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INTERIM DIRECTOR

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October 17, 2024

**Statement of Reasons for Exemption from  
Additional Environmental Review and 15183 Checklist  
Pursuant to CEQA Guidelines §15183**

**Project Name:** Pala Mesa Commercial  
**Project Record ID:** PDS2020-STP-20-021  
**Environmental Log No.** LOG NO. PDS2020-ER-20-02-003

**Lead Agency Name and Address:**  
County of San Diego  
Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

**County Staff Contact:**  
Sean Oberbauer, Project Manager  
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Email: [sean.oberbauer@sdcounty.ca.gov](mailto:sean.oberbauer@sdcounty.ca.gov)

**Project Location:**  
3233 Old Highway 395, Fallbrook, CA 92028  
Fallbrook Community Planning Area  
Unincorporated County of San Diego  
Thomas Guide Coordinates: Page 1048, Grid H2  
APN: 125-050-54-00

**Project Applicant:**  
Rafid Hamika, 370 Bridgeton Ct. Las Vegas, NV 89148  
Phone: (702) 340-5116

**General Plan**  
Community Plan: Fallbrook Community Plan and I-15 Design Review Corridor  
Regional Category: Semi-Rural  
Land Use Designation: General Commercial (C-1)  
Density: General Commercial Density set by Zoning Density Designator  
Floor Area Ratio (FAR): 0.45/0.70

## Zoning

Use Regulation:	General Commercial (C36)
Animal Regulations:	Q – Various Allowances in accordance with the Animal Schedule
Density:	40 – 40 dwelling units per acre
Minimum Lot Size:	– – N/A
Building Type:	T – Triplex/Multi-dwelling or Mixed Residential/Nonresidential and Nonresidential Buildings
Setback:	O – 50-foot Front Yard, 0 foot Interior Side, 35 foot Exterior Side Yard, 25 foot Rear Yard (Not including footnotes as defined by the Zoning Ordinance)
Height:	G – 35-feet maximum, 2 stories
Open Space:	A – N/A
Special Area Designator:	B – Community Design Review

## Project Description

### Location:

The proposed project is located at 3233 Old Highway 395 in the Fallbrook Community Planning Area in the unincorporated County of San Diego. The project site is an approximately 4.36-acre parcel, APN: (125-050-54-00).

### Site Description:

The Site Plan is proposed on an approximately 4.36-acre property in order to authorize the construction and operation of a commercial plaza. The project site is subject to the Semi-Rural General Plan Regional Category, Land Use Designation General Commercial (C-1). The Zoning Use Regulation for the site is General Commercial (C36). The project site is located at 3233 Old Highway 395 in the Fallbrook Community Planning Area and in the I-15 Design Review Corridor in the unincorporated County of San Diego. The site contains an existing commercial plaza with vacant portions near the northern and southern ends.

### Discretionary Actions:

The project consists of the following action: Site Plan (STP). The STP would allow for the remodel and expansion of an existing commercial plaza on an approximately 4.36-acre property.

### Project Description:

The Project consists of the expansion and remodeling of an existing commercial plaza. The Project site contains an existing market with attached businesses consisting of restaurants and personal services such as financial and insurance companies. The Project site also contains an existing hamburger restaurant as well as a parking lot. The existing market building with attached businesses will be remodeled with architectural changes resulting in an approximately 9,075 square foot structure. The existing hamburger restaurant will be retained. Additionally, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store as well as two new approximately 6,000 square foot retail buildings are proposed. The existing parking lot will be expanded and re-designed to include a total of 134 parking spaces. The Project also includes proposed landscaping as well as signage for the commercial tenants of the site. Access to the site would be provided by two commercial driveways connecting to Old Highway 395. Water and Sewer service would be provided by the Rainbow Municipal Water District. The existing road on the northern portion of the Project site known as Via Belmonte will be widened with a half width improvement of 14 feet and a graded half width of twenty feet along the south side of Via Belmonte. The existing Project frontage along Old Highway 395 will be improved and include restriping of Old Highway 395 in order to accommodate a left-turn lane into the Project while retaining the two existing commercial driveway access points. The Project also includes a vacation and/or removal and re-dedication of road, drainage, and slope easements related to maintenance along Old

Highway 395. Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export.

The project site is subject to the Semi-Rural Regional Category, Land Use Designation General Commercial (C-1). Zoning for the site is General Commercial (C36). The proposed uses are consistent with the Zoning and General Plan Land Use Designation of the property. The site is also subject a "B" Special Area Designator for community design review which requires the processing of a Site Plan permit.

### **Overview of 15183 Checklist**

California Public Resources Code section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 provides an environmental review process and exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent, (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

### **General Plan Update Program EIR**

The County of San Diego General Plan Update (GPU) establishes a blueprint for future land development in the unincorporated County that meets community desires and balances the environmental protection goals with the need for housing, agriculture, infrastructure, and economic vitality. The GPU applies to all of the unincorporated portions of San Diego County and directs population growth and plans for infrastructure needs, development, and resource protection. The GPU included adoption of new General Plan elements, which set the goals and policies that guide future development. It also included a corresponding land use map, a County Road Network map, updates to Community and Subregional Plans, an Implementation Plan, and other implementing policies and ordinances. The GPU focuses population growth in the western areas of the County where infrastructure and services are available in order to reduce the potential for growth in the eastern areas. The objectives of this population distribution strategy are to: 1) facilitate efficient, orderly growth by containing development within areas potentially served by the San Diego County Water Authority (SDCWA) or other existing infrastructure; 2) protect natural resources through the reduction of population capacity in sensitive areas; and 3) retain or enhance the character of communities within the unincorporated County. The SDCWA service area covers approximately the western one third of the unincorporated County. The SDWCA boundary generally represents where water and wastewater infrastructure currently exist. This area is more developed than the eastern areas of the unincorporated County, and would accommodate more growth under the GPU.

The GPU EIR was certified in conjunction with adoption of the GPU on August 3, 2011. The GPU EIR comprehensively evaluated environmental impacts that would result from Plan implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts.

## Summary of Findings

The Project is consistent with the analysis performed for the GPU EIR. Further, the GPU EIR adequately anticipated and described the impacts of the proposed project, identified applicable mitigation measures necessary to reduce project specific impacts, and the project implements these mitigation measures (see [http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS\\_Aug2011/EIR/FEIR\\_7.00 - Mitigation Measures 2011.pdf](http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00_-_Mitigation_Measures_2011.pdf) for complete list of GPU Mitigation Measures.

A comprehensive environmental evaluation has been completed for the project as documented in the attached §15183 Environmental Checklist. This evaluation concludes that the project qualifies for an conformance with CEQA in accordance with §15183 because it is consistent with the development density and use characteristics established by the County of San Diego General Plan, as analyzed by the San Diego County General Plan Update Final Program EIR (GPU EIR, ER #02-ZA-001, SCH #2002111067), and all required findings can be made.

The project qualifies for conformance with CEQA in accordance with CEQA Guidelines §15183 because the following findings can be made:

**1. The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.**

The proposed project consists of a commercial use and does not propose additional development density or residential uses that would be in conflict with the General Commercial (C-1) General Plan Land Use Designation or Semi-Rural Regional Category for which the GPU EIR was certified.

**2. There are no project specific effects which are peculiar to the project or its site, and which the GPU EIR Failed to analyze as significant effects.**

The subject property is no different than other properties in the surrounding area, and there are no project specific effects which are peculiar to the project or its site. The project site is located in an area adjacent to commercially zoned property along Old Highway 395. The property does not support any peculiar environmental features, and the project would not result in any peculiar effects.

In addition, as explained further in the 15183 Checklist below, all project impacts were adequately analyzed by the GPU EIR. The project could result in potentially significant impacts to Biological Resources, and Cultural Resources. However, applicable mitigation measures and project design features related to Cultural Resources as specified within the GPU EIR have been made conditions of approval for this project. Additionally, project design features consistent with recent State regulations as well as consistency with applicable ordinances, CEQA guidelines for determining significance, and Board Policies that were identified as mitigation measures within the GPU EIR associated with Transportation/Traffic, Air Quality, Greenhouse Gas Emissions, Noise, Wildfire, Hydrology/Water Quality, Public Services, and Land Use and Planning have been made conditions of approval for this project.

**3. There are no potentially significant off-site and/or cumulative impacts which the GPU EIR failed to evaluate.**

The proposed project is consistent with the use characteristics and limitations of the development considered by the GPU EIR through the application of a Site Plan and would represent a small part of the growth that was forecasted for build-out of the General Plan. The GPU EIR considered the incremental impacts of the proposed project, and as explained further in the 15183 Checklist below, no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.

**4. There is no substantial new information which results in more severe impacts than anticipated by the GPU EIR.**

As explained in the 15183 checklist below, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the GPU EIR.

**5. The project will undertake feasible mitigation measures specified in the GPU EIR.**

As explained in the 15183 checklist below, the project will undertake feasible mitigation measures specified in the GPU EIR. These GPU EIR mitigation measures will be undertaken through project design, compliance with regulations and ordinances, or through the project's conditions of approval.

_____ Signature	<b>October 17, 2024</b> Date
<b>Sean Oberbauer</b> Printed Name	<b>Project Manager</b> Title

## CEQA Guidelines §15183 Environmental Checklist

### Overview

This checklist provides an analysis of potential environmental impacts resulting from the proposed project. Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the project would result in a potentially significant impact triggering additional review under Guidelines section 15183.

- Items checked “Significant Project Impact” indicates that the project could result in a significant effect which either requires mitigation to be reduced to a less than significant level or which has a significant, unmitigated impact.
- Items checked “Impact not identified by GPU EIR” indicates the project would result in a project specific significant impact (peculiar off-site or cumulative that was not identified in the GPU EIR.
- Items checked “Substantial New Information” indicates that there is new information which leads to a determination that a project impact is more severe than what had been anticipated by the GPU EIR.

A project does not qualify for conformance with CEQA in accordance with §15183 if it is determined that it would result in: 1) a peculiar impact that was not identified as a significant impact under the GPU EIR; 2) a more severe impact due to new information; or 3) a potentially significant off-site impact or cumulative impact not discussed in the GPU EIR.

A summary of staff’s analysis of each potential environmental effect is provided below the checklist for each subject area. A list of references, significance guidelines, and technical studies used to support the analysis is attached in Appendix A. Appendix B contains a list of GPU EIR mitigation measures.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**1. Aesthetics** – Would the Project:

- |  |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input 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"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

1(a) The GPU EIR concluded this impact to be less than significant with mitigation. A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

As described in the General Plan Update Environmental Impact Report (GPU EIR; County of San Diego 2011), the County contains visual resources affording opportunities for scenic vistas in every community. Resource Conservation Areas (RCAs) are identified within the GPU EIR and are the closest that the County comes to specifically designating scenic vistas. Many public roads in the County currently have views of RCAs or expanses of natural resources that would have the potential to be considered scenic vistas. Numerous public trails are also available throughout the County. New development can often have the potential to obstruct, interrupt, or detract from a scenic vista.

Approximately eleven Resource Conservation Areas (RCAs) have been identified by the County in the Fallbrook Community Plan. The eleven RCAs are primarily biological resources and are located more than a half of a mile away from the site. The Project site contains an existing market with attached businesses consisting of restaurants and personal services such as financial and insurance companies. The Project site also contains an existing hamburger restaurant as well as a parking lot. The existing market building with attached businesses will be remodeled with architectural changes resulting in an approximately 9,075 square foot structure. The existing hamburger restaurant will be retained. Additionally, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store as well as two new approximately 6,000 square foot retail buildings are proposed. The existing parking lot will be expanded and re-designed to include a total of 134 parking spaces. The Project also includes proposed landscaping

as well as signage for the commercial tenants of the site. The project will not impact or detract from views of RCAs identified in the Fallbrook Community Plan Area due to intervening topography and structures as well as the overall distance of the project site from the RCAs. Additionally, the Project site is previously developed and contains existing commercial structures. The additional commercial construction is an expected visual feature in the community.

Scenic vistas are also in the project vicinity as scenic highways as the project is located adjacent to Interstate 15, a Scenic Highway identified in the General Plan. The Project is also located within the boundaries of the I-15 Design Review Corridor and within the Fallbrook Community Plan on a site subject to a "B" Special Area Designator which requires the processing of a Site Plan permit in order to demonstrate conformance with the Fallbrook Community Plan and I-15 Design Guidelines. Plot plans including a site design and layout, architecture elevations, conceptual signage, and conceptual landscaping have been submitted as part of the Site Plan application process. Therefore, the Project will not have a substantial adverse effect on a scenic vista.

- 1(b) The GPU EIR concluded this impact to be less than significant with mitigation. State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic (Caltrans - California Scenic Highway Program). Generally, the area defined within a State Scenic Highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

The Project site is adjacent to a portion of Interstate 15 that is listed as eligible but not officially designated by Caltrans as a State Scenic Highway. No officially designated State Scenic Highways designated by Caltrans are in proximity to the Project site. However, the Project site is within the boundaries of the Interstate 15 Design Review Corridor. Additionally, the County General Plan identifies roadways that are designated as scenic corridors within the Conservation and Open Space Element and have been included as part of the County Scenic Highway System. Interstate 15 is identified as a Scenic Highway in the County of San Diego General Plan. The proposed Project consists of remodeling and expanding an existing commercial plaza. The Project site contains an existing market structure with attached businesses as well as a burger restaurant. The market structure was constructed in the late 1970s and the Project site has contained commercial uses since the 1970s. The Project site also contains an existing hamburger restaurant as well as a parking lot. The existing market building with attached businesses will be remodeled with architectural changes resulting in an approximately 9,075 square foot structure. The existing hamburger restaurant will be retained. Additionally, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store as well as two new approximately 6,000 square foot retail buildings are proposed. The existing parking lot will be expanded and re-designed to include a total of 134 parking spaces. The Project also includes proposed landscaping as well as signage for the commercial tenants of the site.

The Project site is subject to the "G" Height Designator in the Zoning Ordinance which requires structures to be a maximum height of 35-feet. The remodel of the market will result in the structure to reach a maximum height of 26 feet. The gas station convenience store, retail store structures, and gas station canopy are proposed to be approximately 27 to 32 feet in height. All structures are compliant with the 35-foot "G" Height Designator of



the property. The existing visual character of views along Old Highway 395 and Interstate 15 consist of residences along hillsides, vacant land, and incidental non-residential uses such as commercial structures. The Project consists of redeveloping an existing commercial plaza which contains structures that have been on the subject property for over 40 years. The commercial structures are an expected visual feature within the community. The remodeled architectural design of the market is intended to be in conformance with the proposed new structures and uses of the property. The architectural design of the structures includes earth-tone colors as well as natural materials such as stone veneers. The structures also include features such as columns, landscape screens and shade covers in order to break up the verticality of the structures. Grading associated with the Project primarily consists of construction and installation of retaining walls in fill slopes in the rear of the property. The location of the retaining walls in the rear of the property as well as changes in elevations and existing vegetation along adjacent roadways will assist in screening the retaining walls from nearby views. Additional analysis regarding impacts to scenic resources and visual character can be found in response 1(a) and 1(c). As the proposed Project would have a less than significant impact for the reasons detailed above and response 1(a), the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 1(c) The GPU EIR concluded this impact to be significant and unavoidable. Visual character is the objective composition of the visible landscape within a viewshed. Visual character is based on the organization of the pattern elements line, form, color, and texture. Visual character is commonly discussed in terms of dominance, scale, diversity and continuity. Visual quality is the viewer's perception of the visual environment and varies based on exposure, sensitivity and expectation of the viewers.

The project would be consistent with existing visual character of the project site and views within the community. The proposed project consists of the redevelopment of a commercial plaza and will not substantially alter landform steep slopes. Refer to response 1(a) and 1(b) for additional discussions regarding impacts to the existing visual character of the project site and vicinity. The project as designed will not substantially degrade the existing visual character or quality of the site and its surroundings.

As previously discussed, the GPU EIR determined impacts on visual character or quality to be significant and unavoidable. However, the Project would have a less than significant impact with no required mitigation for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 1(d) The GPU EIR concluded this impact to be significant and unavoidable. Commercial lighting would be required to conform with the County's Light Pollution Code to prevent spillover onto adjacent properties and minimize impacts to dark skies. The project has been conditioned to ensure conformance with the County's Lighting Code during any processing of a building permit for the project. The Project is conditioned to be subject to the performance and lighting standards outlined Section 6300 of the Zoning Ordinance in order to prevent light pollution and spill onto adjacent properties. Lighting for the signage and architectural features of the project have been designed to be fully shielded and externally illuminated such as the monument sign for the Project. Therefore, the project will not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area

As previously discussed, the GPU EIR determined impacts from light or glare to be significant and unavoidable. However, the project would have a less than significant impact with no required mitigation for the reasons detailed above. Therefore, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Aesthetics, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant. Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**2. Agriculture/Forestry Resources** – Would the Project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to a non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

2(a) The GPU EIR concluded this impact to be significant and unavoidable. The Project site contains lands designated as prime soils but not as Farmland of Local Importance

according to the Farmland Mapping and Monitoring Program (FMMP). However, the majority of the project site has been graded and disturbed since the mid-1970s. The existing market on the Project site was constructed in in the late 1970s. The soils have been historically disturbed and compacted as well as modified over the last 40 or more years. Additionally, the Project site does not contain 10 acres or contiguous Prime Farmland or Statewide Importance Soils as defined by the FMMP. Therefore, the site would not be considered to be a viable agricultural resource and no potentially significant project or cumulative level conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance to a non-agricultural use would occur as a result of this Project. Therefore, no potentially significant impact or conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance to a non-agricultural use would occur as a result of this project. As previously discussed, the GPU EIR determined impacts from direct and indirect conversion of agricultural resources to be significant and unavoidable. As the project would have a less than significant impact for the reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 2(b) The GPU EIR concluded this impact to be less than significant with mitigation. The Project site is subject to the C36 General Commercial Zoning Use Regulation, a commercial zone. The nearest land under Williamson Act Contract is located over two miles east of the Project site and the nearest land designated in an agricultural preserve is located over a mile east of the Project site. The Project site and nearest lands subject to a Williamson Act Contract or Agricultural Preserve are separate by major roadways and topography such as Interstate 15. Due to distance, no land-use interface conflicts would occur. Additionally, the Project is for the development of a commercial plaza with all uses being permitted within the C36 zone and is adjacent to properties subject to commercial, residential, and transit corridor zones. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act Contract.

As previously discussed, the GPU EIR determined impacts from land use conflicts to be less than significant with mitigation. As the proposed Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided in the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 2(c) The GPU EIR concluded this impact to be significant and unavoidable. The project site including any offsite improvements do not contain any forest lands as defined in Public Resources Code section 12220(g), therefore project implementation would not result in the loss or conversion of forest land to a non-forest use. The outer edge of the Cleveland National Forest is located over 40 miles southeast of the project site. Thus, due to distance, the Project would have no impact on the Forest. In addition, the County of San Diego does not have any existing Timberland Production Zones.

As previously discussed, the GPU EIR determined impacts from direct and indirect conversion of agricultural resources (including forest resources), to be significant and unavoidable. However, the project would have a less than significant impact to forest resources. Therefore, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 2(d) The GPU EIR concluded this impact to be significant and unavoidable. As indicated in response 2(c), the Project site, or any off-site improvements, are not located near any

forest lands. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 2(e) The GPU EIR concluded this impact to be significant and unavoidable. No agricultural operations are currently taking place on the Project site. In addition, no impacts would occur in association with interface conflicts. Please refer to response 2(a) and 2(b) for a discussion on off-site agricultural resources and interface conflicts.

As previously discussed, the GPU EIR determined impacts from direct and indirect conversion of agricultural resources (including forest resources) to be significant and unavoidable. However, the Project would have a less than significant impact to agricultural resources. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Agriculture/Forestry Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant. Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**3. Air Quality** – Would the Project:

a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?	<input type="checkbox"/>	<input 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 type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- e) Create objectionable odors affecting a substantial number of people?

**Discussion**

3(a) The GPU EIR concluded this impact to be less than significant. The Regional Air Quality Standard (RAQS) and State Implementation Plan (SIP) are based on General Plans within the region and the development assumptions contained within them. The project is for the remodel and expansion of a commercial plaza on an approximately 4.36-acre property and is consistent with the land use designation and use regulations allowed on the project site in accordance with the County General Plan and Zoning Ordinance. The proposed project is subject to the Semi-Rural Regional Category and General Commercial (C-1) Land Use Designation. The property is subject to the General Commercial Land Use Designation (C36) which permits the proposed uses of the site in accordance with Sections 2360 through 2363 of the Zoning Ordinance. The site is also subject a "B" Special Area Designator for community design review which requires the processing of a Site Plan permit. The proposed use is consistent with the General Plan Designation and the Zoning for the site and a General Plan Amendment or Zoning Reclassification is not required for the project. Because the proposed Project is allowed under the General Plan land use designation, which is used in San Diego Association of Governments' (SANDAG's) growth projections, it is consistent with San Diego County Air Pollution Control District's (SDAPCD's) Regional Air Quality Strategy (RAQS) and portions of the State Implementation Plan (SIP). The project is conditioned for the installation of electrical vehicle parking spaces consistent with CALGreen Tier 2 Standards which is consistent with measure Air-2.1 in the General Plan EIR. In addition, the construction and operational emissions from the Project would be below established screening-level thresholds (SLTs), as addressed under 3(b) below, and would not violate any ambient air quality standards. As such, the project would not conflict with either the RAQS or the SIP. Therefore, the project was anticipated in RAQS and SIP and would not conflict or obstruct implementation of these plans.

As previously discussed, the GPU EIR determined impacts on air quality plans to be less than significant. As the project would have a less than significant impact for the reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

3(b) The GPU EIR concluded impacts to be significant and unavoidable. In general, air quality impacts from land use projects are the result of emissions from area sources (landscaping and consumer products), energy (natural gas), transportation (on-road mobile sources), and short-term construction activities. The County of San Diego (County) has identified significance SLTs which incorporate SDAPCD's established air quality impact analysis trigger levels for all new source review (NSR) in SDAPCD Rule 20.2 and Rule 20.3. These SLTs identified in the County Guidelines can be used as numeric methods to demonstrate that a project's total emissions (e.g., stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. SLTs for volatile organic compounds (VOCs) are based on the threshold of significance for VOCs from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which is more appropriate for the San Diego Air Basin). The County's SLTs and SDAPCD's trigger levels were developed in support of State and federal ambient air quality standards that are protective of human health.

Construction:

The air quality emissions for construction of the Project are evaluated in an Air Quality Analysis by Ldn Consulting, Inc. dated July 2023. The Air Quality Analysis concluded that emissions generated during construction activities and the operation of the project would not exceed San Diego County screening level thresholds for VOCs, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub> upon implementation of measures. Emissions during construction activities of the project would be temporary and localized. The existing market and attached businesses were constructed in the late 1970s. Due to the age of the structures, the Project will be conditioned to conduct lead and asbestos surveys prior to remodeling and construction on the market and attached structures. In the event that lead and asbestos are found in the existing structures, construction associated with the building permit of the market renovation will require lead and asbestos treatment in conformance with the Air Pollution and Control District regulations. Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export. Grading associated with the Project primarily consists of construction and installation of retaining walls in fill slopes in the rear of the property. Construction activities would be subject to SDAPCD Rule 55 to reduce fugitive dust and the project is conditioned to implement dust control measures to reduce fugitive dust. For example, the Project is required to implement measures such as the use of water trucks in order to reduce fugitive dust. Additionally, the Project will be conditioned to use Tier 4 construction equipment which requires the use of specific vehicles and machinery designed to meet standards set by the United States Environmental Protection Agency and California Air Resources Board (CARB) that require use of engines and equipment that meet criteria to limit emissions.

#### Operations:

The air quality emissions for operations of the Project are evaluated in an Air Quality Analysis by Ldn Consulting, Inc. dated July 2023. The Air Quality Analysis concluded that the operations of the project would not exceed any standards or conflict with any applicable plan. The Project site contains an existing market with attached businesses consisting of restaurants and personal services such as financial and insurance companies. The Project site is not located adjacent to a school but is adjacent to residential uses west of the Project site. The Project site also contains an existing hamburger restaurant as well as a parking lot. The existing market building with attached businesses will be remodeled with architectural changes resulting in an approximately 9,075 square foot structure. The existing hamburger restaurant will be retained. Additionally, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store as well as two new approximately 6,000 square foot retail buildings are proposed. Potential sources of criteria pollutants for screening level thresholds for VOCs, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub> associated with operations of the Project consist of accumulation of particulates due to traffic and vapors from fueling pump stations. In accordance with a Local Mobility Analysis prepared for the Project by Darnell and Associates dated March 4, 2022, the Project is anticipated to generate a gross estimate of 2,918 average daily trips. All proposed uses of the Project are considered locally serving commercial uses that are intended to serve residents in the Fallbrook community and motorists traveling along I-15. By taking into account pass-by trips due to several factors such as the nature of the uses of the Project, the combination of commercial uses, and the location of the Project near I-15 and Old Highway 395, the Project is anticipated to generate a net total of 1,310 daily trips. The Project includes the installation of vapor recovery systems in accordance with the San Diego Air Pollution Control District requirements which are designed to minimize emissions from the operations of a gas station. Fuels associated with the operation of the gas station must be permitted through the Department of Environmental Health Hazardous Materials Division through a hazardous materials business plan and permits for underground storage tanks.

Underground storage tanks require maintenance and inspections in order to ensure that no leaks of fuel product will result in exposing any potential sensitive receptors to pollutants or leaking of product into the soil on the project site. As detailed in the Air Quality analysis, the emissions associated with operations of the Project would not exceed standards or screening level thresholds including the traffic generated by the Project and accumulation of vehicles on the Project site. Lastly, the Project includes a condition for consistency with CALGreen Tier 2 standards for off-street vehicle requirements.

The emissions generated during construction activities and the operation of the project would not exceed San Diego County screening level thresholds for VOCs, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. Lastly, the project is consistent with measures Air-2.5, 2.6, and 2.7 outlined in the General Plan EIR which require projects to be consistent with APCD requirements, implementation of dust control measures, and the use of the County Guidelines of Determining Significance for Air Quality. Therefore, the project's regional air quality impacts would be less than significant through the implementation of measures as detailed in the General Plan EIR.

- 3(c) The GPU EIR concluded this impact to be significant and unavoidable. The project would contribute PM<sub>10</sub>, NO<sub>x</sub>, and VOCs emissions from construction/grading activities; however, the incremental increase would not exceed established screening thresholds upon implementation of measures (see response 3(b)).

As previously discussed, the GPU EIR determined significant and unavoidable impacts to non-attainment criteria pollutants. However, the project would have a less than significant impact to non-attainment criteria pollutants for the reasons stated above. Therefore, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 3(d) The GPU EIR concluded this impact to be significant and unavoidable. The Project consists of the remodeling and expansion of an existing commercial plaza. An Air Quality Analysis prepared for the Project evaluated potential impacts associated with emissions of pollutants associated with the Project and demonstrates that the Project will not expose sensitive receptors to substantial criteria pollutants beyond standards. Further information can be found in response 3(b) regarding potential emissions of criteria pollutants.

As previously discussed, the GPU EIR determined significant and unavoidable impacts to sensitive receptors. However, the Project would have a less than significant impact to sensitive receptors. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 3(e) The GPU EIR determined less than significant impacts from objectionable odors. The project could produce objectionable odors during construction; however, these substances, if present at all, would only be in trace amounts and would not be distinguishable due to the location of the project adjacent to Old Highway 395 and Interstate 15. Land uses and industrial operations typically associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, refineries, landfills, dairies, and fiberglass molding. Potential objectionable odors associated with operations of the Project could be a result of spilled gasoline from fueling stations. However, as detailed in Section 10 Hydrology and Water Quality, the Project is required to implement Best Management Practices (BMPs) which minimize and reduce the amount of accumulation of gasoline on surfaces and require the fueling station area to be routinely cleaned and maintained. Additionally, the fueling

stations are required to comply with the San Diego Air Pollution Control District requirements of installing vapor recovery systems which minimize objectionable odors. Lastly, the project site is adjacent to residential uses as well as Interstate 15 and Old Highway 395, and it is unlikely that the odors from the project would be distinguishable from existing sources given the vehicle emissions associated with adjacent roadways in the vicinity of the project site. The project is also required to comply with SDAPCD Rule 51, public nuisance, which would require the limiting of objectionable odors to be emitted from the site. Therefore, the project would not create objectionable odors affecting a substantial number of people and the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

As previously discussed, the GPU EIR determined less than significant impacts from objectionable odors. As the Project would have a less than significant impact from objectionable odors for the reasons stated above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

The project could result in potentially significant impacts to Air Quality; however, further environmental analysis is not required because:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures contained within the GPU EIR will be applied to the project. Air-2.1, Air-2.5, Air-2.6, Air-2.7

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**4. Biological Resources** – Would the Project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

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

e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

**Discussion**

4(a) The GPU EIR concluded this impact to be significant and unavoidable. Biological resources on the project site were evaluated through a site visit by County staff as well as review of permit history and historic aeriels. The Project site has been disturbed and graded since the mid-1970s and the existing market was constructed in the late 1970s. The Nussy Burger restaurant was remodeled in the mid-2010s. The Project site is also surrounded by development including Interstate 15 and Old Highway 395 as well as the Pala Mesa Highlands residential development. As a result of previous development and permits, the Project site has been found to be considered urban/developed and does not support habitat or sensitive species that would require mitigation as a result of impacts from the Project.

As previously discussed, the GPU EIR determined impacts to sensitive habitat and/or species to be significant and unavoidable. However, the Project impacts were determined to be less than significant for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

4(b) The GPU EIR concluded this impact to be significant and unavoidable. As detailed in response a) the Project site has been previously disturbed and developed since the 1970s. As a result, the Project site does not support riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

As previously discussed, the GPU EIR determined impacts to riparian habitat or other sensitive natural community to be significant and unavoidable. However, the Project impacts were determined to be less than significant for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

4(c) The GPU EIR concluded this impact to be less than significant with mitigation. The proposed project site does not contain any jurisdictional water features or wetlands as defined by Section 404 of the Clean Water Act; therefore, no impacts will occur. As previously discussed, the GPU EIR determined impacts to federally protected wetlands as significant with mitigation. Therefore, the Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 4(d) The GPU EIR concluded this impact to be significant and unavoidable. As detailed in response (a), Biological Resources were evaluated through a site visit by County staff as well as review of previous permits and historical aerials. It was determined that the site is not part of a regional linkage/corridor nor is it in an area considered regionally important for wildlife dispersal. The site would not assist in local wildlife movement as it lacks connecting vegetation and visual continuity with other potential habitat areas in the general project vicinity. The Project site is also surrounded by development including Interstate 15 and Old Highway 395 as well as the Pala Mesa Highlands residential development. The project site is also not located within a pre-approved mitigation area within an adopted MSCP Subarea.

As previously discussed, the GPU EIR determined impacts to wildlife movement corridors as significant and unavoidable. However, the Project impacts were determined to be less than significant for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 4(e) The GPU EIR concluded this impact to be less than significant. The project is located within the draft North County Multiple Species Conservation Program (NCMSCP) and outside of the adopted South County MSCP. Therefore, it does not require conformance with the Biological Mitigation Ordinance (BMO). The project is consistent with the County's Guidelines for Determining Significance for Biological Resources, the Resource Protection Ordinance (RPO), and the Migratory Bird Treaty Act (MBTA) as the site has been previously developed and disturbed as described in response 4(a). The Project will include a standard notice regarding breeding season avoidance in the event that nesting birds are found on the property prior to construction in order to comply with the MBTA. The Project will not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional, or state habitat conservation plan or any other local policies or ordinances that protect biological resources. Therefore, the project will not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources.

As previously discussed, the GPU EIR determined impacts on local policies and ordinances as well as habitat conservation plans and natural community conservation plans as less than significant. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

## **Conclusion**

With regards to the issue area of Biological Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.

- 4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant. Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
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**5. Cultural Resources** – Would the Project:

- |  |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique geologic feature?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Directly or indirectly destroy a unique paleontological resource or site?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Disturb any human remains, including those interred outside of formal cemeteries?                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

5(a) The GPU EIR concluded this impact to be less than significant with mitigation. Based on an analysis of records and a survey of the property by County approved archaeologist, Andrew Pigniolo, it has been determined that there are no impacts to historical resources because they do not occur within the project site. The results of the survey are provided in an historical resources report titled, Cultural Resource Survey of the Pala Mesa Plaza Project, 3233 Old Highway 395, Fallbrook, San Diego County, California (PDS2020-STP-20-021) (September 2021), prepared by Andrew Pigniolo. Therefore, the Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

5(b) The GPU EIR concluded this impact to be less than significant with mitigation. Based on an analysis of records and a survey of the property by County approved archaeologist, Andrew Pigniolo, it has been determined that there are no impacts to archaeological resources because they do not occur within the project site. The results of the survey are provided in an historical resources report titled, Cultural Resource Survey of the Pala Mesa Plaza Project, 3233 Old Highway 395, Fallbrook, San Diego County, California (PDS2020-STP-20-021) (September 2021), prepared by Andrew Pigniolo.

In addition, the Native American Heritage Commission (NAHC) was contacted for a listing of Native American Tribes whose ancestral lands may be impacted by the project. The NAHC response was received on October 27, 2021, indicating sacred sites, on record with the commission, were present on the project property. The NAHC recommended contacting the Kwaaymii Laguna Band of Mission Indians, the Rincon Band of Luiseño Indians, and the San Luis Rey Band of Mission Indians. All of the Native American groups and the Native American list provided by the NAHC were contacted. Only one tribe (Agua Caliente Band of Cahuilla Indians) responded identifying that the project is outside of their traditional use area, and they deferred to other tribes in the area.

Aleshanee Ventura of Saving Sacred Sites served as the Native American monitor during the cultural survey. No information has been obtained through Native American outreach or communication with the Native American monitor during fieldwork that any culturally or spiritually significant resources were present. No Traditional Cultural Properties that currently serve religious or other community practices are known to exist within the project area. During the current archaeological evaluation, no artifacts or remains were identified or recovered that could be reasonably associated with such practices.

Although no resources were identified during site surveys, responses from Native American tribes during outreach efforts by Laguna Mountain Environmental during the preparation of the cultural study, requested monitoring during earth-disturbing activities. In addition, the potential exists for subsurface deposits because several recorded archaeological sites are located within the vicinity of the project.

As considered by the GPU EIR, potential impacts to cultural resources will be mitigated through ordinance compliance and through implementation of the following mitigation measures: grading monitoring under the supervision of a County-approved archaeologist and a Luiseño Native American monitor and conformance with the County's Cultural Resource Guidelines if resources are encountered. The GPU EIR identified these mitigation measures as Cul 2.5. The project will be conditioned with archaeological monitoring (Cul-2.5) that includes the following requirements:

- Pre-Construction
  - Contract with a County approved archaeologist to perform archaeological monitoring and a potential data recovery program during all earth-disturbing activities. The Project Archaeologist shall perform the monitoring duties before, during and after construction.
  - Pre-construction meeting to be attended by the Project Archaeologist and Luiseño Native American monitor to explain the monitoring requirements.
- Construction
  - Monitoring. Both the Project Archaeologist and Luiseño Native American monitor are to be onsite during earth disturbing activities. The frequency and location of monitoring of native soils will be determined by the Project Archaeologist in consultation with the Luiseño Native American monitor. Both the Project Archaeologist and Luiseño Native American monitor will evaluate fill soils to ensure that they are negative for cultural resources
  - If cultural resources are identified:
    - Both the Project Archaeologist and Luiseño Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
    - The Project Archaeologist shall contact the County Archaeologist, and culturally-affiliated tribes as identified in the Treatment Agreement and Preservation Plan at the time of discovery.
    - All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.

- Construction activities shall not resume in the area of discovery until an agreement has been reached by all parties as to appropriate mitigation. Work shall be allowed to continue outside of the buffer area and shall be monitored.
- Isolates and non-significant deposits shall be minimally documented in the field. The isolates and/or non-significant deposits shall be reburied onsite as identified in the Treatment Agreement and Preservation Plan.
- Treatment and avoidance of the newly discovered resources shall be consistent with the Treatment Agreement and Preservation Plan entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity.
- If cultural resources are identified, one or more of the following treatments, in order of preference, shall be employed:
  - Preservation in place of the Cultural Resources, if feasible. Preservation in place means avoiding the resources, leaving them in place where they were found with no development affecting the integrity of the resources.
  - Reburial of the resources on the project property. The measures for reburial shall include, at least, the following:
    - Measures and provisions to protect the future reburial area from any impacts in perpetuity.
    - Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with the exception that sacred items, burial goods, and Native American human remains are excluded.
    - Any reburial process shall be culturally appropriate.
    - Listing of contents and location of the reburial shall be included in the confidential appendix of the Monitoring Report.
    - The Monitoring Report shall be filed with the County under a confidential cover and is not subject to Public Records requests.
- If preservation in place or reburial is not feasible, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Tribe, and the Luiseño Native American Monitor and approved by the County Archaeologist prior to implementation. There shall be no destructive or invasive testing on sacred items, burial goods, and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Monitoring Report.

Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the Planning & Development Services Director for decision. The Planning & Development Services Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe.

- Human Remains.
  - The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.

- Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Luiseño Native American monitor.
  - If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
  - The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
  - The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
  - Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- Tribal Cultural Resources
  - If tribal cultural resources are discovered, the Project Archaeologist shall conduct consultation with culturally-affiliated tribes to determine the most appropriate mitigation. Should the two parties not be able to reach consensus, then the County Archaeologist shall consider the concerns of the culturally-affiliated tribe and the Project Archaeologist, and the Director of Planning & Development Services shall make a final decision regarding appropriate mitigation.
- Fill Soils
  - The Project Archaeologist and Luiseño Native American monitor shall evaluate fill soils to determine that they are clean of cultural resources.
- Rough Grading
  - Monitoring Report. Upon completion of Rough Grading, a monitoring report shall be prepared identifying whether resources were encountered. A copy of the monitoring report shall be provided to the South Coastal Information Center and any culturally-affiliated tribe who requests a copy.
- Final Grading
  - Final Report. A final report shall be prepared substantiating that earth-disturbing activities are completed and whether cultural resources were encountered. A copy of the final report shall be submitted to the South Coastal Information Center, and any culturally-affiliated tribe who requests a copy.
  - Cultural Material Conveyance
    - The final report shall include evidence that all Native American cultural materials in order of preference have been conveyed as follows:
      - Evidence that all prehistoric materials collected during the archaeological monitoring program have been reburied.

or

- Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.
- The final report shall include evidence that all historic materials have been curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

The GPU EIR identified these mitigation measures as Cul-2.5. The environmental documentation associated with the project does not consist of a Mitigated Negative Declaration, Negative Declaration, or Environmental Impact Report which requires AB-52 consultation. The project is required to conform with Grading Ordinance Sections 87.429 and 87.430 which requires grading operations to be suspended in the event that resources are encountered and a County Official shall be informed to evaluate potentially significant resources.

- 5(c) The GPU EIR concluded this impact to be less than significant. The site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

As previously discussed, the GPU EIR determined impacts on unique geologic features as less than significant. As the Project would have a less-than-significant impacts for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 5(d) The GPU EIR concluded this impact to be less than significant with mitigation. A review of the County's Paleontological Resources Maps and data on San Diego County's geologic formations indicates that the project is located on geological formations that do not contain unique paleontological resources. The project is required to conform with Grading Ordinance Sections 87.429 and 87.430 which requires grading operations to be suspended in the event that resources are encountered and a County Official shall be informed to evaluate potentially significant resources.

As considered by the GPU EIR, potential impacts to paleontological resources will be mitigated through ordinance compliance and through implementation of the following mitigation measures: grading monitoring by the project contractor and conformance with the County's Paleontological Resource Guidelines if resources are encountered. The GPU EIR identified these mitigation measures as Cul-3.1.

- 5(e) The GPU EIR concluded this impact to be less than significant with mitigation. Based on an analysis of records and archaeological surveys of the property, it has been determined that the project site does not include a formal cemetery or any archaeological resources

that might contain interred human remains. The project is required to conform with Grading Ordinance Sections 87.429 and 87.430 which requires grading operations to be suspended in the event that resources are encountered and a County Official shall be informed to evaluate potentially significant resources. As previously discussed, the GPU EIR determined impacts to human remains as less than significant with mitigation. The proposed Project determined impacts to human remains as potentially significant.

**Conclusion**

With regards to the issue area of cultural/paleontological resources, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures contained within the GPU EIR will be applied to the project.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**6. Energy Use – Would the Project:**

- |   |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

Energy use was not specifically analyzed within the GPU EIR as a separate issue area under CEQA. At the time, Energy Use was contained within Appendix F of the CEQA Guidelines and since then has been moved to the issue areas within Appendix G of the CEQA Guidelines. However, the issue of energy use in general was discussed within the GPU and the GPU EIR. For example, within the Conservation and Open Space Element of the GPU, Goal COS-15 promotes sustainable architecture and building techniques that reduce emissions of criteria pollutants and Greenhouse Gas (GHG), while protecting public health and contributing to a more sustainable environment. Policies, COS-15.1, COS-15.2, and COS-15.3 would support this goal by encouraging design and construction of new buildings and upgrades of existing buildings to maximize energy efficiency and reduce GHG. Goal COS-17 promotes sustainable solid waste management. Policies COS-17.1 and COS-17.5 would support this goal by reducing GHG emissions through waste reduction techniques and methane recapture. The analysis below specifically analyzes the energy use of the project.

- 6(a) The project would increase the demand and consumption of electricity at the project site during construction and operation, relative to existing conditions. CEQA requires



mitigation measures to reduce “wasteful, inefficient and unnecessary” energy usages (Public Resources Code Section 21100, subdivision [b][3]). Neither the law nor the State CEQA Guidelines establish criteria that define wasteful, inefficient, or unnecessary use. The project consists of expansion and redevelopment of an existing commercial center near the Interstate 15 and State Route 76 Interchange. The Project is conditioned to not expand the use of natural gas for operations of the project throughout the duration of the permit. Compliance with building code standards would result in highly energy-efficient buildings. However, compliance with building codes does not adequately address all potential energy impacts during construction and operation. It can be expected that energy consumption, outside of the building code regulations, would occur through the transport of construction materials to and from the site during the construction phase, and trips to and from the site during the operational phase.

During the grading and construction phases of the Project, the primary energy source utilized would be petroleum from construction equipment and vehicle trips. To a lesser extent, electricity would also be consumed for the temporary electric power for as-necessary lighting and electronic equipment. Activities including electricity would be temporary and negligible; therefore, electricity use during grading and construction would not result in wasteful, inefficient, or unnecessary consumption of energy. Vehicle trips associated with the transportation of construction materials and construction workers commutes would also result in petroleum consumption, but to a lesser extent. Petroleum consumptions would be necessary for operation and maintenance of construction equipment and would not be beyond what is necessary for the Project. Additionally, the Project will be conditioned to use Tier 4 construction equipment which requires the use of specific vehicles and machinery designed to meet standards set by the United States Environmental Protection Agency and California Air Resources Board (CARB) that require use of energy efficient engines and equipment that meet criteria to limit emissions. Due to the aforementioned factors, the Project’s energy consumption during the grading and construction phase would not be considered wasteful, inefficient, or unnecessary.

Operation of the Project would require the use of water for landscape maintenance as well as petroleum for maintenance and employee related activities of the Project. Operation of the Project would be typical of commercial land uses within the surrounding project vicinity as the site is zoned as General Commercial (C36) and the use is permitted within the zoning use regulation. Over the lifetime of the proposed Project, fuel efficiency of vehicles is expected to increase as older vehicles are replaced with newer, more efficient models. As such, the amount of petroleum consumed as a result of vehicle trips to and from the Project site during operation would decrease over time. State and Federal regulations regarding standards for vehicles (e.g., Advanced Clean Cars Program, CAFÉ Standards) are designed to reduce wasteful, unnecessary, and inefficient use of fuel. The coupling of various State policies and regulations such as the Zero-Emission Vehicles Mandate and Senate Bill (SB) 350 would result in the deployment of electric vehicles (EVs) which would be powered by an increasingly renewable electrical grid. It should be noted that the Project consists of redevelopment of an existing commercial center which will result in the reuse of existing facilities and structures and limit wasteful use of energy related resources. Additionally, the Project would provide multiple sustainability features that would reduce transportation and building energy consumption and increase the efficient use of water through consistency with the County’s Landscaping Ordinance, the Project not requiring the use of natural gas for new structures on the site, and consistency with CALGreen Tier 2 standards for off-street vehicle requirements.

As previously discussed, the GPU EIR did not analyze Energy as a separate issue area under CEQA. Energy was analyzed under the GPU and GPU EIR and has been incorporated within General Plan Elements. The Project would not conflict with policies within the GPU related to energy use, nor would it result in the wasteful, inefficient, or unnecessary consumption of energy resources, as specified within Appendix G of the CEQA Guidelines.

- 6(b) Many of the regulations regarding energy efficiency are focused on increasing the energy efficiency of buildings and renewable energy generation, as well as reducing water consumption and reliance on fossil fuels. The project includes sustainability measures such as water reduction measures as required by the Landscaping Ordinance and complying with CALGreen Tier 2 standards for off-street vehicle requirements. By complying the CALGreen Tier 2 standards, the Project will increase the availability of electrical vehicle charging spaces within the Fallbrook community and for motorists traveling along Old Highway 395 and Interstate 15. Additionally, the project would be consistent with sustainable development and energy reduction policies such as policies COS-14.3 and COS-15.4 of the General Plan, through compliance with the most recent building code and Energy Efficiency Standards at the time of project construction. Further information can be found within response 6(a) as well as Section 8: Greenhouse Gas Emissions of the 15183 Environmental Checklist. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

As previously discussed, the GPU EIR did not analyze Energy as a separate issue area under CEQA. Energy was analyzed under the GPU and GPU EIR and has been incorporated within General Plan Elements. The Project would not conflict with policies within the GPU related to energy use or conflict with or obstruct a state or local plan for renewable energy or energy efficiency as specified within Appendix G of the CEQA Guidelines.

**Conclusion**

With regards to the issue area of Energy, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
5. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
6. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant. Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**7. Geology and Soils – Would the Project:**

- |  |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, strong | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|

seismic ground shaking, seismic-related ground failure, liquefaction, and/or landslides?

- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

**Discussion**

7(a)(i) The GPU EIR concluded this impact to be less than significant. The Project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California, nor is it located within a known Active Fault Near-Source Zone. The County Guidelines for Determining Significance for Geologic Hazards consider a project to have a potentially significant impact if the project proposes any building or structure to be used for human occupancy over or within 50 feet of the trace of an Alquist-Priolo fault or County Special Study Zone Fault. The Project site is located approximately 8 and a half miles west of the nearest Alquist-Priolo Fault Zone. Additionally, construction in accordance with the California Building Code Seismic Requirements would be required prior to the issue of a building permit. Therefore, a less than significant impact from the exposure of people or structures to adverse effects from a known fault-rupture hazard zone would occur as a result of the proposed Project.

7(a)(ii) The GPU EIR concluded this impact to be less than significant. To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. Therefore, compliance with the California Building Code and the County Building Code will ensure that the project will not result in a significant impact.

7(a)(iii) The GPU EIR concluded this impact to be less than significant. To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. Therefore, compliance with the California Building Code and the County Building Code would ensure that the project would not result in a significant impact.

7(a)(iv) The GPU EIR concluded this impact to be less than significant. The site is not located within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the Multi-Jurisdictional Hazard Mitigation Plan, San Diego, CA (URS, 2004). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (SANDAG based

on USGS 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation Division of Mines and Geology (DMG). Based on the flat topography of the site, potential hazards associated with landslides are less than significant. As previously discussed, the GPU EIR determined less than significant impacts from exposure to seismic-related hazards and soil stability. The project site has been previously graded and contains an existing commercial plaza. Additionally, earthwork associated with the project consists of approximately 7,725 cubic yards of cut and 5,575 cubic yards of fill and proposes retaining walls along the western boundary of the project site which will assist in stabilize existing slopes. As the proposed Project would have a less-than-significant, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 7(b) The GPU EIR concluded this impact to be less than significant. According to the Soil Survey of San Diego County, the soils on-site are identified as Greenfield sandy loam, 5 to 9 percent slopes, and Ramona sandy loam, 2 to 5 percent slopes, that have a soil erodibility rating of severe. The project will not result in substantial soil erosion or the loss of topsoil because the project will be required to comply with the Watershed Protection Ordinance (WPO) and Grading Ordinance which will ensure that the project would not result in any unprotected erodible soils, will not alter existing drainage patterns, and will not develop steep slopes. Additionally, the project will be required to implement Best Management Practices (BMPs) to prevent fugitive sediment. The majority of grading associated with the Project is tied to cut for slopes in the rear of the property that will be supported by retaining walls ranging in size from approximately two to 12 feet in height. Further analysis related to erosion or loss of topsoil can be found in responses to Section 10 – Hydrology and Water Quality. As previously discussed, the GPU EIR determined impacts from soil erosion and topsoil loss to be less than significant. As the project would have a less than significant impact for the reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.
- 7(c) The GPU EIR concluded this impact to be less than significant. Landslide Susceptibility Areas was discussed in response (a)(iv). As indicated in response (a)(iv), the project site is not located within a “Landslide Susceptibility Area” as identified in the County Guidelines for Determining Significance for Geologic Hazards, and the potential for landslides to impact the proposed development is considered to be low.

Lateral spreading is a principal effect from liquefaction which was discussed in response 7(a)(iii). As discussed in response 7(a)(iii), the project site is not located within a “Potential Liquefaction Area” as identified in the County Guidelines for Determining Significance for Geologic Hazards. Subsidence and collapse may be caused by unstable geological structures or conditions. As stated in response 7(a), impacts to the project site from rupture of a known earthquake fault and strong seismic ground shaking or seismic-related ground failure would be unlikely to occur due to compliance with building code standards. Structures associated with the Project consist of a remodeled approximately 9,075 square foot market structure, an existing hamburger restaurant, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store, and two new 6,000 square foot retail buildings. All structures associated with the Project are commercial structures and do not have any units or residential occupancy. As previously discussed, the GPU EIR determined impacts from soil stability to be less than significant. As the project would have a less than significant impact with the consistency with building code

standards, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 7(d) The GPU EIR determined impacts from expansive soils to be less than significant. The Project is not underlain by expansive soils. In addition, the Project would not result in a significant impact because compliance with the Building Code, preparation of a Soils Engineering Report, and implementation of standard engineering techniques would ensure structural safety. According to the Soil Survey of San Diego County the Project is underlain by Greenfield sandy loam, 5 to 9 percent slopes, and Ramona sandy loam, 2 to 5 percent slopes, and is not in an area anticipated to have expansive soils. The project will not result in a significant impact because compliance with the Building Code and implementation of standard engineering techniques will ensure structural safety.

As previously discussed, the GPU EIR determined impacts from expansive soils to be less than significant. As the Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis within the GPU EIR because it would not create new impacts, increase impacts, and there is no new information of substantial importance than identified within the GPU EIR.

- 7(e) The GPU EIR concluded this impact to be less than significant. The Project site would rely on public water and sewer for the disposal of wastewater and does not include construction of septic tanks or alternative wastewater disposal systems. As such, the Project would not place septic tanks or alternative wastewater disposal systems on soils incapable of adequately supporting the tanks or system.

As previously discussed, the GPU EIR determined impacts to wastewater disposal systems to be less than significant. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Geology/Soils, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant. Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**8. Greenhouse Gas Emissions** – Would the Project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Discussion**

8(a) The General Plan and GPU EIR contain policies and mitigation measures associated with reducing greenhouse gas emissions including but not limited to compliance with the County Groundwater Ordinance, Landscape Ordinance, as well as implementation of solid waste reduction measures, reduction of Vehicle Miles Traveled (VMT). Additionally, the County of San Diego (County) General Plan incorporates smart growth and land planning principles intended to reduce vehicle miles traveled, and thereby reduce GHG emissions. Specifically, the General Plan directed preparation of a County Climate Action Plan (CAP) with reduction targets; development of regulations to encourage energy efficient building design and construction; and development of regulations that encourage energy recovery and renewable energy facilities, among other actions. As such, on February 14, 2018, the County Board of Supervisors (Board) adopted a CAP, which identifies specific strategies and measures to reduce GHG emissions in the largely rural, unincorporated areas of San Diego County as well as County government operations. The County’s 2018 Climate Action Plan (CAP) was set aside by the Fourth District Court of Appeal and rescinded by the Board. On September 30, 2020, the Board voted to set aside its approval of the County’s 2018 CAP and related actions because the Final Supplemental Environmental Impact Report (2018 CAP SEIR) was found to be out of compliance with CEQA. In response to this Board action, the County is preparing a CAP Update to revise the 2018 CAP and correct the items identified by the 4th District Court of Appeal in San Diego within the Final 2018 CAP SEIR that were not compliant. Therefore, compliance with the 2018 CAP was not utilized to determine potential greenhouse gas (GHG) emission impacts.

The County of San Diego Board of Supervisors recently adopted a new Climate Action Plan (CAP) on September 11, 2024. The Draft Supplemental Environmental Impact Report and Draft Climate Action Plan were circulated for public review at the end of 2023 and the beginning of 2024. Due to the absence of an adopted CAP when the project was submitted with a complete application in 2020, compliance with the CAP was not utilized as the threshold in determining potential greenhouse gas (GHG) emission impacts. It should be notes that the thresholds summarized below are reflexive of several of the CAP’s overarching goals including building decarbonization and the electrification of the on-road vehicle fleet.

Executive Order (EO) S-3-05 and EO B-30-15 established GHG emission reduction targets for the state, and AB 32 launched the CARB Climate Change Scoping Plan that outlined the reduction measures needed to reach the 2020 target, which the state has achieved. As required by SB 32, the California Air Resource Board’s (CARB) 2017 Climate Change Scoping Plan outlines reduction measures needed to achieve the 2030 target. AB 1279, the California Climate Crisis Act, codified the carbon neutrality target as 85 percent below 1990 levels by 2045. CARB’s 2022 Scoping Plan was adopted by the CARB Board December of 2022. Project impacts were assessed using a project-specific, locally appropriate threshold, as guided by CEQA Guidelines Section 15064.4. Based on the specific characteristics of this project including the Project’s less than significant impact associated with Vehicle Miles Traveled (VMT), current guidance provided by the Bay Area

Air Quality Management District (BAAQMD) was used to evaluate GHG emissions. For land use development projects, the BAAQMD recommends using the approach endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) (62 Cal.4th 204), which evaluates a project based on its effect on California's efforts to meet the state's long-term climate goals. As the Supreme Court held in that case, a project that would be consistent with meeting those goals can be found to have a less than significant impact on climate change under CEQA. If a project would contribute its "fair share" of what would be required to achieve those long-term climate goals, then a reviewing agency can find that the impact would not be significant because the project would help to solve the problem of global climate change (62 Cal.4th 220–223). If a land use project incorporates all of the design elements necessary for it to be carbon neutral by 2045, then it would contribute its portion of what is needed to achieve the state's climate goals and would help to solve the cumulative problem. It can therefore be found to make a less than cumulatively-considerable climate impact. Because this guidance supports how a project would contribute its "fair share" of the statewide long-term GHG reduction goals, it is not specific to the BAAQMD region and can also be applied in the San Diego region. The information provided in the BAAQMD Justification Report is intended to provide the substantial evidence that lead agencies need to support their determinations about significance using these thresholds. The BAAQMD Justification Report analyzes what would be required of new land use development projects to achieve California's long-term climate goal of carbon neutrality by 2045. A new land use development project being built today needs to incorporate the following design elements to do its "fair share" of implementing the goal of carbon neutrality by 2045:

A) Projects must include, at a minimum, the following project design elements:

1) Buildings

- a) The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
- b) The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2) Transportation

- a) Achieve a reduction in project-generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
  - (i) Residential projects: 15 percent below the existing VMT per capita
  - (ii) Office projects: 15 percent below the existing VMT per employee
  - (iii) Retail projects: no net increase in existing VMT
- b) Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

The Project is consistent with both the Building and Transportation design elements as outlined in the BAAQMD Justification Report. The Project is conditioned to not use natural gas for the operations of the Project. Primary utilities and energy use associated with the operation of the commercial center are anticipated to be associated with the use of electricity to power lighting and general utilities associated with the commercial structures of the Project. The Project does not propose features or uses that would require additional resources or energy such as decorative water features. Operation of the project would

require use of water for landscape maintenance which is required to be in conformance with the Landscape Ordinance and requirements to demonstrating water use reduction. The Project will obtain its water supply from Rainbow Municipal Water District and the Project is conditioned to process a final Landscape Plan which implements additional measures in verifying that the Project is consistent with the water use reduction requirements of the Landscape Ordinance. As detailed in Section 6: Energy Use, the Project is not expected to result in the wasteful use of energy.

The Project site contains an existing market with attached businesses consisting of restaurants and personal services such as financial and insurance companies. The Project site also contains an existing hamburger restaurant as well as a parking lot. The existing market building with attached businesses will be remodeled with architectural changes resulting in an approximately 9,075 square foot structure. The existing hamburger restaurant will be retained. Additionally, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store as well as two new approximately 6,000 square foot retail buildings are proposed. In accordance with a Local Mobility Analysis prepared for the Project by Darnell and Associates dated March 4, 2022, the Project is anticipated to generate a gross estimate of 2,918 average daily trips. All proposed uses of the Project are considered locally serving commercial uses that are intended to serve residents in the Fallbrook community and motorists traveling along I-15. By taking into account pass-by trips due to several factors such as the nature of the uses of the Project, the combination of commercial uses, and the location of the Project near I-15 and Old Highway 395, the Project is anticipated to generate a net total of 1,310 daily trips. In accordance with the County of San Diego Transportation Study Guide dated September 2022 and the Governor's Office of Planning and Research Technically Advisory on Evaluating Transportation Impacts in CEQA dated December 2018, the Project is considered to have a less than significant impact related to Transportation and Traffic associated with VMT because it consists of less than 50,000 square feet of locally-serving commercial uses. The Project is also conditioned to be consistent with the CALGreen Tier 2 standards for compliance with off-street electric vehicle requirements which will result in increased availability of electrical vehicle charging stations within the Fallbrook Community and motorists traveling along Old Highway 395 and Interstate 15.

Lastly, the emissions associated with construction and operation of the Project were quantified in the Greenhouse Gas Analysis dated July 2023 by Ldn Consulting, Inc. Construction emissions associated with the development of the Project are temporary and expected to be approximately 249 metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>). Operational emissions of the Project were estimated to be 825 MTCO<sub>2e</sub>.

The project's implementation of design features for a "fair share" contribution towards the statewide goal of carbon neutrality by 2045 and the project's less than significant impact related to Vehicle Miles Traveled demonstrates that the project would not make a cumulatively considerable contribution to GHG emissions. Therefore, the project would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment, and impacts would be less than significant.

- 8(b) The proposed Project is subject to the General Plan Semi-Rural Regional Category and General Commercial (C-1) Land Use Designation. The Project is also subject to the Fallbrook Community Plan Policies. The property is subject to the General Commercial Land Use Designation (C36) which permits the proposed uses of the site in accordance with Sections 2360 through 2363 of the Zoning Ordinance. The site is also subject a "B" Special Area Designator for community design review which requires the processing of a



Site Plan permit. All proposed uses are consistent with the General Plan Designation and the Zoning for the site and a General Plan Amendment or Zoning Reclassification is not required for the project. Through its goals, policies, and land use designations, the County’s General Plan aims to reduce County-wide GHG emissions. Furthermore, the County’s General Plan growth projections were used to inform the development of the SANDAG Regional Transportation Plan and Sustainable Communities Strategy (SANDAG RTP/SCS). SANDAG’s RTP/SCS is the region’s applicable plan for reducing GHG emissions and is consistent with State GHG emissions reductions goals set by the California Air Resources Board (CARB).

In December of 2022, the CARB adopted a new Scoping Plan which outlined policies and strategies focused on three priority areas: 1. Transportation Electrification, 2. VMT Reduction, and 3. Building Decarbonization. As detailed in response 8(a), the Project will comply the three priority areas of the CARB scoping plan by increasing the availability of electrical vehicle charging stations, having a less than significant impact associated with VMT, and not including the use of natural gas for the operation of the Project. Because the proposed project is consistent with the General Plan land use and zoning, it is also consistent with State GHG emission reduction targets as identified in the SANDAG RTP/SCS. Therefore, the project would be consistent with any applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions.

**Conclusion**

With regards to the issue area of Greenhouse Gas Emissions, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. The project will apply measures outlined within GPU EIR including but not limited to compliance with the County Groundwater Ordinance, Landscape Ordinance, as well as reduction of Vehicle Miles Traveled (VMT). Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR. The project will also apply project design features such as no use of natural gas as well as consistency with CALGreen Tier 2 standards for off-street parking.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**9. Hazards and Hazardous Materials – Would the Project:**

a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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- b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?
- d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- e) 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?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
- h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

**Discussion**

9(a) The GPU EIR concluded this impact to be less than significant. The Project consists of the expansion and remodeling of an existing commercial plaza. The existing market building with attached businesses will be remodeled with architectural changes resulting in an approximately 9,075 square foot structure. The existing hamburger restaurant will be retained. Additionally, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store as well as two new approximately 6,000 square foot retail buildings are proposed. The existing parking lot will be expanded and re-designed to include a total of 134 parking spaces. The Project also includes proposed landscaping as well as signage for the commercial tenants of the site. Access to the site would be provided by two commercial driveways connecting to Old Highway 395. Water and Sewer service would be provided by the Rainbow Municipal Water District. The existing road on the northern portion of the Project site known as Via Belmonte will be widened with a half width improvement of 14 feet and a graded half width of twenty feet along the south side of Via Belmonte. The Project also includes a vacation and/or removal and re-dedication of road, drainage, and slope easements related to maintenance along Old Highway 395.

Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export.

**Operations:**

The Project includes on-site sale of gasoline and would result in handling, storage, and disposal of hazardous substances. The project proposes storage of potentially hazardous materials consisting of fuels that will be sold in product dispensers and stored in underground storage tanks on the project site. Fuels associated with the operation of the gas station must be permitted through the Department of Environmental Health Hazardous Materials Division through a hazardous materials business plan (HMBP) and permits for underground storage tanks. Underground storage tanks require maintenance and inspections in order to ensure that no leaks of fuel product will result in exposing any potential sensitive receptors to pollutants or leaking of product into the soil on the project site. The purpose of the HMBP is to prevent or minimize damage to public health, safety, and the environment from a release of a hazardous material. All other uses associated with the Project are not anticipated to require handling, storage, or disposal of hazardous materials. Any waste associated with the Project and commercial structures will be stored within a trash enclosure that is required to be routinely maintained. Additionally, a Phase 1 Environmental Site Assessment dated May 2020 prepared by GeoTek, Inc. was prepared for the Project and concluded that there is no evidence of a recognized environmental condition of concern on the Project site. Therefore, the project will not create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment as the project requires additional permits for construction and operation of the site.

**Construction:**

The existing market and attached businesses were constructed in the late 1970s. Due to the age of the structures, the Project will be conditioned to conduct lead and asbestos surveys prior to remodeling and construction on the market and attached structures. In the event that lead and asbestos are found in the existing structures, construction associated with the building permit of the market renovation will require lead and asbestos treatment in conformance with the Air Pollution and Control District regulations. Construction associated with the Project will also require standard dust control measures such as the use of water trucks consistent with the requirements of the Air Pollution Control District. Potential emissions of hazardous materials during construction will be temporary and required to conform with standard requirements of the Air Pollution Control District.

As previously discussed, the GPU EIR determined impacts from transport, use and disposal of hazardous materials and accidental release of hazardous materials to be less than significant. Additional analysis related to emissions of hazards and hazardous materials can be found in Section 3 – Air Quality. The project conditions are consistent with General Plan Policy S-11.4 as analyzed in the GPU EIR. Thus, for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 9(b) The GPU EIR concluded this impact to be less than significant. The Project is not located within a quarter of a mile of a nearby school. The nearest schools or property designated for a school are northeast of the Project site and across Interstate 15. The schools consist of Palomar College as well as a school site designated within the Meadowood/Citro development. Further information can be found in response 9(a) regarding required

maintenance and handling of potentially hazardous materials associated with the project. Therefore, the project will not have any effect on an existing or proposed school.

9(c) The GPU EIR concluded this impact to be less than significant. Based on historic imagery, review of previous permits, and review of applicable databases, the Project is not proposed on a site that has been known to release hazardous materials. The nearest property that has the potential to release potentially hazardous materials is located approximately 800 feet of the Project site on a property containing an existing Mobil gas station property had a case listed GeoTracker which has since been closed in 2016. The Project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), and is not on or within 1,000 feet of a Formerly Used Defense Site. Further information regarding ongoing operations of the site and potential release of hazardous substances can be found in response 9(a). Therefore, the project will not emit or release hazardous materials due to the historic uses of the site.

9(d) The GPU EIR concluded this impact to be less than significant with mitigation. The proposed Project is not located within an Airport Influence Area or an Airport Land Use Compatibility Plan Area. Additionally, the Project is not located within an Airport Safety Zone, within an Avigation Easement, an Overflight area or within a Federal Aviation Administration Height Notification Surface area. In addition, the Project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport.

As previously discussed, the GPU EIR determined impacts on public airports to be less than significant. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

9(e) The GPU EIR concluded this impact to be a significant and unavoidable impact. The proposed Project site is not within one mile of a private airstrip. The Project site is located approximately a half of a mile away from a runway that is used for model, remote-controlled airplanes. However, the existing model airplane runway will be removed upon the development of the approved Campus Park West project located on the same property as the model airplane runway. Additionally, the Project consists of expanding and remodeling an existing commercial center and does not consist of residential uses for occupancy. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area.

9(f)(i) OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN: The GPU EIR concluded this impact related to section 9(f) to be significant and unavoidable. The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project will not

interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

9(f)(ii) SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN: The property is not within the San Onofre emergency planning zone.

9(f)(iii) OIL SPILL CONTINGENCY ELEMENT: The project is not located along the coastal zone.

9(f)(iv) EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN: The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the project does not propose altering major water or energy supply infrastructure.

9(f)(v) DAM EVACUATION PLAN: The Project site is not located within an identified dam inundation zone. Additionally, the development would not constitute a "Unique Institution" such as a hospital, school, or retirement home pursuant to the Office of Emergency Services included within the County Guidelines for Determining Significance, Emergency Response Plans.

As previously discussed, the GPU EIR determined impacts from emergency response and evacuation plans to be less than significant with mitigation. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

9(g) The GPU EIR concluded this impact to be significant and unavoidable. The proposed project is adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Consolidated Fire Code. The project design has been reviewed and approved by the San Diego County Fire District. The project does not propose a residential use for occupancy. Therefore, the project will not 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

9(h) The GPU EIR concluded this impact as less than significant. The project does not involve or support uses that would allow water to stand for a period of 72 hours or more (e.g. artificial lakes, agricultural ponds). The stormwater quality basins associated with the Project are tied to a Priority Development Project Stormwater Quality Management Plan which requires maintenance and installation of engineered soil in order to prevent standing water within the basins. Also, the project does not involve or support uses that will produce or collect animal waste, such as equestrian facilities, agricultural operations (chicken coops, dairies etc.), solid waste facility or other similar uses. Therefore, the project will not substantially increase current or future resident's exposure to vectors, including mosquitoes, rats, or flies.

As previously discussed, the GPU EIR determined impacts from vectors to be less than significant with mitigation. As the proposed project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Hazards, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant by adhering to the Project conditions of approval, which are consistent with the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
<b>10. Hydrology and Water Quality</b> – Would the Project:			
a) Violate any waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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 type="checkbox"/>
f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?
- h) Provide substantial additional sources of polluted runoff?
- i) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps?
- j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- k) Expose people or structures to a significant risk of loss, injury or death involving flooding?
- l) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?
- m) Inundation by seiche, tsunami, or mudflow?

**Discussion**

10(a) The GPU EIR concluded this impact to be significant and unavoidable. The Project will require a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activities. A Priority Development Project Stormwater Quality Management Plan (SWQMP) was prepared for the project by Excel Engineering dated June 2022. The SWQMP demonstrates that the project would comply with all requirements of the Watershed Protection Ordinance (WPO). The project will be required to implement site design measures, source control BMPs, and/or structural BMPs to reduce potential pollutants and address hydromodification impacts to the maximum extent practicable. For example, the Project includes a biofiltration basin that in order to treat runoff of pollutants related to operations of the Project that are collected on impervious surfaces. The biofiltration basin is required to be maintained and contains engineered soil that is design to treat runoff of pollutants. All proposed BMPs are outlined in the Priority Development Project Stormwater Quality Management Plan will be reviewed for conformance with any future construction permit associated with the project such as a Major Grading Permit reviewed during final engineering. These measures will enable the project to meet waste discharge requirements as required by the San Diego Municipal Permit, as implemented by the BMP Design Manual.

In addition to WPO compliance this facility is subject to compliance with the Industrial Storm Water Permit with the CA State Water Resources Control Board (SWRCB) and is required to file a Notice of Intent (NOI) and develop and implement a Storm Water Pollution Prevention Plan (SWPPP) as the project consists of construction on over 1 acre. These measures will enable the project to meet waste discharge requirements as required by the San Diego Municipal Permit, as implemented by the BMP Design Manual.

10(b) The GPU EIR concluded this impact to be significant and unavoidable. The Project lies in the Bonsall sub-basin (903.12) of the San Luis Rey hydrologic unit. According to the Clean Water Act Section 303(d) list, a portion of this watershed is impaired. Pollutants of concern in the San Luis Rey River watershed include nutrients/agricultural runoff, salinity, and phosphorous. The project would comply with the Watershed Protection Ordinance (WPO) and would implement BMPs in order to prevent additional runoff and increase of pollutants into the water body. As previously discussed, the GPU EIR determined significant and unavoidable impacts to water quality standards and requirements. However, the proposed Project would have a less than significant impact to water quality standards with the implementation of a Project condition and compliance with local and state requirements. These requirements were identified by the GPU EIR as mitigation measures Hyd-1.2 through Hyd-1.5 for implementation of Low Impact Development Standards (LID), compliance with the Watershed Protection Ordinance (WPO), the Best Management Practices Design Manual, Groundwater Ordinance, and the County Guidelines for Determining Significance for Surface Water Quality, Hydrology and Groundwater Resources. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

10(c) The GPU EIR concluded this impact to be significant and unavoidable. Potential pollutant sources associated with the Project are trash enclosures, fuel dispensing areas, and runoff of pollutants caused by vehicles in a parking lot. The fuel dispensing areas are covered by a canopy and will not have permeable floors. Additionally, the underground storage tanks associated with the fuel dispensers must be permitted through the Department of Environmental Health and Quality (DEHQ) which includes permitting in accordance with the underground storage tank program. As stated in responses 10(a) and 10(b) above, implementation of BMPs and compliance with required ordinances will ensure that project impacts are less than significant. Further information related to groundwater usage can be found in response 10(d).

As previously discussed, the GPU EIR determine significant and unavoidable impacts to water quality standards and requirements and groundwater supplies and recharge. However, the proposed Project would have a less than significant impact with mitigation to water quality standards and requirements, and groundwater supplies and recharge (Hyd-1.2 through Hyd-1.5). Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

10(d) The GPU EIR concluded this impact to be significant and unavoidable. The Project does not propose the use of groundwater and would obtain water service from Rainbow Municipal Water District as detailed in Service Availability Forms dated December 2020. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

10(e) The GPU EIR concluded this impact to be less than significant with mitigation. As outlined in the project's SWQMP and in responses 10(a) and 10(b), the Project will implement temporary/construction BMP's to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff and will ensure that project impacts are less than significant. Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export. The Project site contains existing commercial uses on a site that was previously grading in the 1970s. The majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining



walls in order to support the slopes in the rear of the property. Additionally, a Hydrology/Hydraulics study dated April 26, 2024 was prepared by Excel Engineering that demonstrates that the Project does not increase off-site drainage or flow of water. Therefore, the project will not substantially alter the existing drainage pattern of the area and would be consistent with the analysis provided within the GPU EIR.

As previously discussed, the GPU EIR determined significant and unavoidable impacts to erosion or siltation and less than significant impacts. However, the proposed Project would have a less-than-significant impact to erosion or siltation (Hyd-1.2 through Hyd-1.5). Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 10(f) The GPU EIR concluded this impact to be less than significant with mitigation. As outlined in the project's SWQMP and in responses 10(a) and 10(b), the project will implement temporary/construction BMP's to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff and will ensure that project impacts are less than significant. Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export. The Project site contains existing commercial uses on a site that was previously graded in the 1970s. The majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property. Additionally, a Hydrology/Hydraulics study dated April 26, 2024 was prepared by Excel Engineering that demonstrates that the Project does not increase off-site drainage or flow of water. The project does not propose construction within a 100-year floodplain as the Project does not contain a 100-year floodplain. Therefore, the project will not substantially alter the existing drainage pattern of the area and would be consistent with the analysis provided within the GPU EIR.

As previously discussed, the GPU EIR determined to be less than significant with mitigation. However, the proposed Project would have a less-than-significant impact to erosion or siltation (Hyd-1.2 through Hyd-1.5). Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR. Therefore, the Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 10(g) The GPU EIR concluded this impact to be less than significant with mitigation. As outlined in the project's SWQMP and in responses 10(a) and 10(b), the project will implement temporary/construction BMP's to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff and will ensure that project impacts are less than significant. Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export. The Project site contains existing commercial uses on a site that was previously grading in the 1970s. The majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property. Additionally, a Hydrology/Hydraulics study dated April 26, 2024 was prepared by Excel Engineering that demonstrates that the Project does not increase off-site drainage or flow of water. With mitigation, the proposed Project would have a less-than-significant impact with regards to exceeding the capacity of stormwater systems with consistency with measures (Hyd-1.2 through Hyd-1.5). Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 10(h) The GPU EIR concluded this impact to be significant and unavoidable. Potential pollutant sources associated with the Project are trash enclosures, fuel dispensing areas, and runoff of pollutants caused by vehicles in a parking lot. The fuel dispensing areas are covered by a canopy and will not have permeable floors. Additionally, the underground storage tanks associated with the fuel dispensers must be permitted through the Department of Environmental Health and Quality (DEHQ) which includes permitting in accordance with the underground storage tank program. The trash enclosure is required to be routinely maintained and include a cover in order to limit pollutants. As stated in responses 10(a) and 10(b) above, implementation of BMPs and compliance with required ordinances will ensure that project impacts are less than significant.

As previously discussed, the GPU EIR determined impacts to water quality standards and requirements as significant and unavoidable. However, the proposed Project would have a less-than-significant impact to water quality standards with the implementation of project conditions listed in 10(a). The conditions are consistent with the GPU EIR mitigation measures Hyd-1.2 through Hyd-1.5. Therefore, the Project would not be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 10(i) The GPU EIR concluded this impact to be less than significant with mitigation. The Project does not propose any housing as it consists of remodeling and expansion of an existing commercial plaza. The Project site does not contain a 100-year floodplain or a floodway. As previously discussed, the GPU EIR determined impacts from housing within a 100-year flood hazard area as less than significant with mitigation. The proposed Project would have a less-than-significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.
- 10(j) The GPU EIR concluded this impact to be less than significant with mitigation. The Project site does not contain a 100-year floodplain. Additionally, the Project does not involve structures designed for residential occupancy. Because the project does not propose any construction within the limits of the 100-year floodplain of the property and will not substantially alter drainage patterns as outlined in the Hydrology/Hydraulics Study dated April 26, 2024, the project will not impede or redirect flood flows. Therefore, no structures would be placed within a 100-year flood hazard area which would impede or redirect flood flows.
- 10(k) The GPU EIR concluded this impact to be less than significant with mitigation. Proposed construction associated with the project lies outside any identified special flood hazard area. The project consists of commercial development and does not propose residential uses. Additional information related to the project's analysis associated with flood hazards can be found in response 10(j). The proposed Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.
- 10(l) The GPU EIR concluded this impact to be less than significant with mitigation. The County Office of Emergency Services maintains Dam Evacuation Plans for each dam operational area. These plans contain information concerning the physical situation, affected jurisdictions, evacuation routes, unique institutions, and event responses. If a "unique institution" is proposed, such as a hospital, school, or retirement home, within dam

inundation area, an amendment to the Dam Evacuation Plan would be required. As previously discussed in response 10(j), the project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County.

10(m) The GPU EIR concluded this impact to be less than significant with mitigation.

10(m)(i) SEICHE: The project site is not located along the shoreline of a lake or reservoir.

10(m)(ii) TSUNAMI: The project site is not located in a tsunami hazard zone.

10(m)(iii) MUDFLOW: Mudflow is type of landslide. See response to question 6(a)(iv).

**Conclusion**

With regards to the issue area of Hydrology and Water Quality, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures contained within the GPU EIR (Hyd-1.2 through Hyd-1.5) would be applied to the Project. The mitigation measures, as detailed above, requires the Project applicant to comply with Watershed Protection Ordinance, Stormwater Standards Manual/BMP Design Manual, Groundwater Ordinance, and Guidelines for Determining Significance for Hydrology and Water Quality.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**11. Land Use and Planning – Would the Project:**

- |   |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |

**Discussion**

11(a) The GPU EIR concluded this impact to be less than significant with mitigation. The Project consists of expanding and remodeling an existing commercial plaza. The Project does not propose the introduction of new infrastructure such as major roadways, water supply systems, or utilities to the area. Improvements associated with infrastructure of the site include on-site utility lines and fire hydrants, entry improvements to two existing commercial driveways, and frontage improvements to Via Belmonte. Additionally, build-out of this site was anticipated in the GPU EIR and GPU EIR mitigation measures Lan-1.1 through Lan-1.3 requiring coordination efforts for roadway widening and improvements to ensure that development of the site would not divide an established community. As

previously discussed, the GPU EIR determined impacts from physically dividing an established community as less than significant with mitigation. However, the proposed Project would have a less-than-significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 11(b) The GPU EIR concluded this impact to be less than significant. The proposed Project is subject to the General Plan Semi-Rural Regional Category and General Commercial (C-1) Land Use Designation. The project is also subject to the Fallbrook Community Plan Policies and I-15 Design Review Corridor Guidelines. The property is subject to the General Commercial Land Use Designation (C36) which permits the proposed uses of the site in accordance with Sections 2360 through 2363 of the Zoning Ordinance. The site is also subject a "B" Special Area Designator for community design review which requires the processing of a Site Plan permit. The Project site is subject to the "G" Height Designator in the Zoning Ordinance which requires structures to be a maximum height of 35-feet. The remodel of the market will result in the structure to reach a maximum height of 26 feet. The gas station convenience store, retail store structures, and gas station canopy are proposed to be approximately 27 to 32 feet in height. All structures are compliant with the 35-foot "G" Height Designator of the property. The existing visual character of views along Old Highway 395 and Interstate 15 consist of residences along hillsides, vacant land, and incidental non-residential uses such as commercial structures. The Project consists of redeveloping an existing commercial plaza which contains structures that have been on the subject property for over 40 years. The commercial structures are an expected visual feature within the community. The remodeled architectural design of the market is intended to be in conformance with the proposed new structures and uses of the property. The architectural design of the structures includes earth-tone colors as well as natural materials such as stone veneers. The Project is conditioned to require verification of adequate parking and signage in conformance with the Zoning Ordinance standards in order to ensure that the site has adequate parking and signage consistent with the Zoning Ordinance in the event that commercial tenants change. The Project is conditioned to be subject to the performance and lighting standards outlined Section 6300 of the Zoning Ordinance in order to prevent light pollution and spill onto adjacent properties as well as prevent the production of noise in excess of levels beyond adopted ordinances. Therefore, the project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including policies of the General Plan and Community Plan. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

As previously discussed, the GPU EIR determined impacts to conflicts with land use plans, policies, and regulations as less than significant. As the project would have a less than significant impact for the reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

## **Conclusion**

With regards to the issue area of Land Use and Planning, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.

3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures contained within the GPU EIR will be applied to the project.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**12. Mineral Resources** – Would the Project:

- |   |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |

12(a) The GPU EIR determined that impacts to mineral resources would be significant and unavoidable. The California Surface Mining and Reclamation Act (SMARA) required classification of land into Mineral Resource Zones (MRZs). The Project site has not been classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997) as an area for mineral resources. The Project site is primarily classified as a developed and commercially zoned land adjacent to commercial and residential uses. The Project site is also directly adjacent to Interstate 15 and near the State Route 76 and Interstate 15 Interchange. A future mining operation at the Project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Additionally, the Project site is less than 5 acres and in between a highway and residential uses and it would be unlikely to support a successful mining operation. Therefore, implementation of the Project will not result in the loss of availability of a known mineral resource that would be of value since the mineral resource has already been lost due to incompatible land uses.

As previously discussed, the GPU EIR determined impacts to mineral resources to be significant and unavoidable. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

12(b) The GPU EIR concluded this impact to be significant and unavoidable. The project site is not located in an Extractive Use Zone (S-82), nor does it have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25). The Project site is not located in an area that has MRZ-2 designated lands, but the Project site is within 1,300 feet of lands designated as MRZ-2. As detailed in response (a), the Project site is primarily classified as a developed and commercially zoned land adjacent to commercial and residential uses. The Project site is also directly adjacent to Interstate 15 and near the State Route 76 and Interstate 15 Interchange. The majority of MRZ-2 designated lands near the Project site are developed with existing uses such as Interstate 15 or within floodway/floodplains near the San Luis Rey River. The Project site is previously developed

and contains existing commercial uses and will not be introducing new uses to an area that does not previously contain uses that are not compatible with a potential mine or extractive use. Therefore, no potentially significant loss of availability of a known mineral resource would occur as a result of the project.

As previously discussed, the GPU EIR determined impacts to mineral resources to be significant and unavoidable. As the project would have a less than significant impact for the reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Mineral Resources, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. The GPU EIR concluded significant and unavoidable impacts to mineral resources, however, the Project would have less than significant impacts for the reasons detailed above. Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**13. Noise** – Would the Project:

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 type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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?

**Discussion**

13(a) The GPU EIR concluded this impact to be less than significant with mitigation.

The area surrounding the project site consists of commercial and residential uses. The project will not expose people to potentially significant noise levels that exceed the allowable limits of the General Plan, Noise Ordinance, or other applicable standards for the following reasons:

General Plan – Noise Element: Policy 4b addresses noise sensitive areas and requires projects to comply with a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Projects which could produce noise in excess of 60 dB(A) are required to incorporate design measures or mitigation as necessary to comply with the Noise Element. Based on a review of the County’s noise contour maps, the Project is located within noise contours identified in the noise element of the General Plan ranging 60 CNEL or more due to the proximity of the Project site to Interstate 15 and Old Highway 395. The Project consists of remodeling and expansion of an existing commercial plaza and does not propose residential uses or noise sensitive land uses. Due to the proximity of the Project site and surrounding residential land uses to Interstate 15 and Old Highway 395 as well as the noise contours identified in the General Plan, the existing ambient noise levels are anticipated to be in excess of 60 dBA. In accordance with a Local Mobility Analysis prepared for the Project by Darnell and Associates dated March 4, 2022, the Project is anticipated to generate a gross estimate of 2,918 average daily trips. All proposed uses of the Project are considered locally serving commercial uses that are intended to serve residents in the Fallbrook community and motorists traveling along I-15. By taking into account pass-by trips due to several factors such as the nature of the uses of the Project, the combination of commercial uses, and the location of the Project near I-15 and Old Highway 395, the Project is anticipated to generate a net total of 1,310 daily trips. The additional trips added by the Project are anticipated to be a minimal increase compared to the existing traffic on Old Highway 395 and Interstate 15. Noise generated as a result of traffic by the Project will be negligible and is not anticipated to be discernible compared to the existing noise generated by traffic along Old Highway 395 and Interstate 15 and the existing operations of the Project. It should be noted that the residences near the Project site are located along the western property boundaries and portions of the residential development contain existing noise walls that were constructed as part of the residential development. Additionally, the majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property that are anticipated to assist in attenuating noise. Therefore, the project does not propose any noise sensitive land uses and would not expose any existing noise sensitive receptors to noise levels that exceeds the County’s noise standards and standards identified in the Noise Element of the General Plan.

Noise Ordinance – Section 36-404: Non-transportation noise generated by the project is not expected to exceed the standards of the Noise Ordinance at or beyond the project’s property line. The site is zoned General Commercial (C36) that has a one-hour average sound limit of 60 dBA daytime and 55 dBA nighttime. The adjacent properties are zoned Single Family Residential (RS), Transportation and Utility Corridor (S94), and General Commercial (C36). The Transportation and Utility Corridor (S94) and General Commercial (C36) land use regulations are located directly north and east of the site and are subject

to the sound limit of 60 dBA daytime and 55 dBA nighttime. The Single Family Residential (RS) land use regulation is located directly west of the site and is subject to the sound limit of 50 dBA daytime and 45 dBA nighttime. The mean one-hour average sound limit at the nearest residential property line is a sound limit of 55 dBA daytime and 50 dBA nighttime. The Project consists of redevelopment of an existing commercial center. Operations of the Project do not involve amplified music or noise producing equipment that would exceed applicable noise levels at the adjoining property line. The Project does not involve any noise producing equipment that would exceed applicable noise levels at the adjoining property line. The majority of noise generated by the Project is anticipated to be from traffic or maintenance vehicles as previously discussed in the General Plan – Noise Element analysis. It should be noted that the residential zones along the western property boundaries and portions of the residential development contain existing noise walls that were constructed as part of the residential development. Additionally, the majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property that are anticipated to assist in attenuating noise. Therefore, the project complies with Section 36.404 of the Noise Ordinance.

Noise Ordinance – Section 36-410: The project will not generate construction noise in excess of Noise Ordinance standards. Construction operations will occur only during permitted hours of operation. The project does not propose the use of blasting during construction activities. Also, it is not anticipated that the Project will require the operation of construction equipment in excess of an average sound level of 75 dB between the hours of 7 AM and 10 PM. The majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property. The Project will also implement standard good practice recommendations that are conditions of the Project such as:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition,  
and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers.
- d. Minimize the use of backup alarms.

As previously discussed, the GPU EIR determined impacts from excessive noise levels to be less than significant with mitigation. The Project would have a less-than-significant impact with the incorporation of design features and conditions. Therefore, the Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 13(b) The GPU EIR concluded this impact to be less than significant with mitigation. The proposed project does not propose residential occupancy or introduction of sensitive receptors to groundborne noise or vibration, nor does the project propose any major, new, or expanded infrastructure such as highways, or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels. Therefore, the project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels on a project or cumulative level. As previously discussed, the GPU EIR determined impacts to excessive groundborne vibration as less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.



- 13(c) The GPU EIR concluded this impact to be less than significant with mitigation. As indicated in the response listed under Section 13(a), the project would not expose existing or planned noise sensitive areas in the vicinity to a substantial permanent increase in noise levels that exceed the allowable limits of any applicable noise standards. Also, the project is not expected to expose existing or planned noise sensitive areas to noise 10 dB CNEL over existing ambient noise levels.

As previously discussed, the GPU EIR determined impacts to permanent increase in ambient noise levels as less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 13(d) The GPU EIR concluded this impact to be less than significant with mitigation. As indicated in the response listed under Section 13(a), the project does not involve any operational uses that may create substantial temporary or periodic increases in ambient noise levels in the project vicinity. In addition, general construction noise is not expected to exceed the construction noise limits of the County of San Diego Noise Ordinance (Section 36.409), which are derived from State regulations to address human health and quality of life concerns. Construction operations will occur only during permitted hours of operation. Also, the project will not operate construction equipment in excess of 75 dB for more than 8 hours during a 24-hour period. Therefore, the project would not result in a substantial temporary or periodic increase in existing ambient noise levels in the project vicinity.

As previously discussed, the GPU EIR determined impacts to temporary or permanent increase in ambient noise levels as less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 13(e) The GPU EIR concluded this impact to be less than significant with mitigation. The project is not located within an Airport Land Use Compatibility Plan (ALUCP) or within 2 miles of a public airport or public use airport. The Project site is located approximately a half of a mile away from a runway that is used for model, remote-controlled airplanes. However, the existing model airplane runway will be removed upon the development of the approved Campus Park West project located on the same property as the model airplane runway. Additionally, the Project does not propose uses for residential occupancy that would be subject to noise standards when located near a public airport.

As previously discussed, the GPU EIR determined impacts from excessive noise exposure from a public or private airport as less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 13(f) The GPU EIR concluded this impact to be less than significant with mitigation. The project is not located within a one-mile vicinity of a private airstrip. The Project site is located approximately a half of a mile away from a runway that is used for model, remote-controlled airplanes. However, the existing model airplane runway will be removed upon the development of the approved Campus Park West project located on the same property as the model airplane runway. Additionally, the Project consists of expanding and

remodeling an existing commercial center and does not consist of residential uses for occupancy. As previously discussed, the GPU EIR determined impacts from excessive noise exposure from a public or private airport as less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Noise, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant. Therefore, the Project would not result in an impact which was not adequately evaluated by the GPU EIR.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**14. Population and Housing – Would the Project:**

- |   |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

14(a) The GPU EIR concluded this impact to be less than significant. The project site is subject to the General Commercial (C-1) Land Use Designation and the Zoning Use Regulation is General Commercial (C36) which are intended for commercial uses. The project will not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area. The Project does not include an increase in population as it consists of a commercial use and includes remodeling and expansion of an existing commercial plaza. All roadway improvements associated with the Project consists of minor widening to an existing road located on the northern portion of the Project site and access improvements to existing driveways.

As previously discussed, the GPU EIR determined impacts from population growth to be less than significant. As the project would have a less than significant impact for the

reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 14(b) The GPU EIR concluded this impact to be less than significant. The Project will not displace existing housing as the Project involves remodeling and expansion of an existing commercial plaza on a property containing existing commercial uses that does not have any existing residential uses. No occupied residential structures or housing are proposed to be removed as part of the project.

As previously discussed, the GPU EIR determined impacts from displacement of housing to be less than significant. As the project would have a less than significant impact for the reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 14(c) The GPU EIR concluded this impact to be less than significant. As indicated in response 14(b), the project will not displace existing housing as the project involves remodeling and expansion of an existing commercial plaza on a property containing existing commercial uses that does not have any existing residential uses. No occupied residential structures or housing are proposed to be removed as part of the project.

As previously discussed, the GPU EIR determined impacts from displacement of people to be less than significant. As the project would have a less than significant impact for the reasons detailed above, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Population and Housing, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because project specific impacts would be less than significant.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**15. Public Services** – Would the Project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios for fire protection, police protection, schools, parks, or other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

**Discussion**

15(a) The GPU EIR concluded this impact to be less than significant with mitigation for the exception of school services, which remained significant and unavoidable. The Project consists of the expansion and remodeling of an existing commercial plaza. Based on service availability forms from Rainbow Municipal Water District and North County Fire Protection District dated December 2020, the Project has adequate and available service for water, fire, and sewer services. The Project site is within the North County Fire Protection District and is located approximately half of a mile south from the nearest fire station. Based on a review by County Staff of GIS Aerial Imagery and the Fire Service Availability Form dated July 2020, the site would have an Emergency Response Travel Time of 0 to 5 minutes, which meets the General Plan Safety Element standard for lands designated as Commercial within the Semi-Rural Regional Category of 10 minutes. The Project does not include construction of new or altered public service facilities including but not limited to fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times, or other performance objects for public services. The proposed development is consistent with the General Plan projections and Land Use regulations, therefore, service ratios for public services associated with the project were analyzed within the GPU EIR and the Project is not anticipated to require additional services. Based on the project’s service availability forms, the project would not result in the need for significantly altered services or facilities.

**Conclusion**

With regards to the issue area of Public Services, the following findings can be made:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures from the GPU EIR (Pub-3.2) would be applied to the project. This mitigation measure, as detailed above, requires the project to conform to Board Policy I-84, which requires project Facility Availability and Commitment for Public Sewer, Water, School and Fire Services.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**16. Recreation – Would the Project:**

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"/>
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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"/>
--------------------------	--------------------------	--------------------------

**Discussion**

16(a) The GPU EIR concluded this impact to be less than significant with mitigation. The Project does not propose any residential uses, including but not limited to a residential subdivision, mobile home park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. The Project includes the installation of a left turn lane and minor widening to Old Highway 395 in order to improve operations of Old Highway 395. The existing decomposed granite pathway along the frontage of the Project site in accordance with the Community Trails Master Plan will be retained and along the frontage of Old Highway 395 with the minor widening. No impact to parks or recreation facilities would occur as a result of the Project as it consists of commercial uses.

As previously discussed, the GPU EIR determined impacts related to deterioration of parks and recreational facilities to be less than significant with mitigation. As the proposed Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

16(b) The GPU EIR concluded this impact to be less than significant with mitigation. The Project does not include recreational facilities or require the construction or expansion of recreational facilities such as parks. As previously discussed, the GPU EIR determined impacts related to construction of new recreational facilities to be less than significant. As the proposed Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Recreation, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**17. Transportation and Traffic** – Would the Project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of the 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,

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

highways and freeways, pedestrian and bicycle paths and mass transit?

- 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?
- 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?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- 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?

**Discussion**

17(a) The GPU EIR concluded this impact to be significant and unavoidable. The County of San Diego Transportation Study Guidelines have been adopted by the County Board of Supervisors in September of 2022 to address Senate Bill 743 (SB 743). SB 743 changed the way that public agencies evaluate transportation impacts under CEQA. A key element of this law is the elimination of using auto delay, Level of Service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant transportation impacts under CEQA. The new established criteria for determining the significance of transportation impacts is Vehicle Miles Traveled (VMT) and is further addressed below. Although no longer utilized as the standard for evaluating transportation impacts under CEQA, the County’s General Plan identified LOS as being a required analysis per Policy M-2.1 and is therefore also addressed.

Section 15064.3 of the CEQA Guidelines details new regulations, effective statewide July 1, 2020, based on SB 743 that sets forth specific considerations for evaluating a project’s transportation impacts. As previously discussed, the new established criteria for determining the significance of transportation impacts is Vehicle Miles Traveled (VMT). VMT refers to the amount and distance of automobile travel attributable to a project. The Project consists of remodeling and expanding an existing commercial plaza. The Project site contains an existing market with attached businesses consisting of restaurants and personal services such as financial and insurance companies. The Project site also contains an existing hamburger restaurant as well as a parking lot. The existing market building with attached businesses will be remodeled with architectural changes resulting in an approximately 9,075 square foot structure. The existing hamburger restaurant will be retained. Additionally, a new gas station with 12 fueling stations and an approximately 4,980 square foot convenience store as well as two new approximately 6,000 square foot retail buildings are proposed. In accordance with a Local Mobility Analysis prepared for

the Project by Darnell and Associates dated March 4, 2022, the Project is anticipated to generate a gross estimate of 2,918 average daily trips. All proposed uses of the Project are considered locally serving commercial uses that are intended to serve residents in the Fallbrook community and motorists traveling along I-15. By taking into account pass-by trips due to several factors such as the nature of the uses of the Project, the combination of commercial uses, and the location of the Project near I-15 and Old Highway 395, the Project is anticipated to generate a net total of 1,310 daily trips. In accordance with the County of San Diego Transportation Study Guide dated September 2022 and the Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018, the Project is considered to have a less than significant impact related to Transportation and Traffic associated with VMT because it consists of less than 50,000 square feet of locally-serving commercial uses.

The project is demonstrating conformance with CEQA in accordance with CEQA Section 15183. The General Plan EIR contains implementation of the Transportation Impact Fee (TIF) as an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. The TIF program creates a mechanism to proportionally fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. The potential growth represented by this project was included in the growth projections upon which the TIF program is based. The TIF measure was identified by the GPU EIR as Tra-1.7.

A Local Mobility Analysis is the tool utilized by the Transportation Study Guidelines to assess projects impacts to LOS. In accordance with the Transportation Study Guidelines, a Local Mobility Analysis was prepared for the Project because it generates more than 250 average daily trips. The Local Mobility Analysis evaluated operations of nearby road segments and intersections within the Project vicinity. Based on the Local Mobility Analysis, all existing nearby road segments and intersections within the Project vicinity operate at Levels of Service of C or D or better. The Local Mobility Analysis modeled the Levels of Service of segments and intersections in the area with the addition of the Project and concluded that all segments and intersections will continue to operate at a Level of Service of C or D or better. The Local Mobility Analysis recommends the installation of a left turn lane and minor widening to Old Highway 395 in order to improve operations of Old Highway 395. The center turn lane will assist in reducing queuing of vehicles turning into the Project from Old Highway 395. The existing decomposed granite pathway along the frontage of the Project site in accordance with the Community Trails Master Plan will be retained along the frontage of Old Highway 395 with the minor widening. The Project also includes half width improvements to Via Belmonte including a half width improvement of 14 feet and a graded half width of twenty feet. The Project is conditioned to maintain adequate sight distance along the driveway entrances of the Project throughout the life of the Project. The Project is conditioned to verify adequate sight distance at various points of construction in order to ensure that items such as landscaping or fencing are not installed in sight lines that would prevent sight distance. Lastly, the Project also includes a vacation and/or removal and re-dedication of road, drainage, and slope easements related to maintenance along Old Highway 395. Therefore, the project would not conflict with an applicable plan, ordinance or policy related to local mobility.

As previously discussed, the GPU EIR determined significant and unavoidable impacts to unincorporated County traffic and LOS standards. However, the project would have a less than significant impact to County traffic and LOS standards as well as VMT with the incorporation of mitigation as detailed above. The measures were identified in the GPU

EIR as Tra-1.7 and Tra-6.9 which require payment into the County TIF program as well as implementation of the County Subdivision Ordinance and the Community Trails Master Plan. Therefore, the project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 17(b) The GPU EIR concluded this impact to be significant and unavoidable. The designated congestion management agency for the County is the San Diego Association of governments (SANDAG). In October 2009, the San Diego region elected to be exempt from the State CMP and, since this decision, SANDAG has been abiding by 23 CFR 450.320 to ensure the region's continued compliance with the federal congestion management process.

As previously stated, Section 15064.3 of the CEQA Guidelines details new regulations, effective statewide July 1, 2020 that sets forth specific considerations for evaluating a project's transportation impacts. As discussed in 17(a), the project would result in a less than significant impact associated with VMT. As discussed in 17(a), the Project is conditioned for widening and restriping of Old Highway 395 to accommodate a center turn lane, frontage improvements along Via Belmonte, and maintaining adequate sight distance at the Project site driveways that have been reviewed by the County of San Diego Department of Public Works. Therefore, the project would not conflict with an applicable congestion management program.

As previously discussed, the GPU EIR determined impacts on significant and unavoidable impacts to unincorporated County traffic and LOS standards. However, the project would have a less than significant impact for the reasons detailed above. Therefore, the project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 17(c) The GPU EIR concluded this impact to be less than significant with mitigation. The Project site is not located within an Airport Influence Area, Airport Safety Zone, Airport Land Use Compatibility Plan Area, Avigation Easement, or Overflight Area. The Project site is located approximately a half of a mile away from a runway that is used for model, remote-controlled airplanes. However, the existing model airplane runway will be removed upon the development of the approved Campus Park West project located on the same property as the model airplane runway. Therefore, the Project would have a less than significant impact to air traffic patterns. The Project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 17(d) The GPU EIR concluded this impact to be significant and unavoidable. The proposed Project would not substantially alter traffic patterns, roadway design, place incompatible uses (e.g., farm equipment) on existing roadways, or create curves, slopes or walls which would impede adequate sight distance on a road. As discussed in response 17(a), the Project includes minor frontage improvements along Via Belmonte, the addition of a center turn lane and widening of Old Highway 395, and maintenance of adequate sight distance along Old Highway 395. Therefore, the proposed project will not alter traffic patterns, roadway design, place incompatible uses (e.g., farm equipment) on existing roadways, or create curves, slopes or walls which would impede adequate sight distance on a road.

As previously discussed, the GPU EIR determined impacts on rural road safety to be significant and unavoidable. However, the Project would have a less-than-significant impact with no mitigation required for the reasons detailed above. Therefore, the project



would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 17(e) The GPU EIR concluded this impact to be less than significant with mitigation. The proposed Project will not result in inadequate emergency access. The project is not served by a dead-end road that exceeds the maximum cumulative length permitted by the San Diego County Consolidated Fire Code. The Project is required to maintain adequate width of drive aisles between parking spaces within the on-site parking lot in accordance with the San Diego County Consolidated Fire Code and the requirements of North County Fire Protection District. In addition, consistent with GPU EIR mitigation measure Tra-4.2, the Project would implement the Building and Fire codes to ensure emergency vehicle accessibility.

As previously discussed, the GPU EIR determined impacts on emergency access as less than significant with mitigation. As the Project would have a less-than-significant impact for the reasons detailed above and is consistent with GPU EIR Mitigation Measure Tra-4.2, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 17(f) The GPU EIR concluded this impact to be less than significant with mitigation. The Project would not result in the construction of any road improvements or new road design features that would interfere with the provision of public transit, bicycle or pedestrian facilities. The Project includes widening of Old Highway 395 in order to accommodate a center turn lane and the geometrics and cross-sections detailed in the Local Mobility Analysis demonstrate that the Project will not prevent bike lanes from being constructed or the removal of existing decomposed granite pathways. All improvements and widening associated with the Project are detailed in responses 17(a) and 17(b).

As previously discussed, the GPU EIR determined impacts on alternative transportation and rural safety as less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

## **Conclusion**

With regards to the issue area of Transportation and Traffic, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
5. Feasible measures contained within the GPU EIR (Tra-1.4, Tra-1.7, and Tra-4.2, and) would be applied to the project. The mitigation measures, as detailed above, would require payment into the County TIF Program as well as consistency with the Building Code, Fire Code, and County Public Road Standards.

<b>Significant Project Impact</b>	<b>Impact not identified by GPU EIR</b>	<b>Substantial New Information</b>
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**18. Utilities and Service Systems** – Would the Project:

- |  |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                             | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |
| 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"/> |
| 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"/> |
| 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"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

18(a) The GPU EIR concluded this impact to be less than significant with mitigation. The Project would discharge domestic waste to a community sewer system that is permitted to operate by the Regional Water Quality Control Board (RWQCB). A service availability letter dated December 2020 from Rainbow Municipal Water District identifies that there is adequate service for operations of the Project for disposal of wastewater associated with the Project.

As previously discussed, the GPU EIR determined impacts on wastewater treatment requirements to be less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

18(b) The GPU EIR concluded this impact to be less than significant with mitigation. The Project involves new water and wastewater pipeline extensions. However, these extensions would be on-site, and would not result in additional adverse physical effects beyond those already identified in other sections of this environmental analysis. Water and sewer service

availability forms have been provided by Rainbow Municipal Water District dated December 2020.

As previously discussed, the GPU EIR determined impacts on wastewater treatment requirements to be less than significant with mitigation. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 18(c) The GPU EIR concluded this impact to be less than significant with mitigation. As outlined in the project's SWQMP and in responses in Section 10 – Hydrology and Water Quality, the Project will implement on-site temporary/construction BMP's to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff and will ensure that project impacts are less than significant. The proposed on-site biofiltration basin and other BMP's are required to be maintained by the property owner. Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export. The Project site contains existing commercial uses on a site that was previously graded in the 1970s. The majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property. Additionally, a Hydrology/Hydraulics study dated April 26, 2024 was prepared by Excel Engineering that demonstrates that the Project does not increase off-site drainage or flow of water.

As previously discussed, the GPU EIR determined impacts on sufficient stormwater drainage facilities to be less than significant. As the proposed Project would have a less-than-significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 18(d) The GPU EIR concluded this impact to be significant and unavoidable. A water service availability letter dated December 2020 has been provided by the Rainbow Municipal Water District for operations of the project and show that there is adequate service for the Project. The Project does not include the use of groundwater.

As previously discussed, the GPU EIR determined impacts to adequate water supplies be significant and unavoidable. However, the proposed Project would have a less-than-significant impact with no required mitigation for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 18(f) The GPU EIR concluded this impact to be less than significant. All solid waste facilities, including landfills require solid waste facility permits to operate. There are five, permitted active landfills in San Diego County with remaining capacity to adequately serve the project. Therefore, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 18(g) The GPU EIR concluded this impact to be less than significant. The project would deposit all solid waste at a permitted solid waste facility. Therefore, the project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

**Conclusion**

With regards to the issue area of Utilities and Service Systems, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. No mitigation measures contained within the GPU EIR would be required because Project specific impacts would be less than significant.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
<b>19. Wildfire</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:			
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts in the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risk, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

Wildfire was analyzed within the GPU EIR within Section 2.7, Hazards and Hazardous Materials. The guidelines for determining significance stated: the proposed General Plan Update would have a significant impact if it would 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. In 2019, the issue of Wildfire was separated into its own section within Appendix G of the CEQA Guidelines to incorporate the four issue questions above. The GPU EIR did address these issues within the analysis; however they were not called out as separate issue areas. Within the GPU EIR, the issue of Wildland Fires was determined to be significant and unavoidable.

- 19(a) The GPU EIR concluded this impact to be significant and unavoidable. The site is located within a very high fire hazard severity zone (FHSZ). The Project site is within the North County Fire Protection District and is located approximately half of a mile south from the nearest fire station. Based on a review by County Staff of GIS Aerial Imagery and the Fire Service Availability Form dated July 2020, the site would have an Emergency Response Travel Time of 0 to 5 minutes, which meets the General Plan Safety Element standard for lands designated as Commercial within the Semi-Rural Regional Category of 10 minutes.

As previously stated, Wildfire was analyzed within the GPU EIR within Section 2.7, Hazards and Hazardous Materials and was determined to be significant and unavoidable. However, the proposed Project would have a less-than-significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 19(b) The GPU EIR concluded this impact to be significant and unavoidable. The Project is within a very high fire hazard severity zone and within the Urban-Wildlife Interface Zone. The Project site is primarily developed and surrounded by development including residential structures as well as roads and highways such as Old Highway 395 and Interstate 15. The Project consists of remodeling and expanding an existing commercial plaza. The Project is conditioned to comply with fire code requirements such as maintaining adequate width for fire access within the on-site parking lot as well as install fire hydrants. The Project would comply with regulations relating to emergency access, water supply, and defensible space specified in the County Fire Code and Consolidated Fire Code. Implementation of these fire safety standards would occur during the building permit process and is consistent with GPU mitigation measures Haz-4.2 and Haz-4.3. In addition, the Project is consistent with the Zoning Ordinance and the County of San Diego General Plan. Therefore, for the reasons stated above, the Project would not be expected to experience exacerbated wildfire risks due to slope, prevailing, winds or other factors.

As previously stated, Wildfire was analyzed within the GPU EIR within Section 2.7, Hazards and Hazardous Materials and was determined to be significant and unavoidable. However, the proposed Project would have a less-than-significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

- 19(c) The GPU EIR concluded this impact to be significant and unavoidable. The GPU EIR concluded this impact to be significant and unavoidable. The Project consists of expanding and remodeling an existing commercial plaza. The Project will result in minor road widening to Via Belmonte on the northern portion of the Project site as well as installation of fire hydrants. The Project will also result in the construction of a gas station with a convenience store which includes flammable materials stored in underground storage tanks. Fuels associated with the operation of the gas station must be permitted through the Department of Environmental Health and Quality Hazardous Materials Division through a hazardous materials business plan and permits for underground storage tanks. Underground storage tanks require maintenance and inspections in order to minimize any leaks of fuel and prevent potential risk of fires. No major road improvements or extensions of roadways are required for the construction and operation of the use. See Section 9 – Hazards and Hazardous Materials for additional responses and analysis associated with installation of infrastructure or structures that may exacerbate fire risk. Therefore, no additional temporary or ongoing impacts to the environment related to associated infrastructure would occur that have not been analyzed in other sections of this environmental document.

19(d) The GPU EIR concluded this impact to be significant and unavoidable. As stated in response 10(f), a Hydrology/Hydraulics study dated April 26, 2024 was prepared by Excel Engineering that demonstrates that the Project does not increase off-site drainage or flow of water. Proposed earthwork quantities for the project consist of approximately 7,725 cubic yards of cut, 5,575 cubic yards of fill, and 2,150 cubic yards of export. The Project site contains existing commercial uses on a site that was previously graded in the 1970s. The majority of grading associated with the Project will occur in the rear of the property in fill slopes and will include retaining walls in order to support the slopes in the rear of the property. In addition, as stated in responses 10(i) and 10(j), construction associated with the project will not be within a 100-year flood hazard area, floodway, or floodplain and would not be impacted from downstream flooding. Therefore, the Project would not expose people or structures to a significant risk, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes.

As previously discussed, the GPU EIR determined impacts from Wildfire to be significant and unavoidable. The GPU EIR measure Haz-4.3 requires compliance with the Building and Fire Code and the project has incorporated the GPU EIR Mitigation Measure Haz-4.2 for brush management as a standard project design feature. Therefore, the project would be consistent with the analysis within the GPU EIR because it would not increase impacts identified within the GPU EIR.

### **Conclusion**

The GPU EIR concluded significant and unavoidable impacts associated with wildfire under Section 2.7, Hazards and Hazardous Materials. Based on the incorporation of project design features measures, impacts associated with wildfire would be less than significant. Therefore, the project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

With regards to the issue area of Wildfire, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures incorporated as standard design features associated with the project contained within the GPU EIR (Haz-4.2 and Haz-4.3) would be applied to the Project. These measures, as detailed above, requires the Project applicant to implement brush management and comply with the building and fire codes.

### **Attachments:**

Appendix A – References

Appendix B – Summary of Determinations and Mitigation within the Final Environmental Impact Report, County of San Diego General Plan Update, SCH # 2002111067

## Appendix A

The following is a list of project specific technical studies used to support the analysis of each potential environmental effect:

### **Air Quality and Greenhouse Gas**

Pala Mesa Plaza – PDS2020-STP-20-021 – Greenhouse Gas Screening Letter San Diego County, Ldn Consulting, Inc. July 20, 2023

Air Quality Assessment, Pala Mesa Plaza PDS2020-STP-20-021, Commercial Development, County of San Diego, Ldn Consulting, Inc. July 17, 2023

Bay Area Air Quality Management District, Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans, Bay Area Air Quality Management District and Ascent Environmental, April 2022

### **Cultural Resources Report:**

Cultural Resource Survey of the Pala Mesa Plaza Project, Andrew R. Pigniolo, RPA, Laguna Mountain Environmental, Inc., September 2021

### **Hazards and Geology/Soils:**

Phase 1 Environmental Site Assessment, Geotek, Inc., May 4, 2020

Geotechnical and Infiltration Evaluation, Geotek, Inc. June 2, 2020

### **Hydrology/Water Quality:**

Priority Development Project (PDP) Stormwater Quality Management Plan (SWQMP), Excel Engineering, June 3, 2022

Hydrology/Hydraulics Study, Excel Engineering, April 26, 2024

### **Transportation & Traffic:**

Revised Local Mobility Analysis (LMA) and Vehicle Miles Traveled (VMT) for Old Highway 395 Retail Center, Darnell & Associates, March 4, 2022

### **Service Availability Forms:**

Project Facility Availability – Fire, December 2020

Project Facility Availability – Sewer, December 2020

Project Facility Availability – Water, December 2020

For a complete list of technical studies, references, and significance guidelines used to support the analysis of the General Plan Update Final Certified Program EIR, dated August 3, 2011, please visit the County's websites at:

[http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS\\_Aug2011/EIR/FEIR\\_5.00\\_-\\_References\\_2011.pdf](http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_5.00_-_References_2011.pdf)

<https://www.sandiegocounty.gov/content/sdc/pds/generalplan/GP-EIR.html#EIR>

## Appendix B

A Summary of Determinations and Mitigation within the Final Environmental Impact Report, County of San Diego General Plan Update, SCH # 2002111067 is available on the Planning and Development Services website at:

[http://www.sdcounty.ca.gov/pds/gpupdate/GPU\\_FEIR\\_Summary\\_15183\\_Reference.pdf](http://www.sdcounty.ca.gov/pds/gpupdate/GPU_FEIR_Summary_15183_Reference.pdf)