

LAGUNA DRIVE SUBDIVISION**CT2018-0006/RP 2018-0008/CDP2018-0032/HDP 2018-0003/HMP 2018-0003 (DEV2017-0237)**

PROJECT DESCRIPTION: The project proposes the demolition of an existing 1,600-square-foot medical office building and single-family dwelling, and construction of 13 new detached three-story single-family condominiums on a parcel of land approximately 0.75 acres in size. The project also involves the subdivision of land into two (2) lots, one (1) lot for 13 detached airspace condominium units and one (1) lot for open space. A single driveway will provide access from Laguna Drive. A 25-foot-wide public access easement within the open space parcel is also proposed for future public access along the lagoon. Project grading includes 282 cubic yards of fill and 618 cubic yards of remedial (3 feet removal and recompaction under the building areas). Project entitlements include a Tentative Tract Map (CT), Village Review Permit (RP), Coastal Development Permit (CDP), Hillside Development Permit (HDP) and Habitat Management Permit (HMP).

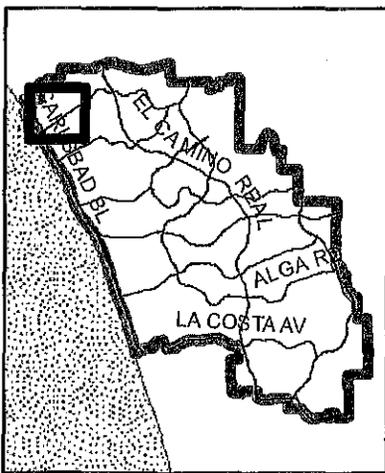
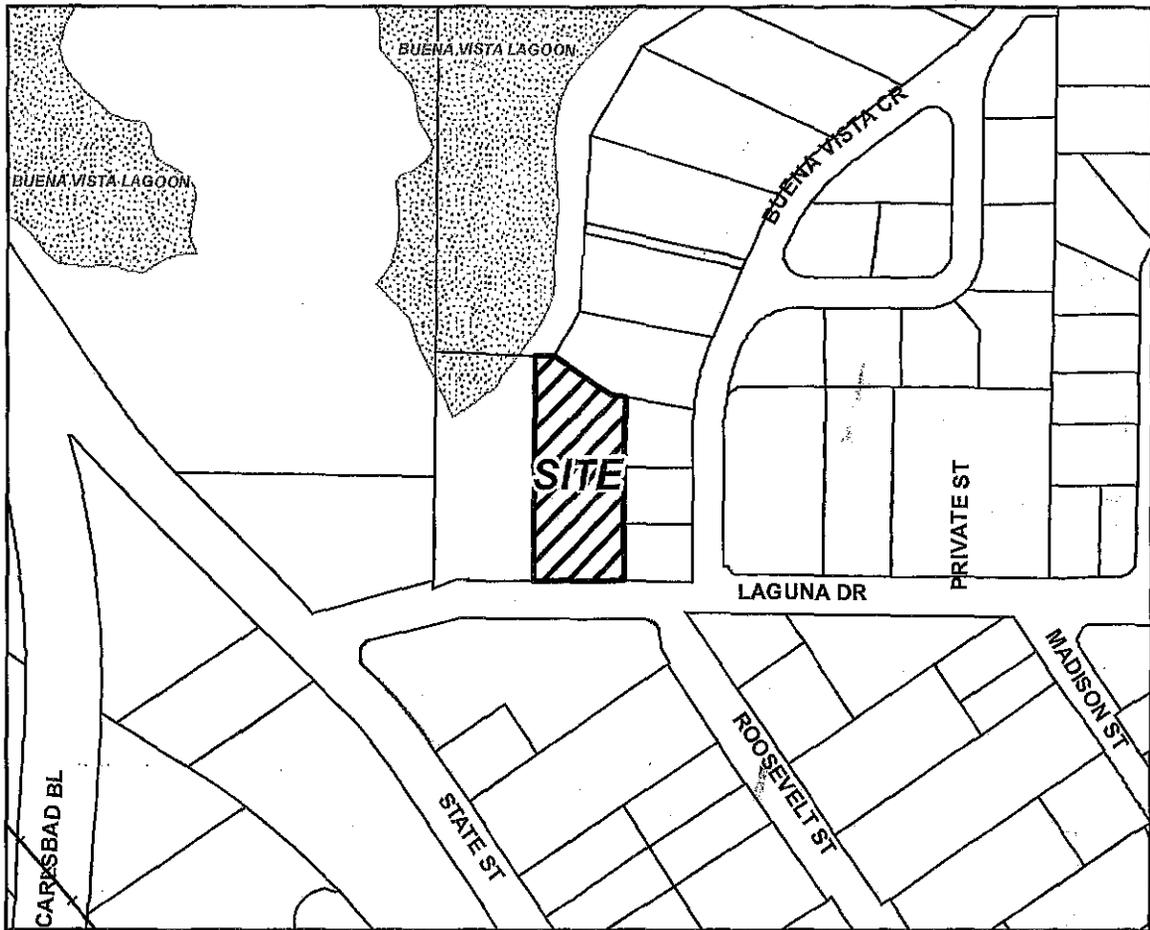
ENVIRONMENTAL SETTING/SURROUNDING LAND USES: The subject property occupies approximately 0.75 acres and is located along the north side of Laguna Drive approximately 0.5 miles west of Interstate 5 and approximately 0.4 miles east of the Pacific Ocean. The property is a polygonal-shaped parcel of land that descends gently to the northwest and is bounded by an inland bluff that descends to the Buena Vista Lagoon. The elevation of the parcel ranges from approximately 5.0 to 45 feet above mean sea level (AMSL).

The property is located within and is subject to the City of Carlsbad's Village Master Plan and Design Manual. Zoning for the site is identified as Village Review (V-R). The General Plan Land Use designation is Village (V). No change is proposed to either Zoning or the General Plan.

The property is located within the Mello II Segment of the Local Coastal Program (LCP) of the California Coastal Zone and is also within the California Coastal Commission's Appeals Jurisdiction. The LCP Zoning and Land Use designation for the property are consistent with the City's Zoning and General Plan. No change is proposed to either the LCP Zoning or Land Use.

The 0.75-acre parcel consists primarily of developed and disturbed land. The subject site includes an existing one-story single-family dwelling, existing one-story medical office building, and two asphalt parking areas. A small patch (0.01 acres) of Coastal and Valley Freshwater Marsh lies along the north/northwest edge of the parcel adjacent to the lagoon. The area chosen for development has been sited on the least environmentally sensitive portion of the parcel. The site is located within Local Facilities Management Plan (LFMP) Zone 1 in the Northwest Quadrant of the City of Carlsbad. Surrounding properties include the Buena Vista Lagoon to the north, multiple-family residential development to the south, one-story office development to the west, and one-story single-family residential dwellings and office development to the east.

Topographically the site is relatively flat, ranging from an elevation of 40 to 43 feet (AMSL) traversing north to south along the property. The northern portion of the property is bounded by an inland bluff that descends to the Buena Vista Lagoon at a gradient approaching 1¼:1 (horizontal to vertical) for approximately 40 vertical feet.



SITE MAP



NOT TO SCALE

Laguna Drive Subdivision

CT 2018-0006 / RP 2018-0008 / CDP 2018-0032
HDP 2018-0003 / HMP 2018-0003



**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

PROJECT NAME: Laguna Drive Subdivision
PROJECT NO: CT 2018-0006/RP 2018-0008/CDP 2018-0032/HDP 2018-0003/HMP 2018-0003
(DEV2017-0237)
PROJECT LOCATION: 570 - 580 Laguna Drive, Carlsbad, CA (Assessor's Parcel Number 155-221-12)

PROJECT DESCRIPTION: The project proposes the demolition of an existing 1,600-square-foot medical office building and single-family dwelling, and construction of 13 new detached three-story single-family condominiums on a parcel of land approximately 0.75 acres in size. The project also involves the subdivision of land into two (2) lots, one (1) lot for 13 detached airspace condominium units and one (1) lot for open space. A single driveway will provide access from Laguna Drive. A 25-foot-wide public access easement within the open space parcel is also proposed for future public access along the lagoon. Project grading includes 282 cubic yards of fill and 618 cubic yards of remedial (3 feet removal and recompaction under the building areas). Project entitlements include a Tentative Tract Map (CT), Village Review Permit (RP), Coastal Development Permit (CDP), Hillside Development Permit (HDP) and Habitat Management Permit (HMP).

PROPOSED DETERMINATION: The City of Carlsbad has conducted an environmental review of the above described project pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA) and the Environmental Protection Ordinance of the City of Carlsbad. As a result of said review, the Initial study identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed Mitigated Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the City that the project "as revised" may have a significant effect on the environment. Therefore, a **Mitigated Negative Declaration** will be recommended for adoption by the City of Carlsbad City Council.

AVAILABILITY: A copy of the Initial Study documenting reasons to support the proposed Mitigated Negative Declaration is on file in the Planning Division, 1635 Faraday Avenue, Carlsbad, California 92008 and is available online at: <http://www.carlsbadca.gov/services/depts/planning/agendas.asp>.

COMMENTS: Comments from the public are invited. Pursuant to Section 15204 of the CEQA Guidelines, in reviewing Mitigated Negative Declarations, persons and public agencies should focus on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should: (1) identify the specific effect; (2) explain why they believe the effect would occur; and (3) explain why they believe the effect would be significant. Written comments regarding the draft Mitigated Negative Declaration should be directed to Jason Goff, Senior Planner at the address listed below or via email to jason.goff@carlsbadca.gov. Comments must be received within **30 days** of the date of this notice.

The proposed project and Mitigated Negative Declaration are subject to review and approval/adoption by the City Council. Additional public notices will be issued when those public hearings are scheduled. If you have any questions, please call Jason Goff, Senior Planner in the Planning Division at (760) 602-4643.

PUBLIC REVIEW PERIOD March 6, 2019 – April 5, 2019
PUBLISH DATE March 6, 2019

**Community & Economic Development
Planning Division**

1635 Faraday Avenue | Carlsbad, CA 92008 | 760-602-4600 | 760-602-8560 fax

MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Laguna Drive Subdivision

PROJECT NO: CT 2018-0006/RP 2018-0008/CDP 2018-0032/HDP 2018-0003/HMP 2018-0003 (DEV2017-0237)

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DETERMINATION: The City of Carlsbad has conducted an environmental review of the above described project pursuant to the Guidelines for Implementation of the California Environmental Quality Act and the Environmental Protection Ordinance of the City of Carlsbad. As a result of said review, the Initial Study identified potentially significant effects on the environment, and the City of Carlsbad finds as follows:

- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project.
- The proposed project MAY have "potentially significant impact(s)" on the environment, but at least one potentially significant impact 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. (Mitigated Negative Declaration applies only to the effects that remained to be addressed).
- Although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project. Therefore, nothing further is required.

A copy of the Initial Study documenting reasons to support the Mitigated Negative Declaration is on file in the Planning Division, 1635 Faraday Avenue, Carlsbad, California 92008.

ADOPTED: [CLICK HERE date], pursuant to City Council Resolution No. CLICK HERE

ATTEST:

Teri Delcamp
Principal Planner

**Community & Economic Development
Planning Division**

1635 Faraday Avenue | Carlsbad, CA 92008 | 760-602-4600 | 760-602-8560 fax

Initial Study

1. **PROJECT NAME:** Laguna Drive Subdivision
2. **PROJECT NO:** CT 2018-0006 / RP 2018-0008 / CDP 2018-0032 / HDP 2018-0003 / HMP 2018-0003
3. **LEAD AGENCY:**
City of Carlsbad
1635 Faraday Avenue
Carlsbad, CA 92008
4. **PROJECT APPLICANT:**
Brett Farrow, Architect
125 Mozart Avenue
Cardiff, CA 92007
5. **LEAD AGENCY CONTACT PERSON:** Jason Goff, Senior Planner
Office Phone: 760-602-4643
Email: jason.goff@carlsbadca.gov
6. **PROJECT LOCATION:** 570 - 580 Laguna Drive, Carlsbad, CA (Assessor's Parcel Number 155-221-12)
7. **GENERAL PLAN LAND USE DESIGNATION:** Village (V)
8. **ZONING:** Village Review (V-R)
9. **PROJECT DESCRIPTION:** The project proposes the demolition of an existing 1,600-square-foot medical office building and single-family dwelling, and construction of 13 new detached three-story single-family condominiums on a parcel of land approximately 0.75 acres in size. The project also involves the subdivision of land into two (2) lots, one (1) lot for 13 detached airspace condominium units and one (1) lot for open space. A single driveway will provide access from Laguna Drive. A 25-foot-wide public access easement within the open space parcel is also proposed for future public access along the lagoon. Project grading includes 282 cubic yards of fill and 618 cubic yards of remedial (3 feet removal and recompaction under the building areas). Project entitlements include a Tentative Tract Map (CT), Village Review Permit (RP), Coastal Development Permit (CDP), Hillside Development Permit (HDP) and Habitat Management Permit (HMP).
10. **ENVIRONMENTAL SETTING/SURROUNDING LAND USES:** The subject property occupies approximately 0.75 acres and is located along the north side of Laguna Drive approximately 0.5 miles west of Interstate 5 and approximately 0.4 miles east of the Pacific Ocean. The property is a polygonal-shaped parcel of land that descends gently to the northwest and is bounded by an inland bluff that descends to the Buena Vista Lagoon. The elevation of the parcel ranges from approximately 5.0 to 45 feet above mean sea level (AMSL).

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The property is located within the Mello II Segment of the Local Coastal Program (LCP) of the California Coastal Zone and is also within the California Coastal Commission's Appeals Jurisdiction. The LCP Zoning and Land Use designation for the property are consistent with the City's Zoning and General Plan. No change is proposed to either the LCP Zoning or Land Use.

The 0.75-acre parcel consists primarily of developed and disturbed land. The subject site includes an existing one-story single-family dwelling, existing one-story medical office building, and two asphalt parking areas. A small patch (0.01 acres) of Coastal and Valley Freshwater Marsh lies along the north/northwest edge of the parcel adjacent to the lagoon. The area chosen for development has been sited on the least environmentally sensitive portion of the parcel. The site is located within Local Facilities Management Plan (LFMP) Zone 1 in the Northwest Quadrant of the City of Carlsbad. Surrounding properties include the Buena Vista Lagoon to the north, multiple-family residential development to the south, one-story office development to the west, and one-story single-family residential dwellings and office development to the east.

Topographically the site is relatively flat, ranging from an elevation of 40 to 43 feet (AMSL) traversing north to south along the property. The northern portion of the property is bounded by an inland bluff that descends to the Buena Vista Lagoon at a gradient approaching 1¼:1 (horizontal to vertical) for approximately 40 vertical feet.

11. OTHER REQUIRED AGENCY APPROVALS: None.

12. PREVIOUS ENVIRONMENTAL DOCUMENTATION: None.

13. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

14. PREPARATION: The Initial Study for the subject project was prepared by:

JASON GOFF, Senior Planner

February 25, 2019

Date

15. DETERMINATION: (to be completed by Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described herein have been added to the project. 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(s)" on the environment, but at least one potentially significant impact 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 herein. A Negative Declaration 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, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project. Therefore, nothing further is required.

16. ENVIRONMENTAL DETERMINATION: The initial study for this project has been reviewed and the environmental determination, indicated above, is hereby approved.

Teri Delcamp 2/27/19
 TERI DELCAMP, Principal Planner Date

17. APPLICANT CONCURRENCE WITH MITIGATION MEASURES: This is to certify that I have reviewed the mitigation measures in the Initial Study and concur with the addition of these measures to the project.

[Signature] 2/26/19
 Signature Date

BRETT FARROW
 Print Name

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

8. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

9. Tribal consultation, if requested as provided in Public Resources Code Section 21080.3.1, must begin prior to release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Information provided through tribal consultation may inform the lead agency's assessment as to whether tribal cultural resources are present, and the significance of any potential impacts to such resources. Prior to beginning consultation, lead agencies may request information from the Native American Heritage Commission regarding its Sacred Lands File, per Public Resources Code sections 5097.9 and 5097.94, as well as the California Historical Resources Information System administered by the California Office of Historic Preservation.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 new source of substantial light and glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a, c) Less Than Significant Impact. The project proposes to construct 13 three-story single-family condominiums in place of an existing one-story single-family dwelling and one-story medical office building. While situated above the Buena Vista Lagoon, views of the lagoon and Pacific Ocean beyond are only visible from the northerly portions of the site itself. Because of the orientation of the lot, no views of the lagoon or Pacific Ocean are available from the Laguna Drive public street frontage. The project is not considered to have a substantially adverse effect on a scenic vista given that the area is not identified in either the Local Coastal Program or the City of Carlsbad General Plan as such. Furthermore, the property has a General Plan Land Use designation of Village (V) and is zoned Village Review (V-R), which would allow development at a density of 28 to 35 dwelling units per acre with a maximum building height of 45 feet. The project is proposing 13 three-story detached single-family condominiums with building heights extending up to 45 feet. With exception to an enclave of single-family homes along Buena Vista Circle, surrounding land uses are generally consistent with the proposed development both in scale and in use. Where existing one-story residential development is located adjacent to the project along the eastern property line, the project site plan has been designed such that buildings have been set back from the common property line and are oriented such that the building footprints are on angle to provide greater setback articulations and visual relief. The building massing for this grouping of proposed homes at the third-floor level steps back with building height and away from the existing single-family homes. Development of the site as proposed will not adversely affect scenic vistas or substantially degrade the existing visual character or quality of the site and its surroundings and will have a less than significant impact.

b) No Impact. The area of proposed impact is not located within the view shed of a State scenic highway or any State highway that is designated by Caltrans as eligible for listing as a scenic highway. No impact is assessed.

d) Less than Significant Impact. The subject site produces lighting at the present time which is consistent with the surrounding environment. While the proposed project will change the general appearance of the subject site to a more intense residential use, light and glare from the proposed project is not anticipated to be significantly greater than that produced from the other uses within the surrounding area. The proposed development will not be dissimilar from the existing office and residential uses along Laguna Drive. As such, this project will not result in significant new sources of light and glare, and will have a less than significant impact on day or nighttime views in the area.

II. AGRICULTURAL AND FOREST RESOURCES Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<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"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<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 non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, b and e) No Impact. Pursuant to the San Diego County Important Farmland Map (2014), the property is described as Urban and Built-Up Land. The property does not contain prime farmland, unique farmland or farmland of statewide importance. The site is currently developed with a medical office building and single-family home. The proposed project is consistent with the Village (V) General Plan Land Use designation, which anticipates and allows for residential uses. The subject site is zoned for single-family residential land uses and is not encumbered by any Williamson Act contracts. The project would not result in other changes to the environment that would result in the conversion of farmland to non-agricultural uses. Given the general topography of the site, its proximity to the lagoon edge, surrounding residential and office development, and lack of existing or historical agricultural infrastructure, it is unlikely that agricultural operations would be viable at this location. Development of the site as proposed would not adversely affect agricultural or forest resources. No impact is assessed.

c) No Impact. The project site does not contain any forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526). Therefore, the proposed project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impact is assessed.

d) No Impact. The project site does not contain any forest land (as defined in Public Resources Code section 12220(g)). Therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest use. No impact is assessed.

III. AIR QUALITY Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	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 checked="" type="checkbox"/>	<input 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 in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative 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 type="checkbox"/>	<input checked="" 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"/>

Local Air Quality: An area is designated in attainment when it is in compliance with the National Ambient Air Quality Standards (NAAQS) (federal) and/or California Ambient Air Quality Standards (CAAQS) (state). These standards are set by the Environmental Protection Agency or the California Air Resources Board for the maximum level of a given air pollutant that can exist in the outdoor air without unacceptable effects on human health or the public welfare. The criteria pollutants of primary concern that are considered in an air quality assessment include ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), particulate matter (PM₁₀, and PM_{2.5}), lead and toxic air contaminants. Volatile organic compounds (VOCs) and oxides of nitrogen (NO_x), are precursors to the formation of ground-level O₃.

The following table shows the San Diego Air Basin (SDAB) designations for criteria pollutants:

Criteria Pollutant	Federal Designation (NAAQS)	State Designation (CAAQS)
Ozone (8-Hour)	Nonattainment	Nonattainment
Ozone (1-Hour)	Attainment	Nonattainment
Carbon Monoxide	Attainment	Attainment
PM10	Unclassifiable	Nonattainment
PM2.5	Attainment	Nonattainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
Lead	Attainment	Attainment
Sulfates	No Federal Standard	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Visibility	No Federal Standard	Unclassified

As of December 2016, the SDAB is designated in attainment for all criteria pollutants under the NAAQS with the exception of O₃ (8-Hour) and PM₁₀, which is listed as unclassifiable. The SDAB is currently

designated nonattainment for O₃ and particulate matter, PM₁₀ and PM_{2.5}, under the CAAQS. It is designated as attainment under CAAQS for CO, NO₂, SO₂, lead and sulfates.

a) Less than Significant Impact. The project site is located in the SDAB. The periodic violations of (NAAQS) in the SDAB, particularly for O₃ in inland foothill areas, requires that a plan be developed outlining the pollution controls that will be undertaken to improve air quality. In San Diego County, this attainment planning process is embodied in the Regional Air Quality Strategies (RAQS) developed by the San Diego County Air Pollution Control District (APCD) with regional growth projections provided by San Diego Association of Governments (SANDAG). The RAQS outlines the APCD's plans and regulatory control measures designed to attain state air quality standards for ozone. The RAQS, which was adopted by the San Diego County Air Pollution Control Board in 1992, is updated on a triennial basis with the most recent revision prepared in December 2016.

The APCD has also developed the SDAB's input into the State Implementation Plan (SIP) which is required under the Federal Clean Air Act (CAA) for pollutants that are designated as being in nonattainment of national air quality standards for the air basin. The SIP relies on the same information from SANDAG to develop emission inventories and emission control strategies that are included in the attainment plan for the air basin.

The proposed project relates to the SIP and/or RAQS through the land use and growth assumptions that are incorporated into the air quality planning document. These growth assumptions are based on each city's and the County's general plan. The project is within the scope of development that was anticipated in Carlsbad's General Plan used to develop the RAQS and SIP. Operation of the project will result in emissions that were considered as a part of the RAQS growth projections. As such, the proposed project is not anticipated to conflict with either the RAQS or the SIP. Additionally, the operational emissions from the project are below the screening levels, and subsequently will not violate ambient air quality standards.

b) Less than Significant Impact. The APCD operates a network of ambient air monitoring stations throughout San Diego County. Due to its proximity to Carlsbad with similar geographic and climatic characteristics, the Del Mar – Mira Costa College monitoring station concentrations of 8-hour and 1-hour O₃ are considered most representative of O₃ in Carlsbad. The Escondido-East Valley Parkway monitoring station is the nearest location where PM₁₀, PM_{2.5}, NO₂, and CO concentrations are monitored. The El Cajon – Redwood Avenue monitoring station is the nearest location where SO₂ concentrations are monitored. Data available for these monitoring sites from 2011 through 2015 indicate that the most recent air quality violations recorded were as follows:

Frequency of Air Quality Standard Violations, Number of Days Exceeding Standard

Monitoring Site	Year	State O3 (1-Hour)	State O3 (8-Hour)	Federal O3 (8-Hour)	State PM10*	Federal PM2.5*
Del Mar – Mira Costa College	2011	0	1	0	-	-
	2012	0	2	2	-	-
	2013	0	0	0	-	-
	2014	1	5	2	-	-
	2015	1	2	1	-	-

Frequency of Air Quality Standard Violations, Number of Days Exceeding Standard (continued)

Monitoring Site	Year	State O3 (1-Hour)	State O3 (8-Hour)	Federal O3 (8-Hour)	State PM10*	Federal PM2.5*
Escondido – East Valley Parkway	2011	-	-	-	0(0)	0(0)
	2012	-	-	-	0(0)	3.1(1)
	2013	-	-	-	6.0(1)	1.1(1)
	2014	-	-	-	0(0)	1.0(1)
	2015	-	-	-	0(0)	0(0)

* Measurements of these pollutants are usually collected every 6 days and daily, respectively. The number of days exceeding standards is a mathematical estimate of the number of days concentrations would have been greater than the level of the standard had each day been monitored. The numbers in parentheses are the measured number of samples that exceeded the standard.

Air quality within the region was in compliance with both CAAQS and NAAQS for NO₂, CO, and SO₂ during this monitoring period.

Grading and Construction. The project involves the development of 13 single-family homes, which include emissions associated with grading and construction. Emissions would be minimized through standard construction measures, storm water pollution prevention plan requirements, Best Management Practices (BMPs), and when applicable, the California Green Building Standards Code that would reduce fugitive dust debris, emissions and other criteria pollutant emissions during grading and construction. Therefore, emissions from the construction phase would be minimal, temporary and localized, resulting in pollutant emissions that are not anticipated to significantly contribute to an existing or projected air quality violation.

Operations. Vehicle trip emissions associated with travel to and from the proposed single-family homes will result in a net decrease of 12 Average Daily Trips (ADTs). Vehicle trip emissions associated with the project are minimal and not anticipated to significantly contribute to an existing or projected air quality violation.

c) Less than Significant Impact. Air quality emissions associated with the project include emissions from grading and construction. However, grading and construction operations associated with the project would minimize emissions through standard construction measures, storm water pollution prevention plan measures and best management practices, and Green Building Code as noted in b). Other proposed or future projects within the surrounding area were evaluated and none of the projects emit significant amounts of pollutants or exceed AQMD or APCD standards. Operational emissions associated with the project are anticipated to be consistent with the RAQS and SIP and do not exceed APCD standards.

The proposed project would represent a contribution to a cumulatively considerable potential net increase in emissions throughout the air basin. As described above, however, emissions associated with the proposed project would be minimal. Given the limited emissions potentially associated with the proposed project, air quality would be essentially the same whether or not the proposed project is implemented. According to the CEQA Guidelines Section 15064(h)(3), the proposed project's incremental contribution to the cumulative effect is not cumulatively considerable. Any impact is assessed as less than significant.

d) No Impact. Sensitive receptors include schools, hospitals, playgrounds, child care centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes

or other facilities that house individuals with health conditions that would be adversely impacted by changes in air quality. As noted above, the proposed project would not result in substantial pollutant emissions or concentrations. In addition, there are no sensitive receptors located in the vicinity of the project. The project itself is not proposed in the vicinity of an existing pollution source that would expose sensitive receptors within the project to pollutants. No impact is assessed.

e) Less than Significant Impact. The proposed project could generate objectionable odors from construction, vehicles and/or equipment exhaust from volatile organic compounds, ammonia, carbon dioxide, hydrogen sulfide, methane, alcohols, disulfides, dusts or other pollutants during the construction or operation of the project. Such exposure would be in trace amounts, localized in the immediate area, temporary and would generally occur at magnitudes that would not affect substantial numbers of people. Therefore, impacts associated with odors during construction or operation would be considered less than significant.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by 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, aquatic or wetland habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by 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, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a, b, c and f) Less than Significant with Mitigation Incorporated. The project site is located along the southern shore of the Buena Vista Lagoon. The surrounding environment on all sides of the subject parcel except for the lagoon side is developed with existing single-family, multi-family and small office development. The City of Carlsbad's Habitat Management Plan (HMP) identifies the Buena Vista Lagoon

as an Existing Hardline Preserve Area. The HMP identifies the subject property as Development Area. The HMP conservation goals require conservation of the majority of sensitive habitats in or contiguous with biological core areas, including a no-net-loss of wetland habitat, and preservation of coastal sage scrub (CSS) and maritime succulent scrub adjacent to lagoons. The HMP requires additional conservation standards to be applied to properties within the Coastal Zone. The HMP requires a 100-foot buffer from wetlands, and a 20-foot buffer from sensitive native upland habitats (i.e., CSS) between preserved habitats and development.

For this project, a Biology Letter Report was prepared by Dudek dated January 15, 2019. According to Dudek’s report, the site contains three vegetative communities: Coastal and Valley Freshwater Marsh (FM), Urban/Developed (DEV) and Disturbed Lands (DL). The HMP does not require mitigation for impacts to DEV. No CSS exists on-site, and no other upland habitat exists on-site that would necessitate a 20-foot buffer. However, the proposed project does result in direct impacts to 0.09 acres of DL (Group F habitat) as illustrated in the table below. No impacts will occur to FM (Group A habitat), which is located along and near the lagoon edge, or to the required 100-foot wetland buffer. Table 11 (Pg. D-113) of the HMP identifies mitigation ratios for impacts to habitats identified as sensitive in the HMP. The HMP allows impacts to DL (Group F habitat) to be mitigated through the payment of an in-lieu mitigation fee.

The following table summarizes impacts to vegetation types and identifies proposed mitigation as presented in the biological letter report:

Proposed Mitigation for Direct Permanent Impacts to Vegetation Community/Land Cover				
Habitat Group/Type	Acres on Site	Total Impacts	Mitigation Ratio	Mitigation Requirement
Group A – Freshwater Marsh	0.01	--	No Net Loss	No Impact
Group F – Disturbed Lands	0.34	0.09	In-lieu Fee	In-lieu Fee
Developed	0.40	0.31	--	--
Total:	0.75	0.40		

Direct Impacts

Vegetation Communities

Implementation of the proposed project will not result in any direct impacts to special-status vegetation communities as discussed in the above table. Urban/Developed (DEV) and Disturbed Lands (DL) provide little, if any, wildlife habitat value and the permanent loss of 0.09 acres of DL (Group F habitat) and 0.31 acres of DEV is not a significant impact. Impacts to the 0.09 acres of DL (Group F habitat) requires payment of an in-lieu mitigation fee. The fee is in lieu of providing on-site or off-site mitigation land and is adjusted as necessary to acquire suitable habitat on a per acre basis comparable to the land being developed. The fee is used to fund the acquisition of habitat land in the Multiple Habitat Conservation Program (MHCP) as required by the HMP and implementing agreement. Mitigation Measure BIO-1 has been included to address payment of the required in-lieu fee.

Additionally, the proposed project has been designed to concentrate development in areas that were previously developed or that were previously graded and are mapped as disturbed habitat. Areas within the riparian habitat of the Buena Vista Lagoon as well as the wetland buffer will not be impacted except for uses allowed within the buffer (i.e., future public trail [not-a-part] within the proposed 25-foot wide

lateral public access easement) and the proposed Fuel Management Zone (FMZ) B-3. The areas mapped on the project site as previously disturbed or developed land that are not part of the construction impact footprint will be revegetated with native habitat in accordance with the City HMP Coastal Policy 7-11. The areas proposed to be restored within the 100-foot wetland buffer area are mapped as urban developed land or disturbed habitat dominated by non-native invasive species. These areas are in direct proximity to existing native habitat and are highly suitable for restoration to native habitat. Mitigation Measure BIO-2 has been included to address the restoration of these areas.

The function of the wetland buffer as protection for the existing native habitat will be implemented by the proposed installation of fencing during construction in order to protect the open space habitat areas and preclude human access. Mitigation Measure BIO-4 has been included to reduce any potential impacts to less than significant.

Special-Status Plants

Special-status plant species were not detected during surveys. It was noted in the report that species with moderate potential to occur would have been observed during visits to the site. Additionally, impacts are not anticipated to occur in the habitat where the potentially present riparian species would occur. Therefore, no impacts to on-site special-status plants are anticipated.

Special-Status Wildlife Species

Special-status wildlife species were not detected during surveys. The only special-status wildlife species determined to have a moderate to high potential to occur on the project site was the two-striped garter snake (*Thamnophis hammondi*). The following HMP covered species are not expected to occur on-site: California gnatcatcher, Cooper's hawk, least Bell's vireo, Southern California rufous-crowned sparrow, and yellow-breasted chat. Since the proposed impacts to the site are limited to previously disturbed or developed land covers and there would be no impacts within the 100-foot wetland buffer, no impacts to on-site special status species are anticipated.

Indirect Impacts

The project site is bordered by development to the east and west, Laguna Drive to the south, and an HMP hardline preserve (Buena Vista Lagoon) to the north and northwest. The project design incorporates the required 100-foot wetland buffer. The proposed project also includes an open space easement over the 100-foot wetland buffer as well as a 25-foot wide lateral public access easement within the buffer. Edge effects could potentially occur along the development-preservation interface to the north; however, the 100-foot wetland buffer and preserve area beyond will be protected by project fencing. All landscaping adjacent to the preserve is proposed to be native. There will be no lighting within the open space lot or within the existing preserve (Buena Vista Lagoon).

Indirect impacts are addressed in the HMP by compliance with the Adjacency Standards or by avoidance of impacts to nesting birds. The HMP adjacency standards only apply to areas directly adjacent to the preserve which include the northern and northwestern boundaries.

Vegetation Communities

Indirect impacts to vegetation communities would primarily result from adverse "edge effects." During construction of the proposed project, edge effects may include dust, which could disrupt plant vitality in the short term, and/or construction-related soil erosion and runoff. However, typical construction practices, including dust control, erosion control, and water quality protection measures, will be implemented to reduce these effects (see Mitigation Measure BIO-4).

Potential long-term indirect impacts on vegetation could include trampling by humans traveling off trail, invasion by exotic plants and animals, exposure to urban pollutants (fertilizers, pesticides, herbicides, and other hazardous materials), increase or decrease in natural fire regime, soil erosion, and hydrologic changes (e.g., surface and groundwater level and quality). Although the project is designed to minimize preserve edge effects, long-term indirect impacts could occur. Long-term indirect impacts are anticipated to be reduced on vegetation communities because the wetland habitat and the area within the 100-foot wetland buffer including the revegetated native habitat, will all be in a separate lot protected under an open space easement. For the existing HMP preserve off site to the north, indirect impacts are proposed to be prevented by adherence to the Adjacency Standards (see mitigation measure BIO-5) and the fencing that is proposed. Finally, vegetation within the open space wetland buffer area will be protected by the planting of native plant species, in accordance with the HMP Coastal Zone Standards Section 7-11 (see Mitigation Measure BIO-2). Implementation of these measures are expected to reduce indirect impacts on vegetation communities to less than significant.

Special-Status Plants

Most of the indirect impacts to vegetation communities discussed previously can also affect special status plants. As noted previously, no special-status plants were detected on site and none are anticipated; however, if there are plants that occur off site within adjacent areas, Mitigation Measure BIO-4 and BIO-5 will provide protection. Additionally, during construction of the proposed project, indirect effects may include dust which could disrupt plant vitality in the short term and/or construction-related soil erosion and drainage runoff. However, typical construction practices, including dust and erosion control and water quality BMPs, will be implemented and will reduce these effects. Implementation of Mitigation Measure BIO-4 and adherence to the adjacency standards discussed in Mitigation Measure BIO-5 are expected to reduce indirect impacts on any special-status plants to less than significant.

Special-Status Wildlife

Most of the indirect impacts to vegetation communities discussed previously can also affect special-status wildlife in adjacent undeveloped areas. In addition, wildlife may be indirectly affected in the short term and long term by noise, which can disrupt normal activities. Adverse indirect impacts to vegetation communities, such as trampling of vegetation, can also cause degradation of habitat quality. Implementation of appropriate mitigation measures (see Mitigation Measure BIO-4) and adherence to adjacency standards (see Mitigation Measure BIO-5) is expected to reduce indirect impacts to any special-status wildlife to less than significant. Indirect impacts also include potential disruption of breeding birds, including potentially occurring special-status species and other wildlife species that may use the riparian habitat for nesting. Indirect impacts from construction-related noise may occur to special-status wildlife if construction occurs during the breeding season (February 15 through August 31 for most species, and January 1 through August 31 for raptors). However, implementation of Mitigation Measure BIO-3 will protect against indirect impacts to nesting birds and reduce any potential impacts to less than significant.

d) Less than Significant Impact. Construction of the proposed project is not expected to impede local wildlife movement or migratory fish or wildlife movement because the subject site is not identified by the HMP as a connectivity link or Core Area to be preserved. Although the subject parcel is adjacent to the Buena Vista Lagoon (Core 1) wildlife corridor, the site itself is not identified by the HMP as an existing or proposed Hardline Preserve Area or Standards Area. The northerly portion of the property that is adjacent to the lagoon area is designed to include a 100-foot wetland buffer and is further protected by a proposed open space lot and easement, thus reducing any potential impacts to a less than significant level.

e) No Impact. The City of Carlsbad has no adopted tree preservation policy or ordinance which would affect the subject project. The subject project will not impact other biological resources protected by policy or ordinance except as otherwise described above. No impact is assessed.

V. CULTURAL/PALEONTOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological 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 geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a, b) Less than Significant with Mitigation Incorporated. A Cultural Resources Constraints Analysis was prepared for the proposed project (Dudek, September 2018) in accordance with CEQA Section 15064.5 to determine the presence or absence of potentially significant prehistoric and historic resources within the project's Area of Potential Effects (APE). The analysis consisted of a review of all relevant site records and reports on file with the South Coastal Information Center (SCIC) with a one-mile search radius; initiation of correspondence with the Native American Heritage Commission (NAHC) and local Native American tribe representatives; and an intensive pedestrian survey of the project area by a Dudek archaeologist and a Native American monitor from Saving Sacred Sites, Inc. In addition to the SCIC records search, Dudek conducted an on-line review of historic topographic maps and aerial images.

The records search conducted for the proposed project determined that no previously recorded cultural resources are located within the project site; however, 16 previously recorded cultural resources are located within a one-mile vicinity. Additionally, the records search indicates that while 17 historic addresses have been previously identified within a one-mile search radius, none of these addresses are located within the project APE. The pedestrian survey revealed fragments of shell, bone and bottle glass identified on the surface in the APE; however, there was no evidence of possible intact historic or prehistoric cultural features or intact subsurface deposits. According to Dudek, review of the historic aerial imagery demonstrates clear evidence that the only cultural development of this property to date was the construction and operation of the currently standing residence and commercial building first documented by aerial imagery in 1980. Review of the historic topographic maps and aerial images also

demonstrates that, outside of the early historic disturbance from local disking and plowing, there has been no other cultural development of the project APE in the past.

Dudek's cultural constraints analysis of the project area suggests that there is low potential for the inadvertent discovery of significant cultural resources during ground-breaking activities. Trace amounts of cultural material have been identified during the intensive pedestrian survey within the project APE. SCIC records indicate that no archaeological resources have been previously recorded within the project APE; however, the search also indicates that the APE has never been directly studied before. The NAHC Sacred Lands File search did not indicate that cultural resources are in the vicinity of the project. Although the APE has been substantially disturbed by the standing residential and commercial structures on the property, the presence of cultural materials within the APE suggests that there is some potential for the inadvertent discovery of subsurface cultural deposits during project-related ground disturbing activities. Based on this information, the project as currently designed will not result in impacts to cultural resources (no historic properties affected) with implementation of appropriate mitigation.

Dudek recommends both archaeological and Native American monitors be present during initial ground-disturbing activities associated with the proposed project in the event unanticipated discoveries are made. In accordance with CEQA Section 15064.5(f), which requires provisions for the identification and evaluation of accidentally discovered historic or archaeological resources, mitigation measures have been added to the project requiring monitoring by both a qualified archaeologist and a Luiseño Native American monitor during all ground-disturbing activities. Native American monitoring is covered in further detail below under Section XVII. TRIBAL CULTURAL RESOURCES. Through implementation of Mitigation Measure CUL-1, impacts to any unforeseen or accidentally discovered historical or archaeological resources are reduced to a less than significant level.

c) Less than Significant with Mitigation Incorporated. A Paleontological Resources Review of the project site was conducted by Dudek (February 2018). A records search of the site was conducted in conjunction with this review by the San Diego Natural History Museum (SDNHM). A review of published geological maps covering the project site and surrounding area was conducted to determine the specific geological units underlying the project site. The project site is noted as relatively undeveloped with the majority of the site mapped as Quaternary old paralic deposits, which are roughly correlative with the Bay Point Formation (early to middle Pleistocene, approximately 750,000 to 11,000 years old). The Bay Point Formation generally consists of poorly consolidated, pale brown fine- to medium-grained sandstones, which have produced important invertebrate fossil localities along coastal San Diego. The Bay Point Formation is known to have a high potential to yield paleontological resources. The SDNHM noted one recorded fossil collection locality (SDNHM 4007) from the Bay Point Formation within a one-mile radius of the project site. Through implementation of Mitigation Measure CUL-2, the potential for the project to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature is reduced to a less than significant level.

d) Less than Significant Impact with Mitigation Incorporated. The site is not a dedicated cemetery and there is no evidence that the project site would contain human remains located outside of a dedicated cemetery. However, in the unlikely event that human remains are encountered, the discussions and mitigation measures above adequately address and mitigate any potential for significant impacts. Thus, impacts under this category will be reduced to a less than significant level.

<p>VI. GEOLOGY AND SOILS</p> <p>Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less than Significant with Mit. Incorporated</p>	<p>Less than Significant Impact</p>	<p>No Impact</p>
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:</p> <p>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p> <p>ii. Strong seismic ground shaking?</p> <p>iii. Seismic-related ground failure, including liquefaction?</p> <p>iv. Landslides?</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>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?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>d) Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>

a.i. – a.iv., c and d) Less than Significant Impact. There are no Alquist-Priolo Earthquake Fault zones within the City of Carlsbad and there is no other evidence of active or potentially active faults within the city. However, there are several active faults throughout Southern California, and potential earthquakes resulting from these faults could affect Carlsbad. A Preliminary Geotechnical Investigation of the site was prepared by Coastal Geotechnical on April 4, 2018. The report identifies that ground surface rupture as a result of an earthquake or seismic event is not likely to occur at the site; landslides or other forms of existing slope instability are not indicated within the project terrain; and liquefaction and soil instability is considered low. The report concludes, from a geologic and soils engineering point of view, that the site is suitable for the proposed development. By following the recommendations contained within the referenced report, the site is suitable for the proposed project, and will not expose people or structures to geotechnical-related hazards. The project will be conditioned to be designed per the geotechnical report’s recommendations.

b) Less than Significant Impact. During finish grading, exposure of soils could lead to an increased chance for the erosion of soils from the site. However, such grading will follow best management practices for the control of erosion, such as straw bale or sandbag barriers, silt fences, slope roughening, and outlet protection in exposed areas. Finished grades will be promptly hydroseeded or otherwise protected as required per the adopted City Grading Ordinance. If necessary, temporary slope cover such as straw

matting or mulch will be applied to newly graded slopes to reduce the potential for soil erosion or the loss of topsoil to a level that is considered to be less than significant.

e) No Impact. The proposed project does not propose septic tanks and will utilize the public sewer system. Therefore, there will be no impacts involving soils that support the use of septic tanks or alternative wastewater disposal systems. No impact is assessed.

VII. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<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 purposes of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Global climate change refers to changes in average climatic conditions on Earth as a whole, including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by naturally occurring atmospheric gases, including water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone, and certain hydro-fluorocarbons. These gases, known as greenhouse gases (GHGs), allow solar radiation (sunlight) into the Earth’s atmosphere, but prevent radiative heat from escaping, thus warming the Earth’s atmosphere. GHGs are emitted by both natural processes and human activities. The accumulation of GHGs in the atmosphere regulates the Earth’s temperature. Emissions of GHGs in excess of natural ambient concentrations are thought to be responsible for the enhancement of the greenhouse effect and contribute to what is termed “global warming,” the trend of warming of the Earth’s climate from anthropogenic activities. Global climate change impacts are by nature cumulative; direct impacts cannot be evaluated because the impacts themselves are global rather than localized impacts.

California Health and Safety Code Section 38505(g) defines GHGs to include the following compounds: CO₂, CH₄, N₂O, ozone, chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). As individual GHGs have varying heat-trapping properties and atmospheric lifetimes, GHG emissions are converted to carbon dioxide equivalent (CO₂e) units for comparison. The CO₂e is a consistent methodology for comparing GHG emissions because it normalizes various GHG emissions to a consistent measure. The most common GHGs related to the project are those primarily related to energy usage: CO₂, CH₄, and N₂O.

In September 2015, the City of Carlsbad adopted a Climate Action Plan (CAP) that outlines actions that the city will undertake to achieve its proportional share of state greenhouse gas (GHG) emissions reductions. The CAP is a plan for the reduction of GHG emissions in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project’s incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of the CAP.

The city's CAP contains a baseline inventory of GHG emissions for 2005, an updated baseline inventory for 2011, a projection of emissions to 2035 (corresponding to the General Plan horizon year), a calculation of the city's targets based on a reduction from the 2005 baseline, and emission reductions with implementation of the CAP.

The city emitted a total of 630,310 MTCO₂e in 2005 and 705,744 MTCO₂e in 2011. Accounting for future population and economic growth, the city projects GHG emissions of 1,007,473 MTCO₂e in 2035. The CAP set a target to achieve a 15 percent reduction from the 2005 baseline by 2020 based on the recommendation by the California Air Resources Board (ARB). The CAP also includes a reduction target to reduce emissions below the 2005 baseline by 49 percent by 2035. Therefore, the city must implement strategies that reduce emissions to 535,763 MTCO₂e in 2020 and 321,458 MTCO₂e in 2035. By meeting the 2020 and 2035 targets, the city will meet the 2030 state goal identified in Senate Bill 32 and maintain a trajectory to meet its proportional share of the 2050 state target identified in Executive Order S-3-05.

a) Less than Significant Impact: Project GHG emissions would be less than the screening threshold of 900 metric tons of carbon dioxide equivalent (MTCO₂e) gases based on the project type (single-family housing) and size (less than 50 dwelling units) listed in CAP Table 5-2. Therefore, the project would not contribute considerably to climate change impacts, and does not need to demonstrate consistency with the CAP. Additionally, the project is also consistent with General Plan policies that help reduce GHG emissions, including the following: Laguna Drive is identified as a Local/Neighborhood Street per General Plan Table 3-1; and therefore, is subject to the Multi-Modal Level of Service (MMLOS) standards for pedestrians and bicycles. The primary purpose of the Local/Neighborhood Street is to connect people to and through residential neighborhoods and local areas of the city, and thus should be designed to safely move all modes of travel while enhancing mobility for pedestrians and bicyclists. Laguna Drive is presently designed with curb, gutter and sidewalk; and on-street parking, single vehicle travel lanes in each direction and bicycles currently share the street in front of the project site. The residential development proposes to maintain the existing street design and environment. The proposed development will continue to maintain the objective along Laguna Drive to create a multi-modal street network that balances the mobility needs of pedestrians, bicyclists and vehicles in accordance with General Plan Implementing Policy 3-P.26. As a result, the project would not contribute considerably to climate change impacts, and the project impact is therefore less than significant.

b) Less than Significant Impact: As stated above, the City of Carlsbad adopted a CAP in 2015 that outlines actions that the city will undertake to achieve its proportional share of state greenhouse gas (GHG) emissions reductions. The CAP demonstrates that, with implementation of applicable General Plan goals and policies, coupled with state and federal actions, and execution of CAP measures and actions, the city will reduce GHG emissions in alignment with state goals established by Assembly Bill 32 and Senate Bill 32, and maintain a trajectory to meet its proportional share of the 2050 state target identified in Executive Order S-3-05. As described in the response to section VII(a) above, the proposed project's GHG emissions would be less than the screening threshold of 900 MTCO₂e gases based on the project type (single-family housing) and size (less than 50 dwelling units) listed in CAP Table 5-2. Furthermore, the project is consistent with applicable General Plan goals and policies that would help reduce GHG emissions. As such, the proposed project would not conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases. The project's impact is less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 and, as a result, would it create a significant hazard to the public or environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project 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 type="checkbox"/>	<input checked="" type="checkbox"/>

a, c) No Impact. The project is a residential use. Unlike industrial uses, residential uses are low intensity uses, which do not routinely transport, use, or dispose of hazardous materials, nor do they handle hazardous or acutely hazardous materials, substances, or waste such that the project would pose a significant hazard to the public or environment. No impact is assessed.

b) Less than Significant with Mitigation Incorporated. A Phase I Environmental Site Assessment (ESA) covering the subject property was prepared by PARTNER Engineering & Science, Inc. dated January 22, 2018. The ESA identified the age (pre-1978) of the existing single-family home and medical office building such that asbestos-containing materials (ACMs) and lead-based paint (LBP) could potentially be present in either structure. However, through implementation of Mitigation Measures HAZ-1 and HAZ-2, the potential for the project to create a significant hazard to the public or environment through a reasonably foreseeable upset and accident condition involving the release of hazardous materials into the environment is reduced to a less than significant level.

d) No Impact. The project site is not listed on the California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substance Site (CORTESE) List. No further action is required. No impact is assessed.

e) No Impact. The subject site is located approximately 4.8 miles northwest of the McClellan-Palomar Airport runway and is well outside of the Airport Influence Area (AIA) as exhibited in the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP). Therefore, it is concluded that the site will not cause a safety hazard for people residing or working within the project area. No impact is assessed.

f) No Impact. No private airstrip exists within the vicinity of the subject project. No impact is assessed.

g) No Impact. The project is located directly adjacent to Laguna Drive within an urban setting. Neither construction nor the operation of the proposed project facilities will significantly affect, block, or interfere with traffic on public streets, including any streets that would be used for an emergency response plan or emergency evacuation plan. No emergency response or evacuation plan directs evacuees through the project site, and no improvements are proposed by the project in any area which would physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact is assessed.

h) No Impact. The project site is not located in an area that will expose people or structures to a significant risk of loss, injury or death involving wildland fires. The subject site is identified as "Urban" on Figure 6-10 - *Fire Hazard Severity Zones* of the City of Carlsbad's General Plan. There are five (5) Fire Hazard Severity Zones listed on Figure 6-10 with the most severe identified as "Very High Threat" and reducing in severity to the lowest being "Urban," which is just below "Little or No Threat". The properties adjacent to the subject site are also listed as "Urban" or "Little or No Threat". As such, the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Additionally, where the project interfaces with the Buena Vista Lagoon, fire suppression zones have been appropriately established in coordination with the City's Fire Department and Landscape Manual. No impact is assessed.

IX. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (i.e., 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 checked="" type="checkbox"/>	<input 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"/>

IX. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
<p>Would the project:</p> <p>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 flow rate or amount (volume) of surface runoff in a manner, which would result in flooding on- or off-site?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f) Otherwise substantially degrade water quality?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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 delineation map?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>h) Place within 100-year flood hazard area structures, which would impede or redirect flood flows?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>j) Inundation by seiche, tsunami, or mudflow?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Less than Significant Impact. The project is required by law to comply with all federal, state and local water quality regulations, including the Clean Water Act, California Administrative Code Title 23, specific basin plan objectives identified in the "Water Quality Control Plan for San Diego Basin" (WQCP), and the city's Standard Urban Storm Water Management Plan (SUSMP). The WQCP contains specific objectives for the Carlsbad Hydrologic Unit, which includes the requirement to comply with National Pollutant Discharge Elimination System (NPDES) and the use of Best Management Practices (BMPs). Construction activities for this project are covered under state-wide construction permit Order No. 2009-0009-DWQ issued by the State Water Resource Control Board Permit. As part of the permit requirements, the applicant will prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for the project. Through each phase of construction, the SWPPP will identify specific erosion control and storm water pollution prevention plan practices that will be implemented to protect downstream water quality. Post-development activities for this project are covered under Order No. R9-2013-0001 and amendments R9-2015-0001 and R9-2015-0100 issued by the California Regional Water Quality Control Board for the San Diego Region. As part of these requirements, the applicant must prepare and submit a Storm Water Quality Management Plan (SWQMP) addressing what treatment Best Management Practices (BMPs) will be constructed to treat the post-development runoff from the project. The SWQMP will address how pollutants from this project will be reduced, captured, filtered, and/or treated prior to discharge from the project site. Through this process, the project will not violate any water quality standards or waste discharge requirements and impacts are therefore considered to be less than significant.

b) Less than Significant Impact. The project does not propose to directly draw any groundwater; instead it will be served via existing public water distribution lines within the public right-of-way adjacent to the

site. Existing water lines will adequately serve the project's water demands. Rainwater infiltration is needed to provide adequate groundwater recharge. A Preliminary Hydrology/Hydraulics Report (dated October 12, 2018) and a Priority Development Project (PDP) Preliminary Storm Water Quality Management Plan (SWQMP) (dated January 7, 2019) were prepared for the project by Corey Jones Engineering. According to these reports and project exhibits, runoff from the proposed project will be diverted away from the Buena Vista Lagoon through a series of water quality treatment facilities (i.e. biofiltration basins) near the front of the property along Laguna Drive before entering a 36-inch storm drain facility in the street. In addition, the project driveway will be constructed with permeable pavers. The implementation of these design features assists in reducing any potential impacts that the development may have on storm water and ground water recharge. The project will not significantly deplete groundwater supplies or quality. Therefore, impacts are considered to be less than significant.

c-f) Less than Significant Impact. The PDP/SWQMP prepared for the project demonstrates that the proposed drainage design does not adversely affect surrounding properties and the storm drain system adequately drains the proposed project in a 100-year storm event. Construction of the proposed project improvements is required by law to comply with all federal, state and local water quality regulations, including the Clean Water Act and associated NPDES regulations and temporary impacts associated with the construction operation will be mitigated. The total post-development runoff discharging from the site will not significantly exceed the pre-development amounts. The project incorporates Low Impact Development (LID) design features, which promote infiltration of storm water run-off by proposing to minimize impervious surface areas and directing run-off to biofiltration basins to serve as a treatment BMP and to attain water quality objectives. Therefore, the project will not violate any water quality standards, deplete groundwater supplies or quality, substantially alter existing drainage patterns, cause substantial erosion or flooding, or significantly impact the capacity of storm water drainage systems.

Standard Storm Water Permanent Best Management Practices (BMPs) will be incorporated into the project design to address water quality for the project. BMPs will be implemented during construction and post-construction phases, which specifically address sediments, nutrients, trash and debris, oxygen demanding substances, oil and grease, bacteria and viruses, and pesticides. The project will not significantly increase pollutant discharges and will not alter the water quality of the receiving surface waters. The amount of discharge and velocity of run-off will not significantly exceed pre-development levels. As a result of these project design features, there will be less than significant impacts to water quality, site erosion and pollutant discharge, and no receiving water quality will be adversely affected through implementation of the proposed project.

g-i) No Impact. The northwest tip of the subject parcel located closest to the Buena Vista Lagoon is within a 100-year flood hazard area (Zone A), which according to the Flood Insurance Rate Map, Map No. 06073C0761G, May 16, 2012, could extend up to approximately 10 feet above mean sea level (AMSL). Review of the city's Sea Level Rise Vulnerability Assessment, Attachment B: Year 2100 Sea Level Rise Hazard Maps also reveals similar flood hazard zone information for the site. The development footprint for the proposed single-family homes is located above 45 feet AMSL, which is situated 35 feet above and well outside the limits of both the 100-year flood hazard area and the sea level rise flood hazard area for year 2100. Therefore, with the extent of these flood hazard area at or near 10 feet AMSL, the proposed project does not result in the placement of housing or structures within either flood hazard area. Additionally, according to the City of Carlsbad Geotechnical Hazards Analysis and Mapping Study, Catastrophic Dam Failure Inundation, Tsunami and Seiche Hazard Zone Maps, September 1992, the project site is not located within any dam failure inundation area. No impact is assessed.

j) No Impact. According to the City of Carlsbad Geotechnical Hazards Analysis and Mapping Study, Catastrophic Dam Failure Inundation, Tsunami and Seiche Hazard Zone Maps, September 1992, based on historical events, and the generally accepted and favorable geologic and seismic conditions along the San Diego County Coastline, potential for damage to the project site caused by tsunamis or seiche is considered to be low. Additionally, the Preliminary Geotechnical Investigation, prepared on the project by Coast Geotechnical (April 4, 2018) reported that the site is not susceptible to flooding from tsunamis. No impact is assessed.

X. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Physically divide 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 general 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c) No Impact. The project is proposing 13 detached single-family residential condominiums consistent with residential properties within the surrounding neighborhood. The site does not physically divide an established community. The proposed project does not conflict with any existing or proposed land use plans or policies of the City of Carlsbad. The project is consistent with both the City of Carlsbad General Plan and the Local Coastal Program Land Use designations. The General Plan Land Use designation for the site is Village (V) with a Zoning designation of Village Review (V-R). The Carlsbad Village Master Plan and Design Manual is the implementing zoning document for this area. The project site is located within District 4 (Residential Support Area) of the Master Plan. The land use policy of District 4 is to provide for a gradual transition in this district to a mix of higher quality commercial and residential uses which will provide positive support for the District 1 Village Center and reinforce the Village area north of Beech Street as a quality residential neighborhood. District 4 allows development at a density of 28 to 35 dwelling units per acre (du/ac). The Local Coastal Program Land Use designation for the site is also Village (V) consistent with the city's General Plan. The project proposes 13 detached single-family residential condominiums at 28 du/ac, and therefore is consistent with the Village (V) General Plan Land Use designation. In addition, the project is consistent with the City of Carlsbad's Habitat Management Plan and does not conflict with any applicable plans or policies. No impact is assessed.

XI. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) No Impact. Carlsbad is devoid of any non-renewable energy resources of economic value to the region and the residents of the State. Mineral resources within the city are no longer being utilized and extracted as exploitable natural resources. Therefore, no mineral resource impacts will occur as a result of any project. (EIR 13-02, page 3.15-1)

XII. NOISE Would the project result in:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	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 groundbourne vibration or groundbourne 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 2 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Less than Significant with Mitigation Incorporated. A Noise Technical Report was prepared for the project by Dudek dated September 2018. The report found that implementation of the proposed project would result in two primary types of potential noise impacts: short-term (i.e., temporary) noise during construction, and long-term noise during operation of the residential project.

Short-Term Construction Noise

Construction activities for the proposed project would include demolition of existing structures, clearing and grubbing, mass excavation of soils, grading and trenching of the project site, installation of utilities, construction of buildings, paving, and application of architectural coatings. Noise impacts from construction activities associated with the proposed project would be a function of the noise generated by construction equipment, locations of equipment and of nearby land uses, and timing and duration of the construction activities. The nearest sensitive receptors to the project site are single-family homes located east of the project site. Other residential land uses are located farther north and south of the project site.

The nearest point of major construction activities (i.e., excavation, utilities work, building construction) to the closest noise-sensitive receivers (single-family residences located to the east) would be approximately 28 feet, and the farthest distance from construction activity to the same residences would be approximately 158 feet. For construction noise, a concept called the "acoustic center" is useful in describing average noise levels across an entire construction period for adjacent receivers. The acoustic center is the idealized point from which the energy sum of all construction activity noise near and far would originate, and it is derived by taking the square root of the product of the shortest distance multiplied by the farthest distance. For this project, the acoustic center for construction was calculated to be 67 feet from the closest receiver. Thus, the distance to the nearest construction activities would be approximately 28 feet, but the distribution of construction activity across the site would typically occur with a center approximately 67 feet or more away from the closest noise-sensitive receivers. The Federal Highway Administration's Roadway Construction Noise Model (RCNM) (FHWA 2008) was used to estimate construction noise levels at these noise-sensitive land uses. Although the model was created by the Federal Highway Administration, the RCNM is often used for non-roadway projects, because the same types of construction equipment used for roadway projects are also used for other project types. Input variables for the RCNM consist of the receiver/land use types, the equipment type and number of each (e.g., two graders, a loader, a tractor), the duty cycle for each piece of equipment (e.g., percentage of hours the equipment typically works per day), and the distance from the noise-sensitive receiver. No topographical or structural shielding was assumed in the modeling of construction noise. According to the report, at the nearest residences, noise levels would range from approximately 79 to 89 dBA Leq when construction would take place at or near the project boundary. More typical construction noise levels at the adjacent residences would range from approximately 71 to 83 dBA Leq.

The City regulates construction noise by restricting the allowable hours of construction. Construction can occur Monday through Friday from 7 a.m. to 6 p.m. and Saturday 8 a.m. to 6 p.m.; no work can be conducted on Sundays or on federal holidays. If work were to occur outside of the allowable hours, annoyance or sleep disturbance could result from construction noise; also, due to the relatively limited distance to existing adjacent residences, construction noise annoyance could result even during daytime hours, constituting a potentially significant short-term noise impact. However, through implementation of Mitigation Measures NOISE-1 and NOISE-2, construction-related noise levels would not exceed any standards and would not be substantially higher than existing ambient daytime noise levels. Therefore, temporary construction-related noise impacts would be less than significant with mitigation.

Long-Term Operational Noise

The proposed project would result in the creation of additional vehicle trips on local arterial roadways (i.e., Laguna Drive), which could result in increased traffic noise levels at adjacent noise-sensitive land

uses. Additionally, the proposed residences would be exposed to noise from traffic on Laguna Drive, which could result in noise levels in excess of City standards. In addition to potential traffic noise impacts, noise from on-site HVAC equipment has the potential to exceed applicable noise standards.

Off-Site Traffic Noise. The proposed project would create additional traffic along adjacent roadways, in particular Laguna Drive. Potential noise effects from vehicular traffic were assessed in the Dudek report using the Federal Highway Administration's Traffic Noise Model. Information used in the model included the roadway geometry, existing (year 2018), existing (year 2018) plus project, future (year 2035) without project, and future (year 2035) with project traffic volumes and posted traffic speeds. Noise levels were modeled at representative noise sensitive receivers. The receivers were modeled to be five (5) feet above the local ground elevation. The City of Carlsbad does not have a specific noise criterion for evaluating off-site noise impacts to residences or noise-sensitive areas from project-related traffic. Therefore, for the purposes of the project noise analysis, such impacts were determined to be significant when they caused an increase of 5 dB from existing noise levels or caused an exceedance of the 60 dBA CNEL noise threshold. An increase or decrease in noise level of at least 5 dB is required before any noticeable change in community response would be expected. According to the Dudek report, the maximum noise level increase attributed to project-generated traffic would be 0 dB (when rounded to whole numbers). There would be no measurable or audible change. Therefore, the impact would be considered less than significant. No mitigation is required.

On-Site Traffic Noise. The proposed residences and associated exterior uses are subject to a City of Carlsbad noise standard of 60 dBA CNEL. The results of noise modeling indicate that on-site noise levels in outdoor use areas (yards) of the site would range up to 58 dBA CNEL, and thus would not exceed city noise standards. Therefore, impacts from on-site traffic noise exposure would be considered less than significant. No mitigation is required.

On-Site Interior Traffic Noise. The city and state require that interior noise levels not exceed a CNEL or Ldn of 45 dBA within the habitable rooms of residences. Typically, with the windows open, building shells provide approximately 15 dB of noise reduction. Therefore, rooms exposed to an exterior CNEL greater than 60 dBA could result in an interior CNEL greater than 45 dBA. The State Building Code recognizes this relationship and, therefore, requires interior noise studies when the exterior noise level is projected to exceed 60 dBA CNEL or Ldn. The data shown in the Dudek report indicate that the future noise levels would remain less than 60 dBA CNEL. Thus, interior noise level impacts would be considered less than significant. No mitigation is required.

On-Site Mechanical Noise. Mechanical noise from HVAC equipment would occur as a result of the proposed project. The details regarding the specific locations, quantity, or make/model of HVAC equipment have not yet been developed, and, thus, are not available for analysis. HVAC systems could be located at ground-floor level or could involve roof-mounted systems. Based on the configuration of the residential structures on the site plan, the separation distance between HVAC systems and the eastern site boundary (which is adjacent to existing residences) could be as little as approximately 25 feet. Dudek cites in their report that noise levels generated by HVAC equipment vary, but typically range from approximately 50 dBA to 65 dBA at a distance of 50 feet. For a single point source such as a piece of mechanical equipment, the sound level normally decreases by approximately 6 dBA for each doubling of distance from the source. The HVAC noise levels have the potential to exceed the city noise standard for stationary source noise at residential uses (55 dBA Leq from 7 a.m. to 10 p.m., 45 dBA Leq from 10 p.m. to 7 a.m.) at the nearest existing noise-sensitive receivers. However, to ensure that noise from HVAC equipment is in compliance with the City of Carlsbad Municipal Code noise standards, an acoustical

analysis shall be required prior to approval of final occupancy permits. Through implementation of Mitigation Measure NOISE-3, on-site mechanical-related noise levels will not exceed any standards. Therefore, with mitigation, on-site mechanical-related noise impacts will be less than significant.

b) Less Than Significant Impact. Construction activities that might expose people to excessive groundborne vibration or groundborne noise could cause a potentially significant impact. Groundborne vibration information related to construction activities has been collected by Caltrans (Caltrans 2013b). Information from Caltrans indicates that transient vibrations (such as construction activity) of approximately 0.035 inch per second peak particle velocity (PPV) may be characterized as barely perceptible, and vibration levels of 0.24 inch per second PPV may be characterized as distinctly perceptible.

Groundborne vibration is typically attenuated over short distances. The heavier pieces of construction equipment, such as bulldozers, would have PPVs of approximately 0.089 inches per second or less at a distance of 25 feet (DOT 2006). At the distance from the nearest residence to major construction activities (approximately 28 feet) and with the anticipated construction equipment, the PPV would be approximately 0.0751 inches per second. This vibration level would be just below the level considered barely perceptible, and well below the level considered distinctly perceptible.

The major concern with regard to construction vibration is related to building damage. Pile driving, blasting, or other special construction techniques would not be necessary for construction of the proposed project; therefore, excessive groundborne vibration and groundborne noise are not anticipated. In particular, construction vibration as a result of the proposed project would not result in structural building damage, which typically occurs at vibration levels of 0.5 inches per second or greater for buildings of reinforced-concrete, steel, or timber construction, or 0.2 inches per second for typical residential construction. At the distance from the nearest residence to major construction activities (approximately 28 feet) and with the anticipated construction equipment, the PPV would be approximately 0.0751 inches per second, which is well below the damage threshold. Groundborne vibration would not be associated with the proposed project following construction activities. Impacts related to groundborne vibration would be less than significant. No mitigation is required.

The ongoing operation of the proposed project would not include the operation of any known vibration sources. Therefore, a less-than-significant vibration impact is anticipated from operation of the proposed project. No mitigation is required.

c) Less Than Significant Impact with Mitigation Incorporated. As discussed under item a) above, long-term operational noise would result from the various project components, including off-site traffic noise along adjacent roadways and mechanical noise. Also, as discussed under item a), mitigation is identified to ensure that operation of the proposed project would not exceed applicable noise standards or otherwise result in a substantial permanent increase in ambient noise levels. Upon implementation of Mitigation Measure NOISE-3 discussed above, operational noise impacts would be considered less than significant with mitigation.

d) Less Than Significant Impact with Mitigation Incorporated. As discussed under item a) above, the proposed project would result in temporary noise increases during the project construction period. The temporary increases in ambient noise levels would vary depending on the location of the construction activities and the type of equipment being used. Temporary noise increases at adjacent existing and future noise-sensitive land uses from construction activities are considered potentially significant;

however, with the implementation of Mitigation Measures NOISE-1 and NOISE-2, temporary noise impacts from construction activities would be less than significant.

e) Less Than Significant Impact. The nearest airport is McClellan-Palomar Airport, located approximately 4.9 miles southeast of the project site. Based on the McClellan-Palomar Airport Land Use Compatibility Plan, the project site is located approximately 4 miles outside of the airport's 60 dBA CNEL noise contour. As such, less-than-significant impacts from airport/aircraft noise would occur. No mitigation is required.

f) No Impact. There are no private airstrips within the vicinity of the project site. No impacts would occur.

XIII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<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"/>

a-c) No Impact. The project will allow for the future development of 13 detached single-family residential condominium units, which is consistent with other residential properties located within the surrounding community. The project site and area surrounding the proposed development is designated for residential development and was analyzed in the city's Growth Management Plan accordingly. The density (28 du/ac) of the proposed development is consistent with the City of Carlsbad's General Plan, Local Coastal Program and Village Master Plan. The project does not displace any existing housing or people. Therefore, no impact is assessed.

XIV. PUBLIC SERVICES Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, a need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: i. Fire protection? ii. Police protection?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

XIV. PUBLIC SERVICES Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a.i – a.v) No Impact. The project will allow for the future development of 13 detached single-family residential condominium units, which is consistent with the General Plan and therefore will not affect the provision and availability of public facilities (fire protection, police protection, schools, parks, libraries, etc.). Through the Carlsbad Growth Management Plan and Zone 1 Local Facilities Management Plan (LFMP), the impacts of development on public services were analyzed and the project has been designed and/or conditioned to provide adequate public services to meet the needs of development. The project will be conditioned to comply with the Zone 1 LFMP performance standards to ensure that adequate public facilities and services are provided prior to or concurrent with the development. Since single-family residential development was anticipated and analyzed by the General Plan and Zone 1 LFMP for this site, no public service impacts will occur as a result of this project.

XV. RECREATION	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) No Impact. The project will allow for the future development of 13 detached single-family residential condominium units, which will not result in the deterioration of existing neighborhoods or regional parks or cause such parks to be expanded. The General Plan and Growth Management Plan anticipated residential development at this site, and the Northwest Quadrant park district, which the project is within, currently maintains a surplus of park acreage for its population level, so no adverse physical effects on the recreation facilities will occur.

XVI. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The General Plan Mobility Element promotes a livable streets strategy for mobility within the city. The objective of this strategy is to create a ‘multi-modal’ street network that balances the mobility needs of pedestrians, bicyclists, transit users, and vehicles. For each street in the city, the General Plan Mobility Element identifies the travel modes for which service levels should be maintained per the multi-modal level of service (MMLOS) standard.

a) No Impact. The project proposes to demolish one (1) existing single-family residence and one (1) existing 1,600-square foot medical office building, which combined have a total average daily trip (ADT) generation of 90 ADT. For purposes of existing street and intersection capacity, this traffic is already included in existing levels. The 13 proposed condominium units will generate 78 ADT, resulting in a net decrease of 12 ADT. As it relates to the existing traffic load and capacity of the street system, the proposed project will result in a decrease in ADT. No impact is assessed.

b) No Impact. In 2009 the congestion management agency (SANDAG) employed an “opt out” option defined in Assembly Bill (AB) 2419. The congestion management program is no longer relevant to development in the City of Carlsbad.

c) No Impact. The proposed project does not include any aviation components. It would not, therefore, result in a change of air traffic patterns or result in substantial safety risks. No impact is assessed.

d) No Impact. All project circulation improvements will be designed and constructed to City standards; and, therefore, would not result in design hazards. The proposed project is consistent with the City's General Plan and Zoning. Therefore, it would not increase hazards due to an incompatible use. No impact is assessed.

e) No Impact. The proposed project has been designed to satisfy the emergency requirements of the Fire and Police Departments. No impact is assessed.

f) No Impact. The project is served by public transportation with the NCTD Coaster Station located approximately 1,700 feet away at the corner of State Street and Grand Avenue, and NCTD bus routes located along Carlsbad Boulevard approximately 650 feet away. No impact is assessed.

<p>XVII. TRIBAL CULTURAL RESOURCES</p> <p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
<p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) No Impact. There are no tribal cultural resources listed, or eligible for listing, in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), that would be affected by the project. No impact is assessed.

b) Less than Significant with Mitigation Incorporated. On November 15, 2018, the Planning Division notified the Torres Martinez Desert Cahuilla Indians, the Mesa Grande Band of Mission Indians, the Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians, which are the traditionally and culturally affiliated California Native American tribes that have requested notice of proposed projects. The notices were sent out in advance of the project being deemed complete. None of the above tribes responded within the 30-day comment period ending on December 17, 2018.

The following facts were identified in Dudek's analysis: 1) trace amounts of cultural materials were identified during the intensive pedestrian survey of the property; 2) 16 previously recorded cultural

resources were identified as being located within a one-mile vicinity; 3) the Rincon Band of Luiseño Indians noted having knowledge of one Luiseño Place Name within the general proximity of the proposed project site; and 4) the Pala Band of Mission Indians recommended cultural monitors be present on-site during all survey and all ground-breaking activities. The Dudek analysis also suggested that there is a low potential for the inadvertent discovery of significant cultural resources during ground breaking activities and that the SCIC records indicate that no archaeological resources have been previously recorded within the project area of potential effect (APE). However, it was acknowledged by Dudek that the APE has never been directly studied before. Therefore, based on the city’s analysis of substantial evidence pursuant to California Register of Historical Resources criteria while considering potential significance to local tribes, the city has determined there is a potential that a Tribal Cultural Resource (TCR) could potentially be present within the project site and that having Native American monitoring on-site in addition to the archaeological monitoring discussed in Section V above is necessary should any unforeseen discovery occur. Therefore, through implementation of Mitigation Measure TCR-1, the potential for the project to create a significant impact to a TCR having cultural value to a California Native American Tribe is reduced to a less than significant level.

XVIII. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less than Significant with Mit. Incorporated	Less than Significant Impact	No Impact
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 would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>

a-g) No Impact. The proposed subdivision, allowing for the future development of 13 new single-family condominium units (11 net), will be required to comply with all Regional Water Quality Control Board Requirements. In addition, the Zone 1 Local Facilities Management Plan anticipated that the project site

would be developed with a residential use having a project density between 28-35 du/ac. Wastewater treatment facilities were planned and designed to accommodate future residential uses on the site. All public facilities, including water facilities, wastewater treatment facilities and drainage facilities, have been planned and designed to accommodate the growth projections for the City at build-out. The proposed development will increase the demand for these facilities; however, the proposed density (28 du/ac) is the minimum that was originally anticipated for this site and thus will not result in an overall increase in the City's growth projection in the Northwest Quadrant. Therefore, the project does not create development that will result in a significant need to expand or construct new water facilities/supplies, wastewater treatment or storm water drainage facilities. No impact is assessed.

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

a) Less than Significant with Mitigation Incorporated. Other than the Buena Vista Lagoon, for which this project has set back all development and provided the required 100-wetland buffer, the subject site does not support any protected or sensitive biological resources or habitat types; it does not contain any fish or wildlife species; and is not identified by any habitat conservation plan as containing a protected, rare or endangered plant or animal species. The project will fully mitigate any potential indirect impact on special-status plant and wildlife species. Additionally, the project's required mitigation as outlined in the Cultural Resources and Tribal Cultural Resources sections will preclude the elimination of important examples of major periods of California history or prehistory, thus reducing impacts to less than significant. As such, with mitigation the project does not reduce the habitat of a fish or wildlife species; will not threaten to eliminate or reduce the number of endangered plant and animal species; and will not result in the elimination of any important examples of California history or prehistory.

b) Less Than Significant Impact. San Diego Association of Governments (SANDAG) projects regional growth for the greater San Diego area and local General Plan land use policies are incorporated into SANDAG projections. Based upon these projections, region-wide standards, etc., are established to

reduce the cumulative impacts of development in the region. All of the city's development standards and regulations are consistent with the region-wide standards. The city's standards and regulations, including grading standards, water quality and drainage standards, ensure that development within the city will not result in a significant cumulatively considerable impact.

There are two regional issues that developments within the City of Carlsbad have the potential to have a cumulatively significant impact on. These issues are air quality and regional circulation. As described above, air quality would essentially be the same whether or not the development is constructed. Also, the proposed project results in a reduction in ADT; therefore, it will not have any effect on regional circulation.

With regard to any other potential impacts associated with the project, city standards and regulations will ensure that development of the site will not result in any significant cumulatively considerable impacts.

c) No Impact. Based upon the residential nature of the project and that future development of the site will comply with city standards, the project will not result in any direct or indirect substantial adverse environmental effects on human beings. No impact is assessed.

XIX. LIST OF MITIGATION MEASURES (if applicable)

BIO-1: Prior to approval of the final map, or issuance of a grading or building permit, whichever occurs first, impacts to 0.09 acres of Group-F (Disturbed lands) habitat shall be mitigated through the payment of the city's adopted in-lieu mitigation fee.

BIO-2: Prior to approval of the final map, or issuance of a grading or building permit, whichever occurs first, the applicant shall submit a final habitat mitigation and monitoring plan (HMMP) and specifications for restoration activities within the 100-foot wetland buffer to the City and/or Agencies for review. The HMMP and Restoration Landscape Plan shall be prepared and implemented consistent with MHCP Volume II, Appendix C (Revegetation Guidelines), and Vol. III; HMP pp. F-8 to F-11; and Open Space Management Plan Sec. 3.1.5. The HMMP should, at a minimum, include an evaluation of restoration suitability specific to proposed habitat types, soil and plant material salvage/translocation, planting and seeding lists, discussion of irrigation, maintenance and monitoring program, and success criteria. All areas shall be monitored by a qualified biologist for a minimum of 5 years to ensure establishment of intended plant communities.

Restoration techniques, as specified in the HMMP, may include hydroseeding, hand-seeding, imprinting, and soil and plant salvage. The HMMP shall also include criteria to measure success and describe how monitoring of revegetation efforts will be implemented.

The HMMP shall include a description of appropriate plantings within the 25-foot public access easement and FMZ B-3. Allowable plantings include native, low fuel species that do not require long-term irrigation.

BIO-3: Clearing and grading activities should be avoided during the bird breeding season (February 15 through August 31 for most species, and January 1 through August 31 for raptors) to reduce indirect impacts to nesting birds that may be present within the construction footprint or restoration areas. Other construction activities should also be avoided during the bird breeding season, if feasible. If this cannot be avoided, the following measures shall be taken:

- a. Nesting bird surveys shall be conducted by a qualified biologist in appropriate habitat for nesting raptors and migratory birds and within a 500-foot survey buffer within three (3) days of construction.
- b. If nests of listed birds, migratory birds, raptors, or other special-status species are located, these areas shall be fenced with a protective buffer of at least 500 feet from active nests of listed species, and 300 feet from other special-status bird species.
- c. All construction activity shall be prohibited within this area. Reduced buffers can be requested from the City if the project biologist can demonstrate that the nesting success will not be affected.

BIO-4: The potential for significant indirect impacts during construction shall be mitigated through implementation of the following measures prior to issuance of a grading permit or during grading activity as appropriate for the measure:

- a. The footprint of disturbance shall be specified in the construction plans. Construction limits shall be delineated with orange fencing, and in areas potentially subject to project related runoff, silt fencing shall be used to delineate the impact footprint. All fencing shall be maintained until the completion of all construction activities, at which time all fencing shall be removed. All construction personnel and associates shall be instructed that their activities, vehicles, equipment, and construction materials are restricted to the proposed project footprint, designated staging areas, and routes of travel. If any impacts shall occur beyond the approved impact footprint, all work in the immediate vicinity shall cease until the disturbance limit breach has been addressed to the satisfaction of the City.
- b. The qualified project biologist shall review grading plans (e.g., all access routes and staging areas), and monitor construction activities throughout the duration of grading/ground disturbance associated with the project to ensure that all practicable measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint.
- c. Any habitat that is impacted that is not in the identified project footprint shall be disclosed immediately to the City, United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and California Coastal Commission (CCC); and shall be compensated at a minimum ratio of 5:1.
- d. Construction employees shall limit their activities, vehicles, equipment, and construction materials to the fenced project footprint.
- e. Equipment storage, fueling, and staging areas shall be located on disturbed upland sites with minimal risk of direct drainage into riparian areas or other sensitive habitats, and at least 100 feet from waters of the United States. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to the City and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.
- f. Lighting in or adjacent to the preserve shall not be used, except where essential for roadway, facility use, and safety. If nighttime construction lights are necessary, all lighting adjacent to natural habitat will be shielded and/or directed away from habitat.
- g. Fugitive dust shall be avoided and minimized through watering and other appropriate measures.
- h. Exotic species that prey upon or displace target species of concern should be permanently removed from the site.
- i. To avoid attracting predators of the native wildlife species, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s). Pets of project personnel shall not be allowed on site where they may come into contact with any native species.

- j. The City of Carlsbad has the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these best management practices. The USFWS and CDFW may accompany City representatives on this inspection.
- k. Grading activity shall be prohibited during the rainy season: from October 1st through April 1st of each year.
- l. All graded areas shall be landscaped prior to October 1st of each year with either temporary or permanent landscaping materials, to reduce erosion potential. Such landscaping shall be maintained and replanted if not well-established by December 1st following the initial planting.
- m. The October 1st grading season deadline may be extended with the approval of the City Engineer subject to implementation by October 1st of special erosion control measures designed to prohibit discharge of sediments off-site during and after the grading operation. Extensions beyond November 15th may be allowed in areas of very low risk of impact to sensitive coastal resources and may be approved either as part of the original coastal development permit or as an amendment to an existing coastal development permit.
- n. If any of the responsible resource agencies prohibit grading operations during the summer grading period in order to protect endangered or rare species or sensitive environmental resources, then grading activities may be allowed during the winter by a coastal development permit or permit amendment, provided that appropriate best management practices are adopted.

BIO-5: To prevent impacts of the proposed development on the HMP preserve area off site and to the north and northwest of the project site, the project shall comply with the following adjacency standards:

- a. Fire Management - Existing non-native plants shall be removed and replaced with native species. A Fuel Management Zone B-3 shall be established from the structures outward and shall be maintained to be clear of dead and dying combustible materials.
- b. Erosion Control - Standard Best Management Practices (BMPs) shall be implemented to slow surface flow and dampen initial precipitation flow within the development area. No new surface drainage shall be directed into the open space areas.
- c. Landscape Restrictions - Landscape planting palettes for the proposed project shall prohibit non-native, invasive plant species in the areas adjacent to the riparian or upland habitat or adjacent to the HMP preserve located off site to the north and northwest. In addition, because the site is within the Coastal Zone, no invasive plant species shall be used in the landscaping of the development. Irrigation of the landscaping shall be designed and scheduled to avoid runoff into the proposed open space areas. The wetland buffer shall be restored with native habitat in accordance with mitigation measure BIO-2 listed above.

- d. Fencing, Signs and Lighting - To discourage entry into the riparian habitat by people and pets, the open space area shall be fenced in accordance with requirements of the City as appropriate. Exterior residential lighting adjacent to the open space areas shall be of a minimum necessary for safety and security and shall be shielded and/or directed away to the maximum extent practicable to avoid increasing nighttime light input into the open space. Project CC&Rs shall include such lighting restrictions.
- e. Predator and Exotic Species Control - The property owner of the proposed development shall alert future residents of the potential effects domestic animals may have on the native fauna and flora. Project CC&Rs shall include text to educate homeowners regarding responsible pet ownership (e.g., keeping pets indoors, spaying/neutering pets, prohibiting the release of pets into the wild, etc.).

CUL-1: The following archaeological resource mitigation measures shall be implemented in addition to Mitigation Measure TCR-1. Where CUL-1 conflicts with TCR-1, regarding artifacts of Luiseño Native American cultural importance, TCR-1 shall take precedence:

- a. Prior to the issuance of a grading permit and commencement of any ground disturbing activities, the project developer shall retain the services of a qualified archaeologist to monitor ground-disturbing activities.
- b. The applicant shall provide written verification that a qualified archaeologist has been retained to implement the monitoring program. Verification shall be presented in the form of a letter from the project archaeologist to the City Planner.
- c. The qualified archaeologist shall consult with grading and excavation contractors concerning excavation schedules and safety issues, and to further explain and coordinate the requirements of the monitoring program.
- d. The qualified archaeologist shall be on-site during all grading, trenching, and other ground-disturbing activities, unless otherwise agreed upon by the archaeologist, Native American monitor and city staff.
- e. In the event any potential cultural resource is uncovered during the course of the project construction, ground-disturbing activities in the vicinity of the find shall be redirected until the nature and extent of the find can be evaluated by the archaeologist. If cultural resources are encountered, the archaeologist shall have the authority to temporarily halt or redirect grading/trenching while the cultural resources are documented and assessed. If archaeological resources are encountered during excavation or grading, the archaeological monitor shall direct the contractor to avoid all work in the immediate area for a reasonable period of time to allow the archaeologist to evaluate the significance of the find and determine an appropriate course of action. The appropriate course of action may include, but not be limited to avoidance, recordation, relocation, excavation, documentation, curation, data recovery, or other appropriate measures. The Project Contractor shall provide a reasonable period of time for pursuing the appropriate activities. Recovered artifactual materials and data shall be cataloged and analyzed.

- f. Prior to issuance of building permits for the development of any future homes, a final summary report shall be completed and submitted to the South Coastal Information Center (SCIC) and the City Planner outlining the results of the mitigation program, including a confidential appendix as necessary. The cultural resources monitoring report shall be completed describing the methods and results of the monitoring and data recovery program and submitted to the satisfaction of the City Planner. Artifacts shall be curated with accompanying catalog to current professional repository standards or the collection will be repatriated to the appropriate Native American Tribe(s), as specified in the pre-excavation agreement (pursuant to Mitigation Measure TCR-1).
- g. If any human remains are discovered, all construction activity in the immediate area of the discovery shall cease immediately, and the archaeological monitor shall notify the San Diego County Medical Examiner pursuant to California Health and Safety Section 7050.5. Should the Medical Examiner determine the human remains to be Native American, requirements outlined in Mitigation Measure TCR-1 shall be followed.

CUL-2: The following paleontological resource mitigation measures shall be implemented:

- a. Prior to the issuance of grading permits, the Applicant shall provide written confirmation to the City that a qualified paleontologist has been retained to carry out an appropriate mitigation program. (A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques).
- b. A pre-grade meeting shall be held among the paleontologist and the grading and excavation contractors.
- c. A paleontological monitor, working under the direction of a qualified paleontologist, shall be onsite at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations (i.e., Bay Point Formation, and correlative old paralic deposits) to inspect cuts for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) Monitoring is not required during excavation into low and no resource sensitivity geologic formations (e.g., young alluvial flood-plain deposits and artificial fill, respectively).
- d. In the event that fossils are discovered in unknown, low, or moderately sensitive formations, the Applicant shall increase the per-day field monitoring time. Conversely, if fossils are not discovered, the monitoring, at the discretion of the City Planner, shall be reduced. A paleontological monitor is not needed during grading of rocks with no resource sensitivity.
- e. When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances and at the discretion of the paleontological monitor to set up a screen-washing operation on the site.

- f. Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited in a scientific institution with paleontological collections such as the San Diego Natural History Museum (SDNHM). A final summary report shall be completed prior to issuance of building permits and submitted to the City Planner and curated at the SDNHM. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

HAZ-1: Prior to any renovation or demolition activities onsite, a comprehensive Asbestos Containing Materials (ACMs) survey shall be completed by a licensed asbestos consultant and submitted to the City Planner. All suspect ACMs shall be sampled to determine the presence or absence of asbestos. The survey shall adhere to the Environmental Protection Agency's (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP). If ACMs are found to be present, the subject materials shall be appropriately mitigated and disposed of by a licensed professional in accordance with all applicable local, state and federal laws. Evidence of work performed shall be submitted to the Planning Division prior to the issuance of a grading permit.

HAZ-2: Prior to any renovation or demolition activities onsite, a survey shall be performed by a certified Lead Risk Assessor to determine options for the control of possible lead-based paint (LBP) hazards and the findings submitted to the City Planner. If LBP is found to be present, the subject material shall be appropriately mitigated according to the options discussed in the survey report and disposed of by a licensed professional in accordance with all applicable local, state and federal laws. Evidence of work performed shall be submitted to the Planning Division prior to the issuance of a grading permit.

NOISE-1: Construction activities shall take place during the permitted time and day per Carlsbad Municipal Code Chapter 8.48. The applicant shall ensure that construction activities for the proposed project are limited to the hours from 7 a.m. to 6 p.m. Monday through Friday, and 8 a.m. to 6 p.m. on Saturdays; no work shall be conducted on Sundays or on federal holidays. This condition shall be listed on the project's final design to the satisfaction of the City of Carlsbad Land Development Engineering Division.

NOISE-2: The applicant shall adhere to the following measures for all construction phases of the project:

- a. The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high-noise-emitting equipment.
- b. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City of Carlsbad Land Development Engineering Division.
- c. Construction noise reduction methods, such as shutting off idling equipment, constructing a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and using electric air compressors and similar power tools rather than diesel equipment, shall be used where feasible.

- d. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- e. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City of Carlsbad receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.

NOISE-3: Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect surrounding sensitive receptors, and because the details, specifications, and locations of this equipment are not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the issuance of building permits, the acoustical specialist shall certify in writing to the City of Carlsbad that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.

TCR-1: Prior to the commencement of any ground-disturbing activities, including but not limited to exploratory geotechnical investigations/borings for contractor bidding purposes, the project developer shall enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with the San Luis Rey Band of Mission Indians or other Luiseño tribe. This agreement will contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The agreement shall outline the roles and powers of the Luiseño Native American monitors and the archaeologist, and may include the following provisions. In some cases, the language below may be modified in consultation with San Luis Rey Band of Mission Indians if special conditions warrant:

- a. A Luiseño Native American monitor shall be present during all ground disturbing activities. Ground disturbing activities may include, but are not be limited to, archaeological studies, geotechnical investigations, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities.
- b. Any and all uncovered artifacts of Luiseño Native American cultural importance shall be returned to the San Luis Rey Band of Mission Indians, and/or the Most Likely Descendant, if applicable, and not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction.
- c. The Luiseño Native American monitor shall be present at the project's preconstruction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the archaeologist concerning the proposed archaeologist techniques and/or strategies for the project.
- d. Luiseño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities. If tribal cultural resources are

discovered during construction, all earth-moving activity within and around the immediate discovery area must be diverted until the Luiseño Native American monitor and the archaeologist can assess the nature and significance of the find.

- e. If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians shall be notified and consulted regarding the respectful and dignified treatment of those resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and tribal cultural resources. If, however, the Applicant is able to demonstrate that avoidance of a significant and/or unique cultural resource is infeasible and a data recovery plan is authorized by the City of Carlsbad as the lead agency, the San Luis Rey Band of Mission Indians shall be consulted regarding the drafting and finalization of any such recovery plan.
- f. When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources. If the archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor may, at their discretion, collect said resources and provide them to the San Luis Rey Band of Mission Indians for dignified and respectful treatment in accordance with their cultural and spiritual traditions.
- g. If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the "Most Likely Descendant" about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.
- h. In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.
- i. No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the San Luis Rey Band of Mission Indians.
- j. 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 monitoring program

shall be submitted by the archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Carlsbad for approval. Said report shall be subject to confidentiality as an exception to the Public Records Act and will not be available for public distribution.

EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

- a) Earlier analyses used. Identify earlier analyses and state where they are available for review.
- b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation measures. For effects that are "Less Than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

EARLIER ANALYSIS USED AND SUPPORTING INFORMATION SOURCES

The following documents were used in the analysis of this project and are on file in the City of Carlsbad Planning Division located at 1635 Faraday Avenue, Carlsbad, California, 92008.

1. *Final Environmental Impact Report (EIR 13-02)* for the City of Carlsbad General Plan and Climate Action Plan (SCH #2011011004), City of Carlsbad Planning Division, June 2015.
2. *Carlsbad Climate Action Plan*, City of Carlsbad Planning Division, dated September 2015.
3. *Carlsbad General Plan*, City of Carlsbad Planning Division, dated September 2015.
4. *City of Carlsbad Municipal Code (CMC), Title 21 Zoning*, City of Carlsbad Planning Division.
5. *Habitat Management Plan for Natural Communities in the City of Carlsbad (HMP)*, City of Carlsbad Planning Division, final approval dated November 2004.
6. San Diego Regional Airport Authority/San Diego County Airport Land Use Commission. *McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP). Amended December 1, 2011.*
7. San Diego County Important Farmland Map (2014). *California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program.*
8. *Biology Letter Report for 570-580 Laguna Drive*, Dudek, January 15, 2019.
9. *Draft Conceptual Wetland Buffer Restoration Plan for 570/580 Laguna Drive*, Dudek, October 2018.
10. *Cultural Resources Constraints Analysis for the 570/580 Laguna Drive Project*, Dudek, September 7, 2018.
11. *Paleontological Resource Review – Laguna Drive Project*, Dudek, February 23, 2018.
12. *Preliminary Geotechnical Investigation, Proposed 12 Residential Structures, 570-580 Laguna Drive*,

Carlsbad, CA 92008, Coast Geotechnical Consulting Engineers and Geologists, April 4, 2018.

13. *Phase I Environmental Site Assessment Report for 570-580 Laguna Drive, Carlsbad, California*, PARTNER Engineering and Science, Inc., January 22, 2018.
14. CORTESE List, California Department of Toxic Substances Control, website: https://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm, December 19, 2018.
15. *Preliminary Hydrology/Hydraulics Report*, Corey Jones Engineering, October 12, 2018.
16. *Priority Development Project (PDP) Preliminary Storm Water Quality Management Plan (SWQMP)*, Corey Jones Engineering, January 7, 2019.
17. *Flood Insurance Rate Map No. 06073C0761G*, Federal Emergency Management Agency (FEMA), May 16, 2012.
18. *City of Carlsbad, Sea Level Rise Vulnerability Assessment, Attachment B: Year 2100 Sea Level Rise Hazard Maps*, December 2017.
19. *City of Carlsbad Geotechnical Hazards Analysis and Mapping Study, Catastrophic Dam Failure Inundation, Tsunami and Seiche Hazard Zone Maps*, September 1992.
20. *Noise Technical Report for 570 Laguna Drive*, Dudek, September 2018.

Mitigation Monitoring and Reporting Program

PROJECT NAME: Laguna Drive Subdivision

PROJECT NO: CT 2018-0006/RP 2018-0008/CDP 2018-0032/HDP 2018-0003/HMP 2018-0003 (DEV#2017-0237)

APPROVAL DATE/RESOLUTION NUMBER(S): _____

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City's monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

MITIGATION MEASURE		Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
BIO-1	Prior to approval of the final map, or issuance of a grading or building permit, whichever occurs first, impacts to 0.09 acres of Group-F (Disturbed lands) habitat shall be mitigated through the payment of the city's adopted in-lieu mitigation fee.	Prior to approval of the final map, or issuance of a grading or building permit, whichever occurs first.	PLN			
BIO-2	Prior to approval of the final map, or issuance of a grading or building permit, whichever occurs first, the applicant shall submit a final habitat mitigation and monitoring plan (HMMP) and specifications for restoration activities within the 100-foot wetland buffer to the City and/or Agencies for review. The HMMP and Restoration Landscape Plan shall be prepared and implemented consistent with MHCP Volume II, Appendix C (Revegetation Guidelines), and Vol. III; HMP pp. F-8 to F-11; and Open Space Management Plan Sec. 3.1.5. The HMMP should, at a minimum, include an evaluation of restoration suitability specific to	Prior to approval of the final map, or issuance of a grading or building permit, whichever occurs first.	PLN			

Explanation of Headings

Type = Project, ongoing, cumulative.

Monitoring Dept. = Department, or Agency, responsible for monitoring a particular mitigation measure.

Shown on Plans = When mitigation measure is shown on plans, this column will be initialed and dated.

Verified Implementation = When mitigation measure has been implemented, this column will be initialed and dated.

Remarks = Area for describing status of ongoing mitigation measure, or for other information.

Legend

- PLN Planning Division
- ENG Land Development Engineering Division
- BLDG Building Division

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>proposed habitat types, soil and plant material salvage/translocation, planting and seeding lists, discussion of irrigation, maintenance and monitoring program, and success criteria. All areas shall be monitored by a qualified biologist for a minimum of 5 years to ensure establishment of intended plant communities.</p> <p>Restoration techniques, as specified in the HMMP, may include hydroseeding, hand-seeding, imprinting, and soil and plant salvage. The HMMP shall also include criteria to measure success and describe how monitoring of revegetation efforts will be implemented.</p> <p>The HMMP shall include a description of appropriate plantings within the 25-foot public access easement and FMZ B-3. Allowable plantings include native, low fuel species that do not require long-term irrigation.</p>					
<p>BIO-3 Clearing and grading activities should be avoided during the bird breeding season (February 15 through August 31 for most species, and January 1 through August 31 for raptors) to reduce indirect impacts to nesting birds that may be present within the construction footprint or restoration areas. Other construction activities should also be avoided during the bird breeding season, if feasible. If this cannot be avoided, the following measures shall be taken:</p> <ol style="list-style-type: none"> a. Nesting bird surveys shall be conducted by a qualified biologist in appropriate habitat for nesting raptors and migratory birds and within a 500-foot survey buffer within three (3) days of construction. b. If nests of listed birds, migratory birds, raptors, or other special-status species are located, these areas shall be fenced with a 	On-going	PLN			

MITIGATION MEASURE		Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>protective buffer of at least 500 feet from active nests of listed species, and 300 feet from other special-status bird species.</p> <p>c. All construction activity shall be prohibited within this area. Reduced buffers can be requested from the City if the project biologist can demonstrate that the nesting success will not be affected.</p>					
BIO-4	<p>The potential for significant indirect impacts during construction shall be mitigated through implementation of the following measures prior to issuance of a grading permit or during grading activity as appropriate for the measure:</p> <p>a. The footprint of disturbance shall be specified in the construction plans. Construction limits shall be delineated with orange fencing, and in areas potentially subject to project related runoff, silt fencing shall be used to delineate the impact footprint. All fencing shall be maintained until the completion of all construction activities, at which time all fencing shall be removed. All construction personnel and associates shall be instructed that their activities, vehicles, equipment, and construction materials are restricted to the proposed project footprint, designated staging areas, and routes of travel. If any impacts shall occur beyond the approved impact footprint, all work in the immediate vicinity shall cease until the disturbance limit breach has been addressed to the satisfaction of the City.</p> <p>b. The qualified project biologist shall review grading plans (e.g., all access routes and staging areas), and monitor construction activities throughout the duration of grading/ground disturbance associated with the project to ensure that all practicable measures</p>	<p>Prior to issuance of a grading or building permit, whichever occurs first / On-going.</p>	<p>PLN/ENG /BLD</p>			

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint.</p> <p>c. Any habitat that is impacted that is not in the identified project footprint shall be disclosed immediately to the City, United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and California Coastal Commission (CCC); and shall be compensated at a minimum ratio of 5:1.</p> <p>d. Construction employees shall limit their activities, vehicles, equipment, and construction materials to the fenced project footprint.</p> <p>e. Equipment storage, fueling, and staging areas shall be located on disturbed upland sites with minimal risk of direct drainage into riparian areas or other sensitive habitats, and at least 100 feet from waters of the United States. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. All necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. All project related spills of hazardous materials shall be reported to the City and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.</p> <p>f. Lighting in or adjacent to the preserve shall not be used, except where essential for roadway, facility use, and safety. If nighttime construction lights are necessary, all lighting adjacent to natural habitat will be shielded and/or directed away from habitat.</p> <p>g. Fugitive dust shall be avoided and minimized through watering and other appropriate measures.</p>					

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<ul style="list-style-type: none"> <li data-bbox="226 431 1066 496">h. Exotic species that prey upon or displace target species of concern should be permanently removed from the site. <li data-bbox="226 537 1073 743">i. To avoid attracting predators of the native wildlife species, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s). Pets of project personnel shall not be allowed on site where they may come into contact with any native species. <li data-bbox="226 784 1079 954">j. The City of Carlsbad has the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these best management practices. The USFWS and CDFW may accompany City representatives on this inspection. <li data-bbox="226 995 1052 1060">k. Grading activity shall be prohibited during the rainy season: from October 1st through April 1st of each year. <li data-bbox="226 1101 1079 1271">l. All graded areas shall be landscaped prior to October 1st of each year with either temporary or permanent landscaping materials, to reduce erosion potential. Such landscaping shall be maintained and replanted if not well-established by December 1st following the initial planting. <li data-bbox="226 1312 1037 1482">m. The October 1st grading season deadline may be extended with the approval of the City Engineer subject to implementation by October 1st of special erosion control measures designed to prohibit discharge of sediments off-site during and after the grading operation. Extensions beyond November 15th may be 					

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>allowed in areas of very low risk of impact to sensitive coastal resources and may be approved either as part of the original coastal development permit or as an amendment to an existing coastal development permit.</p> <p>n. If any of the responsible resource agencies prohibit grading operations during the summer grading period in order to protect endangered or rare species or sensitive environmental resources, then grading activities may be allowed during the winter by a coastal development permit or permit amendment, provided that appropriate best management practices are adopted.</p>					
<p>BIO-5 To prevent impacts of the proposed development on the HMP preserve area off site and to the north and northwest of the project site, the project shall comply with the following adjacency standards:</p> <p>a. Fire Management - Existing non-native plants shall be removed and replaced with native species. A Fuel Management Zone B-3 shall be established from the structures outward and shall be maintained to be clear of dead and dying combustible materials.</p> <p>b. Erosion Control - Standard Best Management Practices (BMPs) shall be implemented to slow surface flow and dampen initial precipitation flow within the development area. No new surface drainage shall be directed into the open space areas.</p> <p>c. Landscape Restrictions - Landscape planting palettes for the proposed project shall prohibit non-native, invasive plant species in the areas adjacent to the riparian or upland habitat or adjacent to the HMP preserve located off site to the north and northwest. In addition, because the site is within the Coastal Zone, no invasive</p>	<p>Prior to approval of the final map, or issuance of a grading or building permit, whichever occurs first / On-going.</p>	<p>PLN/ENG /BLD</p>			

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>plant species shall be used in the landscaping of the development. Irrigation of the landscaping shall be designed and scheduled to avoid runoff into the proposed open space areas. The wetland buffer shall be restored with native habitat in accordance with mitigation measure BIO-2 listed above.</p> <p>d. Fencing, Signs and Lighting - To discourage entry into the riparian habitat by people and pets, the open space area shall be fenced in accordance with requirements of the City as appropriate. Exterior residential lighting adjacent to the open space areas shall be of a minimum necessary for safety and security and shall be shielded and/or directed away to the maximum extent practicable to avoid increasing nighttime light input into the open space. Project CC&Rs shall include such lighting restrictions.</p> <p>Predator and Exotic Species Control - The property owner of the proposed development shall alert future residents of the potential effects domestic animals may have on the native fauna and flora. Project CC&Rs shall include text to educate homeowners regarding responsible pet ownership (e.g., keeping pets indoors, spaying/neutering pets, prohibiting the release of pets into the wild, etc.).</p>					
<p>CUL-1</p> <p>The following archaeological resource mitigation measures shall be implemented in addition to Mitigation Measure TCR-1. Where CUL-1 conflicts with TCR-1, regarding artifacts of Luiseño Native American cultural importance, TCR-1 shall take precedence:</p> <p>a. Prior to the issuance of a grading permit and commencement of any ground disturbing activities, the project developer shall retain the</p>	<p>Prior to issuance of grading permit / On-going.</p>	<p>PLN/ENG</p>			

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>services of a qualified archaeologist to monitor ground-disturbing activities.</p> <p>b. The applicant shall provide written verification that a qualified archaeologist has been retained to implement the monitoring program. Verification shall be presented in the form of a letter from the project archaeologist to the City Planner.</p> <p>c. The qualified archaeologist shall consult with grading and excavation contractors concerning excavation schedules and safety issues, and to further explain and coordinate the requirements of the monitoring program.</p> <p>d. The qualified archaeologist shall be on-site during all grading, trenching, and other ground-disturbing activities, unless otherwise agreed upon by the archaeologist, Native American monitor and city staff.</p> <p>e. In the event any potential cultural resource is uncovered during the course of the project construction, ground-disturbing activities in the vicinity of the find shall be redirected until the nature and extent of the find can be evaluated by the archaeologist. If cultural resources are encountered, the archaeologist shall have the authority to temporarily halt or redirect grading/trenching while the cultural resources are documented and assessed. If archaeological resources are encountered during excavation or grading, the archaeological monitor shall direct the contractor to avoid all work in the immediate area for a reasonable period of time to allow the archaeologist to evaluate the significance of the find and determine an appropriate course of action. The appropriate course of action may include, but not be limited to avoidance, recordation,</p>					

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>relocation, excavation, documentation, curation, data recovery, or other appropriate measures. The Project Contractor shall provide a reasonable period of time for pursuing the appropriate activities. Recovered artifactual materials and data shall be cataloged and analyzed.</p> <p>f. Prior to issuance of building permits for the development of any future homes, a final summary report shall be completed and submitted to the South Coastal Information Center (SCIC) and the City Planner outlining the results of the mitigation program, including a confidential appendix as necessary. The cultural resources monitoring report shall be completed describing the methods and results of the monitoring and data recovery program and submitted to the satisfaction of the City Planner. Artifacts shall be curated with accompanying catalog to current professional repository standards or the collection will be repatriated to the appropriate Native American Tribe(s), as specified in the pre-excavation agreement (pursuant to Mitigation Measure TCR-1).</p> <p>g. If any human remains are discovered, all construction activity in the immediate area of the discovery shall cease immediately, and the archaeological monitor shall notify the San Diego County Medical Examiner pursuant to California Health and Safety Section 7050.5. Should the Medical Examiner determine the human remains to be Native American, requirements outlined in Mitigation Measure TCR-1 shall be followed.</p>					

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>CUL-2 The following paleontological resource mitigation measures shall be implemented:</p> <ul style="list-style-type: none"> a. Prior to the issuance of grading permits, the applicant shall provide written confirmation to the City that a qualified paleontologist has been retained to carry out an appropriate mitigation program. (A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques). b. A pre-grade meeting shall be held among the paleontologist and the grading and excavation contractors. c. A paleontological monitor, working under the direction of a qualified paleontologist, shall be onsite at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations (i.e., Bay Point Formation, and correlative old paralic deposits) to inspect cuts for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) Monitoring is not required during excavation into low and no resource sensitivity geologic formations (e.g., young alluvial flood-plain deposits and artificial fill, respectively). d. In the event that fossils are discovered in unknown, low, or moderately sensitive formations, the Applicant shall increase the per-day field monitoring time. Conversely, if fossils are not discovered, the monitoring, at the discretion of the City Planner, shall be reduced. A paleontological monitor is not needed during grading of rocks with no resource sensitivity. 	<p>Prior to issuance of grading permit / On-going.</p>	<p>PLN/ENG</p>			

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>e. When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances and at the discretion of the paleontological monitor to set up a screen-washing operation on the site.</p>					
<p>f. Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited in a scientific institution with paleontological collections such as the San Diego Natural History Museum (SDNHM). A final summary report shall be completed prior to issuance of building permits and submitted to the City Planner and curated at the SDNHM. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.</p>	<p>Prior to issuance of building permits for the construction of homes onsite.</p>	<p>PLN</p>			
<p>HAZ-1 Prior to any renovation or demotion activities onsite, a comprehensive Asbestos Containing Materials (ACMs) survey shall be completed by a licensed asbestos consultant and submitted to the City Planner. All suspect ACMs shall be sampled to determine the presence or absence of asbestos. The survey shall adhere to the Environmental Protection Agency's (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP). If ACMs are found to be present, the subject materials shall be appropriately mitigated and disposed of by a</p>	<p>Prior to any renovation or issuance of a demolition permit.</p>	<p>PLN/ENG</p>			

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
licensed professional in accordance with all applicable local, state and federal laws.					
Evidence of work performed shall be submitted to the Planning Division prior to the issuance of a grading permit.	Prior to issuance of a grading permit.	PLN/ENG			
<p>HAZ-2</p> <p>Prior to any renovation or demolition activities onsite, a survey shall be performed by a certified Lead Risk Assessor to determine options for the control of possible lead-based paint (LBP) hazards and the findings submitted to the City Planner. If LBP is found to be present, the subject material shall be appropriately mitigated according to the options discussed in the survey report and disposed of by a licensed professional in accordance with all applicable local, state and federal laws.</p> <p>Evidence of work performed shall be submitted to the Planning Division prior to the issuance of a grading permit.</p>	<p>Prior to any renovation or issuance of a demolition permit.</p> <p>Prior to issuance of a grading permit.</p>	<p>PLN/BLD</p> <p>PLN/ENG</p>			
<p>NOISE-1</p> <p>Construction activities shall take place during the permitted time and day per Carlsbad Municipal Code Chapter 8.48. The applicant shall ensure that construction activities for the proposed project are limited to the hours from 7 a.m. to 6 p.m. Monday through Friday, and 8 a.m. to 6 p.m. on Saturdays; no work shall be conducted on Sundays or on federal holidays.</p> <p>This condition shall be listed on the project's final design to the satisfaction of the City of Carlsbad Land Development Engineering Division.</p>	<p>On-going</p> <p>Prior to issuance of a grading permit.</p>	<p>PLN/ENG /BLD</p> <p>PLN/ENG</p>			

MITIGATION MEASURE		Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>NOISE-2</p>	<p>The applicant shall adhere to the following measures for all construction phases of the project:</p> <ul style="list-style-type: none"> a. The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high-noise-emitting equipment. b. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City of Carlsbad Land Development Engineering Division. c. Construction noise reduction methods, such as shutting off idling equipment, constructing a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and using electric air compressors and similar power tools rather than diesel equipment, shall be used where feasible. d. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors. <p>Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City of Carlsbad receives</p>	<p>On-going.</p>	<p>PLN/ENG /BLD</p>			

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.					
NOISE-3 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect surrounding sensitive receptors, and because the details, specifications, and locations of this equipment are not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the issuance of building permits, the acoustical specialist shall certify in writing to the City of Carlsbad that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.	Prior to issuance of building permits for the construction of homes onsite.	PLN/BLD			
TCR-1 Prior to the commencement of any ground-disturbing activities, including but not limited to exploratory geotechnical investigations/borings for contractor bidding purposes, the project developer shall enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with the San Luis Rey Band of Mission Indians or other Luiseño tribe. This agreement will contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The agreement shall outline the roles and powers of the Luiseño Native American monitors and the archaeologist, and may include the following provisions. In some cases, the language below	Prior to issuance of grading permit / On-going.	PLN/ENG			

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>may be modified in consultation with San Luis Rey Band of Mission Indians if special conditions warrant:</p> <ul style="list-style-type: none"> a. A Luiseño Native American monitor shall be present during all ground disturbing activities. Ground disturbing activities may include, but are not be limited to, archaeological studies, geotechnical investigations, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities. b. Any and all uncovered artifacts of Luiseño Native American cultural importance shall be returned to the San Luis Rey Band of Mission Indians, and/or the Most Likely Descendant, if applicable, and not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction. c. The Luiseño Native American monitor shall be present at the project's preconstruction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the archaeologist concerning the proposed archaeologist techniques and/or strategies for the project. d. Luiseño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities. If tribal cultural resources are discovered during construction, all earth-moving activity within and around the immediate discovery area must be diverted until the Luiseño Native American monitor and the archaeologist can assess the nature and significance of the find. 					

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<p>e. If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians shall be notified and consulted regarding the respectful and dignified treatment of those resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and tribal cultural resources. If, however, the Applicant is able to demonstrate that avoidance of a significant and/or unique cultural resource is infeasible and a data recovery plan is authorized by the City of Carlsbad as the lead agency, the San Luis Rey Band of Mission Indians shall be consulted regarding the drafting and finalization of any such recovery plan.</p> <p>f. When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources. If the archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor may, at their discretion, collect said resources and provide them to the San Luis Rey Band of Mission Indians for dignified and respectful treatment in accordance with their cultural and spiritual traditions.</p> <p>g. If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.</p>					

MITIGATION MEASURE	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the “Most Likely Descendant” about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.</p> <p>h. In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.</p> <p>i. No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the San Luis Rey Band of Mission Indians.</p> <p>j. 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 monitoring program shall be submitted by the archaeologist, along with the Luiseño Native American monitor’s notes and comments, to the City of Carlsbad for approval. Said report shall be subject to confidentiality as an</p>					

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exception to the Public Records Act and will not be available for public distribution.					