

FINAL

**ENVIRONMENTAL INITIAL STUDY
and
MITIGATED NEGATIVE DECLARATION**

for

BERNARDO SHORES

**(MF 1100 - CUP 130073/DRC 130028/SPR 130029/TM 130030/EIA 130031)
State Clearinghouse Number: 2014091072**

Prepared for:



City of Imperial Beach

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NOVEMBER 2014

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APPENDICES

(Bound Separately)

- A: Air Quality and Greenhouse Gas Technical Report
- B: Biological Technical Report
- C: Phase I Cultural Resources Survey
- D: Preliminary Geotechnical Investigation and Update Letter
- E: Sea Level and Extreme Water Level Analysis
- F: Phase I Environmental Site Assessment
- G: Preliminary Hydrology & Hydraulic Study
- H: Preliminary Stormwater Management Plan
- I: Acoustical Technical Report
- J: Traffic Impact Analysis

(Attached to Document)

- K: Notice of Intent for Environmental Review and Comment Period
- L: Comment Letters Received and Responses to Comments
- M: Mitigation Monitoring and Reporting Program (MMRP)

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Final Environmental Initial Study and Mitigated Negative Declaration for Bernardo Shores

PREFACE

Public Review of the Draft MND

On September 26, 2014, the City of Imperial Beach (City) released for public review a Draft Mitigated Negative Declaration (MND) for Bernardo Shores. The public review period for the Draft MND began September 26, 2014, and ended on November 3, 2014. During this period, the City made the document available for review to various state, regional, and local agencies, as well as to interested parties and organizations. The City received written comments from one public agency and eight individuals.

Final MND

This Final MND consists of the Draft MND and its appendices which were released for public review and comment on September 26, 2014, the notice of intent prepared for the document and distributed for public review (Appendix K), comment letters received during the public review period and responses thereto (Appendix L), and the final Mitigation Monitoring and Reporting Program (MMRP) for Bernardo Shores (Appendix M). No changes were made to the Draft MND as a result of written comments received during the public review period.

Findings Regarding Recirculation

The California Environmental Quality Act (CEQA) requires recirculation of an MND when it has been “substantially revised” after public notice has been given of the availability of the Draft MND, but prior to adoption of the Final MND. Pursuant to Section 15073.5 of the State CEQA Guidelines, a “substantial revision” requiring recirculation shall mean: (1) a new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

Revisions to an MND is not considered “substantial” and recirculation of an MND is not required, unless the MND is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent has declined to implement. Recirculation is not required where new information added to an MND merely clarifies or amplifies or makes modifications to an adequate MND.

The City hereby finds that no changes have been made that alter any of the findings or conclusions of the Draft MND; therefore, no “substantial revisions” as defined by Section 15073.5 of the State CEQA Guidelines have been made to the Final MND. Accordingly, the City finds that recirculation of the Draft MND is not required.

Results of Public Review

- No comments were received during the public input period.
- Comments were received during the public input period, but they do not address the Draft MND findings or the accuracy or completeness of the IS. No response is necessary. The letters are attached.
- Comments addressing the findings of the draft MND and/or accuracy or completeness of the IS were received during the public input period. The letters and responses are presented in this Final MND.

Jim Nakagawa, AICP
City Planner City of Imperial Beach
Community Development Department
City of Imperial Beach

September 25, 2014
Date of Draft Report

November 24, 2014
Date of Final Report

ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Bernardo Shores

2. Lead Agency Name and Address:

City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

3. Contact Person and Phone Number: Jim Nakagawa, City Planner, 619.628.1355

4. Project Location: 500 Highway 75, Imperial Beach, CA 91932
(APNs 626-010-1800 and 625-140-2000)

5. Project Sponsor's Name and Address:

Integral Communities
c/o Melissa Krause
2235 Encinitas Boulevard, Suite 216
Encinitas, CA 92024

6. General Plan Designation: C/MU-1 (General Commercial & Mixed-Use), R-3000-D (Two-Family Residential Detached), and UR (Urban Reserve)

7. Zoning: C/MU-1 (General Commercial & Mixed-Use), R-3000-D (Two-Family Residential Detached), and UR (Urban Reserve)

8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheet(s) if necessary.)

See attached.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings.)

See attached.

10. Other Public Agencies Whose Approval Is Required (e.g., permits, financing approval, or participation agreement):

California Coastal Commission Consolidated Coastal Development Permit;
U.S. Army Corps of Engineers; California Department of Fish and Wildlife; California Department of Transportation (Caltrans)

1.0 Introduction

The purpose of this Initial Study is to evaluate the potential environmental impacts of the Bernardo Shores project (Project) consistent with the requirements of the California Environmental Quality Act (CEQA). This document includes text, tables, and graphics to assist the reader in understanding the Project and analysis of potential effects. Information is presented in six sections: 1.0 Introduction, 2.0 Project Overview (which includes the Environmental Setting and Project Description), 3.0 Environmental Factors Potentially Affected, 4.0 Determination, 5.0 Evaluation of Environmental Impacts, and 6.0 References Cited.

2.0 Project Overview

2.1 Environmental Setting

The approximately 10.1-acre Project site is located within the City of Imperial Beach (Figure 1, Regional Location Map). The site is shown in Sections 19 and 20 of Township 18 South, Range 2 West on the U.S. Geological Survey 7.5-minute Imperial Beach quadrangle map at 32°35'11.83" N latitude and 117°07'10.05" W longitude (Figure 2, Project Vicinity Map [USGS Topography]). The property is comprised of two parcels, Assessor's Parcel Numbers (APNs) 625-140-2000 and 626-010-1800 (Figure 3, Aerial Photograph). The Project site is relatively flat, with a slight slope from an elevation of 20 feet above mean sea level (AMSL) in the southwestern corner to 8 feet AMSL along the northern border.

The larger parcel (APN 625-140-2000) contains Bernardo Shores RV Park at 500 Highway 75. This parcel has been developed for approximately 50 years. Bernardo Shores RV Park includes 124 recreational vehicle (RV) sites (all with full hook ups [electrical service, water, sewer, and telephone]), an office, a laundry facility, and a putting green. The office is the only permanent building on site (the laundry facility is contained within a mobile home). The RV Park is bordered by State Route 75 (SR-75/Palm Avenue) on the west, Pond 10A of the South San Diego Bay Unit of the San Diego Bay National Wildlife Refuge (NWR) on the north, commercial development on the south, and residential development on the east. A six-foot-high block wall is located along the southern and eastern borders of this parcel and a chain-link fence is located along the northern border. The other parcel included in the project site is a long, narrow pan-handle parcel (APN 626-010-1800) that extends northward from the northeastern corner of the larger parcel and along the eastern edge of Pond 10A in the NWR. This parcel is undeveloped but some of the neighbors have encroached on site with gardens and related structures.

It should be noted that the San Diego County Tax Assessor reports the larger parcel (APN 625-140-2000) to be 8.83 acres and the pan-handle parcel (APN 626-010-1800) to be 0.72 acre. As a result of more accurate Geographic Information System (GIS) and American Land Title Association (ALTA) surveys, APN 625-140-2000 is actually 9.31 acres and APN 626-010-1800 is 0.76 acre; these are the acreages used throughout this document.

Eight vegetation communities were mapped on site. Four upland communities comprise the majority of the site, including non-native grassland, non-native vegetation, disturbed habitat, and developed land. Four sensitive wetland communities cover 0.36 acre of the site, including southern coastal salt marsh, coastal and valley freshwater marsh, saline meadow, and mudflat (saltpan).

No cultural resources occur within Project site; although, one historic resource was identified in the records search (P-37-026582) and is located adjacent to the Project site. P-37-026582 is the historic Western Salt Company Salt Works, which has been in operation since the 1860s.

More detailed discussions of existing biological and cultural resources in the Project vicinity is provided in the attached Initial Study/Checklist in Sections IV, Biological Resources, and V, Cultural Resources, and relevant appendices to this document.

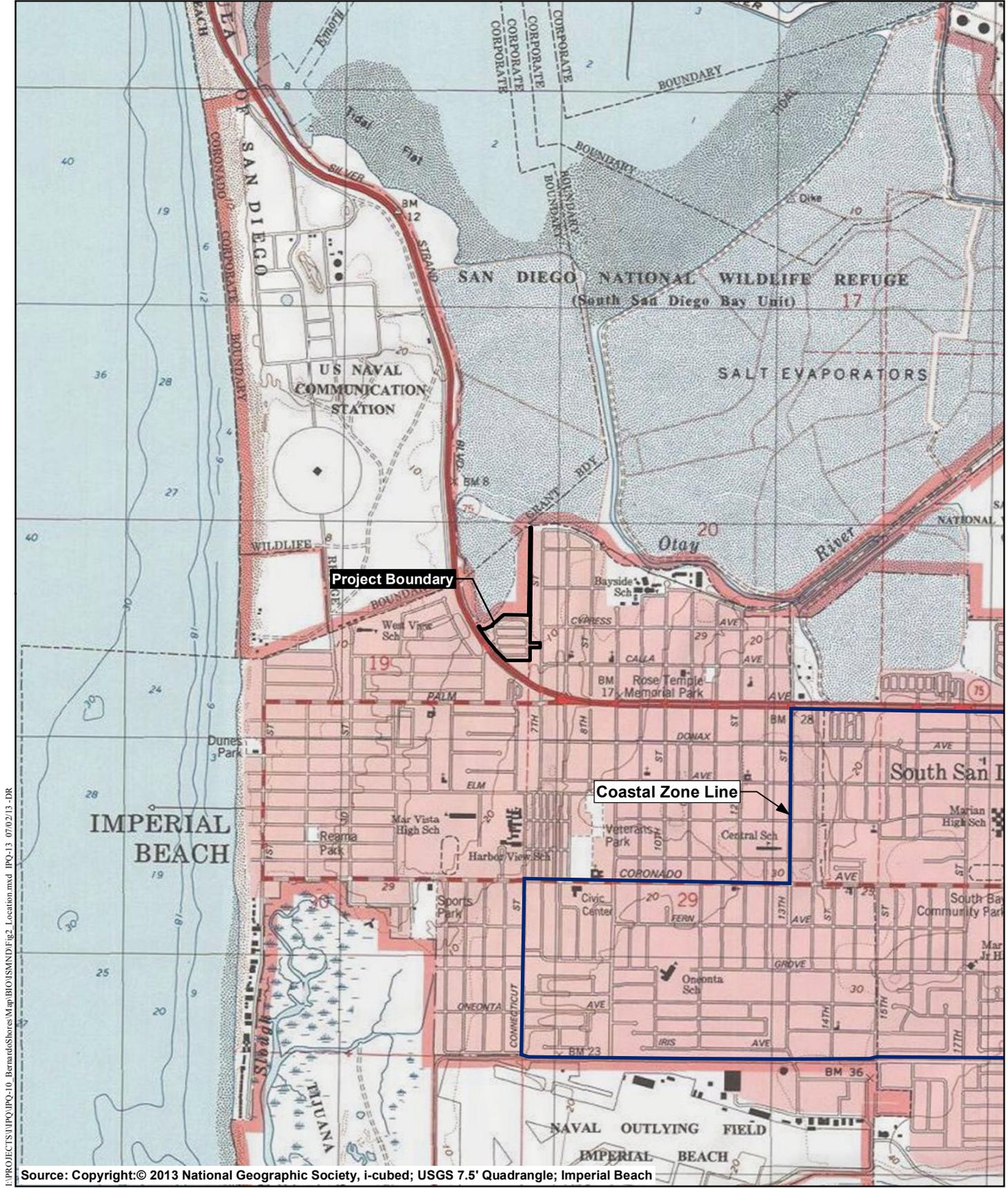
2.2 Project Description

The Project would include the demolition of the existing Bernardo Shores RV Park and the construction of a gated housing community.

2.2.1 Project Objectives

Objectives of the proposed Project include the following:

- Create a residential community in an area that would provide nearby work, shop, and recreational opportunities for on-site residents.
- Create a residential community in an area that is walkable, bicycle-friendly, and near public transportation.
- Provide a variety of high-quality housing types, including single-family and multi-family homes, to accommodate forecasted population increase.
- Provide for a link to the San Diego Bayshore Bikeway from the Project site.



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Source: Copyright:© 2013 National Geographic Society, i-cubed; USGS 7.5' Quadrangle; Imperial Beach

Project Vicinity Map (USGS Topography)

BERNARDO SHORES



Figure 2



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Aerial Photograph

BERNARDO SHORES

Figure 3

2.2.2 Project Features

2.2.2.1 Phase 1 (Residential Development)

The Project would include the construction of a gated housing community comprised of 190 attached multi-family townhomes and 3 detached single-family houses, for a total of 193 dwelling units (DUs; Figure 4, Phase 1 Residential Development). This development would equate to 21 DUs per acre. The Conditions, Covenant and Restrictions (CC&Rs) would allow for a portion of the units to be used for short-term vacation rentals.

Townhomes

The Project proposes seven different townhome floor plans. A total of 115 townhomes would be three stories in height, and would contain 2 to 4 bedrooms; these townhomes would be between 1,145 and 1,640 square feet (s.f.) in size. A total of 75 townhomes would be two stories in height, and contain 3 or 4 bedrooms; these townhomes would be between 1,600 and 1,990 s.f. in size. All proposed townhomes would be a maximum of 40 feet in height. The townhomes would contain a two-car garage on the ground level. The townhomes would be grouped together in a row home configuration, with some of them forming small internal courtyard areas (refer to Figure 4). Figures 5a, 5b, and 5c, Townhome Elevations, illustrate exterior building features associated with the townhomes.

Single-family Houses

The proposed three detached single-family houses would be located on the easternmost portion of the Project site. The houses would be approximately 2,250 s.f. with 5 bedrooms. The houses would be two stories with a maximum height of 26 feet. The houses would contain a two-car garage on the ground level, with living space in both stories.

The roadway along which these three houses are proposed would connect to 7th Street on the east; however, a gate with a Knox box would separate the gated community from 7th Street, as this exit from the community would only be used in emergencies.

Greenbelt

A greenbelt area, comprised of a 100-foot building setback from Pond 10A, would be located to the northwest of the proposed residences (refer to Figure 4). The northwestern-most 50-foot-wide area of the greenbelt would be considered an environmentally sensitive area that would be restricted from human intrusion. The remaining 50-foot-wide area (between the restricted environmentally sensitive area and the residences) would be comprised of a bicycle path (refer to Recreational Facilities, below) and bio-retention areas.

Recreational Facilities

This proposed gated housing community would include a recreational area containing a pool near the entry. Within the internal courtyards, the Project would feature patios with such amenities as barbecue islands and seating. In addition to these recreational facilities, the Project also would provide paths in a generally north-south direction through the courtyard areas of some of the townhomes, as well as along the eastern boundary of the Project site. These paths (in addition to other Project paths) would connect via gates to the proposed eight-foot-wide bicycle path that would be located in the greenbelt area in the Project site. In addition, a trail head to anchor the bike path would be located at the westernmost point of the Project site. This trail head would feature planter seats and be connected via a pedestrian trail to SR-75.

Roadways

Roadways proposed within the community would be private and mainly set up in a grid pattern (refer to Figure 4) to mimic the off-site street patterns. The roadways would range in size from approximately 24 to 26.5 feet wide.

In addition, as a Project design feature, the Project Applicant would extend the southbound left-turn pocket from SR-75 to the Project driveway to meet the California Department of Transportation (Caltrans) standards.

Parking

Required parking spaces for the Project totals 291 spaces (1.5 spaces per townhome and 2.0 spaces per single-family house). Parking would consist of the proposed two-car garages associated with each residence, for a total of 386 spaces, and 24 surface parking space dispersed throughout the community. This would result in a total of 410 parking spaces (2.1 spaces per DU; 119 spaces more than required by the City Zoning Ordinance).

Landscaping

A conceptual landscape plan was prepared for the Project by Gillespie, Moody, Patterson Landscape Architects (Figure 6, Conceptual Landscape Plan). The proposed residential community would be landscaped with trees, shrubs, vines, accent plants, groundcover and turf. Several of the proposed plant species are drought tolerant. Entry trees would include holly oak (*Quercus ilex*) and queen palm (*Syagrus romanzofiana*). Some proposed accent and shade trees include strawberry tree (*Arbutus unedo* 'marina'), crape myrtle (*Lagerstroemia indica* 'tuscaraora'), and New Zealand Christmas tree (*Metrosideros excelsus*). The Project also would include several types of shrubs, including, but not limited to, Carolina laurel cherry (*Prunus caroliniana*), purple-leaved redbud (*Cercis canadensis*), and boxwood (*Buxus japonica*). Accent plants would



Phase 1 Residential Development

BERNARDO SHORES

Figure 4



FRONT ELEVATION



RIGHT ELEVATION



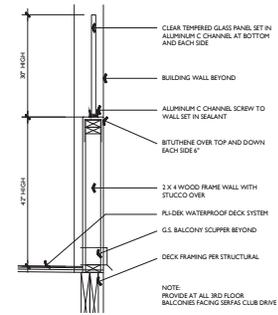
PERSPECTIVE



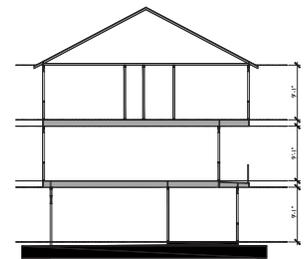
REAR ELEVATION



LEFT ELEVATION



PLEXI GLASS RAIL DETAIL



SECTION

ELEVATION NOTES

- 1 CLASS 'A' TYPICAL ROOFING
- 2 LAP SIDING
- 3 COMPOSITE RAILINGS
- 4 ACCENT SHUTTERS
- 5 RAFTER TAILS
- 6 DOOR AND WINDOW TRIM
- 7 DECORATIVE CORBEL
- 8 DECORATIVE COLUMN
- 9 SECTIONAL GARAGE DOOR

IMPERIAL BEACH, CA

BUILDING TYPE 'A' ELEVATIONS

BERNARDO SHORES

Source: Summa Architecture 2014

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Townhome Elevations

BERNARDO SHORES

Figure 5a



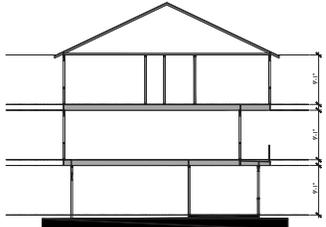
PERSPECTIVE



FRONT ELEVATION



RIGHT ELEVATION



SECTION



REAR ELEVATION



LEFT ELEVATION

ELEVATION NOTES

- 1 CLASS 'A' TYPICAL ROOFING
- 2 LAP SIDING
- 3 COMPOSITE RAILINGS
- 4 ACCENT SHUTTERS
- 5 RAFTER TAILS
- 6 DOOR AND WINDOW TRIM
- 7 DECORATIVE CORBEL
- 8 DECORATIVE COLUMN
- 9 SECTIONAL GARAGE DOOR

IMPERIAL BEACH, CA

BUILDING TYPE 'B' ELEVATIONS

BERNARDO SHORES

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Source: Summa Architecture 2014

Townhome Elevations

BERNARDO SHORES

Figure 5b



FRONT ELEVATION



RIGHT ELEVATION



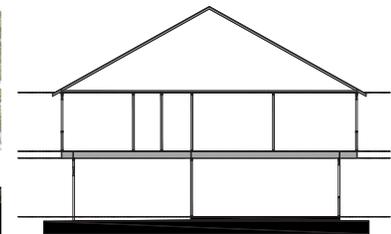
PERSPECTIVE



REAR ELEVATION



LEFT ELEVATION



SECTION

- ELEVATION NOTES
- 1 CLASS 'A' TYPICAL ROOFING
 - 2 LAP SIDING
 - 3 COMPOSITE RAILINGS
 - 4 ACCENT SHUTTERS
 - 5 RAFTER TAILS
 - 6 DOOR AND WINDOW TRIM
 - 7 DECORATIVE CORBEL
 - 8 DECORATIVE COLUMN
 - 9 SECTIONAL GARAGE DOOR

IMPERIAL BEACH, CA

BUILDING TYPE 'C' ELEVATIONS

BERNARDO SHORES

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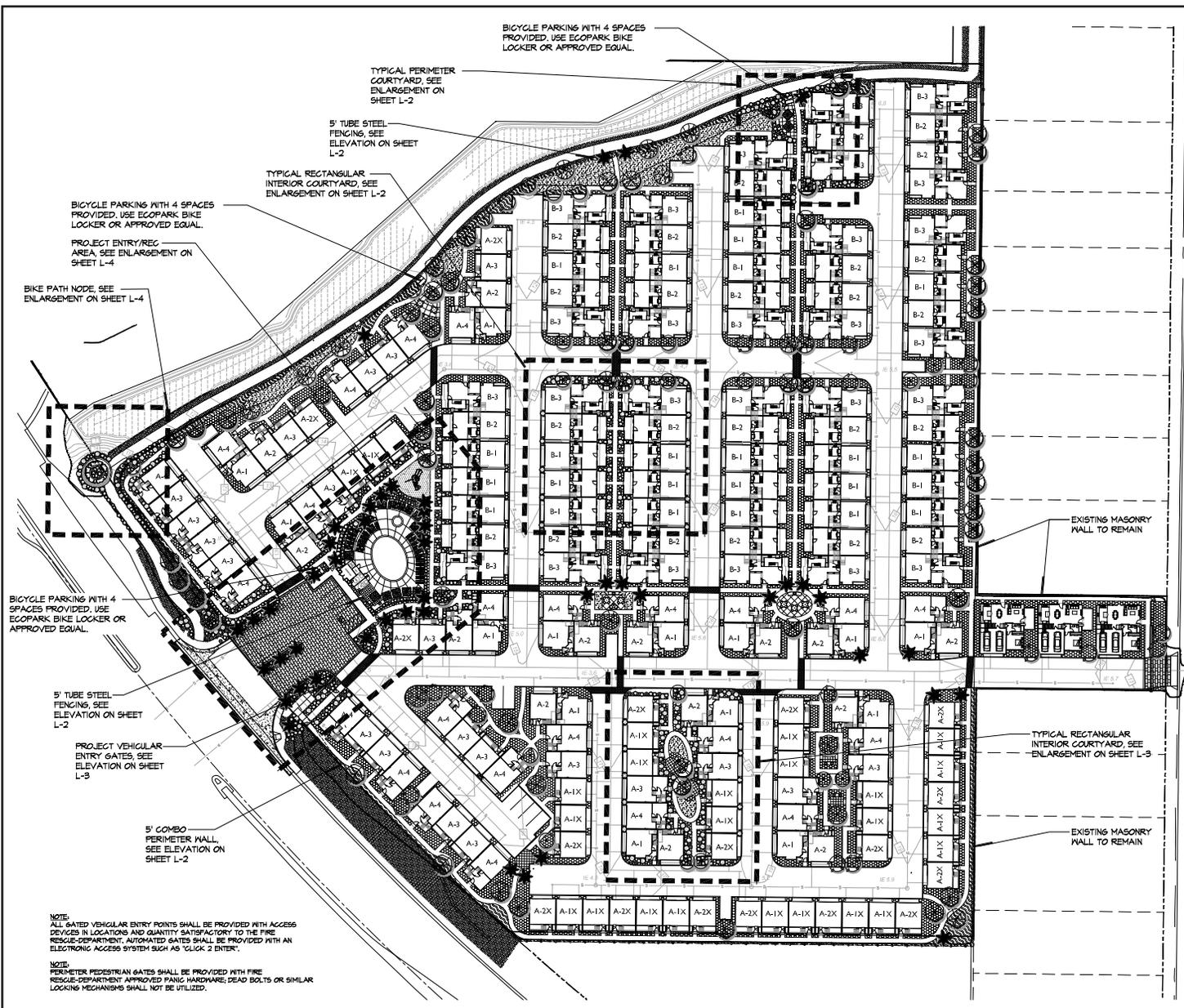
Source: Summa Architecture 2014

Townhome Elevations

BERNARDO SHORES

Figure 5c

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CONCEPTUAL PLANTING LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	SIZE	MU.C.O.L. #	WATER USE
ENTRY TREES					
○	QUERCUS ILEX	HOLLY OAK	36" BOX	LOW	WATER USE
★	SYAGRUS ROMANOFFIANA	GREEN PALM	16" B.T.A.	MED.	MU.C.O.L. #
ACCENT & SHADE TREES					
○	ARBUTUS U. MARINA	STRAWBERRY TREE	24" BOX	LOW	WATER USE
○	LAGERSTROEMIA TUSCANSORNA	GRAPEHYDRILE	24" BOX	MED.	
○	METROSTROEMIA ENGELSB.	NEW ZEALAND XMAS TREE	48" BOX	LOW	
○	RHUS LANCEA (MULTI-TRUNK)	AFRICAN SHAG	36" BOX	LOW	
○	SYAGRUS ROMANOFFIANA	GREEN PALM	16" B.T.A.	MED.	
MU.C.O.L. # WATER USE					
COLUMNAR SHRUBS					
○	PRUNUS CAROLINIANA	CAROLINA LAUREL CHERRY	15 GAL.	MED.	
○	PODOCARPUS NANI	LONG-LEAF YELLOW-WOOD	15 GAL.	MED.	
FOUNDATION SHRUBS					
○	QUERCUS C. TORREY PANSY	PURPLE-LEAVED REDBUD	LOW	LOW	
○	CHAMELAIMON UNICORNATH	MANFLORER	LOW	LOW	
○	EGHAM GANSHING	PRIDE OF WAZIERA	LOW	LOW	
○	LIGUSTRUM T. JAPONICUM	JAPANESE PRIVET	LOW	LOW	
○	PHORADENDRON	GOLDEN RAY	LOW	LOW	
SECONDARY SHRUBS					
○	BOGANVILLEA ROSERNA	ROSEKIA BOGANVILLEA	LOW	LOW	
○	CISTUS X PURPUREUS	ORCHID ROCCAROSE	LOW	LOW	
○	FESTUCA MAIREI	ATLAS FESCUE	LOW	LOW	
○	PITOSPORUM T. VARIEGATA	VARIEGATED MUCK ORANGE	MED.	MED.	
○	ROSA FLOREBUNDA ICEBERG	ICEBERG ROSE	MED.	LOW	
○	ROSEMARINA TUSCAN BLUE	TUSCAN BLUE ROSEMARY	LOW	LOW	
FOREGROUND SHRUBS					
○	BUNUS JAPONICA	BOUNWOOD	MED.	MED.	
○	HEMEROCALLIS HYBRIDS	EVERGREEN YELLOW DAYLILY	MED.	MED.	
○	HESTERALIS PANVULGORA	RED YUCCA	LOW	LOW	
○	LANTANA GOLD MOUND	GOLD MOUND LANTANA	LOW	LOW	
○	LAVANILLA ANASTROELLA	ENGLISH LAVENDER	LOW	LOW	
○	LIRIODENDRON VARIEGATA	VARIEGATED LILY TURF	MED.	MED.	
○	PRODRUM T. MAORI MAIDEN	MAORI MAIDEN N.Z.F.	LOW	LOW	
○	SALVIA N. HOT LIPS	HOT LIPS SALVIA	LOW	LOW	
ACCENT PLANTS					
○	AGAVE FERRIS	FERRIS AGAVE	LOW	LOW	
○	AGAVE ATTENUATA	TOA TAIL AGAVE	LOW	LOW	
○	ALICE BARBERIAE	TREE ALICE	LOW	LOW	
○	CORDYLINA A. RED STAR	RED STAR CORDYLINA	LOW	LOW	
VINES					
○	BOGANVILLEA SPECIES	BOGANVILLEA	LOW	MED.	
○	DIPTERIS VINIVIA	ROYAL TRUMPET VINE	LOW	MED.	
○	PANDOREA JAMAICENSIS	BOYER VINE	LOW	MED.	
GROUNDCOVER					
■	HYPOPHRASEUM P. FATAL GREEK	PROSTRATE HYPOPHRASEUM	LOW		
■	ROSEMARINA PROSTRATA	PROSTRATE ROSEMARY	LOW		
■	SENEGO HADRALSISCAE	BLUE CHALK STICKS	LOW		
■	MARATHON II	SOD	HIGH		



Source: Gillespie, Moody, Patterson 2014

Conceptual Landscape Plan

BERNARDO SHORES



Figure 6

mainly be comprised of agave and aloe species. Vines would include bougainvillea (*Bougainvillea* sp.), royal trumpet vine (*Distictis* 'rivers'), and bower vine (*Pandorea jasminoides*). Proposed groundcover would include prostrate myoporum (*Myoporum prostratus* 'putal creek'), prostrate rosemary (*Rosmarinus officinalis* 'prostratus'), blue chalk sticks (*Senecio mandraliscae*), and sod (Marathon II). The wetland creation area would be planted with native coastal salt marsh plants. The bioretention area along the northwestern boundary of the Project site would be covered by groundcover.

Fencing

A five-foot-high tubular steel fence would be constructed along the northwestern side of the residential development, between the proposed residences and the greenbelt. In addition, the southwestern side of the Project site to the south of the entryway would be fenced with a combination three-foot-high masonry wall with two-foot-high tubular steel fence. The existing masonry wall would remain between the proposed residences and the abutting existing residences to the east.

Lighting

Lighting is proposed for the Project entry, building exteriors and along walkways within the residential development to ensure safety. All lighting would be directed downward and away from sensitive wildlife areas located to the north of the Project site and abutting residences to the east.

2.2.2.1 Phase 2

Phase 2 of the proposed Project would include the construction of a bike path connecting the San Diego Bayshore Bikeway to the bike path within the proposed Phase 1 residential community. The proposed bike path would be approximately 1,300 feet long and 8 feet wide (similar to the Phase 1 bike path). The bike path would be paved with asphalt concrete pavement, and would be approximately five feet from the residential property lines to the east. Post and rail fencing would be constructed between the proposed bike path and Pond 10A and would be approximately 3.5 feet in height. Refer to Figure 7, Phase 2 Bike Path, for a typical cross-section of the proposed bike path.

2.2.3 Project Construction

2.2.3.1 Site Preparation

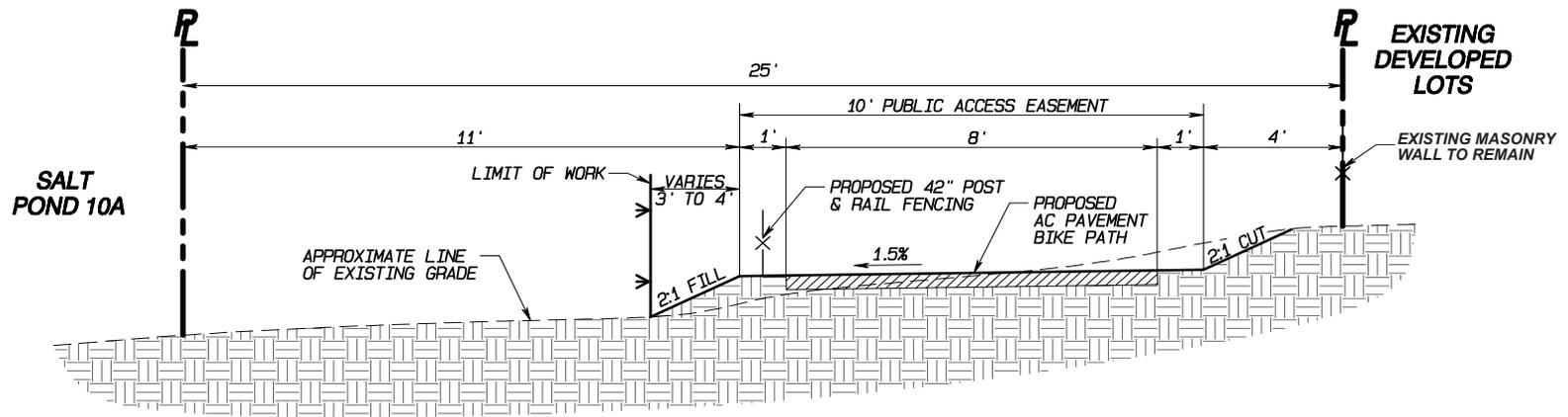
Phase 1 of the construction activities would involve the demolition of existing site improvements associated with the RV park, mass grading, and utility installation at the Project site. This stage would include the demolition and mass grading of the entire site over a five-month period. Demolition activities would include the removal of the concrete pads, on-site concrete crushing and processing, and re-use of concrete debris for

foundations and pavements. At any given time, the maximum acreage disturbed would be up to 2.2 acres per day (i.e., up to 25 percent of the Project site) during Phase 1.

Backbone infrastructure would be installed after the mass grading. This would consist of all the elements necessary to support proposed residential community, such as construction of roads, off-site connections to a potable water source and sewer lines, and the connection of all other utility lines.

2.2.3.2 Building Construction

Once the above site preparation efforts are completed, vertical construction of buildings would begin. Construction of the proposed structures on the Project site is anticipated to take approximately 1.5 years.



TYPICAL SECTION PROPOSED BIKE PATH

NOT TO SCALE

PROJECTS\BP\02-10 BernadoShores\Map\BOS\NSND\Fig7_Phase2_BikePath.mxd IPQ-13 09/18/14/RK

Source: Pasco Laret Suiter & Associates 2014

Phase 2 Bike Path

BERNARDO SHORES

3.0 Environmental Factors Potentially Affected

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

4.0 Determination (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

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

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

Signature

Date

Signature

Date

5.0 Evaluation of Environmental Impacts

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

- c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

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

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS. Would the project:

- a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The Project would involve the construction of multi-story (up to two- or three-story) residential townhomes on a site that fronts a state scenic highway (i.e., SR-75). Currently, long-range views of San Diego Bay and short-range views of Pond 10A are available across portions of the site to drivers along the segment of SR-75 in the Project vicinity. In the future, the Project would modify and partially encroach into views from the northbound travel lanes of the highway within the City; however, views to San Diego Bay would be preserved along much of the northwest corner of the site, as shown in the visual simulation of the Project contained in Figure 8, Key View/Photosimulation – Looking North from SR-75 Towards Entrance of Project Site. This view corridor would allow travelers to capture glimpses of the view as they travel past the Project site. From the southbound direction, the Project would be visible from the highway and would appear to be an extension of the nearby urban development that exists within the City but would not affect long-range views of the San Diego Bay or its environs, including Pond 10A. Required landscape planting would soften the visual changes and could be considered an improvement over the current views of the RV park. Therefore, construction of the Project would not adversely affect the designated scenic vista in the Project area and less than significant impacts are identified.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The Project would modify views from SR-75/Palm Avenue, as noted above under Item 1.a, but would not remove any trees, rock outcroppings and historic buildings visible from the state scenic highway. Thus, no impacts are identified.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The Project would redevelop an existing RV park with a residential condominium project. The site character would be substantially modified through its intensified use; however, the Project’s design would produce an aesthetically appealing, high-quality residential row house community through the use of consistent but varied architectural and landscape themes and the construction of a new bike path extension to be used by residents and the public for opportunities to view San Diego Bay, as well as the NWR and Salt Ponds. Although the structures would be three stories, while the existing adjoining development is one- and two-stories, the Project would comply with the City Zoning Ordinance in terms of building heights and scale and has incorporated increased setbacks and landscaping to provide a transition between uses. Proposed grading would not

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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substantially modify existing landforms, except where the developed northern edge of the site would be modified to construct the 100-foot wide buffer containing created wetlands, as well as a greenbelt. As such, the project would be consistent with the goals and policies of the Design Element of the GP/LCP. Therefore, the Project would not degrade visual character or quality and less than significant impacts are identified.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Lighting would be installed at the site entrance along SR-75/Palm Avenue and directed to illuminated entry monument and key landscape features, such as the entry palm trees. Nighttime lighting would be in compliance with City Municipal Code Section 19.56.030 (the City Zoning Ordinance Lighting Regulations), which requires that all lighting be designed and adjusted to reflect light away from adjacent properties, and be shielded or directed so as to not cause disturb adjacent properties. Proposed building materials would not exhibit highly reflective characteristics nor create adverse glare effects. A limited amount of glazing would be used on the facades of the buildings, thus, limiting the amount of glare produced by the Project. Therefore, the Project would not produce a new source of light and glare that would adversely impact views and less than significant impacts are identified.



Existing Conditions



Proposed Configuration

Note: Architectural details, including colors, are conceptual in nature and may be refined during final design.

Key View/Photosimulation - Looking North from SR-75 towards Entrance of Project Site

BERNARDO SHORES

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ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The Farmland Mapping and Monitoring Program map does not identify any Prime, Unique, or Statewide Important Farmland on or in the vicinity of the site. The Project area is designated as “urban and built-up land” and “other lands.” Therefore, no impact to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. No Williamson Act contract land occurs on or in the vicinity of the site. Therefore, no impact to such land would occur.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. No forest land occurs on or in the vicinity of the Project site. Therefore, no impact to such land would occur.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No Impact. No forest land occurs on or in the vicinity of the Project site. Therefore, no impact to such land would occur.				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No Impact. Refer to Items II.a and II.d above.				

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

No Impact. An Air Quality and Greenhouse Gas Technical Report was prepared for the Project by HELIX Environmental Planning, Inc. (HELIX; 2014a [Appendix A]). The Project proposes an increase in the intensity of land uses at the Project site by building 193 new residential dwellings. This increase is consistent with the City’s amendments to the General Plan/Local Coastal Plan (LCP) and Zoning Ordinance, which allow residential development within the City’s commercial zones. Although the proposed Project would allow for increased density that would accommodate additional population and would contribute to transportation-generated air pollutants, this would generally be in response to population growth forecasts and the resulting housing demand.

Because the Project would not generate population growth beyond the levels assumed for the region, the project would not conflict with any population projections and would therefore be consistent with the City’s General Plan/LCP. In addition, the proposed Project would comply with all existing and new rules and regulations as they are implemented by the City, San Diego County Air Pollution Control District (SDAPCD), California Air Resources Board (CARB), and/or U.S. Environmental Protection Agency (EPA) related to emissions generated during construction. Therefore, the proposed Project would not conflict with the applicable air quality attainment plan, and no impact would occur.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant Impact. The San Diego Air Basin (SDAB) is a federal non-attainment area for ozone (eight-hour) standard and a state non-attainment area for ozone, particulate matter of less than 10 microns in size (PM₁₀), and particulate matter of less than 2.5 microns in size (PM_{2.5}). The Project would consist of construction and operation of a residential development and bicycle path, which are not anticipated to result in significant stationary sources of emissions. In addition, it is mandatory for all construction projects in the SDAB to comply with SDAPCD Rule 55 for controlling fugitive dust emissions, which includes the following standard construction best management practices (BMPs), which have been incorporated into Project design:

- The Project Applicant would implement standard construction measures in accordance with SDAPCD rules (Rules 50, 51, 52, 54, and 55) for controlling emissions from fugitive dust and fumes:
 - Water the grading areas a minimum of twice daily to minimize fugitive dust.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Provide sufficient erosion control to prevent washout of silty material onto public roads.
- Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- Periodically sweep up dirt and debris spilled onto paved surfaces to reduce re-suspension of particulate matter caused by vehicle movement. Clean approach routes to construction sites of construction-related dirt.
- All construction equipment operating on the project site should meet EPA-Certified Tier 2 emissions standards, or Tier 3 off-road emissions standards at minimum. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

Emissions of all criteria pollutants (volatile organic compounds [VOCs], oxides of nitrogen [NO_x], carbon monoxide [CO], sulfur dioxide [SO₂], PM₁₀, and PM_{2.5}) during construction would be below the daily thresholds. Accordingly, the construction activities would not result in emissions that would violate air quality standards and therefore would be considered a less than significant impact on air quality.

Projected emissions from traffic, energy use, natural gas fireplaces use, landscaping, and maintenance of architectural coatings, were used to calculate source emissions associated with operation of the Project. Emissions of all criteria pollutants during operation of the Project would be below the daily thresholds. Accordingly, operation of the Project would result in less than significant impacts on air quality.

Due to the proposed phased Project construction period (between 2014 and 2016), some Project operational activities would overlap with some Project construction activities. The total Project emissions were therefore estimated during a period when construction and operational activities would substantially overlap. The combined construction and operational emissions would not, however, exceed the significance thresholds for criteria pollutants. Accordingly, combined construction and operation of the Project would result in less than significant impacts related to air quality.

Emissions of criteria pollutants during operation for the entire Project (buildout in 2030) would not exceed the daily thresholds for any of the criteria pollutants. Accordingly, buildout of the Project would result in less than significant impacts related to air quality.

In summary, construction of the proposed Project would result in less than significant impacts to air quality with implementation of design features, above, and operation of the proposed Project also would result in less than significant impacts to air quality.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less Than Significant Impact. Short-term emissions associated with construction generally result in near-field impacts. As discussed above in Item III.b, the Project’s construction emissions of NO_x, VOCs, PM₁₀, and PM_{2.5} would be below the significance levels. It is unlikely that all construction for the Project and other cumulative projects would be occurring at the same time; therefore, Project construction is not anticipated to result in a cumulatively significant impact to air quality.

With regard to cumulative impacts associated with ozone precursors, in general, if a project is consistent with the community and general plans, it has been accounted for in the ozone attainment demonstration contained within the State Implementation Plan (SIP) and would not cause a cumulatively significant impact on the ambient air quality for ozone. The discussion in Item III.a, above, concludes that the Project conforms to the RAQS. Therefore, the proposed Project would not cause a cumulatively significant impact to air quality related to ozone.

As discussed above in Item III.b, the Project would not result in a significant direct impact to air quality during operation. Therefore, operation of the Project would not result in a cumulatively considerable contribution to a significant air quality impact pertaining to ozone precursors, PM₁₀, or PM_{2.5}.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less Than Significant Impact. According to the Project Traffic Impact Analysis prepared by Linscott, Law & Greenspan Engineers (LLG; 2014 [Appendix J]), one intersection would operate at LOS E or F and result in an increase in delay from the Project: SR 75 (Palm Avenue) / Rainbow Drive in the Year 2040 with Project scenario in the AM peak hour. Therefore, consistent with the CO Protocol, further screening was conducted. The Project was determined to not result in a significant impact to local CO concentrations because the maximum traffic volume would be substantially less than the 31,600 vehicles per hour screening level, the congested intersection is located where mixing of air would not be limited, and the vehicle mix would not be uncommon. The Project would not cause or contribute to a violation of the air quality standard.

Diesel particulate matter (DPM) is not included as a criteria pollutant; however, it recognized by the state of California as containing carcinogenic compounds. The risks associated with exposure to substances with carcinogenic effects are typically evaluated based on a lifetime of chronic exposure,

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Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

which is defined as 24 hours per day, 7 days per week, 365 days per year, for 70 years for residences and 40 years for school children. DPM would be emitted from heavy equipment used in the construction process. It is estimated that construction activities for the Project would occur over approximately 78 weeks. The proposed construction period of less than two years would be much less than the 70-year/40-year period used for health risk determination. Because of the short-term nature of construction of the proposed Project and the fact that heavy equipment exhaust emissions would be a relatively minor source, exposure to diesel exhaust emissions during construction would be less than significant.

Due to the existing operation of certain diesel RVs in proximity to sensitive receptors, including schools and residences surrounding the Project site, the proposed Project's removal of the RV park site would decrease the existing DPM emissions in the Project area to zero. The proposed development of the 193 residences is not anticipated to generate any new incremental DPM emissions, except for the occasional mail and/or supply delivery trucks whose emissions would be negligible. Therefore, operation of the proposed Project is not anticipated to result in an elevated health risk to exposed persons given the long-term nature of operational-related DPM exposure. Accordingly, the human health impact of diesel risks associated with operational activities is considered to be less than significant.

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

Less Than Significant Impact. During construction, diesel equipment operating at various locations on the site may generate some nuisance odors; however, due to the temporary nature of construction, odors associated with Project construction would cease at the completion of construction period. Accordingly, odor impacts associated with Project construction would be less than significant.

During Project operations, on-site trash receptacles would have the potential to create adverse odors. Trash receptacles would be located and maintained in a manner that promotes odor control and no adverse odor impacts are anticipated. Therefore, Project construction and operations would result in a less than significant odor impact.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. Would the project:

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

Less Than Significant with Mitigation Incorporation. A Biological Technical Report was prepared for the Project by HELIX (2014b; Appendix B). No sensitive plant or animal species were observed within the main portion of the Project site; however, the state listed as endangered Belding’s savannah sparrow (*Passerculus sandwichensis beldingi*) is present in the NWR, located adjacent to the Phase 2 bike path extension. Specifically, three Belding’s savannah sparrows were observed along the eastern edge of Pond 10A on March 14, 2013 (Figure 9b, Vegetation and Sensitive Resources/Impacts [Phase 2]). No direct impacts to this species are anticipated; however, indirect effects could occur as discussed under Noise, Item XII.a, below.

Other potential indirect effects to the Belding’s savannah sparrow and other avian species associated with the nearby habitat could include potential collisions into buildings (due to reflective surfaces) and predation by domestic pets (i.e., cats). Such potential impacts could be significant. The following mitigation measures would reduce such potential impacts to less than significant levels:

BIO-1 To reduce the potential of bird strikes, all glass and other reflective surfaces in the proposed residential community will be made of non-reflective glass and/or coated to minimize reflection.

BIO-2 The following restriction will be included in the CC&Rs for the Project:

- Indoor-only cats are allowed in the proposed residences; pet cats will not be allowed outdoors.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant with Mitigation Incorporation. The proposed residential development (Phase 1) would directly impact 9.30 acres of developed land and not impact any sensitive vegetation community (Table 1, Proposed Project Impacts to Vegetation Communities, and Figure 9a, Vegetation and Sensitive Resources/Impacts [Phase 1]). The proposed bike path connection to the

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Bayshore Bikeway (Phase 2) would directly impact a total of 0.24 acre of sensitive vegetation communities, including 0.01 acre of southern coastal salt marsh, 0.08 acre of saline meadow, 0.06 acre of mudflat, and 0.09 acre of non-native grassland (Table 1 and Figure 9b).

Table 1 PROPOSED PROJECT IMPACTS TO VEGETATION COMMUNITIES	
Vegetation Community	Impacts (acres)
Southern coastal salt marsh	0.01
Coastal and valley freshwater marsh	--
Saline meadow	0.08
Mudflat (saltpan)	0.06
Non-native grassland	0.09
Non-native vegetation	0.11
Disturbed habitat	0.01
Developed land	9.32
TOTAL	9.67

Source: HELIX 2014b

Construction of the proposed Project also could result in errant construction impacts outside the identified limits of grading, where sensitive vegetation communities occur. Because the Project is immediately adjacent to the sensitive vegetation communities within the National Wildlife Refuge, impacts outside the grading limits would be significant and require mitigation.

The following mitigation measure would reduce direct and indirect impacts to sensitive vegetation communities to less than significant levels:

BIO-3 Impacts to wetlands would be mitigated at a 4:1 ratio, including a 1:1 creation component, for a total compensation requirement of 0.60 acre (including 0.15 acre of wetland creation). All wetland mitigation shall occur within the buffer zone created on site adjacent to Pond 10A. A wetland restoration plan shall be prepared and implemented to the satisfaction of the U.S. Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and City.

BIO-4 A pre-construction meeting shall be held to ensure that construction crews are informed of the sensitivity of habitat in the National Wildlife Refuge. Prior to commencement of clearing or grading activities near natural habitats, the approved limits of disturbance shall be delimited by a biologist, and silt or orange fencing shall be installed to prevent errant disturbance by construction vehicles or personnel. All movement of construction contractors, including ingress and egress of equipment and personnel, shall be limited to designated construction zones. This fencing shall be removed upon completion of all construction activities.



Vegetation and Sensitive Resources/Impacts (Phase 2)

BERNARDO SHORES



Vegetation and Sensitive Resources/Impacts (Phase 1)

BERNARDO SHORES

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Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

BIO-5 A biological monitor shall be responsible for ensuring that the limits of construction have been properly staked and are readily identifiable, and for ensuring on at least a weekly basis during demolition and rough grading that the approved limits are not exceeded. A biological monitor shall be responsible for ensuring that the limits of construction have been properly staked and are readily identifiable, and for ensuring on at least a weekly basis during demolition and rough grading that the approved limits are not exceeded. The monitor also shall be responsible for ensuring that the contractor adheres to the other provisions. The monitor, in cooperation with the on-site construction manager, shall have the authority to halt construction activities in the event that these provisions are not met. Monitors shall submit weekly memos to City during construction documenting the implementation of all grading and construction minimization measures.

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

Less Than Significant with Mitigation Incorporation. As discussed in Item IV.b, above, the proposed bike path connection to the Bayshore Bikeway would impact a total of 0.15 acre of Waters of the U.S. and Coastal Wetlands, including 0.01 acre of southern coastal salt marsh, 0.08 acre of saline meadow, and 0.06 acre of mudflat (Table 1, above, and Figure 9b). Implementation of Mitigation Measure BIO-1, above, would reduce impacts to Waters of the U.S. and Coastal Wetlands to less than significant levels.

- 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?

No Impact. The Project site is not part of a regional or local wildlife corridor and does not serve as a nursery site. Accordingly, no impact would occur.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project would not conflict with any local policies or ordinances protecting biological resources. Accordingly, no impact would occur.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Impact. The City is within the designated boundary of the Multiple Species Conservation Program (MSCP) but is not a participant. In addition, the proposed Project would not affect the ongoing western salt pond restoration that includes Pond 10A (USFWS, San Diego NWR Sweetwater Marsh and South San Diego Bay Units 2006 and USFWS, San Diego NWR Complex 2009). The Project would not conflict with the provisions of an adopted Natural Communities Conservation Plan (NCCP) or other approved local, regional, or state Habitat Conservation Plan. Accordingly, no impact would occur.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES. Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less Than Significant With Mitigation Incorporated. A Phase I Cultural Resources Survey was prepared for the Project by Rincon Consultants (2014; Appendix C). The records search, Native American scoping, and field survey identified no cultural resources within Project site; although, one historic resource was identified in the records search (P-37-026582) and is located adjacent to the Project site.

P-37-026582 is the historic Western Salt Company Salt Works, which has been in operation since the 1860s. The plant consists of eighteen condensation ponds and fourteen crystallization ponds divided by human-made earthen levees. The Salt Works has been recommended eligible for the National Register of Historic Places (NRHP) under Criterion A because it has played a significant role in the solar salt industry in southern California, and Criterion C because the plant embodies the distinctive characteristics of a solar salt processing facility.

Based on the field survey by Rincon, however, the historic Salt Works does not extend into the Project site and would not be impacted by the proposed Project. In addition, construction of the Project would not create indirect impacts to this resource. The proposed Project would only alter the setting and viewshed of the historic Salt Works; however, these are not contributing factors to its eligibility. Since 1916, when the plant was rebuilt, the area around the Salt Works has changed substantially. Therefore, the proposed Project would not impact the Western Salt Company Salt Works.

Although no historic resources are anticipated to be impacted by the proposed Project, there is a possibility that unknown resources could be encountered during grading of the Project site. If other such resources were encountered on site, impacts could potentially be significant. Implementation of the following mitigation measure, however, would reduce potential impacts to less than significant levels:

CUL-1 If during ground disturbance activities, cultural resources are discovered that were not assessed by the cultural report prepared prior to project approval, the following procedures shall be followed.

1. All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, an archaeologist, a Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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2. At the meeting, the significance of the discoveries shall be discussed and after consultation with the appropriate Native American tribe(s) (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resource.
3. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant With Mitigation Incorporated. No archaeological resources were previously recorded in the Project site or vicinity, nor were such resources found during field surveys. Therefore, no impact would occur to known archaeological resources.

Although no archaeological resources are known in the Project vicinity, there is a possibility that unknown resources could be encountered during grading of the Project site. If such resources were encountered on site, impacts could potentially be significant. Implementation of Mitigation Measure CUL-1 under Item V.a, however, would reduce potential impacts to less than significant levels.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant With Mitigation Incorporated. A Preliminary Geotechnical Investigation and a Geotechnical Update Letter were prepared for the Project by Advanced Geotechnical Solutions, Inc. (2014a and 2014b, respectively; Appendix D). The Project site is underlain by Pleistocene-aged Old Paralic Deposits (formerly mapped as Bay Point Formation). The Bay Point Formation is assigned a high paleontological resource sensitivity (Deméré and Walsh 1992). This is because the Bay Point Formation has produced large and diverse assemblages of well-preserved marine invertebrate fossils, primarily mollusks. Remains of fossil marine vertebrates (i.e., sharks, rays, and bony fishes) also have been recovered from this rock unit.

Project grading is anticipated to take place only within the undocumented artificial fill soils; however, if grading requires cuts deeper than that of the fill soils (i.e., into the Bay Point Formation), the Project could result in significant impacts to buried and unknown paleontological resources.

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Implementation of the following mitigation measures would reduce potential impacts to less than significant levels:

CUL-2 If grading requires cuts deeper than that of the fill soils (i.e., into the Bay Point Formation), the applicant shall retain a qualified paleontologist approved by the City (Project Paleontologist) to create and implement a project-specific plan for monitoring site grading/earthmoving activities.

CUL-3 The Project Paleontologist retained shall review the approved development plan and grading plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the Project Paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the City Planning Director for review and approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:

1. Description of the Project site and planned grading operations.
2. Description of the level of monitoring required for all earth-moving activities in the Project area.
3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the City Planning Director of the discovery.
6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
8. Procedures and protocol for collecting and processing of samples and specimens.
9. Fossil identification and curation procedures to be employed.
10. Identification of the permanent repository to receive any recovered fossil material. The City must be consulted on the repository/museum to receive the fossil material and a written agreement between the property owner/developer and the repository must be in place prior to site grading.
11. All pertinent exhibits, maps, and references.

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12. Procedures for reporting of findings.

13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

All reports shall be signed by the Project Paleontologist and all other professionals responsible for the report's content (e.g., Professional Geologist), as appropriate. Copies of the report(s) shall be submitted to the City Planning Director, along with a copy of this condition and the grading plan for appropriate case processing and tracking. In addition, the applicant shall submit proof of hiring (i.e., copy of executed contract, retainer agreement, etc.) a Project Paleontologist for the in-grading implementation of the PRIMP.

CUL-4 Prior to grading final inspection, the applicant shall submit to the City Planning Director one copy of the Paleontological Monitoring Report prepared for site grading operations at this site. The report shall be certified by the professionally qualified paleontologist responsible for the content of the report. The report shall contain a report of findings made during all site grading activities and an appended itemized list of fossil specimens recovered during grading (if any) and proof of accession of fossil materials into the pre-approved museum repository. In addition, all appropriate fossil location information shall be submitted to the San Diego County Natural History Museum, at a minimum, for incorporation into their regional locality inventories.

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

Less Than Significant With Mitigation Incorporated. No impacts to human remains are anticipated; however, if any are encountered during grading activities, impacts could be significant. Implementation of the following mitigation measure would reduce potential impacts to less than significant levels:

CUL-5 If any human remains are discovered during Project grading activities, all work shall be halted in the vicinity of the discovery and the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.

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The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the City Planning Director.

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VI. 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:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. A Preliminary Geotechnical Investigation and a Geotechnical Update Letter were prepared for the Project by Advanced Geotechnical Solutions, Inc. (2014a and 2014b, respectively; Appendix D). The Project site is located in a seismically active region of California, and therefore, the potential exists for geologic hazards such as earthquakes and ground failure to occur, with the primary potential seismic hazard being ground shaking. According to the Investigation Letter, geologic hazards, such as active faulting, are not known to exist within the Project site. The nearest active fault is Silver Strand Section of the Newport-Inglewood-Rose Canyon Fault Zone, located approximately 1.8 miles west of the Project site. The Project would utilize proper engineering design and standard construction practices, to be verified at the building permit stage, which would ensure that the potential for impacts from regional geologic hazards would be less than significant.

- ii) Strong seismic ground shaking?

Less Than Significant Impact. As described in Item VI.a.i, above, the Project site is located in the seismically active southern California region. Thus, the site could be affected by seismic activity as a result of earthquakes on other major active faults located throughout the southern California area. With proper engineering design, in accordance with the California and International building codes and guidelines established by the Structural Engineers Association of California, as well as utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would be less than significant.

- iii) Seismic-related ground failure, including liquefaction?

Less Than Significant With Mitigation Incorporated. As discussed in the Geotechnical Due Diligence Investigation Letter, liquefaction during a significant ground-shaking event is a possibility at the Project site. Liquefaction is particularly a concern because of the presence of shallow groundwater in the Project area. The primary effects of liquefaction is anticipated to be dynamic settlement, surface

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manifestation, and lateral spread of the northern portions of the main Project site. These issues can be mitigated to less than significant levels through implementation of the following mitigation measure:

GEO-1 The upper five to six feet of on-site existing soil shall be removed and recompacted. At the base of the removal, a layer of rock shall be placed and overlain by a geotextile fabric with similar properties to Mirafi 500X. A post-tensioned or mat slab shall be utilized, and shall be designed to resist differential settlements on the order of 0.25 to 0.75 inch in 40 feet.

iv) Landslides?

No Impact. As stated in the Safety Element of the Imperial Beach General Plan, the terrain in Imperial Beach is generally flat and therefore landslides would not be considered a significant hazard. Accordingly, no associated impact would occur.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. As stated in Item VI.a.iii, above, construction of the Project would require removal and recompaction of unsuitable soils, including all fill soils. This removal could result in the potential for wind and/or water erosion of soils during Project construction due to the presence of soil piles and exposed trenches. Such potential impacts would be reduced to less than significant levels with implementation of applicable best management practices (BMPs) as identified in sources including the Stormwater Best Management Practice Handbooks (California Stormwater Quality Association 2003) and/or Construction Site Best Management Practices Manual (California Department of Transportation 2003). Specific BMPs would be determined by the Project contractor and engineer based on site-specific conditions.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant With Mitigation Incorporated. Refer to Items VI.a.i through VI.a.iv, above. Potential impacts would be mitigated through Mitigation Measures GEO-1 and GEO-2.

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?

Less Than Significant Impact. The Project site is underlain by Pleistocene-aged Old Paralic Deposits (formerly mapped as Bay Point Formation). It also is anticipated that the Project site is covered by a

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relatively thin (five to nine feet deep) layer of undocumented artificial fill soils. There may also be unconsolidated sediments directly beneath the undocumented fill.

It is currently unknown if the undocumented artificial fill soils or the unconsolidated sediments contain expansive soil. Impacts are anticipated to be less than significant, however, because proposed construction would be required to comply with the International Building Code and California Building Code, including regulations set forth regarding expansive soils.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No Impact. The Project site is located within an area that is already developed with existing infrastructure (i.e., water and sewer lines) and does not propose the construction or use of any septic system. Accordingly, no impacts would occur.

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VII. GREENHOUSE GAS EMISSIONS. Would the project:

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

Less than Significant Impact. An Air Quality and Greenhouse Gas Technical Report was prepared for the Project by HELIX (2014a [Appendix A]). The principal source of greenhouse gases (GHGs) associated with the proposed Project would be associated with construction. GHG emissions are anticipated to occur during construction of the proposed Project largely from fuel combustion from construction equipment, worker commute travel, and hauling truck trips. Construction-related GHG emissions result from carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) that are released during the combustion of gasoline or diesel fuel in on- and off-road vehicles and equipment. The Project-related construction activities are estimated to generate approximately 3,490.60 metric tons (MT) of carbon dioxide equivalent (CO₂e) emissions. Amortized over 30 years, construction equipment would contribute 116.35 MT CO₂e emissions per year to the Project’s total GHG emissions.

Operation of the proposed Project would result in GHG emissions from vehicular traffic generated by residents, area sources (natural gas appliances, hearth combustion, and landscape maintenance), electrical generation, solid waste generation, and water supply. Estimated emissions of operational CO₂e would be 2,265 MT per year without the GHG reduction measures (“business as usual”). It should be noted that this analysis is based on an older site plan that included 203 dwelling units. Therefore, this analysis is considered to be conservative; actual impacts would be less than what is presented herein.

Total emissions associated with amortized construction, vehicular traffic, electrical generation, and water supply would be reduced by implementing GHG reduction measures. In addition, the proposed Project would remove the existing RV park that currently generates approximately 920 MT CO₂e per year. With this decrease, the net incremental GHG emissions increase would be approximately 1,345 MT CO₂e per year. The net CO₂e emissions of 1,345 MT CO₂e per year would be below the screening criteria of 2,500 MT CO₂e per year. Accordingly, impacts associated with GHG emissions would be less than significant.

Another potential affect of climate change is sea level rise. Accordingly, a Sea Level and Extreme Water Level Analysis was proposed for the proposed Project by Coastal Environments, Inc. (2014; Appendix E). Most of the area is above 10 feet National Geodetic Vertical Datum (NGVD), except for one small area located in the northwestern portion of the Project site. The water level analysis for the portion of the Project site fronting Pond 10A shows that the highest water level expected through 2050 and 2100 are approximately 5 feet AMSL (5.44 feet NGVD) and 8.1 feet AMSL (8.54 feet NGVD), respectively. Note that these estimates are very conservative and the actual high water level is likely to

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be lower. Therefore, future sea level through 2100 is lower than the elevation of the ground of the Project site, and there would be no need to elevate the ground of the property, especially when considering the proposed 100-foot buffer between the shoreline of Pond 10A and the developed area of the property.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. Applicable GHG regulatory plans and policies aim to reduce federal, state, and local GHG emissions by primarily targeting the largest emitters of GHGs: transportation and energy sectors. The Project would result in an increase in traffic on area roadways. Sustainable design, such as the 2013 California Green Building Codes (CalGreen), would be incorporated into the Project to help reduce the overall demand for energy and water. By implementing these Project design features and by complying with the CalGreen program, the Project would be consistent with the goals and strategies of local and state plans, policies, and regulations aimed at reducing GHG emissions from land use and development. In addition, should residents decide to utilize modes of transportation other than driving (e.g., walking, bicycling, using transit), Project operational emissions would be further reduced. Therefore, no impacts are anticipated as a result of the Project.

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VIII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. Construction of the proposed Project would require the use of construction-related hazardous materials (i.e., fuels), which could potentially result in significant environmental impacts through accidental discharges associated with storage, vehicle operations (i.e., refueling), or maintenance. These potential impacts would be associated primarily with water quality effects on downstream receiving waters, specifically Pond 10A. Through implementation of standard construction operating procedures, permanent BMPs, and construction storm water BMPs, potential impacts associated with the use of hazardous substances during Project construction would be avoided or reduced to below a level of significance. The Project consists of a residential community, and would not involve the routine use, storage, disposal, and/or transport of hazardous substances. The use of chemical pesticides and fertilizers required to maintain proposed landscaping would be minimal and any storage, use, and handling of such substances would comply with applicable regulatory standards. Accordingly, potential impacts associated with use of hazardous substances would be less than significant.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. Construction of the proposed Project would require demolition of the existing on-site structures. It is unknown if the on-site structures have asbestos-containing materials and/or lead-based paint. The presence of such substances would have the potential to adversely affect human health and safety during the demolition phase of project construction. Proper precautions are required during the removal and disposal of these hazardous substances throughout demolition activities, as regulated by state and local agencies (California Occupational Safety and Health Administration, California Environmental Protection Agency, San Diego APCD, and County of San Diego Department of Environmental Health) to ensure that no hazards to the demolition crew, adjacent residents, or others are created by exposure to hazardous materials. Compliance with these regulatory requirements would avoid potentially significant hazards impacts. In addition, construction of the Project could potentially result in accidental discharges of construction-related hazardous materials (i.e., fuels), as discussed above in Item VII.a. Implementation of standard construction operating procedures to comply with regulations pertaining to the storage and handling of hazardous materials, as well as the implementation of permanent and construction storm water BMPs, would prevent the use of these materials from causing a significant hazard to the public or natural environment. Accordingly, impacts would be less than significant.

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- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. West View School is located approximately 0.2 mile to the west of the Project site and Bayside School is located approximately 0.2 mile east of the proposed bike path. No other schools (including the nearby Mar Vista High School and Imperial Beach Elementary School) are located within 0.25 mile of the Project site. As stated above in Item VII.a, the Project would not involve the routine use, storage, disposal, and/or transport of hazardous materials. Demolition activities could potentially expose these sensitive receptors (the schools) to hazardous substances (i.e., asbestos and lead-based paint, if present on site), as discussed in Item VII.b; however, proper precautions are required during the removal and disposal of such hazardous substances, as regulated by state and local agencies. Accordingly, no health/hazard impacts to students and staff of the nearby schools would occur.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. A Phase I Environmental Site Assessment was prepared for the Project by Rincon Consultants (2012; Appendix F). Historical sources reviewed as part of the Environmental Site Assessment included topographic maps, aerial photographs, and city directory listings. These historical sources indicate that the Project site was vacant and undeveloped from at least 1904 until 1964. The Project site has been developed as an RV park since 1964.

Environmental Data Resources, Inc. (EDR) was contracted to provide a database search of public lists of sites that generate, store, treat or dispose of hazardous materials or sites for which a release or incident has occurred. The EDR search was conducted for the Project site and includes data from the surrounding area. The Project site is listed under the California Hazardous Material Incident Report System (CHMIRS) database. The database indicates that a hazardous material release occurred on the Project site on September 29, 1991. A Hazardous Materials Incident Report was provided by the California Emergency Management Agency for this case. The report indicates that gasoline from a passenger vehicle was involved; however, “no release” was reported. The California Emergency Management Agency indicated that the incident was cleaned up and no further issues were found. Based on the fact that the gasoline was cleaned up and the case was not forwarded to the San Diego Department of Environmental Health or Regional Water Quality Control Board, this case is not expected to impact the Project site.

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Rincon performed a reconnaissance of the subject property on August 30, 2012. No suspect conditions or recognized environmental conditions were found in connection with the Project site. Nonetheless, there is a potential to encounter hazardous materials at the northern end of Phase 2 near the railroad tracks. However, any buried trash/debris or discolored soils encountered would be evaluated by an experienced environmental consultant prior to removal. Recommendations made by the environmental consultant would be followed during removal of such materials, to the satisfaction of the City.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The Project site is located approximately seven miles west of Brown Field Municipal Airport. Based on the Brown Field Municipal Airport Land Use Compatibility Plan (San Diego County Regional Airport Authority 2010), the Project is west of and outside the area considered in the Airport Land Use Compatibility Plan and is not located within the mapped Airport Influence Area, Safety, Noise Influence, Part 77 Airspace, Airspace Protection, or Aviation Easement and Overflight Notification boundaries. The Project site is also located approximately two miles north of Naval Outlying Landing Field (NOLF) Imperial Beach, which is one of two naval auxiliary airfields operated by Naval Air Station (NAS) North Island as part of the Naval Base Coronado (NBC) installation. NOLF is used for helicopter flight training operations. Although helicopter traffic patterns between NAS North Island and NOLF occur west of the Project site, it is outside the NOLF Air Installations Compatible Use Zones (AICUZs; Naval Base Coronado 2011). Accordingly, no safety hazard impact associated with public or military airports or operations would result from construction or implementation of the Project.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. There are no private airports in the Project vicinity; no impact would occur to future residents.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The proposed demolition of an existing RV park and the construction and operation of a gated community would not interfere with any adopted emergency response plan or emergency evacuation plan. The internal roads would be private, only serve residents of the Project and would not be used for emergency evacuations by non-residents.

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h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Less Than Significant Impact. The Project site is currently developed, and is not adjacent to high fuel-load wildlands. A predominant mixture of shallow subtidal habitat, intertidal mudflats, and salt marsh habitat, which are generally non-combustible, occurs to the north of the proposed residential community, and the remaining areas surrounding the Project site are urbanized. Accordingly, no impact is anticipated from wildland fires.

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IX. HYDROLOGY AND WATER QUALITY.

Would the project:

- a) Violate any water quality standards or waste discharge requirements?

Less Than Significant Impact. A Preliminary Hydrology & Hydraulic Report was prepared for the Project by Pasco Laret Suiter & Associates (2014c; Appendix G). A Preliminary Stormwater Management Plan also was prepared for the Project by Pasco Laret Suiter & Associates (2014b; Appendix H). Potential water quality impacts associated with the proposed Project include short-term construction-related erosion/sedimentation, construction-related hazardous material discharge, disposal of extracted groundwater (if necessary), and long-term operational storm water discharge. Short-term water quality impacts related to erosion/sedimentation would be less than significant based on conformance with existing regulatory requirements (i.e., acquisition of a National Pollutant Discharge Elimination System [NPDES] General Construction Activity Storm Water Permit and implementation of a Storm Water Pollution Prevention Plan [SWPPP]). During grading and construction activities, graded areas and temporary soil stockpiles would be stabilized to minimize erosion. Impacts related to construction-related hazardous materials would be avoided or reduced to a level below significance through implementation of standard construction operating procedures, as well as permanent and construction storm water BMPs.

If shallow groundwater is encountered during Project construction and dewatering is necessary, this activity would require acquisition of an NPDES Dewatering Waste Discharge Permit from RWQCB. Such permits are intended to ensure compliance with applicable water quality, anti-degradation, and beneficial use objectives, and typically entail the implementation of BMPs to meet these requirements. Such BMPs may encompass a number of physical, chemical, and/or thermal parameters, depending on site-specific conditions. Dewatering BMP requirements at the Project site could potentially include energy dissipation, additional erosion/sedimentation controls, filtering of groundwater prior to discharge (e.g., with gravel and filter fabric media), testing of extracted groundwater for contaminants prior to discharge, and treatment of extracted groundwater (if required). Acquisition of and conformance with an NPDES Dewatering Waste Discharge Permit would avoid or reduce all associated water quality impacts below a level of significance.

In addition to the proposed residential area, the Project proposes to remove 1.1 acres of paved surfaces and construct a 0.2-acre, paved bike path along the Project frontage adjacent to Pond 10A, which is currently unpaved. Therefore, the Project would result in a net reduction in impervious surfaces and resulting runoff. The bike path would be paved with asphalt concrete pavement and would slightly slope toward the north; therefore, runoff from the residential development and bike path would flow into the bioretention area. Because any Project runoff would be filtered as it travels through the bioretention area, there would be no water pollution associated with runoff from the Project.

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Long-term occupation of the proposed residential development could include the generation or use and off-site discharge of urban contaminants such as organic materials, nutrients, metals, petroleum compounds, sediment, pathogens, and chemical pesticides, herbicides, and fertilizers. Urban contaminants accumulate primarily in streets, parking spaces, and drainage facilities, and are picked up in runoff during storm events. Contaminant loading is notably higher during initial runoff generation (i.e., the “first flush”) and during the first storm event of the rainy season in arid climates (such as southern California) due to accumulation of contaminants during the dry season. Consequently, long-term operation of the proposed Project could potentially result in the off-site transport of urban contaminants and associated water quality impacts related to increased turbidity, oxygen depletion, and toxicity to attendant species within downstream receiving waters, including the pond immediately adjacent of the Project site. As noted above, the proposed Project would require conformance with NPDES Municipal Storm Water Permit guidelines. Compliance with these guidelines would avoid or reduce all associated water quality impacts below a level of significance.

The BMPs that are incorporated into the site design would be determined through Form 7a – Storm Water Requirements Applicability Checklist and further detailed in Form 7b – Storm Water Management Plan as required by the City. Implementation and mandatory conformance with BMPs would preclude any violations of existing standards and discharge regulations.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No Impact. The Project does not require the construction of wells, as the Project site is located in an urban area with existing infrastructure. In addition, the Project would not impact local groundwater recharge, because runoff from the proposed impervious surfaces of the Project would flow into a bioretention area. Accordingly, the Project would have no impact on groundwater supply.

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- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact. The proposed Project would not substantially alter drainage patterns on the proposed residential area of the Project site. This area of the Project site is currently almost entirely covered with impervious surfaces. As noted above under Item IX.a, the Project would result in a net reduction in impervious surfaces due to the construction of the greenbelt and wetland restoration area. Storm water facilities are proposed to adequately convey post-development runoff quantities and volumes to a bioretention area within the proposed greenbelt area on the Project site. The development would be constructed to provide site drainage generally from south to north. Storm drains would be placed within the residential area to collect surface runoff.

In addition, the inclusion of BMPs to treat storm runoff the maximum extent practical would result in a less than significant impact.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less Than Significant Impact. Refer to Item IX.c. The proposed Project would not substantially alter drainage patterns of the Project site and no impacts to watercourses are proposed. Accordingly, impacts would be less than significant impact.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. Development of the proposed Project would result in approximately one acre less impervious surfaces than existing conditions; therefore, post-development runoff volumes would be slightly less than existing conditions. As discussed in Item IX.c, above, proposed storm drain facilities have been designed to accommodate anticipated flows. Thus, runoff volumes associated with the Project would not exceed the capacity of proposed drainage facilities.

As described in Item IX.a, above, the Project could result in polluted runoff; however, required compliance with a number of regulatory requirements related to water quality and proposed BMPs would minimize associated impacts. Based on these conditions, less than significant impacts related to water quality are anticipated.

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- f) Otherwise substantially degrade water quality?

No Impact. The Project would comply with all storm water quality standards during and after construction and would incorporate appropriate BMPs, including a bioretention area, to ensure that water quality is not degraded. See also Items IX.a through IX.e, above.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The Project site is not located with a 100-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA).

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. The Project site is not located with a 100-year flood hazard area as mapped by FEMA.

- i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

Less Than Significant Impact. The Project site is on the edge of a mapped dam inundation area for the Upper and Lower Otay Lakes reservoirs, which are located approximately 13 miles to the east and inland from the Project site. The 2004 Multi-Jurisdictional Hazard Mitigation Plan prepared for San Diego County states that although there is a low potential for dam inundation to occur, it is not impossible. Consequently, California requires not only that large dams be inspected for safety, but that plans be prepared to deal with possible failure. The State Office of Emergency Services presently requires dam owners to prepare dam failure inundation maps, which are to be considered in land use planning and to assist with preparation of disaster plans and evacuation procedures. In addition, the County Office of Emergency Services is updating its dam evacuation plans for San Diego County, which includes separate plans for each dam. Periodic inspection of the dams for the Upper and Lower Otay Lakes dams is the responsibility of the Division of Safety of Dams, which, based on the results of dam inspection, can require remedial measures, if warranted. Ongoing monitoring of existing facilities and implementation of remedial measures, as needed, as well as the City's participation in the County-wide emergency response plan and coordination with the Office of Emergency Services is intended to enhance public awareness, promote compliance with state and federal program requirements, and facilitate inter-jurisdictional coordination in compliance with the federal Disaster Mitigation Act of 2000. Ongoing programs and participation and implementation of emergency

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response measures already in place result in less than significant impacts from exposure of the proposed residences due to dam failure and inundation.

- j) Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. The Project site is located near a large water body (San Diego Bay/Pacific Ocean). Three salt ponds exist between the Project site and the San Diego Bay. These salt ponds are rarely fully inundated and would act as a buffer to the Project site in the event of a seiche. Accordingly, impacts are not anticipated from potential inundation by a seiche.

As discussed in the Preliminary Geotechnical Investigation and Geotechnical Update Letter by Advanced Geotechnical Solutions, Inc. (2014a and 2014b, respectively; Appendix D), given the elevations on site and the proximity to shoreline, portions of the Project site could be subject to inundation from tsunamis. The 2009 Tsunami Inundation Map for Emergency Planning prepared for the region indicates the northerly portion of the site may experience inundation during a significant tsunami event (California Emergency Management Agency 2009). According to the Safety Element of the General Plan for the City of Imperial Beach, however, a tsunami is considered highly improbable for the southern California coast. In addition, due to organizational and scientific advances, it is likely that if a tsunami did occur, there would be sufficient notice to evacuate residents from the Project site. The West Coast and Alaska Tsunami Warning Center (WCATWC) monitors earthquakes, and if the location and magnitude of an earthquake meet the known criteria for generation of a tsunami, a tsunami warning is issued; therefore, impacts are considered to be less than significant.

The site and project area is relatively flat and would not be subject to inundation by mudflow; no impacts are anticipated.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. LAND USE AND PLANNING. Would the project:

- a) Physically divide an established community?

No Impact. The Project site is currently developed with an RV park and located in a developed urban community. The Project would redevelop the park with a residential community. In addition, the Project would install a bike path that would connect the San Diego Bayshore Bikeway to the Silver Strand Boulevard/Rainbow Drive bus stop (as well as the proposed Project). Accordingly, the Project would not physically divide an established community; therefore, no impact would occur.

- b) Conflict with any applicable land use plan, policy, or regulation or 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?

No Impact. The property is zoned C/MU-1 (General Commercial & Mixed Use), which permits attached multi-family residential units at a maximum density of one dwelling unit per 1,000 square feet (or 43.5 dwelling units per acre). Accordingly, because the Project proposes a residential density of 21 dwelling units per acre, the Project would comply with the C/MU-1 zone requirements, and no impact would occur.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. Refer to Item IV.f, above.

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XI. 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?

Less Than Significant Impact. The Project site is located within an area designated as Aggregate Mineral Resource Zone Category 3 (MRZ-3; County of San Diego 2008). The MRZ-3 designation generally indicates the occurrence of known or inferred mineral deposits, the significance of which cannot be evaluated from available data. No known previous mineral-related activities (e.g., exploration and production) have occurred within or adjacent to the Project site. The site is zoned and designated for urban development, with mineral-related activities not an allowable use under applicable designations. In addition, the urban nature of surrounding areas would generally preclude the type of extraction operations typically associated with aggregate minerals (i.e., large-scale pits or quarries). The site also is not delineated as a mineral resource recovery area on any land use plans. Accordingly, potential impacts to aggregate mineral resources from the proposed Project would be less than significant.

- 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?

Less Than Significant Impact. Refer to Item XI.a, above.

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XII. NOISE. Would the project result in:

- 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?

Less Than Significant With Mitigation Incorporation. An Acoustical Technical Report was prepared for the Project by HELIX (2014c; Appendix I). A summary of Project-related impacts are presented below. It should be noted that this analysis is based on an older site plan that included 203 dwelling units. Therefore, this analysis is considered to be conservative; actual impacts would be less than what is presented below.

Construction Noise

Construction activities associated with the Project would be limited to the daytime hours (7:00 a.m. to 7:00 p.m.) and would comply with the City’s Noise Ordinance. Construction noise impacts to sensitive residential receivers would be less than significant.

The Biological Technical Report prepared for the Project by HELIX (2014b) indicates that construction-related noise from clearing and grading could be a temporary impact to wildlife. The state listed as endangered Belding’s savannah sparrow (*Passerculus sandwichensis beldingi*) is present in the San Diego Bay National Wildlife Refuge (NWR), located adjacent to the proposed bike path as discussed above. Potential significant short-term noise impacts to Belding’s savannah sparrow could result from construction for the proposed Project if construction noise levels exceed a level of 60 dBA L_{eq} (or ambient noise levels if higher than 60 dBA L_{eq}) at the edge of occupied Belding’s savannah sparrow habitat within the NWR during the species’ breeding season (March 15 through August 15). The following mitigation measure would reduce such impacts to level than significant levels:

- N-1** If construction of the bike path (Phase 2) occurs during the breeding season of Belding’s savannah sparrow (March 15 through August 15), a qualified biologist shall survey appropriate habitat areas within and 300 feet adjacent to the proposed bike path footprint for the presence of the sparrow. If breeding Belding’s savannah sparrows are present, construction activities that would result in noise levels exceeding 60 dBA L_{eq} (or ambient noise levels if higher than 60 dBA L_{eq}) at the edge of occupied Belding’s savannah sparrow habitat will be delayed until after the Belding’s savannah sparrow breeding season. An analysis showing that noise generated by construction activities would not exceed 60 dBA L_{eq} (or ambient noise levels if higher than 60 dBA L_{eq}) at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level

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experience with listed animal species) at least two weeks prior to the commencement of construction activities. Areas restricted from construction activities will be staked or fenced under supervision of a qualified biologist prior to commencement of construction activities during the breeding season.

Operational Noise

The only noteworthy stationary noise source associated with the proposed Project with the potential for noise impacts to sensitive receptors would be the proposed heating, ventilation, and air conditioning (HVAC) equipment. Specific information (i.e., equipment details and locations) for the Project HVAC systems is not available at this time; however, the HVAC systems would likely be ground-mounted (which represents a worst-case scenario for noise impacts). The portion of the proposed residential development that would be closest (less than 10 feet away) to off-site sensitive receptors (i.e., adjacent residences) is the eastern panhandle. A six-foot or higher concrete masonry unit (CMU) wall currently exists between the Project site and the adjacent off-site residences, which would remain in place during Project operation and would provide noise attenuation to greatly reduce operational noise related to HVAC units. Calculated noise levels for the HVAC systems at this location were estimated to be 41.8 dBA when nearby units were all running continuously. This would be less than the nighttime significance threshold of 45 dBA for residential uses. Therefore, stationary source noise impacts from proposed HVAC systems to off-site residential receptors would be less than significant.

Similarly, the only sources of potential on-site noise (excluding nuisance sources such as loud music) are the previously discussed HVAC systems. Typical HVAC-related exterior noise levels would be approximately 44.5 dBA from an adjacent unit. Therefore, stationary source noise impacts would be less than significant.

Transportation Noise

An increase in traffic noise levels of 3 dBA Community Noise Equivalent Level (CNEL) or more would result in a significant noise impact, which means that a project would have to double the amount of daily traffic on a roadway maintaining full speed. Project operations would not double the amount of traffic on any roadway. The maximum change in noise levels at off-site receivers between Existing and Existing Plus Project conditions is 0.1 dBA CNEL, and between Year 2040 without Project and Year 2040 with Project conditions is 0.2 CNEL, which would not be an audible difference. Therefore, off-site traffic noise impacts would be less than significant.

There is, however, a potential for the proposed residential development to be impacted by future (2040) traffic noise associated with SR-75. Future traffic noise levels at the proposed pool and residential building façades (and potential balconies) at their second stories were calculated (Table 2, 2040 Traffic

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Noise Levels at On-site Receivers [Balconies]; refer to Figure 10, 2040 Traffic Noise Contours and Proposed Residences Requiring Mitigation, for receptor locations and projected noise contours). It should be noted that the first story of proposed buildings would have similar noise exposure; however, no exterior use areas, such as balconies or private yards, are proposed on the first story. Any receivers located on floors above the second-story receivers would have comparable or lower noise levels than the modeled second-story receivers. According to the City’s Noise Ordinance, residential outdoor use spaces must not have noise levels exceeding 60 dBA CNEL. As shown in Table 2, 15 of the 17 receiver locations would experience noise levels in excess of 60 dBA CNEL. Three of the receivers (R12, R14, and R15) would not have a direct line of sight to SR-75 due to the building orientation and would not require balcony mitigation. It was therefore determined that 29 of the proposed townhomes fronting SR-75 would require mitigation for potential noise impacts to outdoor use areas (i.e., balconies; refer to Figure 10).

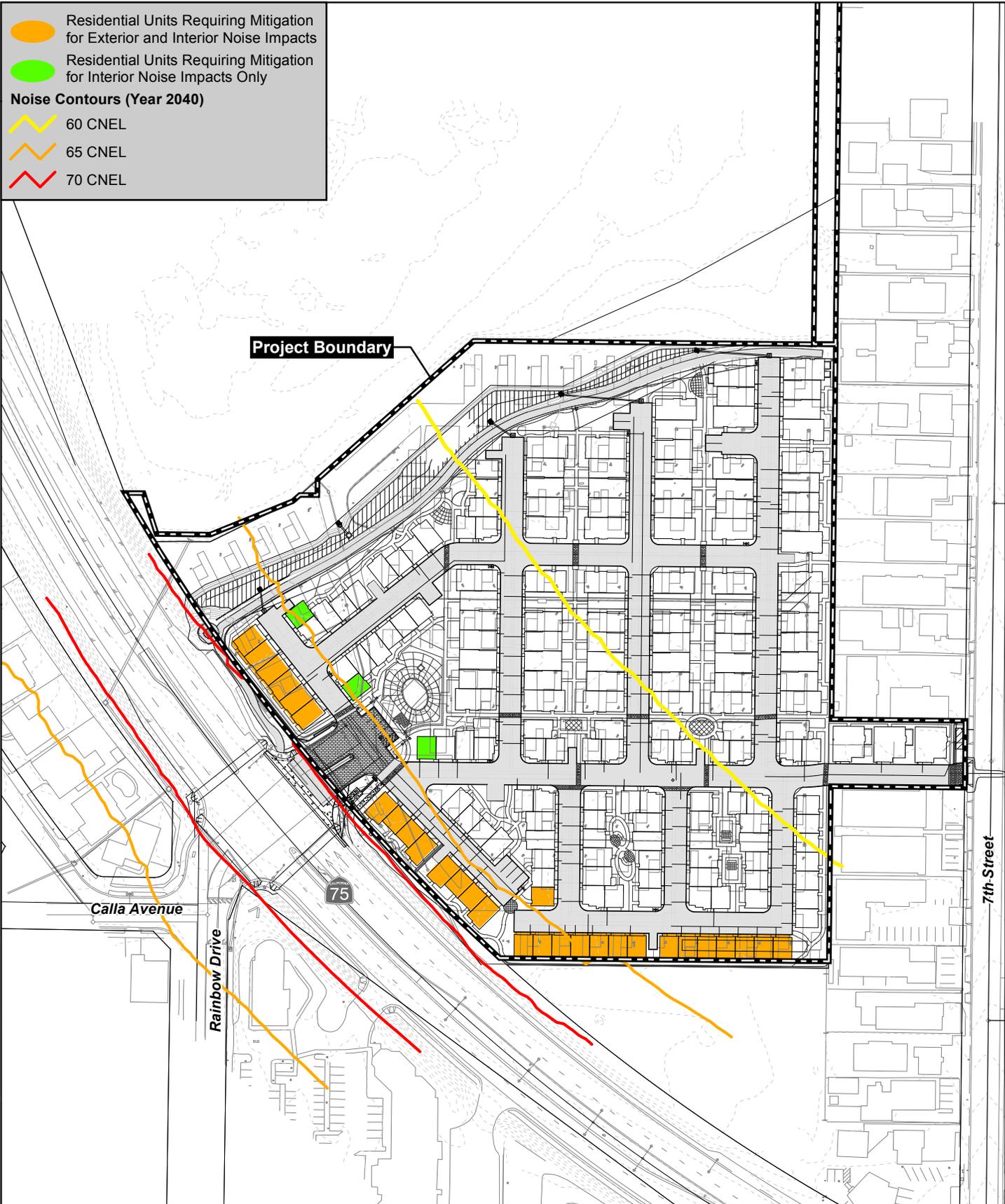
**Table 2
2040 TRAFFIC NOISE LEVELS AT ON-SITE
RECEIVERS (BALCONIES)**

Receiver	CNEL
R1	68.5
R2	68.3
R3	68.1
R4	67.9
R5	67.7
R6	66.7
R7	65.4
R8	64.8
R9	63
R10	62.3
R11	61.4
R12 (second row) ^{1,2}	61.1
R13 (second row) ¹	58.8
R14 (second row) ^{1,2}	61.5
R15 (second row) ^{1,2}	61
R16 (second row) ¹	60.1
R17 (Pool 1)	59.2

Source: HELIX 2014c

¹ These residences are not located along the perimeter of the site; they are located one row behind the houses along the perimeter.

² Balcony is not assumed to have a line of sight view to SR-75 based on current site plan.



2040 Traffic Noise Contours and Proposed Residences Requiring Mitigation

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The following mitigation measure would reduce traffic-related noise impacts to outdoor use areas associated with the proposed residences to less than significant levels:

N-2 A 5.5-foot or higher noise barrier will be constructed on the outdoor balconies of the proposed townhomes depicted on Figure 10, with the exception of balconies associated with R12, R14, and R15. The following specifications will be included on the building plans for the impacted balconies, and incorporated into the building design prior to issuance of the building permit:

- Sound attenuation barriers should be a single, solid sound wall and should have a height based on the finished grade of the noise source. The sound attenuation barrier should be solid and constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps through or below the wall. Any seams or cracks must be filled or caulked. If wood is used, it can be tongue and groove and must be at least one-inch thick or have a surface density of at least 3.5 pounds per square foot. Where architectural or aesthetic factors allow, glass or clear plastic may be used on the upper portion, if it is desirable to preserve a view. Sheet metal of 18-gauge (minimum) may be used, if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or wind. Any doors or gates must be designed with overlapping closures on the bottom and sides and meet the minimum specifications of the wall materials described above. Any gate(s) must be of 0.75-inch or thicker wood, solid-sheet metal of at least 18-gauge metal, or an exterior-grade solid-core steel door with prefabricated door jambs.

Exterior-to-interior noise level analyses assume a minimum 15 dBA CNEL reduction from outside to inside of a structure, assuming standard building construction methods. Therefore, interior residential noise levels (which are required to be less than 45 dBA CNEL) are assumed to be compatible with an exterior noise level of up to 60 dBA CNEL. Thus, the 32 townhomes depicted on Figure 10 as requiring mitigation would have the potential to experience interior noise levels that would exceed the State Noise Insulation Standard of 45 dBA CNEL. The following mitigation measure would reduce traffic-related noise impacts to the interiors of proposed residences to less than significant levels:

N-3 An interior noise analysis of proposed residences will be completed prior to building permit issuance to determine the appropriate measures that will be incorporated into building design to ensure residential interior noise levels would be below 45 dBA CNEL. Measures will include the following:

- Where exterior residential noise levels are expected to exceed 60 CNEL, additional noise analysis per the San Diego County standards should be conducted. The information in the noise analysis will include wall heights and lengths, room volumes,

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and window and door tables typical for a building plan, as well as information on any other openings in the building shell. With this specific building plan information, the analysis will determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 dBA CNEL for residential buildings, the report will identify architectural materials or techniques which could be included to reduce noise levels to 45 dBA CNEL. Glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60 should be considered. In addition, walls with appropriate STC ratings (34 to 60) should be considered.

- Appropriate means of air circulation and provision of fresh air must be present to allow windows to remain closed for extended intervals of time so that acceptable levels of noise can be maintained on the interior. The mechanical ventilation system will meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).

- b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

Less Than Significant Impact. Construction of the Project is not expected to utilize any pile driving or heavy earthmoving equipment, such as a large dozer or scrapper. The most likely source of vibration during construction would be a vibratory roller, which may be used to achieve soil compaction as part of the foundation construction (and possibly for on-site driveways at a later time). A vibratory roller creates approximately 0.210 inches per second root mean square (rms) at 25 feet. Ground-borne vibration during the construction process and would be considered significant if it exceeds the severe criteria, as specified by California Department of Transportation (2004), for residences of 0.4 inches per second peak particle velocity (PPV). Therefore, Project construction vibration impacts would be less than significant.

The only potential operational vibration sources would be from the on- and off-site HVAC systems, on-site pool equipment, and on- and off-site traffic. None of these sources have the potential to create perceptible vibration within and in the vicinity of the Project site. Therefore, vibration impacts to on- and off-site receptors would be less than significant.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Refer to Item XII.a. Impacts would be less than significant.

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- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Refer to Item XII.a. Impacts would be less than significant.

- 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?

No Impact. The Project site is located approximately seven miles west of Brown Field Municipal Airport. Based on the Brown Field Municipal Airport Land Use Compatibility Plan (San Diego County Regional Airport Authority 2010), the Project is west of and outside the area considered in the Airport Land Use Compatibility Plan and is not located within the mapped Noise Influence boundaries. The Project site is also located approximately two miles north of NOLF. Although helicopter traffic patterns between NAS North Island and NOLF occur west of the Project site, it is outside the NOLF's 60 dBA CNEL noise contour (Naval Base Coronado 2011). Accordingly, no public or military airport-related noise impacts to the Project would occur.

- 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?

No Impact. There are no private airports in the Project vicinity; no impact would occur to future residents.

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XIII. POPULATION & HOUSING. Would the project:

- a) Induce substantial population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

Less than Significant Impact. The proposed Project would increase the population of the City, as it would provide additional housing (193 units) within the City. According to the San Diego Association of Government's (SANDAG's) current (2013) population and housing estimates, the average household size in Imperial Beach is 2.82 people. Applying this rate, an additional 193 units would result in a population increase of approximately 545 people.

Construction of 193 residences would not result in substantial growth inducement, however, because: (1) no obstacles to population growth would be removed, such as provision of an essential public service or access to a previously inaccessible area and (2) the Project would not induce further growth through the expansion or extension of existing services, utilities, or infrastructure into a new, previously undeveloped area. The Project site is within an area surrounded by existing development, and served by existing infrastructure. Growth-inducing impacts resulting from project implementation would be less than significant.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project site currently is comprised of an RV park. This type of facility is not intended to provide permanent housing. Therefore, no impact to existing housing would occur.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. See Item XIII.b, above.

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XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- a) Fire protection?

Less than Significant. The Project site is located in an urbanized/developed area where City services are already available. The conversion of an RV park to residential use would not affect existing levels of fire protection services and would not require the construction or expansion of an existing governmental facility. Impacts to fire protection services would be less than significant.

- b) Police protection?

Less than Significant Impact. The Project site is located in an urbanized and developed area where the City of Imperial Beach services are already available. The conversion of an RV park to residential use would not affect existing levels of police protection services and would not require the construction or expansion of an existing governmental facility. Impacts to police protection services would be less than significant.

- c) Schools?

Less than Significant Impact. The Project would be served by South Bay Union School District (for elementary school-aged children) and Sweetwater Union High School District (for middle and high school-aged children). South Bay Union School District and Sweetwater Union High School District have student generation factors of 0.67 and 0.29 student per household, respectively (City 2010). This would equate to 130 students to attend South Bay Union School District elementary schools and 56 students to attend Sweetwater Union High School District middle and high schools. This increase in student population could affect schools in the City; however, payment of school impact fees would be required as part of Project development to help school districts offset the cost of accommodating new students. Therefore, impacts to schools would be less than significant.

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- d) Parks?

Less than Significant Impact. The Project site is located in urbanized/developed area where the City parks are already available. The Project would generate approximately 545 people, based on the population rate of 2.82 for the City (SANDAG 2014). This increase in population could affect parks in the City; however, the Project applicant would be required to pay park impact fees prior to issuance of building permits. This revenue would contribute toward construction of park facilities in the City. Accordingly, Project impacts to parks would be less than significant.

- e) Other public facilities?

No Impact. No other public facilities would be affected by the proposed Project; no impact is identified.

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XV. RECREATION.

- 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?

Less Than Significant Impact. Multiple recreational opportunities exist throughout Imperial Beach, including natural recreation areas such as 3.5 miles of beaches and the Tijuana River Estuary, as well as 14.74 acres of City park land and the 26-mile Bayshore Bikeway. Although future residents of the proposed Project would likely visit the parks and utilize the City’s recreational opportunities, the additional demand generated by the proposed Project is not anticipated to create such levels of use that it would create substantial deterioration of the facilities or become necessary to construct or expand recreational facilities that might result in an adverse physical effect on the environment. In addition, the Project includes construction of recreational facilities on site for use by future residents. This includes a swimming pool, as well as a public bike path that would connect the Silver Strand Boulevard/Rainbow Drive bus stop to the Bayshore Bikeway. Based on these considerations, the impact to recreation facilities is anticipated to be less than significant.

- 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?

Less Than Significant Impact With Mitigation Incorporated. As stated in Item XV.a, above, although future residents of the proposed Project would likely visit local parks and utilize the City’s recreation opportunities, the additional demand generated by the Project is not anticipated to create such levels of use that it would become necessary to construct or expand recreational facilities.

The project would provide recreational facilities for its residents, including a swimming pool, as well as a public bike path connecting the Silver Strand Boulevard/Rainbow Drive bus stop to the Bayshore Bikeway. The environmental effects of the proposed Project’s recreational facilities are included in this Environmental Initial Study. The impacts associated with the Project’s recreational facilities would be less than significant with mitigation incorporated (refer to Items IV.b and IV.c, above, and Mitigation Measure BIO-1) and would not require additional environmental analysis.

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XVI. TRANSPORTATION/TRAFFIC. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less Than Significant Impact. A Traffic Impact Analysis prepared for the Project by LLG (2014; Appendix J). A summary of that analysis is presented below.

Existing Conditions

Roadway Segments and Intersections. The study area includes the following roadway segments and intersections:

Roadway Segments

- SR-75 / Palm Avenue, north of Rainbow Drive to Florida Street
- Palm Avenue, from Rainbow Drive to SR-75
- Rainbow Drive, from SR-75 to Palm Avenue

Intersections

- SR-75 / Rainbow Drive / Project Driveway
- SR-75 / 7th Street
- Palm Avenue / 7th Street
- SR-75 / Delaware Street
- SR-75 / 9th Street

SR-75 / Palm Avenue is an east-west facility in the City that turns north past Rainbow Drive as it continues to the City of Coronado. In the study area, SR-75 is classified on the Imperial Beach Circulation Element as a Four-Lane Major Street north of Rainbow Drive (where it transitions to Silver Strand Boulevard) and as a Six-Lane Prime Arterial east of Rainbow Drive to the City boundary. It is currently built to its ultimate classification as a Four-Lane Major Street from just west of 7th Street to north of Rainbow Drive continuing up Silver Strand Boulevard. From 7th Street to east of 9th Street, SR-75 is built as a six-lane roadway with a raised median with cross-sections corresponding to Major Arterial standards, per San Diego Traffic Engineer’s Council/Institute of Transportation Engineers (SANTEC/ITE) guidelines. The speed limit is 55 miles per hour (mph) north of Rainbow Drive along

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Silver Strand Boulevard. From Rainbow Drive to the east, the posted speed limit is 40 mph. Bus stops are provided; curbside parking is prohibited.

Palm Avenue as a separate facility runs from Seacoast Drive to just east of 7th Street, where it merges and becomes SR-75. It is classified on the Imperial Beach Circulation Element as a Two-Lane Class III Collector. It is currently built as a four-lane roadway divided by a two-way left-turn lane with cross-sections corresponding to Secondary Arterial/Collector standards, per SANTEC/ITE guidelines. The posted speed limit is 35 mph and curbside parking is prohibited. Two San Diego Metropolitan Transit System (MTS) bus routes use Palm Avenue but there are no stops in the study area between Rainbow Drive and SR-75.

Rainbow Drive is classified as a Three-Lane Class II Collector from SR-75 to Palm Avenue. It is currently built as a two-lane undivided roadway with cross-sections corresponding to Collector standards, per SANTEC/ITE guidelines. The posted speed limit is 30 mph and curbside parking is permitted along both sides of the roadway. One bus stop is provided on the west side of Rainbow Drive.

Bicycle Facilities. On April 1, 2009, the City approved the Final Bicycle Transportation Plan, and the California Coastal Commission certified the related Local Coastal Plan Amendment on July 9, 2009. The Bayshore Bikeway provides a 26-mile bicycle facility connecting cyclists around San Diego Bay through the cities of San Diego, National City, Chula Vista, Imperial Beach, and Coronado. Currently, approximately 13 miles of bicycle paths are in use on the Bayshore Bikeway. The rest of the facility consists of on-street sections designated as either bicycle lanes or bicycle routes. The 0.81-mile portion of bikeway within the City of Imperial Beach runs along the City’s northern boundary, between the City and the San Diego Bay. This Class I bike path is the only bike path within the City. Class I bicycle lanes are hard surfaced routes within exclusive right-of-way physically separated from vehicular roadways and intended specifically for non-motorized use. They are generally two-way with center striping and a minimum width of eight feet.

Pedestrian Facilities. Continuous sidewalks are provided along both sides Palm Avenue and Rainbow Drive in the Project study area, with the exception of a gap on the south side of Palm Avenue between Delaware Street and 9th Street. SR-75 along Silver Strand Boulevard does not provide paved sidewalks as this roadway serves as a high-speed highway connecting to Coronado with no developed land uses abutting the roadway for an extended distance.

Transit. Current local bus transit service is provided in the Project study area via MTS Bus Routes 901, 933, and 934. Bus stops are located (1) directly adjacent to the Project site access on SR-75 at Rainbow Drive, (2) on the west side of Rainbow Drive just south of SR-75, and (3) along Palm Avenue and SR-75 within close proximity to the Project site.

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Thresholds

Roadway Segments. Impacts are considered to be less than significant where roadway segments would perform at level of service (LOS) D or better. In addition, roadways can operate at LOS E or F and Project impacts would be less than significant, if the change in volume-to-capacity ratio (V/C) is equal to or less than 0.02.

Intersections. Impacts are considered to be less than significant where intersections would perform at LOS D or better. In addition, intersections can operate at LOS E or F and Project impacts would be less than significant, if the change in delay is equal to or less than two seconds.

Bikeways. Impacts would be less than significant if a project maintains or accommodates designated bikeways consistent with the classification.

Analysis

The analysis of roadway segment and intersection impacts below addresses several different scenarios: Existing, Near-term, and Year 2040. It should be noted that with regard to the Year 2040 analysis, the City has identified several vehicular capacity enhancing projects; however, in order to be conservative, no circulation network changes or improvements are assumed in this analysis. These vehicular capacity enhancing projects are not fully funded. There are currently two planning projects proposed that would alter the geometry of the future roadway network and are not necessarily capacity enhancing. The Imperial Beach Eco-Bikeway Traffic Impact Study and the Palm Avenue Commercial Corridor Master Plan Study were prepared by KOA Corporation in 2008 and 2009, respectively. The Imperial Beach Eco-Bikeway project proposes to reduce the number of vehicular travel lanes on Palm Avenue from 3rd Street to 7th Street. The Palm Avenue Commercial Corridor Master Plan project proposes to reconfigure, but not reduce the capacity of Palm Avenue between 13th Street and Rainbow Drive to create more of a “Main Street” character. Neither project is funded; therefore, they are not included as part of the base assumptions for the Year 2040 analysis.

It also should be noted that the Year 2040 scenarios discussed below are based on the Navy Base Coronado Coastal Campus (NBC) project. The NBC recently released a Draft Environmental Impact Statement (EIS) analyzing several locations within the Project study area for Year 2040. Based upon a thorough comparison of the Year 2040 NBC assumptions to the Year 2030 traffic volumes provided in the Imperial Beach Rezone study, traffic generated by the NBC project along the SR-75 corridor would increase traffic volumes in the east/west directions substantially. To provide for a conservative analysis consistent with the NBC project, the Year 2040 traffic volumes from the NBC EIS were used in the Traffic Impact Analysis for the Bernardo Shores project.

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Roadway Segments. As shown in Table 3, the levels of service of roadway segments under all analyzed “With Project” scenarios (Existing Plus Project, Near-term With Project, and Year 2040 With Project) would be LOS D or better, with the exception of SR-75 between 9th Street and Florida Street, and Palm Avenue between Rainbow Drive and SR-75 under Year 2040 conditions (both without and with the Project). Because the change in V/C would be 0.010 and 0.002, respectively (which is less than the threshold of 0.02), impacts to these two roadway segments under Year 2040 with Project conditions would be less than significant.

Table 3 EXISTING, NEAR-TERM, AND YEAR 2040 LEVELS OF SERVICE OF ROADWAY SEGMENTS WITHOUT AND WITH THE PROPOSED PROJECT							
Street Segment	Capacity (LOS E) ¹	Levels of Service					
		Existing	Existing Plus Project	Near-term		Year 2040	
				Without Project	With Project	Without Project	With Project
SR-75							
North of Rainbow Drive / Project Driveway	40,000	B	B	B	B	D	D
Rainbow Drive / Project Driveway to 7 th Street	40,000	B	B	B	B	C	C
7 th Street to Delaware Street	50,000	A	B	A	B	C	C
Delaware Street to 9 th Street	50,000	B	B	B	B	D	D
9 th Street to Florida Street	50,000	C	C	C	C	E	E
Palm Avenue							
Rainbow Drive to SR-75	15,000	D	D	D	D	E	E
Rainbow Drive							
SR-75 to Palm Avenue	8,000	C	C	C	C	D	D

Source: LLG 2014

¹ Classification based on City of Imperial Beach Circulation Element and capacities based on SANTEC/ITE Roadway Classification Table.

Intersections. As shown in Table 4, the levels of service of intersections under all analyzed “With Project” scenarios would be LOS D or better, with the exception of SR-75 / Rainbow Drive / Project Driveway, which would operate at LOS F and E in the AM and PM peak hours, respectively, under Year 2040 conditions (both without and with the Project). Because the increase in delay would be 0.1 second (which is less than the threshold of 2 seconds), impacts to SR-75 / Rainbow Drive / Project Driveway during the PM peak hour under Year 2040 with Project conditions would be less than significant. Because, however, the increase in delay would be greater than 2 seconds during the AM peak hour, Project impacts to SR-75 / Rainbow Drive / Project Driveway during the AM peak hour under Year 2040 with Project conditions would be cumulatively considerable.

ISSUE

Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Table 4 EXISTING, NEAR-TERM, AND YEAR 2040 LEVELS OF SERVICE OF INTERSECTIONS WITHOUT AND WITH THE PROPOSED PROJECT							
Intersection	Peak Hour	Levels of Service					
		Existing	Existing Plus Project	Near-term		Year 2040	
				Without Project	With Project	Without Project	With Project
SR-75 / Rainbow Drive/ Project Driveway	AM	C	C	C	D	F	F
	PM	C	C	C	C	E	E
SR-75 / 7 th Street	AM	C	C	C	C	C	C
	PM	B	C	C	C	C	C
Palm Avenue / 7 th Street	AM	D	D	D	D	D	D
	PM	C	C	C	C	C	C
SR-75 / Delaware Street	AM	B	B	B	B	B	B
	PM	C	C	C	C	C	C
SR-75 / 9 th Street	AM	C	C	C	C	C	C
	PM	C	C	D	D	C	C

Source: LLG 2014

The following mitigation measure would mitigate the cumulative traffic impact to less than significant levels:

TRA-1 The Project shall restripe the northbound approach at the intersection of SR-75 / Rainbow Drive/ Project Driveway to provide one left-turn lane and one shared left-turn/through/right-turn lane, along with extending the existing turn pocket to the intersection with Bonito Avenue to the south to increase the capacity and queue area.

Bicycle Facilities. The Project includes construction of a public bike path that would connect the Silver Strand Boulevard / Rainbow Drive bus stop to the Bayshore Bikeway. The Project bike path would augment the facilities in the vicinity of the 7th Street segment by adding a Class I bike path and would not conflict with the Imperial Beach Bicycle Transportation Plan or hinder implementation of the plan. The Project would be beneficial with regard to bicycle facilities and circulation, and no impact would occur.

Pedestrian Facilities. The Project would not impact existing pedestrian facilities or hinder the development of future facilities. No impact to pedestrian facilities would occur.

Transit. The Project would not impact existing transit operations. The Project would improve bike access to the bus stop adjacent to the Project site by installing a direct bike path connection to the stop. No impact to transit or transit facilities would occur.

ISSUE

Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Summary

The Project is consistent with the Imperial Beach General Plan Circulation Element and the Bicycle Transportation Plan. The Project would result in less than significant impacts to transportation facilities.

- 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?

No Impact. SANDAG prepared the Congestion Management Program (CMP) for the San Diego region. The San Diego CMP requires a traffic analysis for all large-scale projects that generate at least 2,400 daily trips or 200 or more peak-hour trips. The Project does not meet the daily or peak-hour trip generation threshold, so no detailed CMP arterial analysis is required and no impacts would occur.

- 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?

No Impact. The proposed Project is not within an airport influence area and does not have the potential to affect air traffic patterns or locations. No associated air traffic impacts would occur.

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

No Impact. The Project would not include the construction of any hazards (e.g., sharp curves or dangerous intersections), and would not result in incompatible uses with the surrounding developed area. Accordingly, no impact would occur.

- e) Result in inadequate emergency access?

No Impact. Emergency access would be maintained on existing public streets that border the Project. In addition, the Project would include emergency-only access between the Project site and 7th Street. Accordingly, no impact associated with emergency access would occur.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Impact. Bus service and bicycle routes are provided within the City. There is currently a bus stop located at the intersection of Silver Strand Boulevard/Rainbow Drive, directly adjacent to the Project site. The Project would not affect the transit operations. The existing bus stop and services would continue to be available both during and after Project construction. In addition, the Bayshore Bikeway, located approximately 1,300 feet to the north of the proposed residential development, provides for alternative modes of transportation (i.e., by bicycles and foot). The Project would construct an additional Class 1 bike path that would connect the Silver Strand Boulevard/Rainbow Drive bus stop to the Bayshore Bikeway. Therefore, the Project would enhance and promote the use of alternative transportation. Accordingly, no impact related to conflict with adopted policies, plans, or programs supporting alternative transportation would occur.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVII. UTILITIES & SERVICE SYSTEMS.

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The proposed Project would replace an existing RV park with a residential community. Wastewater generated on site would be typical of a residential use and would not place any unusual demands on the local wastewater collection and treatment facilities that could exceed the requirements of the Regional Water Quality Control Board. Associated project impacts would be less than significant.

- 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?

Less Than Significant Impact. The project site is located within a developed area currently served by existing utilities and utility infrastructure. Water and sewer lines are located within and immediately adjacent to the project site.

A Water System Letter was prepared for this Project by Dexter Wilson Engineering, Inc. (2014a). There are two existing water lines near the Project site (the first crosses SR-75 and ends near the Project entry, and the second runs along SR-75 near the southwestern boundary of the Project). Preliminary discussions with California American Water Company suggest that upgrades to one of the six-inch-diameter lines providing water to the Project site would likely be needed. Upgrade of the line would occur within developed areas and not impact environmental resources. Adequate potable water service is available to serve the proposed Project. Accordingly, impacts to water facilities would be less than significant.

A Sewer System Letter was prepared for this Project by Dexter Wilson Engineering, Inc. (2014b). Wastewater treatment for the Project site is provided by the City. The City has evaluated the maximum development that could occur at the Project site and adjacent properties, and have designed minor upgrades to their system to accommodate anticipated flows from the proposed Project and adjacent properties. These upgrades include replacement of the existing eight-inch-diameter gravity sewer that crosses SR-75 and replacement of sections of a six-inch-diameter gravity sewer and the addition of a manhole on the east side of SR-75. These upgrades to existing facilities would be minor, not result in impacts to environmental resources, and therefore, impacts to wastewater facilities would be less than significant.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less Than Significant Impact. The proposed Project would not significantly alter drainage patterns on the proposed residential area of the Project site. The Phase 1 area of the Project site is currently almost entirely covered with developed, impervious surfaces. Storm water facilities are proposed to adequately convey post-development runoff quantities and volumes to a bioretention area within the proposed greenbelt area on the Project site. The development would be constructed to provide site drainage generally from south to north. Storm drains would be placed within the residential area to collect surface runoff and their construction would not cause significant environmental impacts. Impacts related to storm water drainage to would be less than significant. All required drainage facility improvements associated with the proposed Project are included within the Project design and are addressed within this environmental checklist form.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less Than Significant Impact. As stated in Item XVII.a, above, adequate potable water service is available to serve the proposed Project (Dexter Wilson Engineering, Inc. 2014a), and the Project would be consistent with supply forecasts for the region. Therefore, impacts to water supplies would be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less Than Significant Impact. As stated in Item XVII.a, above, the Project would require upgrades to existing sewer facilities (Dexter Wilson Engineering, Inc. 2014b), and the Project would not cause an exceedance of the treatment plant's capacity. Therefore, impacts associated wastewater facilities would be less than significant.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less Than Significant Impact. The City oversees solid waste services, which is provided by EDCO through a franchise agreement. Solid waste ordinances are jointly enforced to make sure waste is properly disposed. Solid waste generated in the City is primarily taken to the Otay Landfill located north of I-905. The Otay Landfill is permitted to receive 5,830 tons per day, and has a remaining capacity of just over 24 million cubic yards and a projected closure date of 2028 (California Department of Resources, Recycling and Recovery [CalRecycle] 2012).

The Project proposes to convert an RV park into a residential development. Required demolition would comply with City requirements for diversion of construction waste during the demolition phase. The Project also would be required to comply with City requirements for diversion of solid waste during operation.

In an effort to address landfill capacity and solid waste concerns, the California Legislature passed the Integrated Waste Management Act in 1989 (California State Assembly Bill 939), which mandated that all cities reduce waste disposed in landfills from generators within their borders by 50 percent by the year 2000. The City maintains a website to educate its citizens about disposal of hazardous waste, household waste and recycling programs. The City's website also includes links to its Solid Waste Ordinances found in Chapter 8.36, Refuse Collection, and Chapter 8.38, Construction and Demolition Debris Recycling, of the Municipal Code. Sufficient landfill capacity exists to serve the Project, and impacts to landfills would be less than significant.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

Less Than Significant Impact. The proposed Project would comply with all applicable federal, state, and local statutes and regulations related to solid waste (refer to Item XVII.f, above). Therefore, associated impacts would be less than significant.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation Incorporation. The proposed bike path connection to the Bayshore Bikeway (Phase 2) would impact a total of 0.24 acre of sensitive vegetation communities, including 0.01 acre of southern coastal salt marsh, 0.08 acre of saline meadow, 0.06 acre of mudflat, and 0.09 acre of non-native grassland (refer to Item IV.b, above). With incorporation of Mitigation Measure BIO-1, however, no net loss of 0.15 acre of coastal wetlands would occur, and impacts would be reduced to less than significant levels.

Potential significant short-term noise impacts to Belding’s savannah sparrow could result from construction for the proposed Project if construction noise levels exceed a level of 60 dBA L_{eq} (or ambient noise levels if higher than 60 dBA L_{eq}) at the edge of occupied Belding’s savannah sparrow habitat within the NWR during the species’ breeding season (March 15 through August 15). Mitigation to address potential noise impacts to sensitive avian species is required as detailed in Item XII.a, below (see Mitigation Measure N-1). Implementation of the proposed mitigation would reduce the potential for noise to impact Belding’s savannah sparrow to below a level of significance. The Project would not cause any species to drop below self-sustaining levels. The Project also would not reduce the number or restrict the range of any rare or endangered plant or animal species.

Development of the proposed Project would not eliminate important examples of the major periods of California history or prehistory, as none occur within or adjacent to the project site. Although no historic resources are anticipated to be impacted by the proposed Project, there is a possibility that unknown resources could be encountered during grading of the Project site. If other such resources were encountered on site, impacts could potentially be significant. Implementation of Mitigation Measure CUL-1, however, would reduce potential impacts to less than significant levels (refer to Item V.a, above).

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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- b) Does the project have the impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
-

Less Than Significant with Mitigation Incorporation. Potential impacts associated with air quality would not be cumulatively considerable due to their incremental and short-term nature. The Project would result in short- and long-term noise impacts. The proposed Project and other projects in the area would be comply with applicable air quality and noise regulations/ordinances during construction. In addition, the proposed Project would contribute to significant cumulative impacts to traffic (refer to the Year 2040 discussion in Section XVI, Transportation/Traffic, above). Implementation of the mitigation measures identified in this document would ensure that any impacts would be reduced to below a level of significance.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
-

Less Than Significant with Mitigation Incorporation. The proposed Project could potentially cause adverse environmental effects on humans. No significant safety or hazards impacts were identified in this Initial Study Checklist. The Project would result in short- and long-term noise impacts. Implementation of the mitigation measures identified in this document would reduce potentially significant impacts to below a level of significance. Refer also to Item XVIII.b, above.

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Appendix K

Notice of Intent and Availability for Public Review and Comment Period of Draft Mitigated Negative Declaration



City of Imperial Beach, California

COMMUNITY DEVELOPMENT DEPARTMENT

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 628-1356 Fax: (619) 424-4093

NOTICE OF INTENT AND AVAILABILITY FOR PUBLIC REVIEW AND COMMENT PERIOD OF DRAFT MITIGATED NEGATIVE DECLARATION (MND)

BERNARDO SHORES (MF 1100 - CUP 130073/DRC 130028/SPR 130029/TM 130030/EIA 130031)

Draft MND Public Review and Comment Period: October 2, 2014 to November 3, 2014

NOTICE IS HEREBY GIVEN that the City of Imperial Beach (City), as the Lead Agency, is proposing to adopt a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA) for the proposed project as identified below. A 30-day public review and comment period has been established pursuant to CEQA Guidelines Section 15073 for the Draft MND which has been prepared for the proposed project.

PROJECT NAME: Bernardo Shores (MF 1100 - CUP 130073/DRC 130028/SPR 130029/TM 130030/EIA 130031)

APPLICANT: Integral Communities

DESCRIPTION: The Project proposes the redevelopment of an existing 124-space adult recreational vehicle (RV) park located at 500 Highway 75, Imperial Beach, CA 91932 to a gated residential community of 190 townhomes and 3 detached single-family houses, for a total of 193 dwelling units, and related facilities (Phase 1), as well as the construction of a Class 1 Bike Path connecting the San Diego Bayshore Bikeway to the proposed residential community (Phase 2). Phase 1 would feature a 100-foot buffer zone along Pond 10A of the South San Diego Bay Unit of the San Diego Bay National Wildlife Refuge (NWR), which would include an outer 50 feet of wetland creation and transition and an inner 50 feet that would contain the proposed bike path and bioretention areas. Phase 2 would extend the bike path connection to the Bayshore Bikeway along the eastern boundary of Pond 10A.

The project application consists of a Conditional Use Permit (CUP 130073), Design Review Case (DRC 130028), Site Plan Review (SPR 130029), Tentative Map (TM 130030), and Environmental Initial Assessment (EIA 130031), for development of the 10.07-acre site. The majority of the project site is located within the General Commercial & Mixed-Use (C/MU-1) Zone. However, a portion of the project fronting 7th Street measuring approximately 11,250 square feet and is located within the Two-Family Detached Residential (R-3000-D) Zone, and the parcel containing the Bike Path extension is located in the UR (Urban Reserve) Zone.

LOCATION: The approximate 10.07-acre project site is comprised of two parcels (APN 625-140-20-00 and 626-010-18-00) within the City of Imperial Beach, in San Diego County, California. The larger parcel measures approximately 9.31 acres (405,543 square ft.), fronts State Route 75 at the northeast corner of the Rainbow Drive/State Route 75 intersection, and along the southern edge of Pond 10A. The other parcel is a long, narrow, undeveloped parcel measuring 0.76 acres (33,105 sq. ft.) that extends north from the northeastern corner of the larger parcel and along the eastern edge of Pond 10A toward the Bayshore Bikeway.

COASTAL PERMIT JURISDICTION: One half of the project site is located in the Appeal Jurisdiction of the California Coastal Commission and the other half of the project site is located in the Original State Permit Jurisdiction as indicated on the Local Coastal Program Post Certification and Appeal Jurisdiction Map. A consolidated coastal development permit (CDP) application is to be filed with and considered by the California Coastal Commission under Section 30601.3 of the California Public Resources Code.

SIGNIFICANT ENVIRONMENTAL EFFECTS ANTICIPATED AS A RESULT OF THE PROJECT: The City conducted an Environmental Initial Study (IS) that determined the proposed project could have a potentially significant environmental effect in the following areas: Biological Resources, Cultural Resources, Geology and Soils, Noise, and Traffic. The Draft MND identifies mitigation measures that will avoid or reduce all potentially significant environmental effects to below a level of significance. The Draft MND also will be routed through the State Clearinghouse for a 30-day agency review.

REVIEW AND COMMENT PERIOD: The City has established a 30-day public review and comment period from **October 2, 2014** to **November 3, 2014**. During this period, the Draft MND and IS will be posted on the City's website at www.imperialbeachca.gov by clicking on the "Public Notices" tab under the "Government" pull-down menu. The Draft MND and IS will also be available for review, or for purchase at the cost of reproduction, at the following locations and during the following days/times:

City of Imperial Beach Community Development Department 825 Imperial Beach Boulevard Imperial Beach, California 91932	Monday through Friday (except during office closures) 7:30 a.m. to 5:00 p.m.
Imperial Beach Public Library 810 Imperial Beach Boulevard Imperial Beach, California 91932	Monday and Wednesday: 9:30am to 8:00pm Tuesday and Thursday: 9:30 a.m. to 6:00 p.m. Friday and Saturday: 9:30 a.m. to 5:00 p.m.
City of Imperial Beach, City Clerk's Office 825 Imperial Beach Boulevard Imperial Beach, California 91932	Monday through Friday (except during office closures) 7:30 a.m. to 5:00 p.m.

Comments can be made on the IS/MND in writing before the end of the public review and comment period. All written comments on the Draft MND should focus on the sufficiency of the document in identifying and analyzing the potential impacts on the environment that may result from the proposed project, and the ways in which the significant effects are avoided or mitigated. Written comments must be submitted so as to arrive no later than 5:00 p.m. on November 3, 2014, to the following:

Jim Nakagawa, AICP
Community Development Department
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Following the close of the public comment period, the City will consider the IS/MND and comments thereto in determining whether to approve the proposed project. The City will prepare a Final MND for consideration and certification by the City Council. Notice of the City Council hearing for the project will be published at a later date. If you challenge the City's action on this environmental document in court, you may be limited to raising only those issues that you or someone else raised in written correspondence to the City during this 30-day public comment period.

FURTHER INFORMATION: For environmental review information, please contact Jim Nakagawa at the City of Imperial Beach at (619) 628-1355 or jnakagawa@imperialbeachca.gov.



Jim Nakagawa, AICP
City Planner
Community Development Department
City of Imperial Beach

September 25, 2014
Date of Notice

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Appendix L

Comment Letters Received and Responses to Comments

Appendix L

Comment Letters Received and Responses to Comments

This appendix addresses comments on the Draft Mitigated Negative Declaration (MND) raised during the 39-day public review period from September 26, 2014 to November 3, 2014. No new substantial environmental impacts and no increase in the severity of an earlier identified impact have surfaced in responding to these comments. The Draft MND does not require substantial revision, new mitigation, or result in changes to existing mitigation and does not meet the “substantially revised” standard warranting the need for recirculation pursuant to Section 15073.5 of the State California Environmental Quality Act (CEQA) Guidelines. The previously released Draft MND, the comment letters and responses in this appendix, and the Mitigation Monitoring and Reporting Program (MMRP) constitute the Final MND.

No revisions were made to the text of the Draft MND as a result of written comments received during the public review period.

Index to Responses to Comments

Comment Letter	Agency/Respondent and Date of Letter
State Agencies	
A	California Department of Transportation, District 11 (October 16, 2014)
Individuals	
B	Wendy Flores (October 20, 2014)
C	Alaric Gill (October 21, 2014)
D	Zeke Mazur (October 27, 2014)
E	John and Debi Murtagh (October 19, 2014)
F	Charles Pantino (October 22, 2014)
G	Renne Puffelis (October 27, 2014)
H	Raul Ruiz (October 27, 2014)
I	Eddie Valdez (October 29, 2014)

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DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING

4050 TAYLOR ST, M.S. 240

SAN DIEGO, CA 92110

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October 16, 2014

11-SD-75
PM 10.79
Bernardo Shores
MND OCT 2014

Mr. Jim Nakagawa
Community Development Department
825 Imperial Beach Blvd
Imperial Beach, CA, 91932

Dear Mr. Nakagawa:

The California Department of Transportation (Caltrans) has received a copy of the Mitigated Negative Declaration (MND) for the Bernardo Shores project, which is located at State Route 75 (SR-75)/Rainbow Drive. Caltrans has the following comments:

A-1 [Please provide, when available, a copy of the draft conditions related to the project design feature to extend the southbound left turn pocket from SR-75 to the project driveway.

A-2 [The Surface Transportation Assistance Act (STAA) allows large trucks, referred to as STAA trucks, to operate on routes that are part of the National Network. The Federal Highway Administration (FHWA) provides standards for STAA trucks based on the Code of Federal Regulations. SR-75 is a STAA truck route. Therefore, a truck turning template must be ran at an intersection when there is a modification to curb radius. If the entrance for the Bernardo Shores project was not designed to accommodate STAA trucks, there must be signs posted to prohibit such turning movement onto the development.

A-3 [Caltrans supports that the entrance gates to the Bernardo Shores project remain open during AM and PM peak hour periods to re-assure that gate queuing onto SR-75 will not be an issue. Caltrans recommends some conditional approval language be added to the approval of the project that any potential queuing from the project entrance gates be monitored and the gates remain open during peak periods if necessary.

A-4 [The new proposed pedestrian ramp on the southeast corner should be a dual ramp to serve East-West crossing on SR-75 and North-South crossing on Rainbow Drive on the project side. All pedestrian ramps construction details must be submitted and comply with the Americans with Disabilities Act (ADA) standards.

Mr. Jim Nakagawa
October 16, 2014
Page 2

Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an Encroachment Permit will be required for any work within the Caltrans R/W prior to construction.

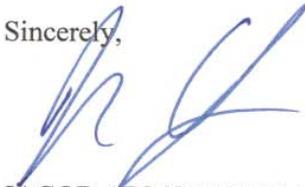
As part of the Encroachment Permit process, the applicant must provide an approved final environmental document including the CEQA determination addressing any environmental impacts within the Caltrans' R/W, and any corresponding technical studies. If these materials are not included with the Encroachment Permit Application, the applicant will be required to acquire and provide these to Caltrans before the permit application will be accepted. Identification of avoidance and/or mitigation measures will be a condition of the Encroachment Permit approval as well as procurement of any necessary regulatory and resource agency permits. Encroachment Permit submittals that are incomplete can result in significant delays in permit approval.

Improvement plans for construction within State Highway R/W must include the appropriate engineering information consistent with the state code and signed and stamped by a professional engineer registered in the State of California. The Caltrans Permit Manual contains a listing of typical information required for project plans. All design and construction must be in conformance with ADA requirements.

Additional information regarding Encroachment Permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158. Early coordination with Caltrans is strongly advised for all Encroachment Permits.

If you have any questions, please contact Roger Sanchez of the Development Review branch at (619) 688-6494.

Sincerely,



JACOB ARMSTRONG, Branch Chief
Development Review Branch

A-5

Responses to Comment Letter A
California Department of Transportation, District 11
Dated: October 16, 2014

- A-1** The City will provide the California Department of Transportation (Caltrans) with a copy of the draft conditions for the Project, once completed.
- A-2** The comment states that the Project entrance must comply with the Surface Transportation Assistance Act. Semi-trucks would be prohibited from accessing the Project site, and signs stating such would be posted at the entrance of the proposed residential development.
- A-3** The comment supports the Project leaving the entrance gates open during the AM and PM peak hours to assure the gate queuing onto SR-75 would not be an issue. Such a condition will be included in the Project approval.
- A-4** The comment is in regard to the proposed pedestrian ramp on the southeastern corner of SR-75 / Rainbow Drive / Project Driveway. This corner would have two pedestrian access ramps that comply with the Americans with Disabilities Act standards: one for the east-west crossing and one for the north-south crossing. Construction plans for these ramps will be submitted to Caltrans.
- A-5** The comment states that work within Caltrans right-of-way requires discretionary review and approval from Caltrans and an Encroachment Permit. The Project applicant will work with Caltrans to obtain an Encroachment Permit for project improvements within the Caltrans right-of-way.

October 20th, 2014

Jim Nakagawa, AICP
Community Development Department
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Dear Mr. Jim Nakagawa,

I would like to share my thoughts regarding general matters of the Draft Mitigated Negative Declaration for the Bernardo Shores project.

Section 2.0 Project Overview, section 2.2.1 Project Objectives describes how the construction will not only enhance the community, but create work and recreational opportunities for residents and nearby commuters.

The plan draws a friendly picture in that not only will there be additional work and recreational opportunities, the area will be able to experience a sense of community, one that is walkable, bicycle friendly and provides access to public transportation for residents and commuters. The plan also is designed for a diverse range of housing. As mentioned before, the community will have access to a bicycle path that will connect the San Diego Bayshore Bikeway from the development.

Please take into consideration that these changes will enhance our community and make the community an even better neighborhood for us residents to reside in. We are looking forward to these great changes.

Thank you very much,

Best,



Wendy Flores
1340 Holly Avenue
Imperial Beach, 91932

B-1

Responses to Comment Letter B
Wendy Flores
Dated: October 20, 2014

- B-1** The comment states that the proposed project would be beneficial to the surrounding community and would create recreational opportunities for residents and nearby commuters. This comment is noted, and no further response is required because it does not address the adequacy or accuracy of the information provided in the Draft MND. It is a part of the public record, and will be considered by the City Council during the hearing for approval of this MND.

October 21st, 2014

Jim Nakagawa, AICP
Community Development Department
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Dear Mr. Jim Nakagawa,

I reviewed the Draft Mitigated Negative Declaration for the Bernardo Shores redevelopment and I have the following comments regarding Section 2.0 Project Overview, Section 2.2.2 Project Features, Section 2.2.2.1. Phase 1 (Residential Development).

I think the project is valuable to the community. Providing a secure community with a variety of quality housing would not only accommodate a forecasted population increase, but would enhance the overall value of our community. Specifically, resulting in a significant increase in property taxes and to city's sales tax revenues. The plan also states that the area where the greenbelt will exist would be "restricted from human intrusion" therefore; the plan will help preserve the environment within the community, which I know has been a concern for some.

In all, the plan will benefit our community and help settle environmental issues that may have once been a concern.

Sincerely,



Alaric Gil
1202 Donax Avenue
Imperial Beach, CA 91932

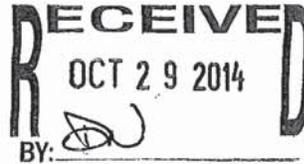
C-1

Responses to Comment Letter C
Alaric Gill
Dated: October 21, 2014

- C-1** The comment states that the proposed project would be beneficial to the surrounding community and would help preserve the environment. This comment is noted, and no further response is required because it does not address the adequacy or accuracy of the information provided in the Draft MND. It is a part of the public record, and will be considered by the City Council during the hearing for approval of this MND.

27 Oct 2014

Bernardo Shores (MF1100-CUP130073/DRC 130028/SPR130029/TM 130030/EIA130031)



Greetings:

D-1 [My property is adjacent to your easement, I have a clear view of Bernardo Shores. I have seen the renderings of the project. I thought the dwelling units were too dense. That swimming pool must be a salt water pool.

D-2 [I am excited about the planned bike path. I hope it terminates near the junction of HWY 75 and Rainbow, and all path curves are large radii. The most important thing is that I and my tenants have direct access to the new bike path, a gap in the fence or whatever. I am willing pay to for plan change.

Sincerely,

Zeke Mazur

522 7th St. Apt E
Imperial Beach
(619) 423-4652

Responses to Comment Letter D
Zeke Mazur
Dated: October 27, 2014

D-1 The comment states that the proposed dwelling units would be “too dense.” As stated in Item X.b., within the Initial Study Checklist for the project, the property is zoned C/MU-1 (General Commercial & Mixed Use), which permits attached multi-family residential units at a maximum density of one dwelling unit per 1,000 square feet (or 43.5 dwelling units per acre). Accordingly, because the Project proposes a residential density of 21 dwelling units per acre (which is less than half of the allowable density), the Project would comply with the C/MU-1 zone requirements, and no environmental impact would occur.

The pool is not proposed to be a salt water pool at this time. This comment regarding the proposed pool does not address the adequacy of the CEQA document; therefore, no response is necessary.

D-2 The comment discusses the proposed bike path. The southern portion of the bike path would terminate at the northern corner of State Route 75 and Rainbow Drive, adjacent to the entrance to the proposed residential development. The on-site bike path has been designed to meander to the north of the proposed residential development; the proposed bike path does not include any sharp turns.

The proposed on-site bike path would not be directly accessible from properties on the western side of 7th Street; however, access would be available to bicyclists from the northern terminus of 7th Street, via the Bayshore Bikeway (which is located approximately 1,200 feet to the north of your property at 522 7th Street), as well as from the northern corner of State Route 75 and Rainbow Drive.

Tyler Foltz

From: Jim Nakagawa
Sent: Monday, October 20, 2014 8:06 AM
To: Andy Hall; Greg Wade; Tyler Foltz
Subject: FW: Bernardo Shores MND

FYI

Jim Nakagawa, AICP
City Planner
Community Development Department
City of Imperial Beach

(619) 628-1355 direct | (619) 424-4093 fax
jnakagawa@imperialbeachca.gov | www.ImperialBeachCA.gov

From: Debi Murtagh [<mailto:dmmurtagh@msn.com>]
Sent: Sunday, October 19, 2014 3:01 PM
To: Jim Nakagawa
Subject: Bernardo Shores MND

I am writing to you to voice my opinion in opposition of the Bernardo Shores RV redevelopment. We currently spend our summers at IB in this RV park as do many others. There is no other comparable adult RV park within a close distance to IB. The local RV parks are not adult parks and cannot be compared to the site size, cost of rent and location.

If you redevelop this site you will lose your longtime summer residents who support your local retail shops, restaurants, bars, hotels, hairdressers, auto repair shops, etc. If you close the RV park we will not be returning to Imperial Beach for our 4 months summer residence. Does the city of IB plan on developing another RV park, my preference would be an adult park or at least an adult section.

John & Debi Murtagh
27908 N 256th Ave.
Wittmann, AZ 85361

dmmurtagh@msn.com

E-1

Responses to Comment Letter E
John and Debi Murtagh
Dated: October 19, 2014

- E-1** The comment discusses opposition to the proposed project. This comment, however, does not address the adequacy of the CEQA document and no further response is required. Regardless, this comment is noted. It is a part of the public record, and will be considered by the City Council during the hearing for approval of this MND.

October 22nd, 2014

Jim Nakagawa, AICP
Community Development Department
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Dear Mr. Jim Nakagawa,

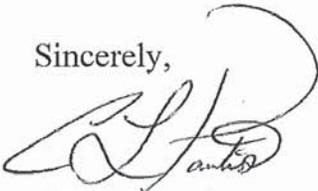
I would like to express my opinion regarding the Draft Mitigated Negative Declaration for the Bernardo Shores redevelopment.

In the beginning I was concerned about parking issues that the project might cause. With the growing number of housing, one would think of the possible frustration of having to worry about excessive parking; however, after reviewing the draft plan for the community, I have concluded that parking should not be an issue after all.

According to Section 2.0 Project Overview, Section 2.2.2 Project Features, Section 2.2.2.1. Phase 1 (Residential Development), there is a required amount of parking by City Zoning Ordinance of 291 parking spaces for the community. Additionally, parking due to attached garages for townhomes and single-family homes, provide the residents "private, off-street" parking which not only enhances the neighborhood aesthetics, but would also result in a total of 386 parking spaces for the community. The plan also states that there will be an additional 24 surface spaces that allow for parking. In all, there will be 191 additional parking spaces that would allow for the community to have more than enough space for parking.

Though parking is always a concern in a neighborhood, I believe the plan for the community has been well thought-out and should not create any problems for those who reside within the community.

Sincerely,



Charles Pantino
186 Date Avenue
Imperial Beach, CA 91932

F-1

Responses to Comment Letter F
Charles Pantino
Dated: October 22, 2014

- F-1** The comment states that the proposed project was well planned and would not create parking issues for nearby residents. This comment is noted, and no further response is required because it does not address the adequacy or accuracy of the information provided in the Draft MND. It is a part of the public record, and will be considered by the City Council during the hearing for approval of this MND.

October 27th, 2014

Jim Nakagawa, AICP
Community Development Department
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Dear Mr. Jim Nakagawa,

I have reviewed the Draft Mitigated Negative Declaration for the Bernardo Shores redevelopment and I have the following comments regarding the community.

Prior to receiving knowledge concerning the redevelopment in the community, I was weary as to how the development would maintain and preserve its scenic and environmental character. However, after reviewing the Draft Mitigated Negative Declaration, I am pleased with the revised plan for the community.

G-1

According to Section 5.0 Evaluation of Environmental Impacts, 1) Aesthetics, it states that there will be less than significant impact regarding scenic matters within the community. The plan assures those of us residing in the community and those passing by that the views of the San Diego Bay and Pond will not be affected. Additional landscaping, as mentioned in the draft, will not only enhance the visual aspect of the community but will provide additional character, making the community even more appealing.

Thank you for taking time to read my letter regarding the Bernardo Shores Community.

Sincerely, 

Renne Puffelis
1240 Donax #F
Imperial Beach, CA 91932

Responses to Comment Letter G
Renne Puffelis
Dated: October 27, 2014

- G-1** The comment states that the proposed project would enhance aesthetics and community character of the community. This comment is noted. It is a part of the public record, and will be considered by the City Council during the hearing for approval of this MND.

October 27th, 2014

Jim Nakagawa, AICP
Community Development Department
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

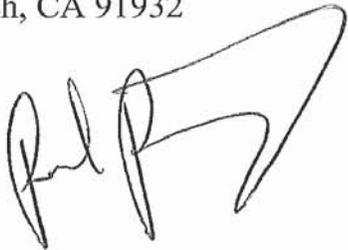
Dear Mr. Jim Nakagawa,

H-1 [I have reviewed the Draft Mitigated Negative Declaration (DMND) for the Bernardo Shores redevelopment and I have the following comments regarding the project. As someone who drives near the propose project on SR-75 and Palm Ave. regularly, I was very concerned about the traffic impacts that this proposed development would generate over the current RV park. Thus, I focused my review on page 54, section XVI.

Must to my surprise, the DMND traffic impact analysis was very thorough and I understand and accept the "less than significant impact" conclusion. I also liked reading that there won't be much of a visual impact from the new buildings which will be an improvement to look at over what is there currently.

Sincerely,

Raul Ruiz
1111 Seacoast Drive # :57
Imperial Beach, CA 91932

A handwritten signature in black ink, appearing to read "Raul Ruiz", with a large, sweeping flourish extending to the right.

Responses to Comment Letter H
Raul Ruiz
Dated: October 27, 2014

- H-1** The comment agrees with the Initial Study in that the proposed project would result in less than significant impacts to traffic and would improve the aesthetics of the project site. This comment is noted. It is a part of the public record, and will be considered by the City Council during the hearing for approval of this MND.

October 29th, 2014

Jim Nakagawa, AICP
Community Development Department
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Dear Mr. Jim Nakagawa,

After reviewing the Draft Mitigated Negative Declaration for the Bernardo Shores development, I would like to share with you the following comments regarding the community in regards to section 5.0 Evaluation of Environmental Impacts, section XIV. Public Services, section a), b) and c).

At first, it was of great concern that with the expanding community there would be a need for additional fire and police protection. Not to mention as the community expands, that would mean more residents, resulting in an increase of children attending nearby schools.

I-1 After giving it some thought, there is no need for concern as there is already an established fire protection and police force due to the established RV Park; therefore response times should not have a significant impact. As for the nearby schools and the more than likely increase of children attending these schools, the project development is required to provide cost to accommodate such changes.

These changes that would be made in the community will not have a significant impact and therefore, I support the developmental plans.

Thank you for taking the time to review my letter.

Sincerely,



Eddie Valdez
600 Palm Avenue
Imperial Beach, CA 91932

Responses to Comment Letter I
Eddie Valdez
Dated: October 29, 2014

- I-1** The comment agrees with the Initial Study in that the proposed project would not result in significant impacts associated with fire protection or police services, nor to schools. This comment is noted. It is a part of the public record, and will be considered by the City Council during the hearing for approval of this MND.

Appendix M

Mitigation Monitoring and Reporting Program

Appendix M

Mitigation Monitoring and Reporting Program for Bernardo Shores

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the City of Imperial Beach (City) as Lead Agency to ensure compliance with adopted mitigation measures associated with the development of Bernardo Shores within the City. Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the City will be responsible for ensuring that mitigation measures are implemented.

The below table identifies the MMRP requirements, including the person(s) responsible for implementing the mitigation measure, timing of implementation (prior to, during, or after construction), and responsible party for verification of completion of each mitigation measure. Space is provided for sign-off following completion/implementation of the mitigation measure. While neither CEQA nor the State CEQA Guidelines outline detailed requirements for specific content of an MMRP, the following format has been prepared in compliance with Section 21081.6 of the California Public Resources Code.

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MITIGATION MONITORING AND REPORTING PROGRAM
Bernardo Shores

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementing	Timing of Implementation			Responsible Party for Verifying	Completed		Comments
			Pre Const.	During Const.	Post Const.		Initials	Date	
BIOLOGICAL RESOURCES									
BIO-1	To reduce the potential of bird strikes, all glass and other reflective surfaces in the proposed residential community will be made of non-reflective glass and/or coated to minimize reflection.	Contractor		X		Community Development Department (City of Imperial Beach [City])			
BIO-2	The following restriction will be included in the CC&Rs for the Project: • Indoor-only cats are allowed in the proposed residences; pet cats will not be allowed outdoors.	Applicant			X	Community Development Department (City)			
BIO-3	Impacts to wetlands would be mitigated at a 4:1 ratio, including a 1:1 creation component, for a total compensation requirement of 0.60 acre (including 0.15 acre of wetland creation). All wetland mitigation shall occur within the buffer zone created on site adjacent to Pond 10A. A wetland restoration plan shall be prepared and implemented to the satisfaction of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and City.	Applicant	X			Community Development Department (City)			
BIO-4	A pre-construction meeting shall be held to ensure that construction crews are informed of the sensitivity of habitat in the National Wildlife Refuge. Prior to commencement of clearing or grading activities near natural habitats, the approved limits of disturbance shall be delimited by a biologist, and silt or orange fencing shall be installed to prevent errant disturbance by construction vehicles or personnel. All movement of construction contractors, including ingress and egress of equipment and personnel, shall be limited to designated construction zones. This fencing shall be removed upon completion of all construction activities.	Project Biologist, Biological Monitor	X	X		Community Development Department (City)			
BIO-5	A biological monitor shall be responsible for ensuring that the limits of construction have been properly staked and are readily identifiable, and for ensuring on at least a weekly basis during demolition and rough grading that the approved limits are not exceeded. A biological monitor shall be responsible for ensuring that the limits of construction have been properly staked and are readily identifiable, and for ensuring on at least a weekly basis during demolition and rough grading that the approved limits are not exceeded. The monitor also shall be responsible for ensuring that	Biological Monitor	X	X		Community Development Department (City)			

**MITIGATION MONITORING AND REPORTING PROGRAM
Bernardo Shores (cont.)**

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementing	Timing of Implementation			Responsible Party for Verifying	Completed		Comments
			Pre Const.	During Const.	Post Const.		Initials	Date	
BIOLOGICAL RESOURCES (cont.)									
BIO-5 (cont.)	the contractor adheres to the other provisions. The monitor, in cooperation with the on-site construction manager, shall have the authority to halt construction activities in the event that these provisions are not met. Monitors shall submit weekly memos to City during construction documenting the implementation of all grading and construction minimization measures.								
CULTURAL RESOURCES									
CUL-1	<p>If during ground disturbance activities, cultural resources are discovered that were not assessed by the cultural report prepared prior to project approval, the following procedures shall be followed.</p> <ol style="list-style-type: none"> 1. All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, an archaeologist, a Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find. 2. At the meeting, the significance of the discoveries shall be discussed and after consultation with the appropriate Native American tribe(s) (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resource. 3. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures. 	Contractor		X		Community Development Department (City)			
CUL-2	If grading requires cuts deeper than that of the fill soils (i.e., into the Bay Point Formation), the applicant shall retain a qualified paleontologist approved by the City (Project Paleontologist) to create and implement a project-specific plan for monitoring site grading/earthmoving activities.	Contractor, Project Paleontologist	X	X		Community Development Department (City)			
CUL-3	The Project Paleontologist retained shall review the approved development plan and grading plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the Project Paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to	Project Paleontologist	X	X		Community Development Department (City)			

**MITIGATION MONITORING AND REPORTING PROGRAM
Bernardo Shores (cont.)**

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementing	Timing of Implementation			Responsible Party for Verifying	Completed		Comments
			Pre Const.	During Const.	Post Const.		Initials	Date	
CULTURAL RESOURCES (cont.)									
CUL-3 (cont.)	<p>the City Planning Director for review and approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:</p> <ol style="list-style-type: none"> 1. Description of the Project site and planned grading operations. 2. Description of the level of monitoring required for all earth-moving activities in the Project area. 3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring. 4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens. 5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the City Planning Director of the discovery. 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays. 7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. 8. Procedures and protocol for collecting and processing of samples and specimens. 9. Fossil identification and curation procedures to be employed. 10. Identification of the permanent repository to receive any recovered fossil material. The City must be consulted on the repository/museum to receive the fossil material and a written agreement between the property owner/developer and the repository must be in place prior to site grading. 11. All pertinent exhibits, maps, and references. 12. Procedures for reporting of findings. 13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. 								

**MITIGATION MONITORING AND REPORTING PROGRAM
Bernardo Shores (cont.)**

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementing	Timing of Implementation			Responsible Party for Verifying	Completed		Comments
			Pre Const.	During Const.	Post Const.		Initials	Date	
CULTURAL RESOURCES (cont.)									
CUL-3 (cont.)	All reports shall be signed by the Project Paleontologist and all other professionals responsible for the report's content (e.g., Professional Geologist), as appropriate. Copies of the report(s) shall be submitted to the City Planning Director, along with a copy of this condition and the grading plan for appropriate case processing and tracking. In addition, the applicant shall submit proof of hiring (i.e., copy of executed contract, retainer agreement, etc.) a Project Paleontologist for the in-grading implementation of the PRIMP.								
CUL-4	Prior to grading final inspection, the applicant shall submit to the City Planning Director one copy of the Paleontological Monitoring Report prepared for site grading operations at this site. The report shall be certified by the professionally qualified paleontologist responsible for the content of the report. The report shall contain a report of findings made during all site grading activities and an appended itemized list of fossil specimens recovered during grading (if any) and proof of accession of fossil materials into the pre-approved museum repository. In addition, all appropriate fossil location information shall be submitted to the San Diego County Natural History Museum, at a minimum, for incorporation into their regional locality inventories.	Project Paleontologist		X		Community Development Department (City)			
CUL-5	If any human remains are discovered during Project grading activities, all work shall be halted in the vicinity of the discovery and the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains. The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the City Planning Director.	Contractor		X		Community Development Department (City)			

**MITIGATION MONITORING AND REPORTING PROGRAM
Bernardo Shores (cont.)**

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementing	Timing of Implementation			Responsible Party for Verifying	Completed		Comments
			Pre Const.	During Const.	Post Const.		Initials	Date	
GEOLOGY AND SOILS									
GEO-1	The upper five to six feet of on-site existing soil shall be removed and recompacted. At the base of the removal, a layer of rock shall be placed and overlain by a geotextile fabric with similar properties to Mirafi 500X. A post-tensioned or mat slab shall be utilized, and shall be designed to resist differential settlements on the order of 0.25 to 0.75 inch in 40 feet.	Contractor		X		Community Development Department (City)			
NOISE									
N-1	If construction of the bike path (Phase 2) occurs during the breeding season of Belding's savannah sparrow (March 15 through August 15), a qualified biologist shall survey appropriate habitat areas within and 300 feet adjacent to the proposed bike path footprint for the presence of the sparrow. If breeding Belding's savannah sparrows are present, construction activities that would result in noise levels exceeding 60 dBA L _{eq} (or ambient noise levels if higher than 60 dBA L _{eq}) at the edge of occupied Belding's savannah sparrow habitat will be delayed until after the Belding's savannah sparrow breeding season. An analysis showing that noise generated by construction activities would not exceed 60 dBA L _{eq} (or ambient noise levels if higher than 60 dBA L _{eq}) at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) at least two weeks prior to the commencement of construction activities. Areas restricted from construction activities will be staked or fenced under supervision of a qualified biologist prior to commencement of construction activities during the breeding season.	Project Biologist, Project Acoustician, Biological Monitor	X	X		Community Development Department (City)			
N-2	A 5.5-foot or higher noise barrier will be constructed on the outdoor balconies of the proposed townhomes depicted on Figure 10, with the exception of balconies associated with R12, R14, and R15. The following specifications will be included on the building plans for the impacted balconies, and incorporated into the building design prior to issuance of the building permit: <ul style="list-style-type: none"> • Sound attenuation barriers should be a single, solid sound wall and should have a height based on the finished grade of the noise source. The sound attenuation barrier should be solid and constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps through or below the wall. Any seams 	Contractor		X		Community Development Department (City)			

**MITIGATION MONITORING AND REPORTING PROGRAM
Bernardo Shores (cont.)**

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementing	Timing of Implementation			Responsible Party for Verifying	Completed		Comments
			Pre Const.	During Const.	Post Const.		Initials	Date	
N-2 (cont.)	or cracks must be filled or caulked. If wood is used, it can be tongue and groove and must be at least one-inch thick or have a surface density of at least 3.5 pounds per square foot. Where architectural or aesthetic factors allow, glass or clear plastic may be used on the upper portion, if it is desirable to preserve a view. Sheet metal of 18-gauge (minimum) may be used, if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or wind. Any doors or gates must be designed with overlapping closures on the bottom and sides and meet the minimum specifications of the wall materials described above. Any gate(s) must be of 0.75-inch or thicker wood, solid-sheet metal of at least 18-gauge metal, or an exterior-grade solid-core steel door with prefabricated door jambs.								
N-3	<p>An interior noise analysis of proposed residences will be completed prior to building permit issuance to determine the appropriate measures that will be incorporated into building design to ensure residential interior noise levels would be below 45 dBA CNEL. Measures will include the following:</p> <ul style="list-style-type: none"> • Where exterior residential noise levels are expected to exceed 60 CNEL, additional noise analysis per the San Diego County standards should be conducted. The information in the noise analysis will include wall heights and lengths, room volumes, and window and door tables typical for a building plan, as well as information on any other openings in the building shell. With this specific building plan information, the analysis will determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 dBA CNEL for residential buildings, the report will identify architectural materials or techniques which could be included to reduce noise levels to 45 dBA CNEL. Glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60 should be considered. In addition, walls with appropriate STC ratings (34 to 60) should be considered. • Appropriate means of air circulation and provision of fresh air must be present to allow windows to remain closed for extended intervals of time so that acceptable levels of noise can be maintained on the interior. The mechanical ventilation system will meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code). 	Contractor, Project Acoustician			X	Community Development Department (City)			

**MITIGATION MONITORING AND REPORTING PROGRAM
Bernardo Shores (cont.)**

Mitigation Measure No.	Mitigation Measure	Responsible Party for Implementing	Timing of Implementation			Responsible Party for Verifying	Completed		Comments
			Pre Const.	During Const.	Post Const.		Initials	Date	
TRANSPORTATION/TRAFFIC									
TRA-1	The Project shall restripe the northbound approach at the intersection of SR-75 / Rainbow Drive / Project Driveway to provide one left-turn lane and one shared left-turn/through/right-turn lane, along with extending the existing turn pocket to the intersection with Bonito Avenue to the south to increase the capacity and queue area.	Contractor		X		Community Development Department (City)			

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