ATTACHMENT D

ENVIRONMENTAL IMPACT REPORT

APPENDIX A

NOTICE OF PREPARATION & COMMENTS

APPENDIX A

Notice of Preparation and Public Scoping Comments

SAN MARCOS
DISCOVER LIFE'S POSSIBILITIES

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND SCOPING MEETING/PUBLIC WORKSHOP

Project Title: Hughes SMCC

Project Number: Site Development Plan SDP22-0002

Applicant: Hughes SMCC, LLC

NOP Comment Period: February 22, 2023 to March 24, 2023

Meeting Date/Time: March 9, 2023 at 6 P.M.

PURPOSE FOR NOTICE: This Notice of Preparation (NOP) is being issued by the City of San Marcos for the Hughes SMCC project located in the City of San Marcos. The City is the lead agency for the project and will prepare an Environmental Impact Report (EIR) in accordance with the requirements of the California Environmental Quality Act (CEQA) and the CEQA implementation guidelines. This NOP is being circulated pursuant to California Resources Code Section 211153(a) and CEQA Guidelines Section 15082.

The City is requesting written feedback from the public, interested organizations, and responsible trustee agencies about the scope and content of the environmental information that will be addressed in the EIR.

Project Location: Northeast side of S. Pacific Street, approximately 750 feet south of Linda Vista Drive. Assessor's Parcel Number(s): 219-223-20-00 and 219-223-22-00.

Project Description: Request for a Site Development Plan for the development of a 67,410 SF light industrial building to support the expansion of the existing operations of Hughes Circuits Inc., currently located across from the proposed project site to the south, at 546 S. Pacific Street. The 67,410 SF industrial building includes a 56,310 SF ground floor, and an 11,100 SF mezzanine. The proposed building would be located at the western-most portion of the project site, and the disturbance area associated with project construction would be limited to approximately 113,877 SF or 2.61 acres of the 10.46-acre project site. The remaining 7.85 acres of the 10.46-acre project site would be preserved and restored open space and habitat area.

Potential Environmental Effects: The Environmental Impact Report (EIR) to be prepared for the proposed project will analyze the following environmental effects: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire. Responses received on this NOP may modify or add to the preliminary assessment of potential issues addressed in the EIR.

Scoping Meeting/Public Workshop: A joint Scoping Meeting/Public Workshop for the project will be held on **March 9, 2023 at 6 PM** at the San Marcos City Hall in the Valley of Discovery Room (next to City Council Chambers) located at 1 Civic Center Drive, San Marcos, CA 92069. The intent of the Scoping Meeting/Public Workshop is to obtain information and solicit comments from the public about the issues and content of the EIR. During the meeting, the project applicant will provide an overview of the project, will explain the environmental review process, and will be available to hear your comments and questions. Attendance of the scoping meeting is not required in order to submit written comments.

NOP Comments: All written comments on the Notice of Preparation (NOP) must be submitted within 30 days of this notice and received no later than close of business on **March 24, 2023**. Written comments can be submitted via letter or email to the following address, and should include your name and contact information or the name of a contact person in your organization or agency, if applicable.

Chris Garcia, Senior Planner
City of San Marcos Planning Division
1 Civic Center Drive
San Marcos, CA 92069
Email: cgarcia@san-marcos.net

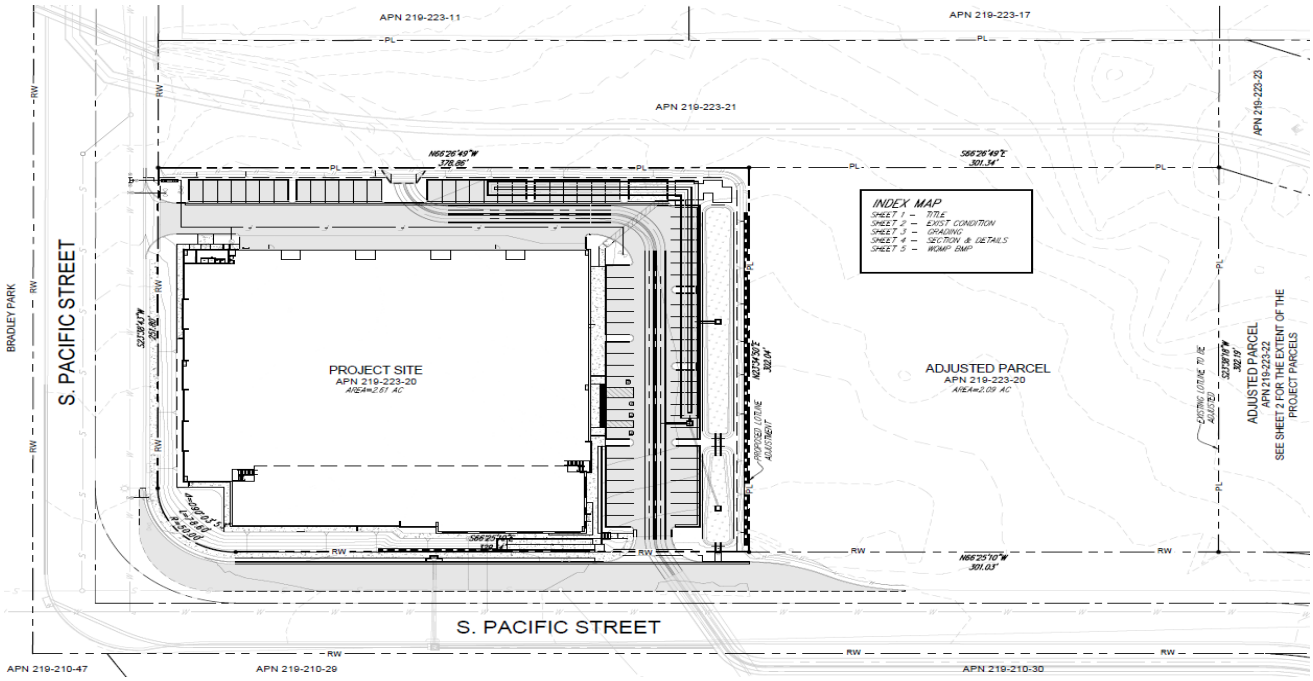
For more information regarding the proposed project, please visit:

https://www.san-marcos.net/departments/development-services/planning/environmental-review-sustainability/environmental-documents

or contact Chris Garcia, Senior Planner, at (760) 744-1050 x3237 or cgarcia@san-marcos.net.

PROJECT LOCATION MAP

CONCEPTUAL SITE PLAN



Hughes Circuits Project
Public Comments to Notice of Preparation Matrix

#	Comment Letter Cite	Comments / Concerns	Considered in EIR or Planning Documents	Applicable EIR Section	Date Dated or Received
State Agencies					
1	Native American Heritage Commission	This specific project is not subject to the requirements of SB 18 as it does not entail rezoning. It is important to note that our company consistently adheres to the NAHC recommendations for cultural resource assessments, including AB52 and SB 18, to ensure appropriate and sufficient mitigation measures for any direct or indirect impacts to cultural resources.	Yes	Cultural Resources; Tribal Cultural Resources	February 22, 2023
2	California Department of Justice	Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts.	Yes	Land Use	March 1, 2023
3	Caltrans	It is recommended to provide/consider VMT/TIS, alternative transportation means, GHG emission reduction, and compatibility with surrounding land uses/development.	Yes	Traffic and Transportation	March 24, 2023
4	California Department of Fish and Wildlife	Baseline surveys need to be conducted at the time of year when species are most likely to be detected and when the vernal pools are still holding water. The CDFW recommends consulting with the USFW and CDFW regarding the project design. Federally endangered fairy shrimp and dually listed plants have the potential to be found in the vernal pools on the project site, so they should be avoided and conserved. The undeveloped portion of the project shall be maintained. Management should emphasize control of invasive species and prevention of human encroachment. The CDFW requests that the REIR's cumulative impacts analysis include a discussion of how this project's impacts to biological resources, and the impacts to biological resources as a result of the Pacific Specific Plan, are or are not cumulatively considerable. The document should provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. CDFW recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the Project or at an individual project-level. The DEIR should include mitigation measures for adverse project-related impacts to sensitive lants, animals, and habitats. To avoid impacts to nesting birds, the DEIR should require that clearing of vegetation, and when biologically warranted construction, occur outside of the peak avian breeding season.	Yes	Biological Resources	March 30, 2023
Organizations					

#	Comment Letter Cite	Comments / Concerns	Considered in EIR or Planning Documents	Applicable EIR Section	Date Dated or Received
1	San Diego County Archaeological Society, Inc.	SDCAS is pleased to note the inclusion of cultural resources in the list of subject areas to be addressed in the EIR and look forward to reviewing it during the upcoming public comment period. SDCAS has asked to be included in notification of the public review and release of the DEIR.	Yes	N/A	March 20, 2023
2	San Diego County Hazardous Materials Division	It is recommended that construction hazardous waste should be disposed of properly to avoid environmental damage. California-registered hazardous waste hauler must be used, and documentation kept for three years. HMD regulation is necessary for new facilities and a plan check review may be necessary for building occupancy. HMD monitors hazardous materials facilities during and after construction for public health and environmental protection.	Yes	Hazards and Hazardous Materials	March 22, 2023

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Sara Dutschke
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NAHC.ca.gov

February 22, 2023

Chris Garcia
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Re: 2023020497, Hughes SMCC, LLC Project, San Diego County

Dear Mr. Garcia:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

1300 I STREET, SUITE 125
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SACRAMENTO, CA 94244-2550

E-Mail: EJ@doj.ca.gov

March 1, 2023

Chris Garcia, Senior Planner
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

RE: Hughes SMCC, LLC, SCH # 2023020497

Dear Mr. Garcia:

Thank you for the opportunity to provide comments on the Notice of Preparation for the Hughes SMCC, LLC project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.[1] Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.[2] The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a

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[1] California Air Resources Board, Nitrogen Dioxide & Health, https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health (NOx); California Air Resources Board, Summary: Diesel Particular Matter Health Impacts, https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf (DPM).

[2] Noise Sources and Their Effects, https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

copy of this document to this letter, and it is also available online.[3] We encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Sincerely,

CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General

[3] https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.

California Department of Transportation

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March 24, 2023

11-SD-78
PM 11.29
Hughes SMCC LLC
NOP/SCH#2023020497

Mr. Chris Garcia
Senior Planner
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

Dear Mr. Garcia:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation for the Hughes SMCC LLC project located near State Route 78 (SR-78). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of San Marcos in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Impact Study

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.[1]

- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent any existing or proposed State facilities.

Complete Streets and Mobility Network

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of San Marcos is encouraged.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

Land Use and Smart Growth

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with

[1] California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

The City should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W.

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 approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft Environmental Document.

Right-of-Way

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' 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.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing D11.Permits@dot.ca.gov or by visiting the website at https://dot.ca.gov/programs/traffic-operations/ep. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Kimberly Dodson, LDR Coordinator, at (619) 985-1587 or by e-mail sent to Kimberly.Dodson@dot.ca.gov.

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development Review

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

March 30, 2023

Chris Garcia, Associate Planner
City of San Marcos Planning Division
1 Civic Center Drive
San Marcos, CA 92069
CGarcia@san-marcos.net

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Hughes SMCC Project, SCH #2023020497, San Diego County

Dear Mr. Garcia:

The California Department of Fish and Wildlife (CDFW) has reviewed a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of San Marcos (City; Lead Agency) for the Pacific Specific Plan (Project). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on Projects and related activities that have the potential to adversely affect State fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq*.). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA;

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Fish & G. Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The City was a local jurisdiction participant in the early planning of the Subregional Multiple Habitat Conservation Program (MHCP) in the late 1990's and early 2000's. The City had prepared a draft Subarea Plan under the Subregional MHCP, which addressed regional conservation planning across seven incorporated jurisdictions on northern San Diego County. However, the San Marcos Subarea Plan was not finalized, and state and federal permits have not been issued to the City. To date, only the City of Carlsbad has received permits pursuant to the MHCP; however, the conservation principals remain relevant for development projects occurring in other jurisdictions.

Project Description and Summary

Objective: The EIR will evaluate a request for a Site Development Plan for the proposed Project. The Project would involve development of a 67,410 square-foot light industrial building to support the expansion of the existing operations of Hughes Circuits Inc., currently located across from the proposed Project site to the south, at 546 S. Pacific Street. The 67,410 square-foot industrial building includes a 56,310 square-foot ground floor, and an 11,100 square-foot mezzanine. The proposed building would be located at the western-most portion of the Project site, and the disturbance area associated with Project construction would be limited to approximately 113,877 square feet or 2.61 acres of the 10.46-acre Project site. The remaining 7.85 acres of the 10.46-acre Project site would be preserved and restored open space and habitat area.

Location: The proposed Project site is in the northwestern portion of San Diego County within the City and is mostly surrounded by development. The Project site is located on the northeast side of South Pacific Street, to the west of South Las Posas Road, and approximately 750 feet south of Linda Vista Drive. The Project site includes Assessor's Parcel Numbers (APNs) 219-223-20-00 and 219-223-22-00.

Biological Resources: Though the Project site is mostly surrounded by development, multiple sensitive resources have previously been mapped within its boundaries, including a vernal pool/mima mound complex and multiple state and federally listed species. California Natural Diversity Database (CNDDB) maps show historic occurrences of sensitive species over the entirety of the site, though fewer occurrences are mapped on the western-most portion of the site where Project construction is proposed. The NOP did not include any initial biological survey results.

Historical occurrences of five special status plant species are mapped on-site: San Diego button-celery (*Eryngium aristulatum* var. *parishii*; federally listed-endangered, state listed-endangered, California Native Plant Society (CNPS) Rare Plant Rank 1B.1, proposed Narrow Endemic under the MHCP), spreading Navarretia (*Navarretia fossalis*; federally listed-endangered, CNPS Rare Plant Rank 1B.1, proposed Narrow Endemic under the MHCP), thread-leaved brodiaea (*Brodiaea filifolia*; federally listed-threatened, state listed endangered, CNPS Rare Plant Rank 1B.1, proposed Narrow Endemic under the MHCP), Orcutt's brodiaea (*Brodiaea orcuttii*; CNPS Rare Plant Rank 1B.1), and San Diego thorn-mint (*Acanthomintha ilicifolia*; federally listed-threatened, state listed-endangered, California Native Plant Society (CNPS) Rare Plant Rank 1B.1, proposed Narrow Endemic under the MHCP).

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One special status animal species has previously been mapped on the Project site and directly adjacent to it. San Diego fairy shrimp (*Branchinecta sandiegonensis*) is a vernal pool obligate species that is federally listed as endangered and proposed as a Narrow Endemic under the MHCP.

The Project site is located within the boundaries of the MHCP, and within the Vernal Pool Major Amendment Area in the City's Draft Subarea Plan. In the context of the MHCP, the Project site is outside of the Biological Core and Linkage Area and is identified as a "Major Amendment Area" in the MHCP Focused Planning Area. The site is not within or adjacent to any conserved lands. Although the Project site was specifically excluded from the MHCP conservation areas/acreages, estimates, and requirements, the site is recognized in the MHCP to support sensitive biological resources and is targeted as an isolated preserve area for conservation and incorporation into the MHCP preserve system.

The Project site is located within U.S. Fish and Wildlife Service (USFWS) designated critical habitat for three species, including the San Diego fairy shrimp, spreading navarretia, and thread-leaved brodiaea.

The Project site is less than two tenths of a mile from another site that is proposed to be developed under the name Pacific Specific Plan, formerly known as the Upham property, . The Upham property is just north of Linda Vista Avenue that includes the largest remaining vernal pool complex in the City supporting the San Diego fairy shrimp, San Diego button celery, and spreading navarretia. This site also includes the largest remaining non-conserved native grassland in the City that supports one of the largest known populations of thread-leaved brodiaea and Orcutt's brodiaea.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. The DEIR should provide adequate and complete disclosure of the Project's potential impacts on biological resources [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003(i), 15151]. CDFW looks forward to commenting on the DEIR when it is available.

Specific Comments

1. Baseline surveys for rare plants and animals, if they have not already been done, should be conducted at the appropriate time of year when the species are most likely to be detected. Rare plant surveys should take place in springtime (March-May). Mapping of vernal pools and their watershed, as well as surveys for San Diego fairy shrimp, should be conducted when the pools are still holding water.

2. CDFW recommends early consultation regarding Project design with CDFW and with the U.S. Fish and Wildlife Service (collectively the Wildlife Agencies) prior to the issuance of the DEIR. CDFW encourages a visit to the Project site during the spring months to include the Wildlife Agencies, City representatives, and Project proponents.

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3. Federally endangered fairy shrimp and dually listed plants have the potential to be found in vernal pools on the Project site. Vernal pools are considered a rare resource, as it is estimated over 95% of vernal pools in San Diego County have been destroyed (USFWS 1998[1]). CDFW considers the loss of these pool complexes to be regionally and biologically significant. To the extent practicable, vernal pools and depressions, and the entire sub-watershed that supports the hydrology of the pool/depression, should be avoided and conserved. The DEIR should identify any existing vernal pool habitat, analyze potential impacts, and propose avoidance and mitigation measures of any vernal pools identified on site.

4. A 25% development limit has been used in regional conservation plans in San Diego County to allow reasonable economic use of properties with exceptionally high conservation value. The Proposed Project would develop only 25% of the property and preserve and restore the remaining 75% as open space. As part of any Project approval, the undeveloped portion of the site should be maintained and managed as a Preserve, funded through a non-wasting endowment, by a land manager agreed upon by the City and Wildlife Agencies. Management should emphasize control of invasive species and prevention of human encroachment into the open space (e.g., the Preserve should be fenced and enforced against human activities).

5. CDFW requests that the DEIR's cumulative impacts analysis include a discussion of how this project's impacts to biological resources, and the impacts to biological resources as a result of the Pacific Specific Plan, are or are not cumulatively considerable (CEQA Guidelines, §15064(h)(1)). It appears from the illustration of the site plan included with the NOP that the part of the property with vernal pools and thread-leaved brodiaea will be avoided; however, Orcutt's brodiaea and San Diego thornmint (*Acanthomintha ilicifolia*) occurrences from CNDDB overlap where the building is proposed. We anticipate that current, seasonally appropriate surveys will inform the discussion.

General Comments

To enable the Wildlife Agencies to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, wildlife, and other biological resources, we recommend the following information be included in the DEIR.

1) Biological Resources within the Project's Area of Potential Effect. The document should provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. This should include a complete floral and faunal species compendium of the entire project site, undertaken at the appropriate time of year. The DEIR should include the following information.

    a. CEQA Guidelines, section 15125(c), specifies that knowledge on the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.

    b. A thorough, recent floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to

[1] United States Fish and Wildlife Service. 1998. Vernal Pools of Southern California Recovery Plan. U.S. Fish and Wildlife Service, Portland, Oregon. 113 pp.

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Special Status Native Plant Populations and Natural Communities (see https://www.wildlife.ca.gov/Conservation/Plants/Info). CDFW recommends that floristic, alliance-based and/or association-based mapping and vegetation impact assessments be conducted at the Project site and neighboring vicinity. The Manual of California Vegetation, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008[2]). Alternately, for assessing vegetation communities located in western San Diego County, the Vegetation Classification Manual for Western San Diego County (Sproul et al. 2011[3]) may be used. Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

c. A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. CDFW's California Natural Diversity Data Base in Sacramento should be contacted at https://www.wildlife.ca.gov/Data/BIOS to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.

d. An inventory of rare, threatened, endangered and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service.

2) Environmental data. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations [Public Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species and natural communities detected by completing and submitting CNDDB Field Survey Forms.

3) Analyses of the Potential Project-Related Impacts on Biological Resources. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR.

a. A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of

[2] Sawyer, J. O., T. Keeler-Wolf and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society Press, Sacramento.

[3] Sproul, F., T. Keeler-Wolf, P. Gordon-Reedy, J. Dunn, A. Klein and K. Harper. 2011. Vegetation Classification Manual for Western San Diego County. First Edition. Prepared by AECOM, California Department of Fish and Game Vegetation Classification and Mapping Program and Conservation Biology Institute for San Diego Association of Governments.

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the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.

b. Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR.

c. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.

d. A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

4) California Endangered Species Act (ESA). CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or CESA-listed rare plant species that results from the Project is prohibited, except as authorized by State law (Fish and Game Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project, Project-related construction, or any Project-related activity for the duration of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project or at an individual project-level. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project's CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

5) Compensatory Mitigation. The DEIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement, financial assurance and dedicated to a qualified entity for long-term management and monitoring. Under Government Code, section 65967, the lead agency

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must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.

6) To avoid impacts to nesting birds, the DEIR should require that clearing of vegetation, and when biologically warranted construction, occur outside of the peak avian breeding season which generally runs from February 1 through September 1 (as early as January 1 for some raptors). If project construction is necessary during the bird breeding season a qualified biologist with experience in conducting bird breeding surveys should conduct weekly bird surveys for nesting birds, within three days prior to the work in the area, and ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer should be a minimum width of 300 feet (500 feet for raptors), be delineated by temporary fencing, and remain in effect as long as construction is occurring or until the nest is no longer active. No project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

Conclusion

We appreciate the opportunity to comment on the NOP for the Hughes SMCC Project to assist the City in identifying and mitigating Project impacts on biological resources. If you have any questions or comments regarding this letter, please contact Meredith Osborne, Environmental Scientist, at Meredith.Osborne@wildlife.ca.gov or (858) 354-3334.

Sincerely,

DocuSigned by:
David Mayer
D700B4520375406...

David Mayer
Environmental Program Manager
South Coast Region

ec: CDFW
David Mayer, San Diego – David.Mayer@wildlife.ca.gov
Jennifer Turner, San Diego – Jennifer.Turner@wildlife.ca.gov
Meredith Osborne, San Diego – Meredith.Osborne@wildlife.ca.gov
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OPR
State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

City of San Marcos
Saima Qureshy – SQureshy@san-marcos.net

Civic Solutions
Kirt Coury – Coury@civicsolutions.com

San Diego County Archaeological Society, Inc.

Environmental Review Committee

20 March 2023

To: Ms. Chris Garcia, Senior Planner
Planning Division
City of San Marcos
1 Civic Center Drive
San Marcos, California 92069

Subject: Notice of Preparation of a Draft Environmental Impact Report
Hughes SMCC
SDP22-0002

Dear Ms. Garcia:

Thank you for the Notice of Preparation for the subject project, which was received by this Society last month.

We are pleased to note the inclusion of historical resources in the list of subject areas to be addressed in the DEIR and look forward to reviewing it during the upcoming public comment period. To that end, please include us in notification of the public review of the DEIR and ensure availability of a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the environmental review process for this project.

Sincerely,

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

County of San Diego

AMY HARBERT
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
Phone: (858) 505-6700 or (800) 253-9933 Fax: (858) 505-6890
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HEATHER BUONOMO, REHS
DIRECTOR OF ENVIRONMENTAL HEALTH

October 20, 2023

TO: Chris Garcia, Senior Planner
City of San Marcos Planning Division
1 Civic Center Drive
San Marcos, CA 92069
cgarcia@san-marcos.net

FROM: County of San Diego
Department of Environmental Health and Quality
Hazardous Materials Division

SUBJECT: Hughes SMCC Notice of Preparation - Comments

Thank you for the opportunity to comment on the referenced project. The County of San Diego Hazardous Materials Division (HMD) is responsible for the protection of public health and the environment by ensuring hazardous materials, hazardous waste, medical waste, aboveground tanks, and underground storage tanks are properly managed. The HMD has completed its review and has the following comments regarding the project.

The proposed project description as stated in the Notice:
Request for a Site Development Plan for the development of a 67,410 SF light industrial building to support the expansion of the existing operations of Hughes Circuits Inc., currently located across from the proposed project site to the south, at 546 S. Pacific Street. The 67,410 SF industrial building includes a 56,310 SF ground floor, and an 11,100 SF mezzanine. The proposed building would be located at the western-most portion of the project site, and the disturbance area associated with project construction would be limited to approximately 113,877 SF or 2.61 acres of the 10.46-acre project site. The remaining 7.85 acres of the 10.46-acre project site would be preserved and restored open space and habitat area.

COMMENTS:

1. Please be advised that any and all construction/improvement-related hazardous wastes to be generated (i.e. used oil, paint waste, lead paint debris, waste materials containing asbestos) must be classified, labeled, and handled in a manner as to prevent release to the environment. Contractor(s) must ensure that hazardous wastes are properly disposed of by a

California-registered hazardous waste hauler and maintain documentation of proper disposal dating back 3 years. More information on hazardous wastes can be found here: https://www.sandiegocounty.gov/content/sdc/deh/hazmat/hazwaste.html

2. Depending on the nature of construction, a Hazardous Materials Plan Check review may be necessary in order for buildings to be cleared for occupancy. Similarly, if the project will create new facilities that become subject to regulation by the HMD, permits must be established for those facilities. For your reference, information regarding the Hazardous Materials Plan Check requirement can be reviewed here: https://www.sandiegocounty.gov/content/sdc/deh/hazmat/hazmat/hmd_plan_check.html

3. Please note, anytime during construction and after completion of the project, the HMD has the authority pursuant to state law and County Code to regulate facilities that handle or store hazardous materials, and/or generate or treat hazardous waste. The HMD will apply that authority as necessary to protect public health and the environment. Additional regulatory guidance information can be found on our website at: Hazardous Materials Division (sandiegocounty.gov)

The HMD appreciates the opportunity to participate in the environmental review process for this project. If you have any questions regarding these comments, please contact me at (619) 249-8704 or by email at Dana.Barkil@sdcounty.ca.gov

Thanks!

Dana Barkil
Supervising Environmental Health Specialist
San Diego County- Department of Environmental Health and Quality
Hazardous Materials Division
5500 Overland Ave. San Diego, Ca 92123
Work Mobile: 619-249-8704
Work hours: M-F: 8:00am-4:30pm
Email: Dana.Barkil@sdcounty.ca.gov
Website: https://www.sandiegocounty.gov/content/sdc/deh/hazmat.html

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TO: Chris Garcia, Senior Planner
City of San Marcos Planning Division
1 Civic Center Drive
San Marcos, CA 92069
cgarcia@san-marcos.net

FROM: County of San Diego
Department of Environmental Health and Quality
Community Health Division – Vector Control Program

SUBJECT: Hughes SMCC Notice of Preparation - Comments

Thank you for the opportunity to comment on the Environmental Impact Report for the above referenced project. The County of San Diego Vector Control Program (VCP) is responsible for the protection of public health through the surveillance and control of mosquitoes that are vectors for human disease including West Nile virus (WNV). The VCP has completed their review and has the following comments regarding the proposed project.

1. The VCP respectfully requests that the Environmental Impact Report address potential impacts from possible mosquito breeding sources created by the project and that the project be designed and constructed in a manner to minimize those impacts. Specifically, ensure construction-related depressions created by grading activities, vehicle tires, and excavation do not result in depressions that will hold standing water. In addition, ensure drains, BMPs, stormwater capture systems, and other structures do not create a potential mosquito breeding source. Any area that is capable of accumulating and holding at least ½ inch of water for more than 96 hours can support mosquito breeding and development. Finally, if habitat remediation is required for the project, the design should be consistent with guidelines for preventing mosquito habitat creation.

2. Please note, the VCP has the authority pursuant to state law and County Code to order the abatement of any mosquito breeding that does occur either during construction or after the project is completed that is determined to be a vector breeding public nuisance. The VCP will exert that authority as necessary to protect public health if the project is not designed and constructed to prevent such breeding.

3. For your information, the County of San Diego Guidelines for Determining Significance for Vectors can be accessed at http://www.sandiegocounty.gov/content/dam/sdc/pds/docs/vector_guidelines.pdf and the California Department of Public Health Best Management Practices for Mosquito Control in California is available at https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/MosquitoesandMosquitoBorneDiseases.aspx#

The VCP appreciates the opportunity to participate in the environmental review process for this project. If you have any questions regarding these comments, please contact Daniel Valdez at 858-688-3722 or by e-mail at Daniel.Valdez@sdcounty.ca.gov.

Sincerely,

Daniel Valdez | Registered Environmental Health Specialist
County of San Diego | Vector Control Program
(858) 688-3722 | www.SDvector.com | MS: O565
Schedule: T-F, 7:00 – 5:30 PM