Trips	15		2.80	0.10	0.39	0.00	0.01	0.01
<b>Total</b>			<b>30.02</b>	<b>8.54</b>	<b>94.12</b>	<b>8.77</b>	<b>6.43</b>	<b>5.91</b>
Significance Threshold *			550	55	250	250	100	55
Significant?			No	No	No	No	No	No

Source: ISE, 2010 \* SDAPCD

**Fugitive Dust Levels**

Particulate matter is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size, and chemical composition, and can be made up of many different materials such as soot, soil, dust, metals, and metallic oxides. The CARB regulates two size classes of particles. PM<sub>10</sub> is defined as "respirable particulate matter". PM<sub>2.5</sub> consists of fine particles and as a subset of PM<sub>10</sub> they can contribute significantly to regional haze and reduction of visibility in California.

Dust emissions and impacts vary substantially from day to day, depending on the level of activity, the specific operation being conducted, and the prevailing meteorological conditions. Surface wetting would be utilized during all phases of earthwork to suppress the fine dust particles from becoming airborne. The project site would have a total maximum cut/fill and remedial grading quantity of 208,817 cu yds of material moved over the course of the phase construction period. As a result, project grading would move a working weight total of 271,462 tons of material which would occur over the course of approximately 60 working days. The total site encompasses approximately 17.17 acres. Based on project engineer analysis, only 80 percent of the working weight of geologic material would be capable of generating PM<sub>10</sub> since the majority of the site is composed of dense to very dense, and is not capable of being reducible to particles small enough to be of concern. Therefore, for the purpose of analysis, the total working weight would be 0.80 x 271,462 tons or 217,169.6 tons. The proposed grading operations at the project site are anticipated to take up to approximately 60 working days to complete during the first phase. Therefore, the average amount of earth moved per day would be 217,169.6 ÷ 60 working days or 3,619.49 tons per day.

Following the analysis guidelines identified in the SCAQMD CEQA Handbook, and assuming a median control efficiency due to the aforementioned surface watering (minimum three times per day with a control efficiency of 34 to 68 percent reduction in fugitive dust) of 60 percent, a total fugitive dust load of 88.10 pounds per day would be generated. The estimated PM<sub>10</sub> emissions would not exceed the SDAPCD threshold of 100 pounds per day; therefore, PM<sub>10</sub> air quality impacts from grading and construction activities would be less than significant.

**Operational Emission Levels**

Operational emissions for the proposed project would mainly be associated with vehicular traffic generation. Emissions from future research and light industrial activities allowed under the General Plan and Zoning designations would be restricted through the permit process, and fixed sources such as. Emissions from stationary source impacts such as small engine use from landscaping maintenance activities, or related to evaporative emissions such as pesticide and herbicide applications, landscape maintenance, and other stationary emissions would be minor and would not exceed any applicable air quality standards as promulgated by the SDAPCD; therefore, stationary emissions would be less than significant.

Motor vehicles are the primary source of long-term operational emissions associated with the proposed project. As stated in the Project Description of this study, no buildings are proposed at this time; however, future development of the subdivision is anticipated to consist of up to five buildings with a total estimated floor space of 283,000 square feet. Based on SANDAG's Trip Generation Manual (2002) of eight (8) ADT per 1,000 square feet, the project would be expected to have a total trip generation level of 2,264 ADT at project build-out.

Based on the above noted future traffic volume at project build-out, the predicted operational vehicular emission levels were calculated and are identified below in Table AQ-3.

**TABLE AQ-3  
PREDICTED OPERATIONAL VEHICULAR TRIP EMISSION LEVELS**

Mobile Sources: Vehicle Trips	Emissions in Pounds/Day						
	ADT	CO	VOC	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Automobiles	2083	388.3	13.7	54.1	0.3	0.8	0.8
Trucks*	181	35.0	1.4	11.2	0.1	0.1	0.1
<b>Total</b>	<b>2264</b>	<b>423.3</b>	<b>15.0</b>	<b>65.3</b>	<b>0.3</b>	<b>1.0</b>	<b>1.0</b>
Significance Threshold (SDAPCD)		550.0	55.0	250.0	250.0	100.0	55.0



Mobile Sources: Vehicle Trips	Emissions in Pounds/Day						
	ADT	CO	VOC	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Significant Impact?	–	No	No	No	No	No	No

Source: ISE, 2010 & SANDAG, 2002 \* Truck figure represents eight percent of total ADT, which is a typical number used for analysis.

As indicated in Table AQ-3, the operational vehicular emission levels of the proposed project would not exceed the significance thresholds for any identified pollutant. Based on the anticipated construction operations and traffic levels generated by the proposed project, exceedance of federal and state air quality thresholds would not occur with project implementation; consequently, less than significant impacts would be generated from project implementation.

**c. Less than Significant Impact.** As stated above, the proposed project would not exceed the federal, state, or regional air quality thresholds. These thresholds also account for a specific project's contribution to cumulative impacts to air quality, and the proposed project would fall below the level allowed by those significance thresholds; therefore, the proposed project would not contribute considerably to the cumulative effect, and the impact would be less than significant.

**d. Less Than Significant Impact.** Single-family residential uses are considered potentially sensitive receptors for air quality purposes because some residents, such as the very young, the elderly, and those suffering from certain illnesses or disabilities, are particularly sensitive to air pollution. The closest residences are east of, and adjacent, to the project site. However, as discussed above, air emissions that could occur from both construction and operations of the project would be below significance thresholds; therefore, impacts to sensitive receptors would be less than significant, and mitigation measures are not required.

**e. Less Than Significant Impact.** Construction activities associated with the proposed project could generate substances such as volatile organic acids, alcohols, aldehydes, amines, fixed gases, carbonyls, esters, which could result in short-term impacts related to objectionable odors. However, the odors would be produced only during intermittent, brief periods during construction, and the overall construction phase of the project would be temporary and short-term in duration. Operation of the project is not anticipated to generate noticeable objectionable odors. As such, impacts resulting from objectionable odors are considered less than significant. No mitigation is required.

IV. Biological Resources <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The discussion below is summarized and based on the findings contained within the following reports prepared for the proposed project: *Biological Impact Analysis Report (Biological Report)* (Merkel & Associates, Inc. (Merkel), August 7, 2007, revised May 15, 2009); *45-day Letter Report of Coastal California Gnatcatcher Protocol Surveys for the Executive Ridge Industrial Project, Located in the City of Vista, San Diego County* (Merkel, July 27, 2007); *45-day Letter Report of Coastal California Gnatcatcher Protocol Surveys for the La Mirada Canyon, Located in the City of Vista, San Diego County* (Merkel, October 7, 2008); a *Biological Equivalency Assessment of the La Mirada Canyon Mitigation Site for the Executive Ridge Industrial Property* (November 11, 2008); and *Rare Plant Surveys on the Moxie Pacific Palomar Project Site (now the Executive Ridge site)* (Merkel, August 23, 2006). The reports are on file and available for review in the City's Planning Division office.

**DISCUSSION**

a. **Less than Significant with Mitigation.** The 17.17-acre site of the proposed project is located on the north side of W. San Marcos Boulevard. The subject property currently is vacant of development, but it does have native and non-native vegetation. A jurisdictional wetland

delineation, biological surveys, rare plant surveys, and protocol surveys were conducted on the site from May 2006 through October 2008.

**Existing On-Site Sensitive Habitats and Wildlife**

Four vegetation types (or habitats) were identified and mapped for the study area as shown in Table BR-1.

TABLE BR-1  
SUMMARY OF EXISTING VEGETATION/HABITATS TYPES

Vegetation Type	Holland /Oberbauer Code	MHCP Habitat Group	Existing Acreage	Comments
Southern Willow Scrub	63320	Wetland, Group A	0.03	Wetlands are considered sensitive due to naturally limited distribution. Overall quality on-site low, due to small size of wetland canopy, high presence of invasive species, and lack of biological diversity.
Diegan Coastal Sage Scrub	32500	Upland, Group C	5.75	Sensitive habitat, given highest priority by CNDDDB. Overall quality on-site moderate, based on rare plants, but isolation from other patches due to urbanization of area.
Southern Mixed Chaparral	37120	Upland, Group D	9.30	Not generally considered sensitive habitat. However, due to large quantity of on-site sensitive flora, absence of non-native species and adjacency of Diegan coastal sage scrub, overall quality (and sensitivity) of vegetation is high.
Non-Native Grassland	42200	Upland, Group E	2.10	Vegetation community not traditionally considered sensitive habitat; however, is becoming increasingly important to achieving conservation goals due to raptor foraging. Moderate quality.
<b>Total</b>			<b>17.17</b>	

Source: Merkel & Associates, 2009

Given the presence of the on-site Diegan coastal sage scrub, protocol surveys for the federally listed, threatened, coastal California gnatcatcher were conducted in 2007 (June 14, June 25, July 9) and in 2008 (September 15, September 22, October 1). No California gnatcatchers were recorded or identified during either set of protocol surveys of the property. The *Biological Report* (Merkel, 2009) states that the current on-site vegetation is not well-suited in supporting gnatcatchers due to the increasing stature and density of the Diegan coastal sage scrub, as well as the expansion of southern mixed chaparral coverage.

**Existing Adjacent (Off-Site) Sensitive Habitats and Wildlife**

There are three small areas of sensitive habitats immediately adjacent to the project site. There is a narrow strip of Diegan Coastal Sage Scrub adjacent to the northeastern corner of the property, which extends north less than 500 feet, and another narrow strip of Sage Scrub adjacent to the southwestern corner that extends west less than 200 feet. In addition, there is a small wetland corridor adjacent to the east-southeastern edge of the property within the City of San Marcos. Also, there is native habitat, including wetlands, south of the project site across W. San Marcos Boulevard that is also within San Marcos. Both of the habitats within San Marcos are identified as MHCP Biological Core and Linkage Areas. No sensitive wildlife species were observed in the adjacent habitat areas.

**Existing On-Site Special Status Species**

Five special status vegetative species and three special status wildlife species were identified within the project site during the general biological and rare plant surveys, as described in Table BR-2 below. It is important to note that clay soils on the property, indicated by the presence of edaphic species such as California adolphia and foothill needlegrass, have the potential to host other sensitive species (Merkel, Inc.). In particular, the heavy friable clay soils preferred by San Diego thorn-mint (*Acanthomintha illicifolia*) are found in several areas of the property. This listed, endangered annual plant was not located during the focused rare plant surveys, even though there is a historic presence noted for this species adjacent to the western boundary of the site in an area that is now a manufactured slope between W. San Marcos Boulevard to the south and commercial development to the north. Two other plant species, thread-leaved brodiaea (*Brodiaea filifolia*) and San Diego goldenstar (*Muilla clevelandii*) were also sought during the rare plant survey, but none were found. Both of these species have been found in the area; however, none of these sensitive plants are believed to be present on the site at this time.

**TABLE BR-2  
SUMMARY OF EXISTING SPECIAL STATUS SPECIES**

Type	Species Designation	Number or Occurrence	Comments
<b>VEGETATION</b>			
California Adolphia ( <i>Adolphia californica</i> )	CNPS List 2	120	Species occurs in large patches on-site in the southern mixed chaparral and Diegan coastal sage scrub. Rare in California.
Summer holly ( <i>Comarostaphylis diversifolia</i> ssp. <i>Diversifolia</i> )	CNPS List 1B	71	Also located in the southern mixed chaparral, occurring in both clumps and individually. Rare throughout its range.
Nuttall's scrub oak ( <i>Quercus dumosa</i> )	CNPS List 1B	12	Intermixed with the more common scrub oak in the southern mixed chaparral. Rare throughout its range.
Small-flowered morning-glory ( <i>Convolvulus simulans</i> ) and Palmer's grapplinghook ( <i>Harpagonella palmeri</i> )	CNPS List 4	2 species each	Spring-growing annual plants, located in Diegan coastal sage scrub on western side of project site. Both low-sensitivity species.
<b>WILDLIFE</b>			
Orange-throated whiptail	CDFG Species Of Special Concern	Observed	Occurrence potential is present on-site, at least in small numbers.
Nuttall's Woodpecker	Special Animal	Observed	Observed on-site, but probably nests off-site due to lack of suitable habitat.
California Thrasher	Special Animal	1	Observed on-site.

Source: Merkel & Associates, 2009

**Direct Impacts**

Implementation of the proposed project would result in direct, significant impacts to the following habitats: 0.03-acre of southern willow scrub, 5.64-acres of Diegan coastal sage scrub, 9.14-acres of southern mixed chaparral, and 1.93-acres of non-native grassland vegetation (see Table BR-3). No federal or state listed endangered and/or threatened plants or wildlife species were found on-site, such as coastal California gnatcatcher; therefore, no direct impacts to the gnatcatcher or other listed species would occur. The special-status species of California adolphia, summer holly, and Nuttall's

scrub oak occur on-site in varying numbers as shown in Table BR-2. However, no programmatic protection for these species exists within the City; therefore, direct impacts would be considered significant. These direct impacts require mitigation measures, which are discussed below. According to the *Biological Report* (Merkel, 2009), direct impacts to the special status plant species Palmer's grapplinghook and small-flowered morning glory, and the special status wildlife species Orange-throated whiptail, Nuttall's woodpecker, and California thrasher would not be considered significant because they only occur in small numbers, and their absence would not substantially reduce their range or the likelihood of these species to survive.

Direct impacts to sensitive plants and wildlife that could potentially exist on-site may occur through the loss of habitat. However, potential on-site populations (addressed in the sensitive species table of Appendix 5 of the *Biological Report*, Merkel, 2009) are either not expected to occur, or may occur in numbers that would not be considered biologically significant. Therefore, direct impacts to the small amount of native and non-native habitat would not substantially reduce the likelihood of these species survival or reduce their range, and would not be significant. Temporary off-site vegetation impacts would occur as a result of the connection of the sewer main from Avenida Michelle to the project site. However, these impacts would occur within an area of vegetation that is regularly cleared for fire protection for the adjacent homes to the east. This area does not support an intact native vegetation cover or sensitive species; therefore, the impact of construction of an underground sewer line connection in this location would not be considered biologically significant (Merkel, 2009). There are no buildings in the current plans; consequently, a fuel modification zone would not be required for site approval. To avoid off-site vegetation impacts to adjacent sensitive species from any potential incursion of fuel modification zones past property lines, the Conditions of Approval includes the preparation of a Fuel Modification Zone Plan that would subsequently be approved by the Planning Director and Vista Fire Department. With the successful completion of the Conditions of Approval, which is required prior to the recording the final Parcel Map, no significant impacts would occur.

### Mitigation Measures

According to the *Biological Report* (Merkel, 2009), significant impacts to the vegetation communities on the project site warrant habitat-based conservation as an off-setting mitigation measure. It is important to note that on-site conservation of the eastern portion of the project site, from the easternmost ridgeline to the eastern property boundary, was considered as a potential mitigation measure in reducing significant impacts to the above-noted vegetation to the maximum extent possible. The *Biological Report* (Merkel, 2009) noted that conservation of this area would reduce a substantial portion of significant impacts to three of the five special status vegetative species. On the other hand, this mitigation approach would reduce, but would not eliminate the need for off-site mitigation measures for impacts to sensitive species. However, to achieve substantive biological benefits through on-site habitat conservation, there would need to be a substantial reduction in the development footprint. Due to the economic infeasibility of such an on-site mitigation approach, it was determined that all mitigation would be implemented off-site. In addition, the City's biological consultants determined that mitigation should be completed in a manner that contributes to achieving conservation objectives consistent with the MHCP.

As stated in the *Biological Report* (Merkel, 2009), the full off-site conservation strategy could be fulfilled within Upper La Mirada Canyon through a combination of land conservation and management, sensitive species population protection and enhancement, wetland creation, and site designation as a preserve area. These measures would alleviate on-site conservation needs. The potential for achieving full mitigation was assessed through a habitat equivalency analysis conducted within the proposed Upper La Mirada Canyon Mitigation Area (Appendix 6 of the

*Biological Report* Merkel, 2009). The analysis verifies that conservation in this area would meet or exceed the conservation benefits that would occur with on-site conservation at the Executive Ridge property. It contains all of the vegetation types that would be impacted by implementation of the proposed project except Nuttall's scrub oak. Nuttall's scrub oak would need to be incorporated into the Canyon mitigation area through a restoration project that successfully introduced an equivalent number of scrub oak in La Mirada that are proposed to be impacted on the project site. The habitat equivalency analysis also verified that mitigation within the Upper La Mirada Canyon would contribute to achieving conservation objectives consistent with the MHCP. Upper La Mirada Canyon would meet the biological needs for mitigation, and it supports greater biological functions than does the project site. Although La Mirada Canyon was identified as an MHCP Biological Core and Linkage Area, the upper canyon was not, nor was it previously identified as an MHCP Focused Planning Area or a Vista Preserve Area. As a result, the inclusion of this canyon area within the proposed preserve would meet the planning objectives for regional conservation and provide a suitable substitute conservation area to that erroneously identified at the Executive Ridge site.

Implementation of mitigation measures BR-1 to BR-4 would reduce potentially significant impacts to southern willow scrub, Diegan coastal sage scrub, southern mixed chaparral, and non-native grassland vegetation, as well as California adolphia, summer holly, and Nuttall's scrub oak, to less than significant levels.

- BR-1** Prior to the issuance of a grading permit, the Applicant/Owner shall obtain all necessary wetland permits and/or approvals from the resource agencies including, but not limited to, an ACOE, Clean Water Act, section 404 permit for placement of dredged or fill material within waters of the U.S.; RWQCB, Clean Water Act, section 401 state water quality certification for an action that may result in degradation of waters of the State; and a CDFG, Fish and Game Code, section 1602 agreement for alteration of a streambed.
- BR-2** Prior to the issuance of a grading permit, the Applicant/Owner shall acquire habitat credits at the Upper La Mirada Canyon Mitigation Area at the ratios and vegetation types stated in Table BR-3.

**TABLE BR-3  
MITIGATION RATIOS AND ACREAGES**

Vegetation Type	Acres Impacted	Mitigation Ratio	Mitigation Acreage
Southern Willow Scrub	0.03	2:1	0.06
Diegan Coastal Sage Scrub	5.64	1:1	5.64
Southern Mixed Chaparral	9.14	0.5:1	4.57
Non-Native Grassland	1.93	0.5:1	0.97
<b>Total</b>	<b>16.74</b>		<b>11.24</b>

Source: Merkel & Associates, 2009

- BR-3** Impacts to California adolphia, summer holly, and Nuttall's scrub oak shall be mitigated by the conservation or successful restoration of equivalent populations as those impacted by the proposed project. Prior to the issuance of a grading permit, the Applicant/Owner shall prepare a conservation and/or restoration plan, which shall identify and describe the number of plants impacted, conservation and/or mitigation ratios consistent with this MND, location of the planting area, planting plan, and a 5-year maintenance and monitoring plan.

- BR-4** Prior to the issuance of the first building permit, the Applicant/Owner shall implement any required conservation and/or restoration planting within the planting area described in the conservation and/or restoration plans.

#### Indirect Impacts

In association with direct impacts to native vegetation communities, there are usually indirect impacts to the remaining and/or adjacent native vegetation and wildlife communities from effects caused from increased impervious surfaces and/or long-term lighting/noise associated with the general activities of industrial development. Specifically, implementation of the proposed project could result in indirect, significant impacts to the adjacent sensitive habitats. However, with implementation of construction and post-construction BMPs that are required in accordance with the City's Grading Ordinance and SUSMP (see Hydrology and Water Quality section), as well as the incorporation of the environmental design elements listed on Table 2-2 in the Project Description, indirect impacts from the implementation of the proposed development would be less than significant.

**b. Less than Significant with Mitigation.** As discussed above, implementation of the proposed project would result in direct, significant impacts to 0.03-acre of southern willow scrub, which is a riparian species. However, with implementation of mitigation measure BR-2 (described above), impacts to southern willow scrub would be reduced to a less than significant level.

**c. Less than Significant with Mitigation.** As described in the *Biological Report* (Merkel, 2009), there are two drainages located on-site, one occurs down the middle of the site (eastern drainage) and the second occurs on the central or western portion of the site (western drainage). Both of these drainages begin off-site to the north and are fed primarily by urban runoff from the existing business complexes above the site (see Figure 2 - Existing Site). They both empty into two-foot wide concrete-lined brow ditches at the bottom of the slope where the runoff is either channeled into a small wetland southeast of the site, or conveyed underground into a wetland that occurs on the south side of W. San Marcos Boulevard. As discussed in the *Biological Report* (Merkel, 2009), both drainages fall under ACOE jurisdiction as non-wetland waters of the U.S., and under CDFG jurisdiction as streambeds. As a result, project implementation would impact a total of 0.10-acre of jurisdictional wetlands (including 0.03-acre of impact to southern willow scrub, the impacts of which are addressed above), which would be considered significant. However, with implementation of mitigation measures BR-1 and 2 (above), and BR-5 and 6 (below), potentially significant impacts to federally protected wetlands would be reduced to less than significant levels.

#### Mitigation Measures

**BR-5** Prior to the issuance of a grading permit, the Applicant/Owner shall prepare a Wetland Mitigation Plan which mitigates impacts to non-wetland Waters of the U.S./Streambed at a 1.5:1 ratio. The mitigation plan shall include verification of the wetland delineation and project impacts, establishment of a mitigation area, preparation of a planting plan, and a 5-year maintenance and monitoring plan.

**BR-6** Prior to the issuance of the first building permit, the Applicant/Owner shall install the mitigation described in the Wetland Mitigation Plan.

**d. Less than Significant Impact.** Vista has experienced a high degree of urbanization and only a few areas of natural habitat remain within the City, most of which are concentrated along the major watercourses. The project site was included in the MHCP regional conservation map as a

Biological Core and Linkage Area, and was tentatively identified by the City as a conservation area. However, as noted in the project history section of this document, the proposed conservation designation of this site was predicated on a map error in land-use designation wherein the site was believed to be designated open space rather than its actual industrial zoning. As a result, the site has been deleted from presumed conservation purposes within draft conservation strategies in the City. This deletion has occurred fully within the framework of unadopted draft conservation planning, and thus it does not constitute a substantial land use constraint on site development at this time. As discussed in the *Biological Report* (Merkel, 2009), the designation of the site as a Biological Core and Linkage Area is biologically meaningful in that it would indicate that the property was viewed as having conservation value within the regional conservation planning context. In practice, however, the project site regionally offers limited direct connectivity to any large open space land because W. San Marcos Boulevard acts as a barrier to movement for most species, and the surrounding development isolates the site from any regional corridors that may occur in downstream areas. Locally, this project is at the center of three relatively small open spaces on the north side of W. San Marcos Boulevard. While the development of this property would restrict small mammals and reptiles, such as the sensitive orange-throated whiptail, from available habitat through the loss of suitable habitat on the site and would further isolate the three small local open spaces from other surrounding spaces, direct impacts to wildlife habitat connectivity would be considered less than significant.

**e. No Impact.** The project site does not contain any biological resources that are protected by local policies. Consequently, implementation of the proposed development would not conflict with any local policies or ordinances protecting biological resources, and no impacts would occur.

**f. Less than Significant Impact.** Although the City is currently developing a Habitat Conservation Plan/Natural Community Conservation Planning Subarea Plan as required by the MHCP, it has not been adopted (see the Land Use and Planning section of this document for additional discussion). The site of the proposed project occurs within an MHCP Biological Core and Linkage Area; however, it was erroneously included as an MHCP Focused Planning Area and Vista Preserve Area within draft conservation plan maps based on its being identified as open space, as opposed to the actual industrial land use designation of the site. The City has never adopted a preserve designation over the site, and as such the proposed development would not conflict with an adopted conservation plan for the City. Consequently, the proposed development would have a less than significant affect on an applicable conservation plan.



V. Cultural Resources <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The discussion below is summarized and based on the findings contained within the *Archaeological Resources Survey - Executive Ridge Light Industrial Site, Vista, San Diego County, California (Archaeological Report)* (Affinis, June 2007) prepared for the proposed project. The report is on file and available for review in the City's Planning Division office.

**DISCUSSION**

**a. No Impact.** The project would not cause a substantial adverse change to a historic resource. The 17.17-acre site of the proposed project is located off of W. San Marcos Boulevard and is currently undeveloped. Therefore, implementation of the proposed project would not have any significant impacts on historic resources.

**b. Less than Significant with Mitigation.** According to the *Archaeological Report* (Affinis, 2007) prepared for the project, no archaeological resources have been previously recorded within the subject property or adjacent to the project area, and none were found during the field survey for the June 2007 report. The Native American Heritage Commission has no record of sensitive cultural resources in the project area. However, numerous archaeological resources have been recorded in the project vicinity. Given that the project site is in an area that is rich in archaeological resources, there is a potential for subsurface cultural resources that are not evident to be revealed during ground-disturbing activities, which would result in significant impacts. Based on this condition, the implementation of mitigation measures CR-1 to CR-5 (below) would reduce potentially significant impacts to unknown archaeological resources to less than significant levels.

**Mitigation Measures**

**CR-1** Prior to the commencement of grading, the Applicant/Owner shall enter into a pre-excavation agreement with a representative of the San Luis Rey Band of Luiseño Mission Indians. The purpose of this agreement shall be to formalize procedures for the treatment of Native American human remains, burial, ceremonial or cultural sites that may be uncovered during any ground disturbing activity. In the event archaeological resources are discovered, the Archaeological Monitor and/or Native American Monitor shall be empowered to suspend work in the immediate area of the discovery until such time as a data recovery plan can be developed and implemented. Work outside of the area of the find shall proceed with the continuation of archaeological monitoring. If a

data recovery plan is implemented, all cultural materials from testing, monitoring, and data recovery phases of the project, except burial-related artifacts and as otherwise required by law, shall be cleaned, catalogued and permanently curated at an institution meeting the standards defined in the State of California Guidelines of the Curation of Archaeological Collections (May 1993). Repatriation of materials shall be handled in accordance with the requirements of the California Native American Graves Protection and Repatriation Act. All artifacts and all faunal materials shall be analyzed.

- CR-2** Prior to the issuance of a grading permit, the Grading Contractor shall provide a letter of verification to the City's Planning Director stating that a qualified Archaeological Monitor and Native American Monitor have been retained at the Applicant/Developer's expense to implement the monitoring program, as described in the pre-excavation agreement.
- CR-3** Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (data recovery plan) shall be submitted to the Director of Planning for approval.
- CR-4** The Archaeological Monitor shall maintain ongoing consultation with the San Luis Rey Band of Luiseño Mission Indians during grading. The requirement for the archaeological monitoring shall be noted on the grading plans. The Applicant/Owner shall notify the Director of Planning of the start and end of construction.
- CR-5** The Archaeological Monitor and Native American Monitor shall attend pre-construction meetings with the Grading Contractor to make comments and/or suggestions concerning the archaeological monitoring program. The Archaeological Monitor and Native American Monitor shall be present on-site full-time during grubbing, grading and/or other ground altering activities of soils to identify any evidence of archaeological resources.

**c. No Impact.** The probability of discovering paleontological resources depends on the geologic formation being excavated and the depth and volume of the excavation. Sedimentary rocks, such as those found in coastal areas, usually contain fossils. Granite rocks, such as those found in inland areas, usually will not contain fossils. According to the *Geotechnical Evaluation* report prepared for the proposed project (Ninyo & Moore, 2009), the underlying geology of the project site consists of Santiago Formation at a depth between 1.5 to 20.0 feet below existing ground surface, mantled by topsoil and alluvium in certain areas. According to County of San Diego's guidelines, Santiago Formation has a low sensitivity rate for paleontological resources.<sup>4</sup> As a result, no significant impacts to paleontological resources would occur with project implementation.

**d. Less than Significant with Mitigation.** The project site does not lie near any cemeteries. Although disturbance of human remains is unlikely, it is possible that construction activity could unearth previously unknown vestiges. This would be considered a potentially significant impact. However, implementation of Mitigation Measure CR-6 would ensure that human remains were treated with dignity and as specified by law, and would reduce impacts to less than significant levels.

#### Mitigation Measure

- CR-6** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, no further disturbance shall occur until the County Coroner has made the necessary findings as to

4. County of San Diego - Paleontological Resources, Guidelines for Determining Significance, March 2007.

origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, construction or excavation would halt in the area of the discovery, the area would be protected, and consultation and treatment would occur as prescribed by law. A temporary construction exclusion zone shall be established surrounding the site to allow for further examination and treatment of the find. The Archaeological Monitor or City representative shall immediately notify the San Diego County Coroner's office by telephone. By law, the Coroner will determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission who will appoint the Most Likely Descendent. Additionally, if the bones are determined to be Native American, a plan would be developed regarding the treatment of human remains and associated burial objects, and the plan would be implemented under the direction of the Most Likely Descendent.

VI. Geology and Soils <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion, or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waster water disposal systems where sewers are not available for the disposal of waster water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is summarized and based on the findings contained within the *Preliminary Geotechnical Evaluation, Pacific Vista (known as Executive Ridge), 17-Acre Development, Vista, California (Geotechnical Report)* (Ninyo & Moore (N&M), January 26, 2009) prepared for the proposed project. The report is on file and available for review in the City's Planning Division office.

**DISCUSSION**

**a1. No Impact.** The purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to mitigate the hazard of surface faulting by preventing the construction of buildings used for human occupancy over an area with known faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the grounds surface. As discussed in the *Geotechnical Report* (N&M, 2009), the project site does not contain, nor is it adjacent to, an Alquist-Priolo Special Study Zone Area. Therefore, impacts from fault rupture would not be expected to occur within the project area, and no impacts would arise from implementing the project.

**a2. Less than Significant Impact.** The project area, like most of southern California, is subject to strong ground shaking from seismic events. Consequently, when the project is occupied it could expose people and/or structures to potential impacts associated with seismic ground shaking. The ground motion characteristics of any future earthquakes in the region would depend on the characteristics of the generating fault, the distance to the epicenter, the magnitude of the earthquake, and the site-specific geologic conditions. Major faults in the region could be a source of a strong seismic-related movement at the project site. According to the *Geotechnical Report* (N&M, 2009), the Rose Canyon Fault (7.2 maximum earthquake magnitude) is the closest fault zone to the project site and is located approximately nine miles to the west. Other faults that could potentially affect the site include the Newport Inglewood (off-shore) fault (7.1 max. mag.) located approximately 13.2 miles to the west-northwest; the Julian and Temecula sections of the Elsinore fault (7.1 max. mag. - Julian, 6.8- max. mag. - Temecula) located 16.5 miles to east and north respectively; and the Coronado Bank fault (7.6 max. mag.) located 29.4 miles to the southwest. The future buildings would be constructed in compliance with the seismic safety standards set forth in the CBC, as amended.<sup>5</sup> Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structure so that it would withstand the effects of strong ground shaking. In addition, the City's Building Department would review the building plans through building plan checks, issuance of a building permit, and inspection of the residences during construction, which would ensure that all required CBC seismic safety measures are incorporated into all of the homes. Compliance with the CBC and the Building Department's review process, permit application, and inspection would result in less than significant impacts, and no mitigation measures are required.

**a3. Less than Significant Impact.** The proposed project would not expose people and structures to potential seismic-related ground failure, including liquefaction. Liquefaction is a phenomenon in which a saturated cohesionless soil causes a temporary transformation of the soil to a fluid mass, resulting in a loss of support. Groundwater was not encountered during subsurface investigations done for the *Geotechnical Report* (N&M, 2009); it is estimated to be 50 feet below ground surface. Based on the relatively dense nature of the underlying geologic materials and the lack of shallow groundwater, the potential for earthquake induced liquefaction at the project site is considered to be negligible. Compliance with the CBC would include the incorporation of seismic safety features to minimize any potential for significant effects as a result of seismic-related ground failure, resulting in less than significant impacts.

**a4. No Impact.** The proposed project would not expose people or structures to landslide hazards. According to the *Geotechnical Report* (N&M, 2009), landslides or related features are mapped in the surrounding areas. However, based on a review of published geologic literature and on-site field work, landslides have not been identified underlying the project site.

**b. No Impact.** Test results of on-site soils identified a very small compositional range of material from 10 exploratory test pits. Topsoil was encountered up to 3.0 feet below existing grade in all of the exploratory excavations. The soils ranged from dark brown, moist, clayey fine sand, to dark brown, moist, firm to very stiff, silty clay. Given the relatively extensive amount of remedial grading that would remove the topsoil, and the fact that the project applicant is required to implement standard erosion control measures and storm water construction BMPs (through the grading permit process), no significant soil erosion from construction of the project is anticipated.

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

**c. Less than Significant Impact.** Construction of the project would not increase the potential for on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse to occur. According to the *Geotechnical Report* (N&M, 2009), the project site is underlain by Santiago Formation materials such as silty claystone and sandstone that contain strongly cemented zones. Given this condition and that no groundwater was found within the top 20.0 feet of the subsurface, earthquake-induced liquefaction, lateral spread, subsidence, and settlement would not be a concern at the site. However, the *Geotechnical Report* (N&M, 2009) notes that according to published mapping, there may be an anticline that trends north to south in the middle of the site. An anticline is a fold in the bedrock where the bedding (or structure of the formation) dips downward to either side of the axis. Adverse or out of slope bedding may be present on the eastern portion of the site. What this means is that during grading operations, buttress (or stability) fills must be constructed in the eastern portion of the site to provide structural stability to the manufactured slopes. As required under the City's Grading Ordinance (Municipal Code Chapter 17.56), the recommendations in the *Geotechnical Report* (N&M, 2009) must be followed during grading and site preparation activities. Initial applications contain a geotechnical report and a rough grading plan, which are reviewed and approved by Land Development Engineer, as well as the Planning Division. Precise grading and engineering plans must be submitted for plan check and approval to the Land Development Engineer prior to final approval of the Grading Permit for the project. Grading operations are also checked and approved in the field by City Inspectors during construction before final acceptance is issued. Therefore, with the incorporation and adherence to the recommendations of the geotechnical report in project design and construction, as required by the City's Grading Ordinance, potentially significant impacts from structural geology would be reduced to less than significant levels.

**d. Less than Significant Impact.** Expansive soils generally consist of certain clay materials that occur naturally, and are generally found in areas that historically were flood plain or lake areas. Expansive soil is subject to shrinking and swelling. The amount of shrink and swell varies in proportion to the amount of moisture present in the soil. These types of soil characteristics can pose a threat to overlying structures. According to the *Geotechnical Report* (N&M, 2009), laboratory tests performed on the on-site samples indicated that the underlying geologic materials (particularly the topsoil) have a high expansion index (98). As discussed above, the proposed project would be designed and constructed in conformance with the recommendations in the *Geotechnical Report* (N&M, 2009), as required by the City's Grading Ordinance. The report recommends removing the existing topsoil and alluvium and conditioning and recompacting the soils. Accordingly, project implementation would result in less than significant impacts in regards to expansive soils.

**e. No Impact.** The proposed project would tie into existing sewers, avoiding the need to use septic tanks or alternative wastewater disposal systems. No impacts would occur.

VII. Greenhouse Gas Emissions <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION**

a. **Less than Significant Impact.** In response to Executive Order S-3-05 (June 2005), which declared California’s vulnerability to Global Climate Change (or GCC), the California Global Warming Solutions Act of 2006 (or AB 32) was signed into effect on September 27, 2006. In passing the bill, the California Legislature found that “global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California...” (California Health & Safety Code, Division 25.5, Part 1). According to the report “*Scenarios of Climate Change in California: An Overview*” (California Climate Change Center, 2006), substantial temperature increases due to GCC would result in a variety of adverse impacts such as public health effects from air pollution, reductions in water supplies during the summer months, and changes to ecosystems/habitats that could shift the ranges of invasive plants and weeds, thus alternating competition with native plants. GCC refers to changes in average climatic conditions on Earth, such as temperature, wind patterns, precipitation, and storms that result from natural processes and/or human activities.

Greenhouse Gases (or GHG) are atmospheric gases, such as water vapor, CO<sub>2</sub>, CH<sub>4</sub> and N<sub>2</sub>O, which moderate the temperature of our planet. The gases allow solar radiation (or sunlight) into the Earth’s atmosphere, but prevent radiative heat from escaping, thereby warming the atmosphere (somewhat analogous to a greenhouse; hence the term GHG). GHGs are emitted by natural processes and human (or anthropogenic) activities, and their accumulation in the atmosphere regulates the Earth’s temperature. It is estimated that without the natural GHGs, the temperature of the Earth would be approximately 61 degrees cooler (CA EPA, 2006). California law defines greenhouse gases as any of the following compounds: CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. CO<sub>2</sub>, followed by CH<sub>4</sub> and N<sub>2</sub>O are the most common GHGs that result from human activity. Emissions of CO<sub>2</sub> occur largely from combustion of fossil fuels. GHGs have varying global warming potentials (or GWP), which is the potential of a gas or aerosol to trap heat in the atmosphere. The reference gas for GWP is CO<sub>2</sub>; therefore, CO<sub>2</sub> has a GWP of one (1). Other GHG emissions such as CH<sub>4</sub> and nitrous oxide are also tracked by state inventories but occur in much smaller quantities. The GWP of CH<sub>4</sub> is 21 and N<sub>2</sub>O is 310. When quantifying GHG emissions, the different global warming potentials of GHG pollutants are usually taken into account by normalizing their rates to an equivalent CO<sub>2</sub> emission rate (shown as CO<sub>2</sub>e).

It is generally recognized that individual projects of any size are of insufficient magnitude to influence climate change, or result in a substantial contribution to the global GHG inventory.

Consequently, GHG impacts are exclusively cumulative impacts from a GCC perspective.<sup>6</sup> The project site is currently vacant and undeveloped; therefore, it is not a current source of GHG emissions. In examining the proposed project's potential global climate change impacts, increases in GHG emissions for construction, operational-related motor vehicles, and operational-related energy use were analyzed.

### Construction-Related Impacts

GHG emissions expected from construction would primarily be from CO<sub>2</sub>. Table GHGE-1 presents three construction phases that show the predicted CO<sub>2</sub> emissions from heavy construction equipment, truck traffic, and worker trips in metric tons per year (which was converted from pounds per day, the typical methodology for calculating most emissions). The predicted CO<sub>2</sub> emissions in Table GHG-1 were prepared using SCAQMD's supplemental CEQA Handbook tables which included the OFFROAD Mobile Source Emission Factors (Scenario Year 2012), and the CARB's EMFAC 2007 (version 2.3) BURDEN model Emission Factors for On-Road Passenger Vehicles & Delivery Trucks (Scenario Year 2012 - all model years in the range 1968-2012).

TABLE GHGE-1  
PREDICTED CONSTRUCTION GHG EMISSIONS

Construction Phase	CO <sub>2</sub> Emissions metric tons/yr
Mass Grading	459.13
Utilities	59.08
Paving	89.31
<b>TOTAL</b>	<b>607.51</b>

Source: SCAQMD CEQA Air Quality Handbook, <http://www.aqmd.gov/CEQA/handbook/offroad/offroad.html>

CAPCOA suggests a 900-metric ton level above which reporting would be required for the purpose of GHG inventories. As indicated in Table GHG-1, the construction emissions for the proposed project would be below this level; therefore, project-related construction emissions would be less than significant.

### Operational-Related Vehicle and Energy Impacts

To meet the goals of AB 32, the proposed project must achieve a reduction in GHG emissions of 29 percent below "business as usual"<sup>7</sup> levels. If this reduction were met, the project would not generate GHG emissions that may have a significant impact of the environment.

GHG emissions associated with the operation of the project were estimated separately for four categories of emissions: electricity, natural gas and water usage, and vehicle usage. Predicted operational emissions were calculated assuming a business as usual scenario as defined in the footnote below. As shown in Table GHGE-2, operational emissions would be well below the threshold of 7,000 metric tons per year of CO<sub>2</sub>e suggested by CARB as a potential significance criterion for emissions from industrial projects. While no specific significance criterion has been suggested for commercial projects, the 7,000-metric ton threshold may be applicable pending issuance of specific standards for other types of projects. The predicted GHG emissions for energy uses in Table GHG-2 were derived from the California Climate Action Registry General Reporting Protocol; Version 3.1, January 2009. Electricity Usage Rates were obtained from Supplemental Table A9-11-A, CEQA Air Quality Handbook, SCAQMD, 1993. Natural Gas Usage

6. California Air Pollution Control Officers Association, 2008.

7. "Business as usual" is defined as the emissions that would have occurred in the absence of reductions mandated under AB 32. Based on the latest guidelines and baseline emission calculations for energy efficiency, "business as usual" is considered to be the equivalent of being as energy efficient as the requirements of Title 24 as of 2005.



Rates were derived from Table A9-12-A, CEQA Air Quality Handbook, SCAQMD, 1993. The predicted GHG emissions for vehicle emissions in Table GHG-2 were based on the predicted operational ADT of 2,264 vehicles and derived from SCAQMD's supplemental CEQA Handbook tables, which included the OFFROAD Mobile Source Emission Factors (Scenario Year 2012), and the CARB's EMFAC 2007 (version 2.3) BURDEN model Emission Factors for On-Road Passenger Vehicles & Delivery Trucks (Scenario Year 2012).

**TABLE GHGE-2  
SUMMARY OF PREDICTED OPERATIONAL GHG EMISSIONS  
BUSINESS-AS-USUAL SCENARIO**

Emission Source	Annual Emissions (Metric Tons/Year)		
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O
Electricity Use Emissions	49.06	0.00037	0.00021
Natural Gas Use Emissions	16.67	0.00190	0.00003
Water Usage Emissions	54.52	0.00042	0.00023
Vehicle Emissions	1,851.86	0.146183	0.201301
<b>Total</b>	<b>1,972.12</b>	<b>0.15</b>	<b>0.20</b>
Global Warming Potential Factor	1	21	310
CO <sub>2</sub> e Emissions	1,972.12	3.13	62.55
<b>Total CO<sub>2</sub>e Emissions</b>	<b>2,037.79</b>		

Source: SCAQMD CEQA Air Quality Handbook, <http://www.sqmd.gov/CEQA/handbook/offroad/offroad.html>

As previously stated, a significance threshold of 29 percent below "business as usual" levels is considered to demonstrate that a project would be consistent with the goals of AB 32. Future development of this industrial subdivision is anticipated to consist of up to five buildings totaling approximately 283,000 sq. ft. At a minimum, these buildings would be constructed to Title 24 standards as of 2008; Title 24 standards as of 2008 are 15 percent more energy-efficient than Title 24 standards as of 2005.

As shown in Table GHGE-2, vehicular emissions are the largest contributor to GHG emissions. However, because the Owner does not have direct control over the types of vehicles or emission/fuel standards, the effect of California programs to reduce GHG emissions from vehicles was evaluated. The University of San Diego (USD 2008) has developed a preliminary assessment of emissions in San Diego County, including the effects of implementing state and federal programs to reduce emissions from vehicles. Based on the USD study, emissions from vehicles would be reduced by 15 percent through implementation of the federal Corporate Average Fuel Economy (or CAFE) standard, which consists of 11 percent reduction through Low Carbon Fuel Standards, 6 percent by the Pavley standard (incremental to the CAFE standard), and 4 percent by the light/heavy vehicle efficiency/hybridization standard. Emissions from vehicles would therefore be reduced by as much as 36 percent from state and federal programs by 2020. These standards require on-road vehicles to meet a GHG emission limit of 250 grams per mile, which equates to a fuel efficiency of 35.5 miles per gallon. Given the EPA's proposed endangerment findings, it is likely that GHG emissions from vehicles will be regulated in accordance with the proposed rule, and that the CAFE standards will be implemented by the National Highway Traffic Safety Administration to reduce emissions from vehicles by 2016, rather than 2020. It is therefore likely that emissions from vehicles may be reduced by 30 percent by the time the project is in full operation. To account for the recently adopted federal CAFE standards, it was assumed that vehicle emissions would be reduced by 20 percent, which is a conservative assumption based on the prior implementation schedule assumed in the San Diego County Greenhouse Gas Inventory. In addition, the Low Carbon Fuel Standard was assumed to reduce

GHG emissions from vehicles by 10 percent. The total emission reductions for vehicles would therefore be 30 percent by 2020.

Table GHGE-3 presents a summary of the operational emissions estimated for the proposed project, taking into account the reductions attributable to 2008 Title 24 building standards and state and federal vehicle programs. Net CO<sub>2</sub>e emissions would be reduced by around 29.1 percent from “business as usual” levels. Consequently, the operation of the proposed project would be reduced by just over 29 percent, and impacts would be less than significant.

**TABLE GHGE-3  
SUMMARY OF PREDICTED OPERATIONAL GHG EMISSIONS  
GHG Reduction Measures Employed Scenario**

Emission Source	Annual Emissions (Metric Tons/Year)		
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O
Electricity Use Emissions	41.70	0.0003145	0.0001785
Natural Gas Use Emissions	14.17	0.001615	0.0000314
Water Usage Emissions	46.34	0.000357	0.0001955
Vehicle Emissions	1,296.30	0.1023281	0.1409107
<b>Total</b>	<b>1,398.52</b>	<b>0.1046</b>	<b>0.1413</b>
Global Warming Potential Factor	1	21	310
CO <sub>2</sub> e Emissions	1,398.52	2.1969	43.8080
<b>Total CO<sub>2</sub>e Emissions</b>	<b>1,444.52</b>		
<b>“Business as Usual” CO<sub>2</sub>e Emissions</b>	<b>2,037.79</b>		
<b>Percent Reduction</b>	<b>29.1</b>		

b. **Less than Significant Impact.** All levels of government have some responsibility for the protection of air quality, and each level (federal, state, and regional/local) has specific policies, rules and laws regarding the regulation of air quality. As part of the effort to reduce emissions from vehicles, the EPA and U.S. Department of Transportation currently intend to work in coordination to propose standards for control of emissions of greenhouse gases and for fuel economy, respectively. If proposed and finalized, these standards would apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles (light-duty vehicles) built in model years 2012 through 2016. The EPA is proposing GHG emission standards under the Clean Air Act (or CAA). The CAA requires EPA to establish “standards applicable to the emission of any air pollutant from new motor vehicles or new motor vehicle engines which, in the Administrator’s judgment, cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare”. EPA has made a preliminary endangerment finding for GHGs on December 7, 2009. Section 202(a) of the CAA further provides that standards set pursuant to it “shall take effect after such period as the Administrator finds necessary to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period. EPA expects to propose a national CO<sub>2</sub> vehicle emissions standard under section 202 (a) of the CAA. EPA currently is considering proposing standards that would, if made final, achieve on average 250 grams/mile of CO<sub>2</sub> in model year 2016.

The State of California has taken a proactive approach in dealing with GCC by reducing anthropogenic emissions of GHGs through a variety of laws, regulations and policies. There are state standards addressing vehicular emissions, such as AB 1493 (Pavley; enacted on July 22, 2002) to reduce GHG emitted by passenger vehicles and light duty trucks, Executive Order (EO) S-01-07 (enacted on January 18, 2007) to reduce the carbon intensity of California’s transportation fuels by at least 10 percent by 2020, and establishment of a Low Carbon Fuel Standard for

transportation fuels in California. California Code of Regulations Title 24 addresses energy efficiency of buildings, with periodic amendments to allow consideration and possible incorporation of new energy efficiency technologies and methods. The amendments on which the state's GHG emission inventory is based were made in 2005; the latest amendments to the energy efficiency standards were made in 2008 and are effective as of August 1, 2009. EO S-3-05 (June 1, 2005) calls for a reduction in GHG emissions to 1990 levels by 2020. AB 32, the California Global Warming Solutions Act of 2006, sets the same overall GHG emissions reduction goals of EO S-3-05, while further mandating that CARB outline specific targets and strategies to reach these goals. Senate Bill (SB) 97 (enacted in 2007) amends the CEQA statute to establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. EO S-21-09 was enacted by the Governor on September 15, 2009 and requires that the CARB (under its AB 32 authority) adopt a regulation by July 31, 2010 that sets a 33-percent renewable energy target as established in EO S-14-08. SB 375 requires regions within the state that have a metropolitan planning organization to adopt a sustainable communities strategy as part of their regional transportation plans to promote the achievement of AB 32 goals.

To date, the City has not adopted specific GHG standards or requirements. However, it has prepared a 2005 *Greenhouse Gas Emissions Inventory* (ICLEI 2008) as a first step in preparation and implementation of a Climate Action Plan, which is expected to be undertaken within the next 12 to 18 months. In addition, as implementing regulations for AB 32 are developed, the City will be required to comply with these regulations.

As stated above, to address whether the project would meet the goals of AB 32, the Project must achieve a reduction in GHG emissions of 29 percent below "business as usual" levels. Because the project would result in a 29.1-percent reduction below "business as usual", the project would meet the goals of AB 32. Therefore, development of the proposed project would produce less than significant impacts to applicable plans, policies or regulations adopted for the purpose of reducing the emissions of greenhouse gases.

VIII. Hazards and Hazardous Materials <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 or on other state environmental databases and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION**

a. **Less than Significant Impact.** The project proposes to subdivide a 17.17-acre site into a five-lot industrial subdivision, although no structures would be built at this time. The site is currently zoned for research, light industrial and business support development under the City's Vista Business Park SP, and future land uses are anticipated to be a permitted use under the current zoning designation. Such uses, for example photographic studios or printing shops, could use,

dispose of, or transport small quantities of hazardous substances. However, the use of these substances is governed by federal, state, and local laws and regulations. Compliance with these laws and regulations is mandatory as standard permitting conditions, and combined with the limited amount of hazardous substances used, would not expose on-site users or the surrounding communities to any health hazards from hazardous materials. Therefore, less than significant impacts would result from the future implementation of the proposed project's land uses.

**b. Less than Significant Impact.** As noted above, operation of the project could result in the use, storage, disposal, or transportation of a small amount of hazardous materials. Construction equipment that would be used to build the proposed project has the potential to release relatively small amounts of oils, greases, solvents, and other finishing materials through accidental spills. Spill or upset of these materials could have the potential to significantly impact surrounding land uses; however, federal, state, and local controls have been enacted to reduce the effects of such potential hazardous materials spills. The Vista Fire Department enforces city, state, and federal hazardous materials regulations for the City. City regulations include spill mitigation, and containment and securing of hazardous materials containers to prevent spills. In addition, the State Fire Marshall enforces oil and gas pipeline safety regulations, and the federal government enforces hazardous materials transport pursuant to its interstate commerce regulation authority. Compliance with all of these requirements is mandatory as standard permitting conditions, and would minimize the potential for the accidental release or upset of hazardous materials, thus ensuring public safety. Therefore, compliance with the above referenced requirements would result in less than significant impacts with respect to the creation of significant hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

**c. No Impact.** The closest existing public school in any jurisdiction is San Marcos High School, which is located 0.85 mile east of the project site on W. San Marcos Boulevard in San Marcos. While future land uses of the proposed project could potentially use small quantities of hazardous substances in some manufacturing processes, the limited amount and type of such regulated substances and the fact that it would be over 0.25 mile from it would not create significant impacts to the school.

**d. No Impact.** The Cortese List database identifies facilities designated by SWRB, the Integrated Waste Board, and DTSC. There were no results found in the Cortese List database search of the property or properties within a half-mile range of the project site. Other databases were searched through SWRB's GeoTracker web site, such as LUST (Leaking Underground Storage Tanks); however, no properties were listed within a one-quarter mile area of the project site. Therefore, no impacts would occur with implementation of the project.

**e. No Impact.** As stated in the Existing Environmental Setting and Surrounding Land Use section above, the project site is located approximately 2.54 miles to the east of the McClelland-Palomar Airport. According to the Compatibility Policy Map - Safety in the McClennan-Palomar Airport Land Use Compatibility Plan (January 25, 2010), the project site is located over one mile away from the closest safety zone (Zone 4 - Outer Approach/Departure Zone) and construction of the project would not result in any safety compatibility issues. In addition, the project site is within Review Area 2 of the Airport Influence Area and more importantly within the FAA Height Notification Boundary. This latter boundary requires that the FAA be notified of any proposed construction or alteration having a height greater than an imaginary surface extending 100 feet outward and one foot upward from the runway elevation. According to the Compatibility Policy Map - Part 77 Airspace Protection in the above mentioned plan, the significant threshold height that would

trigger FAA notification is 625 feet AMSL. The elevation at the McClennan-Palomar Airport is 331 feet AMSL. After the project site is graded and the 35-foot tall buildings are eventually constructed, the highest estimated combined elevation (i.e., 35-foot tall building plus pad elevation) would be approximately 545 feet AMSL on Parcel 3 (based on a conservative pad elevation estimate of 510 feet). As a result, construction of the project would not result in any compatibility issues with FAA airspace. Accordingly, implementation of the proposed project would not result in a safety risk for people working in the project area or to air traffic from the airport. No significant impacts would occur.

**f. No Impact.** The proposed project is not located within the vicinity of a private airport. As a result, project implementation would not create any significant impacts to the safe operation of a private airport.

**g. No Impact.** The proposed project would not impair or physically impact any adopted emergency response plan or evacuation plan. The proposed project would not require the closure of any public or private streets or roadways, and would not impede access of emergency vehicles to the project or any surrounding areas. Further, the project would provide all required emergency access in accordance with the requirements of the Vista Fire Department. Therefore, no significant impacts to emergency response would occur.

**h. Less than Significant Impact.** The project site is identified in a High Fire Hazard Area on the Vista Draft Fire Hazard Severity Zones Map prepared by the California Department of Forest and Fire Protection's Fire and Resource Assessment Program (January, 2007). It is also located adjacent to Very High Fire Hazard Areas to the immediate south and east. Fire hazard measurement includes the speed at which a wildfire moves, the amount of heat a fire produces, and most importantly, the burning fire brands that the fire sends ahead of the flaming front. The fire hazard model considers the wildland fuels, which is that part of the natural vegetation that burns during the wildfire. In accordance with California Public Resources Code Sections 4201 through 4204, and State Government Code Sections 51175 through 51189, the High Fire Hazard Area, along with the Moderate and Very High Fire Hazard Area designations, is considered to be in the Wildland-Urban Interface Fire Area, which represents a potentially significant impact. However, the Conditions of Approval includes the preparation of a Fuel Modification Zone Plan that would subsequently be approved by the Vista Fire Department prior to recording the final Parcel Map. In addition, all new buildings located in the Wildland-Urban Interface Fire Area must comply with all of the sections of Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, of the 2007 California Building Code. With the successful completion of the Conditions of Approval and the City's building permit process (which includes construction inspections), potentially significant impacts from wildfires would be reduced to less than significant levels.

IX. Hydrology and Water Quality <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Contribute to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The majority of the discussion below is summarized and based on the findings contained within the *Storm Water Management Plan for Tentative Parcel Map PC03-182 (Storm Water Study)* and the *Hydrology/Hydraulics Study for Tentative Parcel Map PC03-182 (Hydrology Study)* (Excel Engineering [Excel], February 1, 2007, revised March 18, 2009) prepared for the proposed project. The reports are on file and available for review in the City's Planning Division office.

**DISCUSSION**

a. **Less than Significant Impact.** The applicant seeks approval of a Tentative Parcel Map to subdivide a 17.17-acre site within the Vista Business Park located on the north side of W. San Marcos Boulevard, into five lots for an industrial development. No buildings are proposed at this point; however, it is estimated that approximately 283,000 sq. ft. of building space would be constructed at some future date. The subject property is located in the Batiquitos Hydrologic Sub-Area (904.51), within the San Marcos Creek Hydrologic Area (904.50) of the Carlsbad Hydrologic Unit (904.00) in the San Diego region. The receiving water bodies for the proposed project are San Marcos Creek (through an unnamed tributary), Batiquitos Lagoon, and the Pacific Ocean. San Marcos Creek is on the 303(d) list for impaired water bodies due to sediment toxicity, DDE<sup>8</sup>, and phosphorus.

The federal Clean Water Act (CWA) was amended in 1987 to address urban runoff. One of the requirements established a framework for regulating storm water discharges from municipal separate storm sewer systems (or MS4s) under the NPDES program. Under the CWA, medium and large municipalities throughout the nation are required to obtain a Municipal NPDES Permit. The primary goal of this permit is to control the discharge of pollutants in urban runoff from entering the storm water conveyance system and local receiving and coastal waters.

In California, the SWRCB, through nine statewide RWQCBs, administers the NPDES storm water municipal permitting program. Beginning with the 2007 San Diego Municipal Permit issued by the San Diego RWQCB (Order No. R9-2007-0001, NPDES No. CAS0108758), the City is obligated to require permanent BMPs addressing storm water pollution from new development or redevelopment projects. Therefore, the proposed project would be subject to the requirements of the Municipal Permit.

**Pollutants and Conditions of Concern**

The anticipated and potential pollutants that could be produced by the proposed project, as well as the primary and secondary pollutants of concern are identified in Table HWQ-1. The conditions of concern would be the potential water quality effects of the primary pollutants on the downstream portion of San Marcos Creek.

**TABLE HWQ-1  
ANTICIPATED AND POTENTIAL POLLUTANTS FROM PROPOSED PROJECT**

Pollutants	Pollutant Groups		
	Coarse Sediment and Trash	Pollutants that tend to associate with fine particles during treatment	Pollutants that tend to be dissolved following treatment
Sediment <sup>P</sup>	X	X	
Nutrients <sup>S</sup>		X	X
Organic Compounds <sup>S</sup>		X	
Trash & Debris <sup>S</sup>	X		
Oxygen Demanding Substances <sup>S</sup>		X	
Oil & Grease <sup>S</sup>		X	
Pesticides <sup>P</sup>		X	

Source: City of Vista SUSMP, 2008 Notes: <sup>P</sup> = Primary Pollutant of Concern; <sup>S</sup> = Secondary Pollutant of Concern

**Water Quality**

To address potential water quality impacts due to project implementation, BMPs would be implemented during construction and post construction activities. Selected BMPs from the City's

8. DDE (or dichlorodiphenyldichloroethylene) is a byproduct of the breakdown of DDT or dichlorodiphenyltrichloroethane, a well known pesticide.



Storm Water Standards Manual would be applied to reduce pollutants to the maximum extent possible (see Table HWQ-2 for BMPs incorporated into the project's design).

#### Construction Phase

Short-term erosion impacts during the construction phase of the project would be prevented through implementation of an erosion control plan. A grading and erosion control plan is required in accordance with the City's Grading Ordinance and the Stormwater Management Ordinance, and must be submitted for plan check and approval by the Land Development Engineer prior to final approval of the project. The erosion control plan would include construction BMPs such as:

- Silt Fence, Fiber Rolls, or Gravel Bag
- Temporary Vegetative Covering of Slopes
- Street Sweeping and Vacuuming
- Storm Drain Inlet Protection
- Stabilized Construction Entrance/Exit
- Vehicle and Equipment Maintenance, Cleaning, and Fueling
- Material Delivery and Storage
- Stockpile Management
- Spill Prevention and Control
- Solid Waste Management
- Concrete Waste Management
- Water Conservation Practices
- Paving Operations
- Sanitary/Septic Waste Management

In addition, an NOI filed with the SWRCB, and preparation of a SWPPP in compliance with the requirements of the State General Permit to Discharge Storm Water Associated with Construction Activities, would also be required before project construction commences.

#### Post-Construction Phase

In accordance with the City's SUSMP, and the requirements of the Municipal Storm Water Permit (San Diego RWQCB Order R9-2007-0001), all new and significant redevelopment projects that fall into one of 11 categories are considered "priority" projects. Priority projects are required to incorporate post-construction (or permanent) LID site design, source control, and treatment control BMPs into the project's design. One of the 11 categories is the development of streets, roads, highways and freeways which has 5,000 sq. ft. or more of paved surface used for the transportation of automobiles, trucks, motorcycles and other vehicles.<sup>9</sup> Another category is commercial and industrial development greater than 100,000 sq. ft. including parking areas. The proposed project includes the construction of a private street that consists of approximately 40,075 sq. ft. of paved surface, and would in the future construct 283,000 sq. ft. of building space (this figure does not include square footage of individual driveways); therefore, the proposed project is classified as a priority project.

#### Types of Post-Construction BMPs

LID site design BMPs are intended to minimize impervious surfaces and promote infiltration and evaporation of runoff before it can leave the location of origination by mimicking the natural hydrologic function of the site. Source control source BMPs are intended to minimize, to the maximum extent practicable, the introduction of pollutants and conditions of concern that may result in significant impacts generated from site runoff to off-site drain systems. Treatment

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9. City of Vista Storm Water Standards Manual, revised March 2008.

control BMPs are intended to treat storm water runoff before it discharges off-site. According to the City's Stormwater Standards Manual, specific localized treatment control BMPs are more effective at reducing or minimizing pollutants of concern than other types of BMPs. Each type of BMP that would be incorporated into the design of the proposed project is shown in Table HWQ-2, below.

**TABLE HWQ-2  
POST-CONSTRUCTION BMPs INCORPORATED INTO PROJECT DESIGN**

TYPE OF BMP	DESCRIPTION OF BMP
LID Site Design	<b>Minimize and Disconnect Impervious Surfaces:</b> The width of the private street and sidewalk has been designed to the minimum standards allowed by the City. The sidewalk would only be installed on one side of the street, and would drain into the media filter. The use of other impervious surfaces has been minimized or not used at all in the landscape design.
	<b>Maximize Canopy Interception and Water Conservation:</b> An area consisting of native vegetation (approximately 15,000 sq. ft.) in the northeast corner of the site would remain in its natural state. Additional native and/or drought-tolerant trees and shrubs would be planted on-site so that vegetative canopies would be increased.
	<b>Minimize Erosion By Proper Slope Design:</b> All slopes would be planted with temporary vegetation until permanent landscaping is installed. In addition, all storm water would be directed away from tops of slopes through brow ditches.
Source Control	<b>Efficient Irrigation System:</b> Rain sensors would be incorporated to prevent irrigation after precipitation, and the irrigation system would be designed to each landscape area's specific water requirements. Flow reducers and shutoff valves would be used to control water loss in the event of broken sprinkler heads or lines.
	<b>Stenciling and Signage:</b> All storm water curb inlets and catch basins would have concrete stamping of prohibitive language (e.g., No Dumping- Live in Pacific Ocean), and signs would also be posted with similar language.
Treatment Control	<b>Media (Sand) Filter:</b> A three-foot wide by 570-foot long sand filter would be utilized along one side of the private street. It was sized based on the anticipated 85 <sup>th</sup> percentile storm event.
	<b>Drainage Inserts:</b> Media inserts (some of which are formerly known as fossil fuel inserts) would be installed in each catch basin.

Source: Excel Engineering, 2008

The removal efficiency of the Treatment Control BMPs for the proposed project in treating the primary and secondary pollutants of concern is identified in Table HWQ-3 in bold type.

**TABLE HWQ-3  
REMOVAL EFFICIENCY OF THE TREATMENT CONTROL BMPs**

Pollutants of Concern	Treatment Control BMPs							
	Bioretention Facilities (LID)	Settling Basins (Dry Ponds)	Wet Ponds and Wetlands	Infiltration Facilities or Practices (LID)	Media Filters	High-rate biofilters	High-rate media filters	Trash Racks, Inserts, & Hydro-dynamic Devices
<b>Coarse Sediment &amp; Trash (Sediment P, Trash &amp; Debris S)</b>	High	High	High	High	High	High	High	High
<b>Pollutants that tend to associate with fine particles during treatment</b>	High	High	High	High	High	Medium	Medium	Low

Pollutants of Concern	Treatment Control BMPs							
	Bioretention Facilities (LID)	Settling Basins (Dry Ponds)	Wet Ponds and Wetlands	Infiltration Facilities or Practices (LID)	Media Filters	High-rate biofilters	High-rate media filters	Trash Racks, Inserts, & Hydro-dynamic Devices
(Pesticides <sup>P</sup> , Organic Compounds <sup>S</sup> , Oxygen Demanding Substances <sup>S</sup> , Oil & Grease <sup>S</sup> )								
Pollutants that tend to be dissolved following treatment (Nutrients <sup>S</sup> )	Medium	Low	Medium	High	Low	Low	Low	Low

Source: City of Vista SUSMP, 2008 Notes: <sup>P</sup> = Primary Pollutant of Concern; <sup>S</sup> = Secondary Pollutant of Concern

As shown in Table HWQ-3, media (sand)filters have a high removal efficiency rating for the primary pollutants of concern: sediment/siltation and pesticides. Catch basin inserts have a high removal efficiency rating for sediment, a primary pollutant of concern, and a low removal efficiency rating for pesticides, another primary pollutant of concern. In terms of treating the secondary pollutants of concern, media (sand) filters have a high removal efficiency rating for trash and debris, organic compounds, oxygen demanding substances, and oil and grease. They have a low removal efficiency rating for nutrients. Inserts have a low removal efficiency rating for treating secondary pollutants of concern such as nutrients, oil & grease, oxygen demanding substances, and organic compounds.

The implementation of all proposed construction and post-construction BMPs would reduce, to the maximum extent feasible, all anticipated primary and secondary pollutants of concern. Therefore, implementation of the proposed project would have a less than significant impact on water quality standards or waste discharge requirements. No mitigation measures are required.

**b. No Impact.** Groundwater is not proposed for any temporary or permanent uses on-site. Groundwater was not encountered within the top 20 feet of the subsurface during field investigations undertaken for the *Geotechnical Report* (N&M 2009), and grading activities are not anticipated to exceed a depth of 20 feet of cut. While zones of seepage or perched water conditions may be encountered during the grading phase along the two north-south trending drainages and within the cut slopes, project implementation has no potential to deplete or contaminate any groundwater resources. Consequently, no significant impacts to groundwater resources are anticipated with implementation of the project.

**c. Less than Significant Impact.** Under existing (or pre-developed) conditions, the parcel does not receive any off-site drainage via sheet flow; however, it does receive concentrated off-site flows from the parcels above the site through a concrete brow ditch running from west to east near San Marcos Boulevard, and the “western” and “eastern” naturalized drainages. Storm water runoff collected from the local off-site north-northeast sub-areas are discharged into the project site’s “eastern” drainage through the headwall of a 24-inch storm drain RCP located just inside the property. Storm water is conveyed down this drainage into a two-foot wide concrete-lined brow ditch running west to east, where it discharges into a small wetland located off-site to the southeast. Combined runoff from this wetland is then conveyed through a 54-inch storm drain RCP under San Marcos Boulevard, discharging into a wetland on the south side of the street. The calculated (10-year storm volume) peak flow rate of runoff that exits the site at this location is

33.42 cfs. A majority of storm water runoff collected from the local off-site northwest sub-areas are discharged into the project site's "western" drainage from an off-site 18-inch storm drain RCP. Storm water is conveyed down this drainage into an existing 24-inch storm drain RCP, which crosses under San Marcos Boulevard and discharges into the southern wetland noted above. Storm water conveyed from the off-site west-northwest sub-areas into the west to east running brow ditch discharges into the same 24-inch RCP as does the "western" drainage. The calculated (10-year storm volume) peak flow rate of runoff that is released at this location is 21.56 cfs. Under existing conditions, the total (or combined) peak flow rate discharging from the site is 54.98 cfs.

Under the proposed (or developed) condition, impervious surface coverage of the site would increase from about 10 percent to approximately 46 percent primarily due to the proposed private street.<sup>10</sup> The drainage improvements would mimic the existing drainage pattern of the site by conveying storm water runoff from the existing off-site sources above (and north of) the site directly into new 24-inch storm drain RCPs within two 10-foot private drainage easements to a new 36-inch storm drain RCP located under the new private street (see Figure 3). The 36-inch RCP would widen to 42-inches near the bottom of the new street and then connect to a new 24-inch storm drain RCP installed along W. San Marcos Boulevard, parallel to the site (see Figure 3). At the eastern end of this new parallel pipe, a connection would be made to the existing off-site 54-inch storm drain RCP, which would convey runoff under W. San Marcos Boulevard to the existing southern wetland. Near the bottom of the new private street the new parallel pipe would connect to the existing 24-inch RCP, which extends under the street and discharges into the wetland across the street (see Figure 3). At the western end of the parallel pipe, a connection would be made to the existing off-site brow ditch, and runoff would discharge into the above noted southern wetland across W. San Marcos Boulevard. Temporary desiltation basins would also be established on the site during mass grading operations. There would be a total of seven basins, two each on Parcels 1 and 4 and one each on Parcels 2, 3 and 5. Overflow pipes would be installed at each basin and connected to the proposed drainage system described above. The total calculated (10-year storm volume) peak flow rate of runoff discharge under the developed condition is predicted to be 64.93 cfs, which is 9.96 cfs more than the pre-developed condition. To restore the discharge to pre-existing levels, 180 feet of 60-inch underground detention pipe would be installed near the bottom of the private street to detain storm runoff. This detention pipe, as well as the temporary desiltation basins, and construction and post-construction BMPs would reduce potential on-site and off-site impacts from sediment and siltation to less than significant levels.

**d. Less than Significant Impact.** As discussed above in sub-section c., the project's proposed storm drain system would not substantially alter the existing drainage pattern of the site, and would include 180 feet of 60-inch underground detention pipe that would attenuate the peak storm water flows to pre-development levels before off-site discharge. Consequently, implementation of the proposed project would not significantly alter the existing drainage pattern of the site, and would not increase the rate or amount of surface runoff which would result in flooding on-or off-site. As a result, impacts would be less than significant.

**e. Less than Significant Impact.** As discussed above in sub-sections a. and c. above, the project's proposed storm drain system would include underground detention pipe that would attenuate peak runoff flows to pre-development levels, and install seven temporary desiltation basins. In addition, implementation of all proposed construction and permanent BMPs would reduce, to the

10. Impervious coverage would increase with building construction. Additional post-construction BMPs would be required by the City for building construction through the precise grading plan check process.

maximum extent feasible, all anticipated project pollutants. As a result, implementation of the project would not create or contribute storm water runoff that would exceed the capacity of the existing downstream storm drain system or provide additional substantial sources of polluted runoff; therefore, impacts would be less than significant.

**f. Less than Significant Impact.** The proposed project would not otherwise substantially degrade water quality. The development of the project would incorporate construction and permanent BMPs that would reduce, to the maximum extent feasible, all anticipated primary and secondary pollutants of concern. The Applicant/Owner would be responsible for the monitoring and maintenance of post-construction BMPs including inspections, cleaning, and other maintenance requirements. During site development, the construction BMPs would be monitored on a weekly basis and observations recorded. The Conditions of Approval for the project would dictate acceptance of maintenance responsibility for all storm water facilities and other BMPs recommended in the *Storm Water Study* and the *Hydrology Study* (Excel, 2007, revised 2009) by the future Owners of the lots. Therefore, impacts would be less than significant and no mitigation measures are required.

**g. No Impact.** The proposed project consists of an industrial development; no homes would be built. In addition, the project site is not identified in the City's General Plan (City of Vista, 1988) or on the City's GIS map (City of Vista, 2008) as an area within a 100- year flood plain, and development of the project site would not affect any area mapped as a flood hazard zone by FEMA. Consequently, significant impacts would not occur.

**h. No Impact.** The project site is not identified in the City's General Plan (City of Vista, 1988) or on the City's GIS map (City of Vista, 2008) as an area within a 100-year flood plain. Development of the project site would not place any structures into areas mapped as a flood hazard zone by FEMA. Therefore, significant impacts would not occur.

**i. No Impact.** The project site is not identified in the City's General Plan (City of Vista, 1988) or on the City's GIS map (City of Vista, 2008) as an area within a flood control basin or a potential dam inundation area. As a result, significant impacts would not take place.

**j. No Impact.** Although the topography of the existing site consists of relatively steep terrain, implementation of the proposed grading plan, drainage improvements, and landscaping, as explained in the sub-sections above, would not create significant impacts from mudflows. In addition, the project site is not in proximity to the ocean or other large bodies of water to be affected by a tsunami or seiche.

X. Land Use and Planning <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Disrupt or divide the physical arrangement of an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the Comprehensive Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION**

a. **No Impact.** The proposed project would not disrupt or divide the physical arrangement of the community. The applicant seeks approval of a Tentative Parcel Map to subdivide a 17.17-acre site located in the Vista Business Park into a five-lot industrial development. The General Plan designation is Vista Business Park SPA, and it is zoned under that specific plan as “B” for Research, Light Industrial, and Business Support Group uses. The parcel is one of the last undeveloped properties in the business park, and there are similar developments to the north and west. The City of San Marcos is adjacent to the eastern and southern boundaries of the site, with homes and undeveloped land to the east-northeast, and undeveloped land to the south across W. San Marcos Boulevard. Implementation of the proposed project would not physically divide the established community in this part of the City. Therefore, significant impacts would not occur.

b. **Less than Significant Impact.** The proposed project’s consistency with the City’s General Plan, Municipal Code, and other land use plans and policies is discussed below.

**General Plan**

**Land Use Element**

The land use designation for the project site is Vista Business Park SPA. The proposed five-lot industrial development does not propose any changes to this land use designation. Therefore, the proposed development would be compatible and consistent with the Land Use Element of the City’s General Plan, and significant impacts would not occur.

**Circulation Element**

The site is located in the southernmost area of the City, and its eastern and southern boundaries are immediately adjacent to the City of San Marcos corporate boundary. The City of Carlsbad corporate boundary is located approximately 0.29 mile to the west of the project site, just past the intersection of W. San Marcos Boulevard and Business Park Drive. W. San Marcos Boulevard (which becomes Palomar Airport Road after Business Park Drive) would provide the main route for the proposed project’s traffic. Both W. San Marcos Boulevard and Palomar Airport Road currently exist as a 6-lane roadway with raised medians, bicycle lanes, and posted speed limit of 55 mph. W. San Marcos Boulevard/ Palomar Airport Road are not a classified Circulation Element roadway in Vista’s General Plan; however, it is classified as a 6-lane Prime Arterial in the Carlsbad and San Marcos General Plan Circulation Elements.

As discussed in the Transportation/Traffic section of this MND, project traffic would cause a significant impact at the intersection of W. San Marcos Boulevard/Rancho Santa Fe Road under existing plus project, near-term (2010) plus project, and cumulative (2030) plus project conditions because it is projected to add delays in the a.m. peak hours and/or p.m. peak hours. However, with implementation of Mitigation Measure T-1, significant impacts at this intersection would be reduced to less than significant levels.

#### Housing Element

The proposed project consists of a five-lot industrial development within the Vista Business Park. The General Plan, as well as the Zoning Code does allow homes to be built on this site. Therefore, the proposed project would not be incompatible with the Housing Element of the General Plan, and significant impacts would not occur.

#### Community Identity and Scenic Roadways Element

The citywide goal of the community identity element is to “preserve the semi-rural legacy of historic Vista”. The project site is located within Planning Area 4 - Vista Business and Technology Park of the Community Identity and Scenic Roadways Element. This planning area is the largest industrial district in the City. Although industrial developments of the business park are located to the north and west, there are approximately 10 homes located immediately adjacent to the eastern-northeastern boundary of the project site, within the City of San Marcos. The objectives and policies that apply to the proposed project are as follows:

- Objective 2 - Provide visual and acoustic buffering, including landscaping, between residential development and industrial/commercial uses.
  - Policy 2.1 - Residential neighborhoods and other sensitive land uses shall be protected from activities or land uses, which may have an adverse impact on the residential living component.
- Objective F1 - In the approval process for new industrial uses, compatibility with residential neighborhoods will be considered.
  - Policy F1.1 - Nearby residential land uses shall be protected from the encroachment of incompatible activities or land uses, which may have a negative impact on the residential living environment and other sensitive land uses.
- Objective F5 - Encourage an increase in landscaping on industrial lots within Vista Business Park.
  - Policy G5.1: The City shall review the established landscaping guidelines for both business parks, and develop and implement changes to increase the required landscaping along the public right-of-way.

The proposed project would be consistent with the above-noted objectives and policies in that Parcel 3, which is adjacent to the above-noted homes, has a required 75-foot building set-back from the eastern property line.<sup>11</sup> Within that building set-back, there would also be a 25-foot natural and unaltered buffer from the property line that would be maintained by the Owner of Parcel 3. Future buildings constructed on this parcel and Parcel 2 would also be conditioned to incorporate Mitigation Measure N-4 in this document into the Plot Plan to reduce noise impacts. The plans would be reviewed and approved by the Land Development Engineer and the City

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11. As required by Buffer Area No. 1, Section DS-8 Treatment Areas Adjoining Residential, Vista Business Park SP, 1993.

Planner, and field checked by the Land Development Engineer. The proposed project would also landscape all of the slopes, and along the private street and frontage along W. San Marcos Boulevard as required by the SP development standards, consistent with Planning Area 4 policies. Consequently the proposed project would be consistent with the Community Identity and Scenic Roadways Element, and less than significant impacts would occur with implementation.

#### Conservation Element

One of the goals of the Conservation Element is “to continue the viability of wildlife and native vegetation in all possible areas where they are not directly detrimental to the general welfare of the community”. The existing 17.17-acre site of the proposed project, which is located in the southernmost portion of the City, is one of the last undeveloped parcels in the Vista Business Park. The topography of the site consists of relatively steep terrain including two north-south trending drainages; one occurs down the middle of the site (eastern drainage), and another occurs on the western portion of the site (western drainage). Both of these drainages begin off-site to the north and appear to be fed mainly by runoff from existing business complexes above the site. Vegetation on the site consists primarily of native upland habitat, with a small amount of wetland habitat along the northern property line, and some disturbed habitat along the edges adjacent to San Marcos Boulevard to the south and homes to the east. No federal or state listed endangered and/or threatened plants or wildlife species were found on-site, such as coastal California gnatcatcher; though, five California special-status flora species were identified within the project site during the general biological and rare plant surveys.

Implementation of the proposed project could result in direct, significant impacts to on-site sensitive habitats and plants. However, with implementation of Mitigation Measures BR-1 to BR-6, significant impacts would be reduced to less than significant levels. Also, with implementation of construction and post-construction BMPs the project would not create any significant water quality problems, and would not cause soil erosion. Furthermore, the project would not impact any agricultural areas, or create significant air quality impacts. Therefore, implementation of the proposed project would be consistent with the applicable goals and policies of the Conservation Element of the City's General Plan. As a result, less than significant impacts would occur with project implementation.

#### Other General Plan Elements

The proposed project would be conditioned to comply with all applicable noise standards, would be adequately served by existing public services, and would require compliance with the City's building, and fire codes and with the seismic regulations within the CBC. The 17.17-acre project site does not contain any known cultural resources, nor does it contain any designated open space. Consequently, no inconsistencies with the City's Noise Element, Open Space and Recreation Element, Safety Element, Community Facilities Element, and Seismic Safety Element are anticipated as a result of project implementation, and significant impacts would not occur.

#### Habitat Conservation Plan or Natural Community Preservation Plan

Although the City is currently developing a Habitat Conservation Plan/Natural Community Conservation Planning Subarea Plan as required by the MHCP, it has not been adopted. The subject property was included in the MHCP regional conservation mapping as a Biological Core and Linkage Area and a Focused Planning Area for conservation planning. It was subsequently identified as a Preserve Area within the City's draft NCCP/HCP subarea conservation plan. However, the proposed conservation designation of this site was predicated on a map error in land-use designation wherein the site was believed to be designated open space rather than its actual industrial zoning. As a result, the site has been deleted from presumed conservation



purposes within draft conservation strategies in the City. This deletion has occurred fully within the framework of unadopted draft conservation planning, and does not constitute a substantial land use constraint on site development at this time. As a result, the proposed development would have a less than significant affect on an applicable conservation plan.

#### Zoning Code and Specific Plan Regulations

The project site has a zoning designation of "B" - Research, Light Industrial, and Business Support Group in the Vista Business Park SP. The proposed industrial subdivision would be compatible and consistent with this designation as discussed below.

#### Consistency with Development Standards

The Vista Business Park SP Development Standards addresses such issues as building setbacks; landscaping; treatment areas adjoining residential uses; utility services; and grading requirements. Project implementation would not include construction of buildings at this time. However, a 75-foot building set-back from the eastern property line, which is adjacent to 10 homes in neighboring San Marcos, has been incorporated into the site design of Parcel 3 as required by the SP Treatment Areas Adjoining Residential uses. Within that building set-back, there would also be a 25-foot natural buffer from the property line that would be maintained by the Owner of Parcel 3. Future buildings constructed on this parcel would also be conditioned to incorporate Mitigation Measure N-4 into the Plot Plan to reduce adverse noise impacts from operation of the project. All slopes would be hydroseeded to provide erosion control prior to approving rough grading of the site and permanent landscaping and irrigation would be installed per the Landscape Plan (Figure 4). Graded pads would also receive temporary vegetative cover, which would eventually be replaced by additional landscaping that is required in the building plans submitted for the Building Permit. Landscaping and irrigation would also be installed along the private street, and along the street frontage of San Marcos Boulevard. All utilities would be placed underground as required in the development standards, and grading activities would comply with the grading requirements. Additional development standards and field inspections would be required under approval of separate precise grading and building permits. As designed, the project would be consistent with the Vista Business Park SP Development Standards; therefore, project implementation would be consistent with the existing zoning designation and significant impacts would not occur.

c. **Less than Significant Impact.** Land uses surrounding the subject property, including their respective Vista General Plan land use and Zoning designations, are found below in Table LU-1.

TABLE LU-1  
SURROUNDING LAND USES

Direction	Land Use	General Plan Land Use Designation	Zoning Designation
North	Industrial/Commercial	SPA	"B" Research, Light Industrial, & Business Support Group
South	Open Space	Lake San Marcos - SPA Laurels	SPA-Laurels
East	Single-family Residential and Open Space	Business/Industrial - SPA Las Brisas Pacifico	SPA-Residential
West	Single-family Residential	SPA	"B" Research, Light Industrial, & Business Support Group

Source: City of Vista, 2010, City of San Marcos, 2010

As indicated in Table LU-1, existing land uses surrounding the site to the north and west are similar to the proposed project, and with the incorporation of Vista Business Park SP Development Standards would not be incompatible with the residential uses to the east. As a result, less than significant impacts would occur with project implementation.

<b>XI. Mineral Resources</b>  <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
<b>a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local Comprehensive Plan, specific plan or other land use plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

**a. No Impact.** The California Department of Conservation's Division of Mines and Geology does not identify the project site as an area with high potential for aggregate or mineral resources (1993). Implementation of the proposed project would not result in the loss of availability of a known mineral resource; therefore, significant impacts would not occur.

**b. No Impact.** The City's General Plan does not identify the project site as a locally important mineral resource recovery site. As a result, implementation of the proposed project would not result in the loss of availability of a locally important mineral resource. Consequently, no significant impacts would take place.

XII.Noise <i>Would the project result in:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

a. **Less than Significant with Mitigation.** Potential noise impacts associated with the project would be related to proposed construction activities, traffic on local roads, and activities associated with the proposed industrial use. Noise sensitive receptors (land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise) typically include residential dwellings, hotels, motels, hospitals, nursing homes, educational facilities and libraries. As previously noted, the project site is located along W. San Marcos Boulevard. The nearest sensitive receptor to the site consists of 10 single-family residences immediately adjacent to the east-northeast section of the property. Potential operational noise associated with the proposed project would include intermittent vehicular traffic entering the parking lot, roof-mounted HVAC units and loading dock activities, which would be consistent with the light industrial noise environment in the Vista Business Park area. The applicable significance criteria for each of these issues, as well as the potential impacts, are discussed below.

**Noise Standards**

Construction noise is governed by the City's Noise Element. Pursuant to the City's noise abatement criteria, construction activities are limited to Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m. The maximum permissible noise level for construction activities is 75 dBA, which uses an "A" weighted filter measured over eight hours of continuous construction. Since the human ear is not equally sensitive to all sound frequencies within the entire auditory spectrum, the dBA descriptor is used because it factors sounds more heavily within the range of maximum human sensitivity to sound frequencies. This level is measured at or within the property lines of any property that is developed and used either in part or whole for residential purposes.

Fixed operational noise (such as air conditioners or other fixed equipment) are subject to the property line noise limits established in the City's Noise Ordinance (Chapter 8.32.040 of the City's Municipal Code), which are based on the zoning designation of property and time-of-day. In addition, operational standard G-6-1 in the Vista Business Park SP requires that the one-hour average sound level limit measured at the property lines of residences abutting the business park boundary line shall be 60 dB from 7:00 a.m. to 10:00 p.m., and 50 dB from 10:00 p.m. to the following 7:00 a.m. For noises that produce a steady audible hum or repetitive noise, the one-hour average sound level limit would be reduced by five dB. The one-hour average sound level limit within treatment areas that are adjacent to residences (as the proposed project is) shall be 45 dB measured at the business park boundary.

Noise associated with traffic and/or other off-site noise generators is regulated under the City's Noise Element, which identifies exterior noise levels that are acceptable for various land uses. Usable outdoor areas (e.g., private yard areas, recreational open space areas, etc.) are subject to a maximum 65 dBA CNEL impact threshold. If traffic, generated by a project, increases the noise level by more than 3.0 dBA in areas where traffic noise exceeds the 65 dBA CNEL noise level, a project's noise impact would be considered significant.

In terms of sound levels that the human ear can detect, the minimum change is approximately 3.0 dBA. This increment is commonly accepted under CEQA as representing the point where a noise level increase would represent a significant impact, and is the impact threshold that is accepted by the City.

#### **Construction Noise Impacts**

Construction activities associated with development of the proposed project (such as grading) would result in a temporary increase in ambient noise levels in the vicinity of the site. While the project (including future building construction) would be conditioned to adhere to the City's Noise Ordinance as one of the requirements of the Grading Permit, the amount of grading, the size of the site, and the proposed time of construction could produce significant, albeit temporary, noise impacts. However, with the implementation of Mitigation Measures N-1 to N-3, potentially significant impacts would be reduced to less than significant levels.

#### **Mitigation Measures**

- N-1 All construction equipment (fixed or mobile) shall be equipped with properly operating mufflers that are maintained by the contractor on a daily basis.
- N-2 All stationary equipment shall be placed in such a way that emitted noise is directed away from the 10 residences located adjacent to the east-northeast property line.
- N-3 All construction staging areas, vehicle storage areas, stockpiles, etc. shall be located as far as practical from the 10 residences located adjacent to the east-northeast property line.

#### **Operational Outdoor Noise Impacts**

Although no buildings are proposed at this time, it is a reasonably foreseeable consequence that with implementation of the project subsequent buildings would be built in the future. Potential noise impacts that would be associated with future building operations include intermittent vehicular traffic entering parking lots, roof-mounted HVAC units, and loading dock activities. Given the adjacency of the above-mentioned 10 homes to Parcels 2 and 3, building operations at these parcels could potentially create significant noise impacts at these receptors. However, as

identified in the noise design standards of DS-8 *Treatment Areas Adjoining Residential* in the Vista Business Park SP, all new development proposed within 200 feet of the business park boundary that abuts residential land uses shall incorporate noise mitigation measures that will control noise sources to a one-hour sound level of 45 dB, measured at the business park boundary line. Based on this standard, the implementation of Mitigation Measures N-4 and N-5 (below) would reduce potentially significant operational noise impacts to less than significant levels.

#### Mitigation Measures

- N-4** The Plot Plan for any proposed buildings on Parcel 2 or 3 shall incorporate such design measures as building orientation; location of loading docks, doors, trash enclosures; solid fencing; etc. that would reduce effectively reduce noise to the one-hour sound level of 45 dB.
- N-5** Prior to the issuance of building permits, the design measures incorporated into the Plot Plan for proposed buildings on Parcel 2 or 3 to reduce potential noise impacts shall be evaluated by the City's on-call acoustic consultant to insure that proper and effective noise mitigation has been provided.

#### Traffic Noise Impacts

Traffic noise in the vicinity of the site is generated primarily by traffic on W. San Marcos Boulevard. Between the intersection with Business Park Drive and Avenida de las Rosas, W. San Marcos Boulevard has an ADT volume of approximately 31,986 vehicles per day with a posted speed of 55 mph (Wilson, 2009). Based on this traffic volume and speed, traffic noise at 50 feet from the edge of W. San Marcos Boulevard adjacent to the project site is predicted to be 66.3 dBA CNEL. At build-out the proposed project would generate an additional 2,264 ADT; however, this additional ADT is anticipated to increase traffic noise by less than 1.0 dBA on W. San Marcos Boulevard under all traffic scenarios (Existing, Near-Term 2011, Cumulative Year 2030), which would not be perceptible. Therefore, traffic noise impacts from project implementation would be less than significant. No mitigation measures are required.

**b. Less than Significant Impact.** Construction activities associated with grading and excavation may result in some minor amount of ground vibration. Vibration from construction activity is typically below the threshold of perception when the activity is more than 50 feet from a receiver. The property lines of the existing adjacent residences to the east-northeast are located approximately 25 feet from the proposed graded pad of the project, and the closest home would be 41 feet from grading activities. Vibrations from these activities would be short-term and sporadic, and would end when construction is completed. Because construction is not anticipated to involve high impact activities, such as pile driving, this impact is considered less than significant. Mitigation measures are not required.

**c. Less than Significant Impact.** The proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity. However, it would result in periodic, but minor, increases in traffic in the vicinity of the project site. Activities generated by the project would take place mainly inside the building and would not discernibly affect outside ambient sound levels. As a result, impacts would be less than significant, and mitigation measures are not required.

**d. Less than Significant Impact.** As stated above, construction activities associated with development of the proposed project may result in a slight increase in ambient noise levels in the

vicinity of the site; on the other hand, operational activities associated with the light industrial development are not anticipated to increase ambient noise levels. Based on the proposed size and scope of the grading and construction operations, construction of the proposed project is not expected to result in substantial temporary or periodic increases in ambient noise levels in the surrounding area. Therefore, temporary noise impacts associated with construction of the proposed project would be less than significant.

**e. No Impact.** As stated in the Existing Environmental Setting and Surrounding Land Use section, the project site is located approximately 2.54 miles to the east of the McClelland-Palomar Airport. According to a noise contour map in the Draft Airport Land Use Compatibility Plan Update for Palomar Airport (May 2009), the project site is just outside (and south) of the 55-60 dB CNEL contour. Accordingly, the project would not expose people working at the project site to excessive noise levels. No significant noise impacts would occur.

**f. No Impact.** The proposed project is not located within the vicinity of a private airstrip. No noise impacts would occur.

XIII. Population and Housing <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

a. **No Impact.** The project proposes to subdivide a 17.17-acre site within the Vista Business Park into five lots for an industrial development. The adjacent areas to the north and west have been developed with industrial and commercial uses since about 1999, and areas to the south and east have been developed with residential uses since roughly 1995. Therefore, project construction would not result in potentially growth-inducing effects by extending utilities into an undeveloped area because existing infrastructure and public services currently serves the surrounding developments. Consequently, significant direct or indirect population growth would not occur with project implementation.

b. **No Impact.** The project site is currently undeveloped and does not contain any houses. As a result, significant impacts to substantial numbers of existing housing would not occur.

c. **No Impact.** As stated above, the project site is currently undeveloped; therefore, significant impacts would not occur.



<b>XIV. Public Services</b>  <i>a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Maintenance of public facilities including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

**a1. Less than Significant Impact.** The proposed project would result in less than significant impacts to fire protective services. The project consists of subdividing a 17.17-acre site into five industrial lots, although the construction of buildings is not currently proposed. However, the eventual construction of buildings on the proposed lots would be done in accordance with all applicable fire codes set forth by the State Fire Marshall, the Vista Fire Department, and the City's building code. Implementation of the proposed project may result in a slight incremental increase in the demand for emergency services; however the size and location of the project would not place an undue hardship on the fire department since they are presently servicing the area. Fire protection services would be available from Fire Station No. 5, located on S. Melrose Drive approximately 3.14 miles to the north-northwest from the site. In addition, the Vista Fire Department reviewed the Tentative Parcel Map of the proposed project and provided recommendations to reduce potential impacts to fire protective services. The Fire Department would also review the building and precise grading plans when they are submitted to the City, and would also identify and provide additional recommendations to reduce any potential impacts. These recommendations would be included in the Conditions of Approval for the project. In addition, prior to final project approval, the City Fire Marshall would verify that the project has been designed to conform to code. Therefore, implementation of the proposed project would not exceed the capacity of the Vista Fire Department to serve the site with existing fire protection services and resources. Less than significant impacts would occur.

**a2. Less than Significant Impact.** The proposed project would not result in significant impacts on police protective services. Industrial developments are not generally associated with increased criminal activity, and increased demand for police protection is not expected since they are presently servicing the area. For that reason, the proposed project would not exceed the capacity of the Vista Sheriff's Department to provide police protective services to the proposed project, and impacts would be less than significant.

**a3. No Impact.** Future industrial buildings that would be built as a result of the implementation of the proposed project would likely not result in a direct or incremental increase in the population. Therefore the project would not place substantial demands on VUSD schools or school operations that would require additional school facilities.

**a4. No Impact.** Maintenance of W. San Marcos Boulevard, a public road adjacent to the project site is provided by the City of San Marcos. Maintenance of Palomar Airport Road is provided by the City of Carlsbad, and the City of Vista provides maintenance of Business Park Drive. Due to the size and scope of the proposed project and the associated vehicular traffic, roadway maintenance activities on these roads are not anticipated to increase above normal levels. As a result, no significant impacts are anticipated from project implementation.

**a5. No Impact.** Due to the industrial nature of the proposed project, no impacts on libraries, senior centers, or other public facilities are anticipated. Consequently, significant impacts would not occur.

XV. Recreation <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION**

a. **Less than Significant Impact.** The project would not significantly affect any property currently zoned for recreational or open space use. The project consists of subdividing a 17.17-acre site into five industrial lots; however, the construction of buildings is not currently proposed. A small demand on existing recreational resources may be anticipated with any commercial/industrial development within the City, since many businesses have organized sports activities that utilize local parks and recreational resources on a regular or seasonal basis. In addition, employees of these developments may utilize City parks and other public facilities for lunch time or other leisure time activities. However, this impact is anticipated to be minimal, and would not lead to a substantial physical deterioration of recreational facilities. Therefore, impacts to recreational resources would be less than significant.

b. **Less than Significant Impact.** The project does not propose the development of any recreational facilities. As stated above, a small demand on existing recreational resources may be anticipated with any commercial/industrial development within the City; however, this impact is anticipated to be minimal, and would not require the expansion of existing recreational facilities or the construction of new recreational facilities that might adversely effect the environment. As a result, less than significant impacts would occur with project implementation.

XVI. Transportation/Traffic <i>Would the project:</i>	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads and highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is summarized and based on the findings contained within the *Executive Ridge Industrial Park Traffic Impact Study (Traffic Study)* (Wilson & Company (Wilson), dated May 18, 2009) prepared for the proposed project. The report is on file and available for review in the City's Planning Division office.

**DISCUSSION**

**a. Less than Significant with Mitigation.** The proposed project would not cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system. The applicant seeks approval of a Tentative Parcel Map to subdivide one of the last undeveloped parcels of the Vista Business Park, a 17.17-acre site located on the north side of W. San Marcos Boulevard, into five lots for an industrial development. The site is located in the southernmost area of the City, and its eastern and southern boundaries are immediately adjacent to the City of San Marcos corporate boundary. The City of Carlsbad corporate boundary is located approximately 0.29 mile to the west of the project site, just past the intersection of W. San Marcos Boulevard and Business Park Drive. W. San Marcos Boulevard (which becomes Palomar Airport Road after Business Park Drive) would provide the main route for the proposed project's traffic. Both W. San Marcos Boulevard and Palomar Airport Road currently exist as a 6-lane roadway with raised medians, bicycle lanes, and posted speed limit of 55 mph. W. San Marcos Boulevard is classified as a 6-lane Prime Arterial in the City of San Marcos General Plan Circulation Element, and Palomar Airport Road has the same classification in the City of Carlsbad General Plan Circulation Element.

**LOS Standards and Significance Thresholds**

Roadway segment LOS standards are generally used as long-range planning guidelines to determine the functional classification of roadways. The actual capacity of a roadway facility

varies according to its physical attributes. Typically, the performance and LOS of a roadway segment is heavily influenced by the ability of the arterial intersections to accommodate peak hour volumes. Within the City of Vista, and the San Diego region as a whole, intersection performance rather than roadway segment performance is considered the better indicator of poor levels of operations and the basis upon which recommendations for corrective mitigation measures are made. Therefore, peak hour intersection capacity analyses at the signalized and unsignalized intersections within the study area are the focus of the project traffic analysis summarized in this MND. The analysis of roadway segments is found in the above referenced *Traffic Study* (Wilson, 2009). In summary, the study determined that the addition of project trips would not cause any significant deterioration in roadway segment Level of Service under Existing Plus Project conditions, Near-Term Year 2010 Plus Project conditions, or Cumulative Year 2030 Base Plus Project conditions. For roadway segments located in the cities of Carlsbad and San Marcos with LOS E or F, the project traffic would not cause the V/C ratio to increase more than 0.02, and therefore, no significant traffic impacts were identified under this scenario. The Cities of Vista, San Marcos, and Carlsbad all consider LOS D during the AM and PM peak hours to be the threshold of impact significance. This is consistent with the approach of the other jurisdictions within San Diego County and past studies conducted within the City of Vista.

#### City of Vista Threshold of Significance

The City's threshold of significance for traffic impact analyses for peak hour intersections is based upon an LOS D at local intersections to which a project contributes traffic. Intersection analysis addresses the LOS at local intersections in terms of delay, or more specifically, in terms of average delay per vehicle. Delay is measured during the a.m. and p.m. peak travel hours to provide a worst case analysis (i.e., 7-9 a.m. and 4-6 p.m.). The LOS standards range from "A" to "F", "A" representing minimal delay (i.e., less than 10 seconds) and "F" representing excessively high delay (i.e., greater than 80 seconds). For the purposes of traffic impact analysis in the City, LOS D or better (i.e., less than 55 seconds) is considered to be the threshold level of service for signalized intersections. For unsignalized intersections LOS D would be a delay that is less than or equal to 35 seconds.

A project is considered to have a significant impact on the operation of an intersection when one of the following occurs:

- The addition of project traffic results in a Level of Service dropping from LOS D or better to LOS E or F.
- If an intersection is operating at LOS E or F under the no-project scenario and the project adds more than an additional 2 seconds of average vehicle delay.
- In the longer-range cumulative condition, if the addition of project traffic results in a Level of Service dropping from LOS D or better to LOS E or F, or if an intersection is operating at LOS E or F and the project contributes to the average vehicle delay, the project is determined to have a cumulatively significant impact.

Any impacts that are considered significant or cumulatively considerable require mitigation in order to reduce those impacts to less than significant levels.

#### Cities of Carlsbad and San Marcos Threshold of Significance

The Cities of Carlsbad and San Marcos' criteria for defining project impact are consistent with the *SANTEC/ITE Guidelines for Traffic Impact Studies in the San Diego Region* (Amended February 2004). These thresholds are generally based upon an acceptable increase in the Volume/Capacity ratio for roadway and freeway segments, and upon increases in vehicle delays for intersections and ramps. If a proposed project's traffic causes more than a two (2) second

delay at an intersection, this is considered a direct significant impact. Any impacts that are considered individually or cumulatively significant would require mitigation in order to reduce those impacts to less than significant levels.

**Study Intersections**

Seven key intersections were identified in the *Traffic Study* (Wilson, 2009) for analysis:

1. Palomar Airport Road/El Fuerte Street
2. Palomar Airport Road/Melrose Drive
3. Palomar Airport Road/Paseo Valindo
4. Palomar Airport Road/W. San Marcos Boulevard/Business Park Drive
5. W. San Marcos Boulevard/Acacia Drive
6. W. San Marcos Boulevard/Viewpoint Drive
7. W. San Marcos Boulevard/Rancho Santa Fe Road

**Trip Generation and Distribution**

The trip generation estimate (Table T-1) for the proposed project was developed using the SANDAG *Guide to Vehicular Traffic Generation Rates for the County of San Diego* (April 2002).

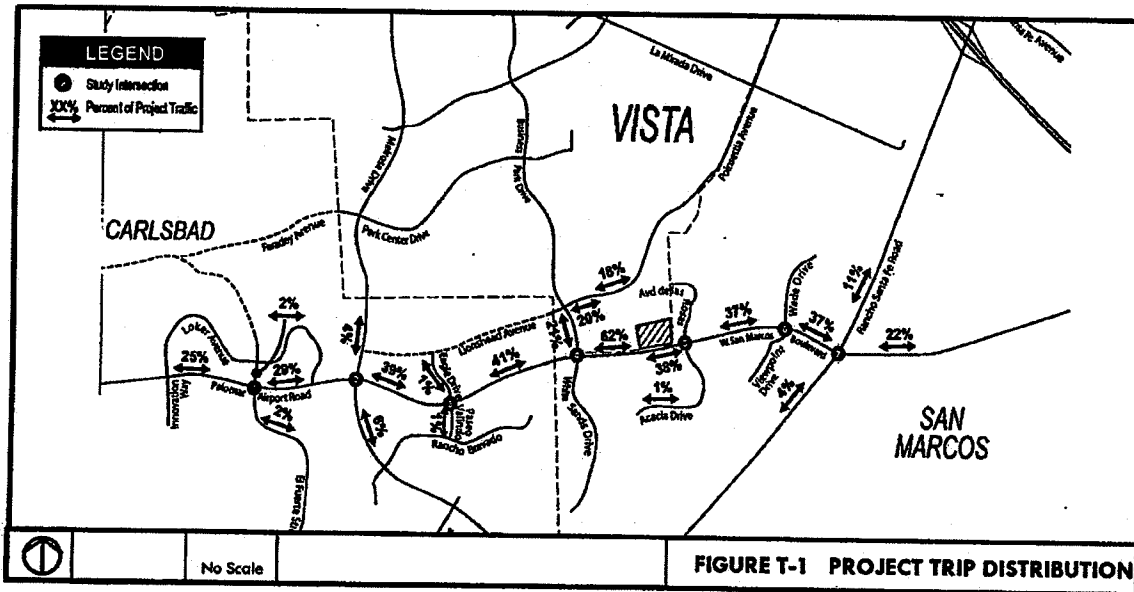
**TABLE T-1  
PROJECT TRIP GENERATION**

Land Use	Units	Trip Rate	Daily Trips	a.m. Peak		p.m. Peak	
				%	Trips	%	Trips
Industrial Park	283,000 SF*	8 trips per 1,000 SF	2,264	11	249 (224-in / 25-out)	12	272 (54-in / 217-out)

Source: Wilson, 2009 and SANDAG Trip Generation Manual- April 2002 \* = maximum square footage allowed on the site.

As shown in Table T-1, the proposed project is anticipated to generate 2,264 average daily trips, with 249 trips in the a.m. Peak Hour and 272 trips in the p.m. Peak Hour.

The project trip distribution reflects the likely distribution of project traffic given the surrounding land uses. Figure T-1 displays the trip distribution associated with the proposed project.



Source: Wilson, 2009

**Intersection Analysis**

A summary of the intersection analysis peak hour LOS results with and without the proposed project under Existing, Near-Term (2010) and Cumulative (2030) scenarios is presented in Table T-2 and discussed below.

**TABLE T-2  
SUMMARY OF INTERSECTION ANALYSIS PEAK HOUR LEVEL OF SERVICE RESULTS\***

ID	Intersection	Existing <sup>†</sup>	Existing Plus Project <sup>‡</sup>	Near-Term <sup>§</sup> (2010)	Near-Term Plus Project <sup>‡</sup>	Cumulative <sup>¶</sup> (2030)	Cumulative Plus Project <sup>‡</sup>
1	Palomar Airport Road / El Fuerte Street	D/D	D/D	F/D	F/D	F/D	F/D
2	Palomar Airport Road / Melrose Drive	F/D	F/D	F/D	F/D	F/D	F/D
3	Palomar Airport Road / Paseo Valindo	B/B	B/B	F/D	D/D	F/F	E/E
4	Palomar Airport Road / W. San Marcos Boulevard / Business Park Drive	B/B	B/B	D/C	D/D	C/D	C/D
5	W. San Marcos Boulevard / Acacia Drive	A/A	B/A	B/B	B/C	B/C	C/C
6	W. San Marcos Boulevard / Viewpoint Drive	A/A	B/A	B/B	B/B	B/B	B/B
7	W. San Marcos Boulevard / Rancho Santa Fe Road	D/E (D)	D/E (D)	F/F	F (E)/F (F)	F/F	E/F
	Poinsettia @ Project Driveway	NA/NA	B/B	NA/NA	B/B	NA/NA	B/C

Source: Wilson, 2009

Notes: Bold letter indicates unacceptable LOS E or F; (X) = LOS After Mitigation; \* = Peak Hour LOS expressed as A.M./P.M.; NA = Not Analyzed under this scenario.

As stated in the *Traffic Study* (Wilson, 2009), the following key points summarize the intersection analyses:

- Under the Existing and Existing Plus Project scenarios, all of the study area intersections are currently operating and would continue to operate at acceptable LOS D or better, with the exception of the following two (2) intersections:
  - Palomar Airport Road / Melrose Drive (LOS F in a.m. peak)
  - W. San Marcos Boulevard / Rancho Santa Fe Road (LOS E in p.m. peak)

The addition of the proposed Executive Ridge Industrial Park project traffic would not cause a significant impact at the intersection of Palomar Airport Road/Melrose Drive because the delay does not add more than two (2) seconds. Project traffic would cause a significant impact at the intersection of W. San Marcos Boulevard/Rancho Santa Fe Road because it is projected to add a 2.1 second delay in the p.m. peak hour. However, with implementation of Mitigation Measure T-1, the significant impact at this intersection would be reduced to a less than significant level.

- Under the Near-Term Year 2010 scenarios, all study intersections would operate at acceptable LOS D or better, with the exception of the following three (3) intersections:
  - Palomar Airport Road / El Fuerte Street (LOS F in a.m. peak)
  - Palomar Airport Road / Melrose Drive (LOS F in a.m. peak)
  - W. San Marcos Boulevard / Rancho Santa Fe Road (LOS F in a.m. and p.m. peak)

The addition of the proposed Executive Ridge Industrial Park project traffic would not cause a significant impact at the intersection of Palomar Airport Road/El Fuerte Street and Palomar Airport Road/Melrose Drive because the delay does not add more than two (2) seconds.

Project traffic would cause a significant impact at the intersection of W. San Marcos Boulevard/Rancho Santa Fe Road because it is projected to add a 3.6 second delay in the a.m. peak hour, and a 4.7 second delay in the p.m. peak hour. However, with implementation of Mitigation Measure T-1, the significant impact at this intersection would be reduced to a less than significant level.

3. Under Cumulative Year 2030 conditions, all study intersections would operate at acceptable LOS D or better, with the exception of the following three (3) intersections:
- Palomar Airport Road / El Fuerte Street
  - Palomar Airport Road / Melrose Drive
  - W. San Marcos Boulevard / Rancho Santa Fe Road

The proposed project would not cause any significant cumulative traffic impacts at these three intersections because the delays would not add more than two (2) seconds, and impacts would be less than significant.

#### Mitigation Measure

**T-1** Prior to the issuance of an occupancy permit, the Applicant/Owner shall be responsible for modifying the traffic signal phasing to include a right-turn overlap phase at the northbound approach of W. San Marcos Boulevard/Rancho Santa Fe Road.

**b. Less than Significant with Mitigation.** The proposed project would not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads. The traffic analysis in the *Traffic Study (Wilson, 2009)* was performed in accordance with SANDAG's CMP requirements, as well as the requirements of the cities of Vista and Carlsbad. The *Traffic Impact Studies Guidelines (Appendix D)* in the *SANDAG 2002 CMP Update (January 2003)* state that the defined study area must include all roadways and freeways where a proposed project would add 50 or more peak hour trips in either direction. The proposed project would not contribute more than 50 peak hour trips on SR-78; therefore, CMP freeway impact analyses were not conducted. As presented in the section above, the addition of project traffic would not cause any cumulatively significant impacts to local roads, but would cause significant impacts at the W. San Marcos Boulevard / Rancho Santa Fe Road. However, with the implementation of Mitigation Measure T-1, significant impacts would be reduced to less than significant levels.

**c. No Impact.** Implementation of the proposed project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, which would result in substantial safety risks. The project site is located approximately 2.6 miles east of the McClellan-Palomar (Palomar) Airport, which is located in Carlsbad. Project traffic would not cause an increase in air traffic levels, or create a physical impediment that would necessitate an alteration of flight patterns. Significant impacts would not occur with project implementation.

**d. No Impact.** Implementation of the proposed project does not involve any potentially dangerous traffic or transportation hazards, nor does it propose any incompatible uses that could affect existing traffic or circulation in the project areas. As a result, significant impacts would not occur with project implementation.

**e. No Impact.** The proposed project would not result in impacts to emergency access. The project has been designed to incorporate all required Vista Fire Department standards to ensure that its implementation would not result in hazardous design features, or inadequate emergency



access to the site or areas surrounding the site. Consequently, significant impacts would not occur with project implementation.

**f. No Impact.** The proposed project would not include the development of buildings at this time. However, based on the City's Municipal Code (Section 18.54.050 B.) and on the estimated building space of 283,000 sq. ft. used in Table T-1, the proposed project would need a total of 944 off-street parking spaces. A portion of the parking space dimensions can be modified, as allowed by Section 18.54.150 of the Municipal Code if industrial developments employ more than 20 people on the same shift. This would translate into not less than 15 percent of the required spaces (142 spaces) would be nine by 19 feet in size (or 171 sq. ft. each); not less than 60 percent (566 spaces) would be 8.5 by 19 feet (or 161.5 sq. ft. each); and not less than 25 percent (236 spaces) would be 8.5 by 16.5 feet (or 140.25 sq. ft. each). In terms of calculating the area needed for parking, (not including drive aisle widths, driveway dimensions, etc.), a total of 148,790 sq. ft. or 3.41 acres would be needed. The total size of the project site is 17.17 acres; subtracting out 0.92 acre for the private street, 6.50 acres for the building footprint, and approximately 4.81 acres for the manufactured slopes which totals 12.23 acres, the 3.41 acres of parking can be accommodated on-site. Future development of the site would include the submission of precise grading and building plans to the City's Land Engineer, Building Department and Planning Division. Through the review of these initial plans, as well as the issuance of the Building and Grading Permits, and construction inspections, adequate parking capacity would be verified and documented. Therefore, the proposed project site would be able to provide adequate parking capacity, and significant impacts would not occur.

**g. No Impact.** The proposed project would not conflict with any adopted policies, plans, or programs supporting alternative transportation. Implementation of the project would include provision of bicycle racks, as required by City Municipal Code Section 18.54.080. As a result, significant impacts would not occur with project implementation.

XVII. Utilities and Service Systems	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
<i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION**

a. **No Impact.** If LAFCO approves the VID and VWD (or the District) service reorganization, the proposed project would connect a new 8-inch sewer main to VWD's existing 8-inch sewer line located in the Avenida Michelle cul-de-sac in San Marcos. The new sewer main would provide sewer laterals to the newly created building pads. A new 385-foot by 20-foot sewer easement (see Figure 3), extending from the cul-de-sac of the new private street and then along the southern and southeastern boundary line of Parcel 3, would provide VWD access to the line. The District produces about 7.5 mgd of wastewater annually.<sup>12</sup> Approximately 5.0 mgd of that annual amount is treated at the Meadowlark Water Reclamation Facility, a tertiary wastewater treatment plant owned by VWD with a treatment capacity of 5.0 mgd.<sup>13</sup> The other 2.5 mgd of wastewater is treated at the Encina Water Pollution Control Facility, which is a conventional activated sludge wastewater treatment plant that has an overall treatment capacity of 36.0 mgd. VWD's contracted treatment capacity at the Encina facility is 7.54 mgd.<sup>14</sup>

The District and both wastewater treatment facilities operate in accordance with applicable wastewater treatment requirements of the San Diego RWQCB, and the proposed project's wastewater system has been designed to comply with these treatment requirements. Therefore, upon project implementation the proposed industrial development would tie into existing

12. VWD's 2005 Urban Water Management Plan.

13. Ibid.

14. Ibid.

wastewater lines, and would adhere to all wastewater treatment requirements specified by the City and the RWQCB so that significant impacts would not occur.

**b. Less than Significant Impact.** Based on the zoning designation of “B” (Research, Light Industrial, and Business Support Group), the proposed five-lot industrial subdivision would be expected to generate approximately 17,170 gpd of wastewater (based on 1,000 gpd/acre x 17.17 acres).<sup>15</sup> The project’s new 8-inch private sewer main would connect to the stub of VWD’s 8-inch sewer main at the Avenida Michelle cul-de-sac in San Marcos. VWD’s sanitation system has roughly 16,640 connections and has an annual average flow of 7.5 mgd. As stated above, wastewater from the proposed project would be treated at the Meadowlark Water Reclamation Facility and the Encina Water Pollution Control Facility. VWD recycles 5.0 mgd of water from the Meadowlark Facility, which is sold to the City of Carlsbad for irrigation purposes. Wastewater generation from the proposed project would not directly or cumulatively exceed the capacity of the either facility to treat it. Therefore, the project’s contribution of wastewater would not require new water/wastewater facilities to be built or existing facilities to expand; therefore, impacts would be less than significant.

**c. No Impact.** As discussed in the Hydrology and Water Quality section above, the project’s proposed storm drain system would consist of RCP storm drain pipes, catch basins, a sand/media filtration trench, and temporary desiltation basins. The drainage system would convey storm water runoff from the existing off-site sources above (and north of) the site directly into the project’s storm drain system. Temporary desiltation basins would also be established on the site during mass grading operations. There would be a total of seven basins, two each on Parcels 1 and 4 and one each on Parcels 2, 3 and 5. Overflow pipes would be installed at each basin and connect to the proposed drainage system. Treated storm water would be discharged to the existing wetland across W. San Marcos Boulevard to the south. The total calculated (10-year storm volume) peak flow rate of runoff discharge under the developed condition is predicted to be 64.93 cfs, which is 9.96 cfs more than the pre-developed condition. To restore discharge to pre-existing levels, 180 feet of 60-inch underground detention pipe would be installed near the bottom of the private street to detain storm runoff. Therefore, implementation of the proposed project’s storm drain system would not significantly alter the existing drainage pattern of the site, and it would not create or contribute storm water runoff that would exceed the capacity of the existing downstream storm drain system. Consequently, no significant impacts would result from project development.

**d. Less than Significant Impact.** Overall, if LAFCO approves the service reorganization of the project into VWD’s service area, the proposed five-lot industrial subdivision would create a slight increase in the demand for potable water service for the District. However, according to recent correspondence, water service for the proposed project would be available.<sup>16</sup> The District is a member agency of the San Diego County Water Authority. VWD imports 100 percent of its potable water supply from the Water Authority, who in turn buys it from the Metropolitan Water District of Southern California. The average daily demand for the proposed project would be approximately 34,683.4 gpd for potable water. This demand is based on a unit water demand factor of 2,020 gpd per acre (2,020 x 17.17 acres), which would equate to the “B” (Research, Light Industrial, and Business Support Group) zoning designation of the property.<sup>17</sup> Water supplies necessary to serve the demands of the proposed project, along with existing and other projected future users,

15. The average wastewater daily demand is based on information in Vista’s Sewer Master Plan Update, January 2008.

16. Letter from Cheryl Brandstrom, Engineering Supervisor, VWD, December 21, 2009.

17. Based on VID’s Potable Water Master Plan, December 2000, which is more conservative than VWD’s 1,800 gpd/acre demand factor for industrial.

and the actions necessary to develop these supplies (e.g., conservation, efficiency standards, etc.) have been identified in the water supply planning documents of the District, the Water Authority, and the Metropolitan Water District. These agencies calculate future demands within their respective service areas based on SANDAG's projected population and growth rate projections, which are based on the land use policies of the cities and county within the San Diego County region. This provides consistency between retail and wholesale agencies' water demand projections, thereby ensuring that adequate supplies are being planned for existing and future water users. As discussed in Section IX – Land Use and Planning, the proposed project would be compatible and consistent with the Vista Business Park SP land use designation which is part of the City's General Plan. Based on a normal water supply year as described in VWD's 2005 Urban Water Management Plan, the District's projected potable water supply will meet the projected water demand of 22,903 Acre Feet in 2030.<sup>18</sup> Based on dry year forecasts (24,413 Acre Feet - single dry year, 2030), the estimated water supply would also meet the projected water demand, during single and multiple-dry year scenarios in 2030. Therefore, the implementation of the project would not require new or expanded water entitlements from VWD, or require new water resources be found. As a result, project demand for potable water supply impacts would be less than significant.

**e. Less than Significant Impact.** As previously discussed above, the proposed project would be expected to generate approximately 17,170 gpd of wastewater. As stated above, wastewater from the project would be treated at the Meadowlark Water Reclamation Facility, a tertiary wastewater treatment plant owned by VWD with a treatment capacity of 5.0 mgd, and the Encina Water Pollution Control Facility, which treats 36 mgd of wastewater. This additional contribution would be considered negligible in relation to the current and or future capacities, and impacts would be considered less than significant.

**f. Less than Significant Impact.** Implementation of the project would result in a slight increase in domestic municipal solid waste generation because of the proposed industrial land use. The project would comply with AB 939, which requires cities to divert 50 percent of solid waste to recycling programs and away from landfills. Solid waste generated by the project would either be hauled to Sycamore Landfill in San Diego, which has a permitted capacity of 2,500 tons per day (tpd) and an average daily intake of 900 tpd, or disposed of at the Palomar Waste Transfer Station in Carlsbad, which has a permitted daily capacity of 2,250 tpd. Either of these solid waste facilities is capable of accommodating the solid waste generated by the proposed project. Because the project's contribution would be negligible in terms of the remaining capacity of these available landfills, impacts would be less than significant. No mitigation measures are required.

**g. No Impact.** The proposed project would comply with all regulations related to solid waste such as the California Integrated Waste Management Act and city recycling programs; therefore, significant impacts would not occur.

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18. An "acre foot" is a quantity or volume of water covering one acre to a depth of one foot; equal to 43,560 cubic feet or 325,851 gallons. As a rule of thumb in U.S. water management, one acre foot is taken to be roughly the amount of water used annually by between 1 and 3 suburban family households of four, per year.

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

**DISCUSSION**

**a. Less than Significant with Mitigation.** With the incorporation of mitigation measures, the proposed project would not have the potential to degrade the quality of the environment, reduce the habitat of any sensitive plant or animal species, or eliminate important examples of California history or prehistory. Implementation of the proposed project would result in significant impacts to 0.03-acre of southern willow scrub, 5.64-acres of Diegan coastal sage scrub, 9.14-acres of southern mixed chaparral, 0.06-acre of jurisdictional wetlands, 1.93-acres of non-native grassland vegetation, and individual special-status species of California adolphia, summer holly, and Nuttall's scrub oak.<sup>19</sup> Impacts to non-native vegetation and urban/developed vegetation would not be significant under CEQA. However, with implementation of Mitigation Measures BR-1 to BR-6 described in Section IV of this MND, development of the proposed project would result in less than significant impacts to Biological Resources. No archaeological or historical resources have been previously recorded within the subject property or adjacent to the project area, and none were found during the field survey for the June 2007 *Archaeological Report*. In addition, the Native American Heritage Commission has no record of sensitive cultural resources in the project area. Nevertheless, the project site is located in an area that is rich in archaeological resources, which raises the potential for subsurface cultural resources (including human remains) that are not evident to be revealed during ground-disturbing activities, which would result in significant impacts. Based on this condition, the implementation of mitigation measures CR-1 to CR-6 would reduce potentially significant impacts to unknown cultural resources to less than significant levels.

**b. Less than Significant Impact.** Implementation of the proposed project would not result in individually limited, but cumulatively considerable significant impacts. All resource topics associated with the project have been analyzed in accordance with State CEQA Guidelines and

<sup>19</sup> While impacts to non-native vegetation are generally not significant under CEQA, conservation of this habitat is critical to achieving regional conservation goals. For this reason impacts would be considered significant.

found to pose no impact, less-than-significant impact, or less than significant with mitigation. In addition, taken in sum with other projects in the area the scale of the proposed project is small and impacts to any environmental resource or issue areas would not be cumulatively considerable. Therefore, impacts would be less than significant.

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

## Chapter 4

## REFERENCES AND LIST OF PREPARERS

### Individuals and Organizations Consulted

John Conley, AICP - Community Development Director, City of Vista  
 Elaine Blackburn, AICP - Principal Planner, Community Development Department, City of Vista  
 Grey Mayer, P.E. - Principal Engineer, Community Development Department, City of Vista  
 Gary Fisher, Fire Chief and Bob Gmur, Supervising Fire Inspector, Vista Fire Department  
 Tony Tirado, Assistant Engineer, City of Vista  
 Doug Dentino, P.E. and Mike Levin, L.S., Excel Engineering, Inc.  
 Keith Merkel, Principal, Merkel & Associates, Inc.  
 Robert Barry, Local Government Analyst, San Diego LAFCO

### References

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

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## Preparer

John Hamilton, AICP - Environmental Planner, City of Vista



## Chapter 5

## LIST OF MITIGATION MEASURES

- BR-1** Prior to the issuance of a grading permit, the Applicant/Owner shall obtain all necessary wetland permits and/or approvals from the resource agencies including, but not limited to, an ACOE, Clean Water Act, section 404 permit for placement of dredged or fill material within waters of the U.S.; RWQCB, Clean Water Act, section 401 state water quality certification for an action that may result in degradation of waters of the State; and a CDFG, Fish and Game Code, section 1602 agreement for alteration of a streambed.
- BR-2** Prior to the issuance of a grading permit, the Applicant/Owner shall acquire habitat credits at the Upper La Mirada Canyon Mitigation Area at the ratios and vegetation types stated in Table BR-3.

**TABLE BR-3  
MITIGATION RATIOS AND ACREAGES**

Vegetation Type	Acres Impacted	Mitigation Ratio	Mitigation Acreage
Southern Willow Scrub	0.03	2:1	0.06
Diegan Coastal Sage Scrub	5.64	1:1	5.64
Southern Mixed Chaparral	9.14	0.5:1	4.57
Non-Native Grassland	1.93	0.5:1	0.97
<b>Total</b>	<b>16.74</b>		<b>11.24</b>

\* Note: Impacts to these species were limited to individual plants.

Source: Merkel & Associates, 2009

- BR-3** Impacts to California adolphia, summer holly, and Nuttall's scrub oak shall be mitigated by the conservation or successful restoration of equivalent populations as those impacted by the proposed project. Prior to the issuance of a grading permit, the Applicant/Owner shall prepare a conservation and/or restoration plan, which shall identify and describe the number of plants impacted, conservation and/or mitigation ratios consistent with this MND, location of the planting area, planting plan, and a 5-year maintenance and monitoring plan.
- BR-4** Prior to the issuance of the first building permit, the Applicant/Owner shall implement any required conservation and/or restoration planting within the planting area described in the conservation and/or restoration plans.
- BR-5** Prior to the issuance of a grading permit, the Applicant/Owner shall prepare a Wetland Mitigation Plan which mitigates impacts to non-wetland Waters of the U.S./Streambed at a 1.5:1 ratio. The mitigation plan shall include verification of the wetland delineation and project impacts, establishment of a mitigation area, preparation of a planting plan, and a 5-year maintenance and monitoring plan.
- BR-6** Prior to the issuance of the first building permit, the Applicant/Owner shall install the mitigation described in the Wetland Mitigation Plan.
- CR-1** Prior to the commencement of grading, the Applicant/Owner shall enter into a pre-

excavation agreement with a representative of the San Luis Rey Band of Luiseño Mission Indians. The purpose of this agreement shall be to formalize procedures for the treatment of Native American human remains, burial, ceremonial or cultural sites that may be uncovered during any ground disturbing activity. In the event archaeological resources are discovered, the Archaeological Monitor and/or Native American Monitor shall be empowered to suspend work in the immediate area of the discovery until such time as a data recovery plan can be developed and implemented. Work outside of the area of the find shall proceed with the continuation of archaeological monitoring. If a data recovery plan is implemented, all cultural materials from testing, monitoring, and data recovery phases of the project, except burial-related artifacts and as otherwise required by law, shall be cleaned, catalogued and permanently curated at an institution meeting the standards defined in the State of California Guidelines of the Curation of Archaeological Collections (May 1993). Repatriation of materials shall be handled in accordance with the requirements of the California Native American Graves Protection and Repatriation Act. All artifacts and all faunal materials shall be analyzed.

- CR-2** Prior to the issuance of a grading permit, the Grading Contractor shall provide a letter of verification to the City's Planning Director stating that a qualified Archaeological Monitor and Native American Monitor have been retained at the Applicant/Developer's expense to implement the monitoring program, as described in the pre-excavation agreement.
- CR-3** Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (data recovery plan) shall be submitted to the Director of Planning for approval.
- CR-4** The Archaeological Monitor shall maintain ongoing consultation with the San Luis Rey Band of Luiseño Mission Indians during grading. The requirement for the archaeological monitoring shall be noted on the grading plans. The Applicant/Owner shall notify the Director of Planning of the start and end of construction.
- CR-5** The Archaeological Monitor and Native American Monitor shall attend pre-construction meetings with the Grading Contractor to make comments and/or suggestions concerning the archaeological monitoring program. The Archaeological Monitor and Native American Monitor shall be present on-site full-time during grubbing, grading and/or other ground altering activities of soils to identify any evidence of archaeological resources.
- CR-6** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, construction or excavation would halt in the area of the discovery, the area would be protected, and consultation and treatment would occur as prescribed by law. A temporary construction exclusion zone shall be established surrounding the site to allow for further examination and treatment of the find. The Archaeological Monitor or City representative shall immediately notify the San Diego County Coroner's office by telephone. By law, the Coroner will determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission who will appoint the Most Likely Descendent. Additionally, if the bones were determined

to be Native American, a plan would be developed regarding the treatment of human remains and associated burial objects, and the plan would be implemented under the direction of the Most Likely Descendent.

- N-1** All construction equipment (fixed or mobile) shall be equipped with properly operating mufflers that are maintained by the contractor on a daily basis.
- N-2** All stationary equipment shall be placed in such a way that emitted noise is directed away from the 10 residences located at the east-northeast property line.
- N-3** All construction staging areas, vehicle storage areas, stockpiles, etc. shall be located as far as practical from the 10 residences located at the east-northeast property line.
- N-4** The Plot Plan for any proposed buildings on Parcel 2 or 3 shall incorporate such design measures as building orientation; location of loading docks, doors, trash enclosures; solid fencing; etc. that would reduce effectively reduce noise to the one-hour sound level of 45 dB.
- N-5** Prior to the issuance of building permits, the design measures incorporated into the Plot Plan for proposed buildings on Parcel 2 or 3 to reduce potential noise impacts shall be evaluated by the City's on-call acoustic consultant to insure that proper and effective noise mitigation has been provided.
- T-1** Prior to the issuance of an occupancy permit, the Applicant/Owner shall be responsible for modifying the traffic signal phasing to include a right-turn overlap phase at the northbound approach of W. San Marcos Boulevard/Rancho Santa Fe Road.

**CITY OF VISTA  
MITIGATION MONITORING AND REPORTING PROGRAM FOR  
MITIGATED NEGATIVE DECLARATION PC3-182**

June 16, 2011

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**PROJECT NAME:** Executive Ridge Industrial Subdivision

**DESCRIPTION:** The proposed project consists of a request for approval of a Tentative Parcel Map to subdivide an undeveloped 17.17-acre site within the Vista Business Park into five lots ranging in size from 2.78 to 3.74 acres for an industrial development. No buildings are proposed at this time. Overall, the proposed project involves the grading and construction of building pads, retaining walls, wet and dry utilities, a private street, and installation of landscaping.

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**LOCATION:** The site of the proposed project (APN: 221-661-23) is located on the north side of W. San Marcos Boulevard, between Business Park Drive (in Vista) and Avenida de las Rosas (in San Marcos).

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The following Mitigation Measures and Project Design Features have been incorporated into the project design or are to be implemented in accordance with the project conditions of approval, thereby reducing all identified impacts to a less than significant level.

Mitigation Monitoring and Reporting Program MND PC3-182

MITIGATION MEASURES	STAFF MONITOR	TIMING OF COMPLIANCE	DATE OF COMPLIANCE																								
<p><b>BR-1</b> Prior to the issuance of a grading permit, the Applicant/Owner shall obtain all necessary wetland permits and/or approvals from the resource agencies including, but not limited to, an ACOE, Clean Water Act, section 404 permit for placement of dredged or fill material within waters of the U.S.; RWQCB, Clean Water Act, section 401 state water quality certification for an action that may result in degradation of waters of the State; and a CDFG, Fish and Game Code, section 1602 agreement for alteration of a streambed.</p>	<p>Planning Director</p>	<p>Prior to issuance of a grading permit</p>																									
<p><b>BR-2</b> Prior to the issuance of a grading permit, the Applicant/Owner shall acquire habitat credits at the Upper La Mirada Canyon Mitigation Area at the ratios and vegetation types stated in Table BR-3.</p>	<p>Planning Director</p>	<p>Prior to issuance of a grading permit</p>																									
<p align="center"><b>TABLE BR-3 MITIGATION RATIOS AND ACREAGES</b></p> <table border="1"> <thead> <tr> <th>Vegetation Type</th> <th>Acres Impacted</th> <th>Mitigation Ratio</th> <th>Mitigation Acreage</th> </tr> </thead> <tbody> <tr> <td>Southern Willow Scrub</td> <td>0.03</td> <td>2:1</td> <td>0.06</td> </tr> <tr> <td>Diegan Coastal Sage Scrub</td> <td>5.64</td> <td>1:1</td> <td>5.64</td> </tr> <tr> <td>Southern Mixed Chaparral</td> <td>9.14</td> <td>0.5:1</td> <td>4.57</td> </tr> <tr> <td>Non-Native Grassland</td> <td>1.93</td> <td>0.5:1</td> <td>0.97</td> </tr> <tr> <td><b>Total</b></td> <td><b>16.74</b></td> <td></td> <td><b>11.24</b></td> </tr> </tbody> </table> <p>* Note: Impacts to these species were limited to individual plants. Source: Merkel &amp; Associates, 2009</p>				Vegetation Type	Acres Impacted	Mitigation Ratio	Mitigation Acreage	Southern Willow Scrub	0.03	2:1	0.06	Diegan Coastal Sage Scrub	5.64	1:1	5.64	Southern Mixed Chaparral	9.14	0.5:1	4.57	Non-Native Grassland	1.93	0.5:1	0.97	<b>Total</b>	<b>16.74</b>		<b>11.24</b>
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<p><b>BR-3</b> Impacts to California adolphia, summer holly, and Nuttall's scrub oak shall be mitigated by the conservation or successful restoration of equivalent populations as those impacted by the proposed project. Prior to the issuance of a grading permit, the Applicant/Owner shall prepare a conservation and/or restoration plan, which shall identify and describe the number of plants impacted, conservation and/or mitigation ratios consistent with this MND, location of the planting area, planting plan, and a 5-year maintenance and monitoring plan.</p>	<p>Planning Director</p>	<p>Prior to issuance of a grading permit</p>																									
<p><b>BR-4</b> Prior to the issuance of the first building permit, the Applicant/Owner shall implement any required conservation and/or restoration planting within the planting area described in the conservation and/or restoration plans.</p>	<p>Planning Director</p>	<p>Prior to issuance of a building permit</p>																									
<p><b>BR-5</b> Prior to the issuance of a grading permit, the Applicant/Owner shall prepare a Wetland Mitigation Plan which mitigates impacts to non-wetland Waters of the U.S./Streambed at a 1.5:1 ratio. The mitigation plan shall include verification of the wetland delineation and project impacts, establishment of a mitigation area,</p>	<p>Planning Director &amp;/or City Biologist</p>	<p>Prior to issuance of a grading permit</p>																									

**Mitigation Monitoring and Reporting Program MND PC3-182**

MITIGATION MEASURES		STAFF MONITOR	TIMING OF COMPLIANCE	DATE OF COMPLIANCE
BR-6	preparation of a planting plan, and a 5-year maintenance and monitoring plan. Prior to the issuance of the first building permit, the Applicant/Owner shall install the mitigation described in the Wetland Mitigation Plan.	Planning Director &/or City Biologist	Prior to issuance of a building permit	
CR-1	Prior to the commencement of grading, the Applicant/Owner shall enter into a pre-excavation agreement with a representative of the San Luis Rey Band of Luiseño Mission Indians. The purpose of this agreement shall be to formalize procedures for the treatment of Native American human remains, burial, ceremonial or cultural sites that may be uncovered during any ground disturbing activity. In the event archaeological resources are discovered, the Archaeological Monitor and/or Native American Monitor shall be empowered to suspend work in the immediate area of the discovery until such time as a data recovery plan can be developed and implemented. Work outside of the area of the find shall proceed with the continuation of archaeological monitoring. If a data recovery plan is implemented, all cultural materials from testing, monitoring, and data recovery phases of the project, except burial-related artifacts and as otherwise required by law, shall be cleaned, catalogued and permanently curated at an institution meeting the standards defined in the State of California Guidelines of the Curation of Archaeological Collections (May 1993). Repatriation of materials shall be handled in accordance with the requirements of the California Native American Graves Protection and Repatriation Act. All artifacts and all faunal materials shall be analyzed.	Planning Director	Prior to issuance of a grading permit	
CR-2	Prior to the issuance of a grading permit, the Grading Contractor shall provide a letter of verification to the City's Planning Director stating that a qualified Archaeological Monitor and Native American Monitor have been retained at the Applicant/Developer's expense to implement the monitoring program, as described in the pre-excavation agreement.	Planning Director	Prior to issuance of a grading permit	
CR-3	Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the archaeological monitoring program (data recovery plan) shall be submitted to the Director of Planning for approval.	Planning Director	Prior to the release of grading bond	
CR-4	The Archaeological Monitor shall maintain ongoing consultation with the San Luis Rey Band of Luiseño Mission Indians during grading. The requirement for the archaeological monitoring shall be noted on the grading plans. The	Planning Director	During construction	

Mitigation Monitoring and Reporting Program MND PC3-182

MITIGATION MEASURES		STAFF MONITOR	TIMING OF COMPLIANCE	DATE OF COMPLIANCE
	Applicant/Owner shall notify the Director of Planning of the start and end of construction.			
CR-5	The Archaeological Monitor and Native American Monitor shall attend pre-construction meetings with the Grading Contractor to make comments and/or suggestions concerning the archaeological monitoring program. The Archaeological Monitor and Native American Monitor shall be present on-site full-time during grubbing, grading and/or other ground altering activities of soils to identify any evidence of archaeological resources.	Planning Director	During construction	
CR-6	As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, construction or excavation would halt in the area of the discovery, the area would be protected, and consultation and treatment would occur as prescribed by law. A temporary construction exclusion zone shall be established surrounding the site to allow for further examination and treatment of the find. The Archaeological Monitor or City representative shall immediately notify the San Diego County Coroner's office by telephone. By law, the Coroner will determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission who will appoint the Most Likely Descendant. Additionally, if the bones were determined to be Native American, a plan would be developed regarding the treatment of human remains and associated burial objects, and the plan would be implemented under the direction of the Most Likely Descendant.	Planning Director	During construction	
N-1	All construction equipment (fixed or mobile) shall be equipped with properly operating mufflers that are maintained by the contractor on a daily basis.	Land Development Engineer	Before and during construction	
N-2	All stationary equipment shall be placed in such a way that emitted noise is directed away from the 10 residences located at the east-northeast property line.	Land Development Engineer	Before and during construction	
N-3	All construction staging areas, vehicle storage areas, stockpiles, etc. shall be located as far as practical from the 10 residences located at the east-northeast	Land Development	Before and during construction	

Mitigation Monitoring and Reporting Program MND PC3-182

MITIGATION MEASURES		STAFF MONITOR	TIMING OF COMPLIANCE	DATE OF COMPLIANCE
	property line.	Engineer		
N-4	The Plot Plan for any proposed buildings on Parcel 2 or 3 shall incorporate such design measures as building orientation; location of loading docks, doors, trash enclosures; solid fencing; etc. that would reduce effectively reduce noise to the one-hour sound level of 45 dB.	Land Development Engineer	Prior to issuance of a building permit	
N-5	Prior to the issuance of building permits, the design measures incorporated into the Plot Plan for proposed buildings on Parcel 2 or 3 to reduce potential noise impacts shall be evaluated by the City's on-call acoustic consultant to insure that proper and effective noise mitigation has been provided.	Planning Director	Prior to issuance of a building permit	
T-1	Prior to the issuance of an occupancy permit, the Applicant/Owner shall be responsible for modifying the traffic signal phasing to include a right-turn overlap phase at the northbound approach of W. San Marcos Boulevard/Rancho Santa Fe Road.	Traffic Engineer	Prior to issuance of an occupancy permit	



Mitigation Monitoring and Reporting Program MND PC3-182

PROJECT DESIGN FEATURES	STAFF MONITOR	TIMING OF COMPLIANCE	DATE OF COMPLIANCE
<p><b>Biological</b></p>			
<p>1. Prior to any on-site construction work, a qualified biologist will assist the applicant in surveying, staking, and fencing (with "snow fencing") the project footprint or construction work limits, including the construction staging area(s). All construction staging areas shall be located in such a manner as to prevent runoff from entering the adjacent sensitive habitats. Movement of vehicles, equipment, and personnel will be confined within these delineated areas.</p>	<p>City On-call Biologist</p>	<p>Prior to issuance of a grading permit</p>	
<p>2. All temporary or permanent site or exterior light sources will be shielded and/or downward-directed to reduce light spillover into the adjacent native vegetated areas.</p>	<p>Land Development Engineer</p>	<p>During construction &amp; prior to issuance of an occupancy permit</p>	
<p><b>Landscape Installation</b></p>			
<p>3. The use of any plant material that is listed in the current version of the Invasive Plant Inventory, prepared by the California Invasive Plant Council (Cal-IPC), is strictly prohibited. This list includes such species as pepper trees, pampas grass, fountain grass, ice plant, myoporium, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. A copy of the complete list can be obtained from Cal-IPC's web site at <a href="http://www.cal-ipc.org">http://www.cal-ipc.org</a>. Before the installation of any temporary or permanent landscaping, all plant and seed lists shall be reviewed and approved by the Planning Director (or other designated person) for compliance with this list.</p>	<p>Planning Director</p>	<p>During construction &amp; prior to issuance of an occupancy permit</p>	
<p>4. Any planting stock to be brought onto the project site for landscape or habitat creation/restoration/enhancement will be first inspected by a qualified biologist for overall vigor and health, to ensure that it is not a Cal-IPC listed invasive species, as mentioned above, and to ensure it is free of pest species that could invade natural areas, including but not limited to fire ants (<i>Solenopsis invicta</i>) and other insect pests not already pervasive in the region. Any planting stock found to be infested with such pests will not be allowed on the project site or within 300 feet of natural habitats unless documentation is provided to the Service that these pests already occur in natural areas around the project site. The stock will be quarantined, treated, or disposed of according to best management principles by qualified experts in a manner that precludes invasions into natural habitats. The applicant will ensure that all temporary irrigation will be for the shortest duration possible, and that no permanent irrigation will be used, for landscape or habitat creation/restoration/enhancement.</p>	<p>City On-call Biologist</p>	<p>During construction</p>	