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Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58
(prepared May 2023)

Project Information

Project Name: Leucadia Streetscape Drainage Improvements Project

Responsible Entity: City of Encinitas

Grant Recipient (if different than Responsible Entity): City of Encinitas

State/Local Identifier: CD23A

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Project Location:

The Leucadia Streetscape Drainage Improvements Project is located within the North Coast Highway 101 right-of-way in the Leucadia community of the City of Encinitas (City), California. The affected alignment (or "Project site") extends from approximately Jupiter Street on the southern end to just north of La Costa Avenue on the northern end. The Project site is located in an area characterized by residential and commercial land uses to the east and west of North Coast Highway 101 (a City of Encinitas thoroughfare), with the North Coast Transit District (NCTD) railroad tracks located just to the east. Batiquitos Lagoon is located approximately 0.1 mile to the northeast and the Pacific Ocean is located approximately 0.2 mile to the west. Refer also to **Figure 1: Regional Vicinity Map**, and **Figure 2: Project Site and Surrounding Area**. **Figure 3: Existing Conditions (Highway 101)** illustrates existing conditions of representative areas along the corridor where improvements are proposed.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]**:**

Proposed improvements include a series of subsurface storm drain pipes that would provide additional storage capacity during storm events, thereby reducing the frequency and intensity of flooding events that are common in this area of the North Coast Highway 101 corridor.

The proposed improvements would convey runoff from an approximate 200-acre drainage area within this area of the North Coast Highway 101 corridor. Stormwater flows would continue to be discharged north towards facilities located near Batiquitos Lagoon and South Ponto Beach, as they are conveyed under existing conditions.

The proposed improvements would be installed beneath the median of the Highway 101 corridor, between the north- and southbound lanes. The proposed improvement plans for the Project are provided in Attachment A. All improvements would occur within the limits of roadway rights-of-way.

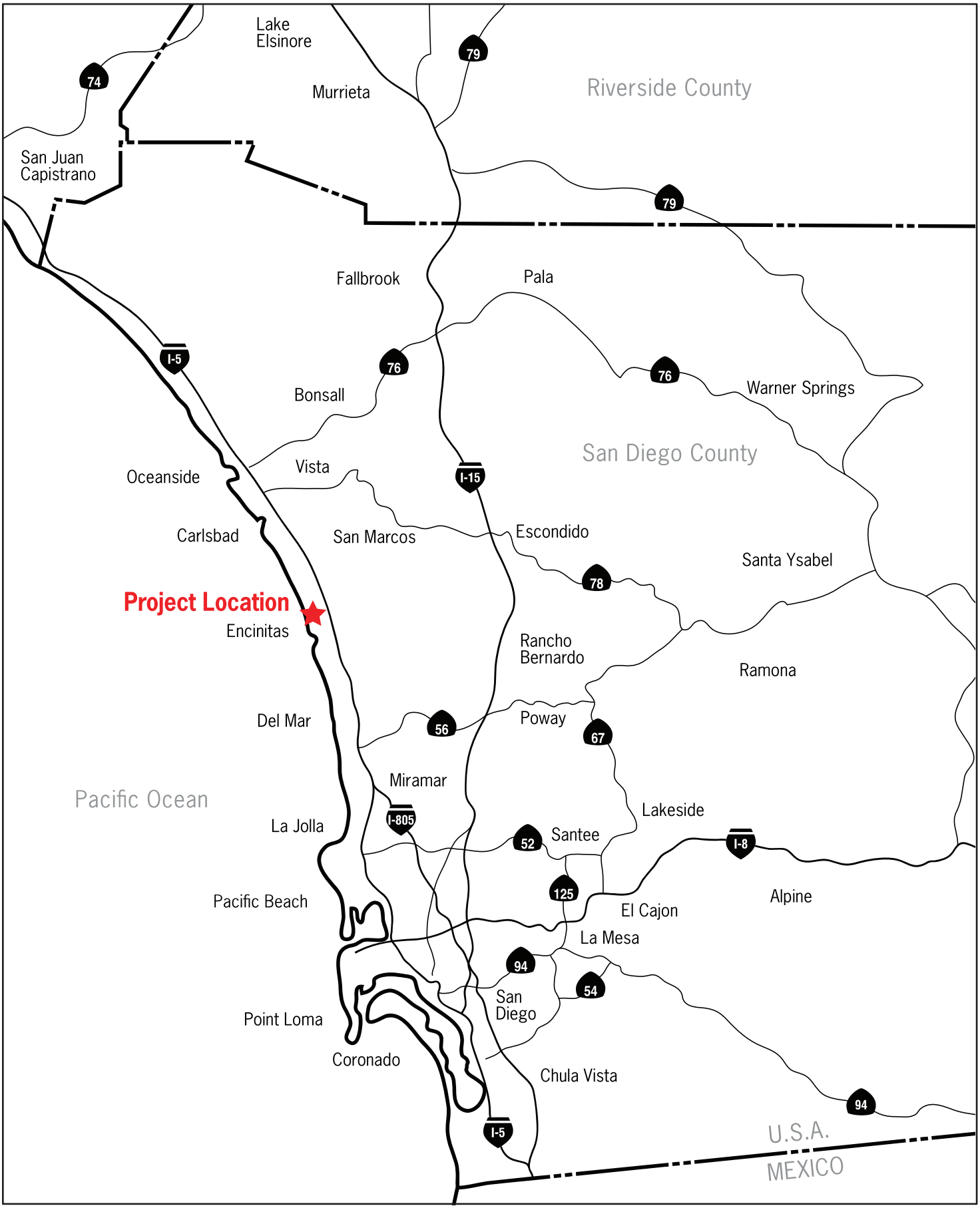
The Project requires the removal of four trees along the median, as follows: 3-inch Western Redbud, 1-inch Western Redbud, 3-inch Coast Live Oak, and 12-inch Monterey Cyprus. The removed trees would be replaced in-kind with 24-inch Box Engelmann Oaks.

Installation of the storm drain system would entail opencut excavations utilizing a trench box. For any improvements that require disturbance to the roadway, asphalt would first be sawcut out and removed, and later resurfaced following installation of the storm drain pipes. All storm drain pipes installed as part of the Project would be reinforced concrete pipe. The construction footprint would be approximately 10 feet in width and up to 35 feet in depth, as detailed below:

- 1,640 linear feet of 18-inch diameter pipe (estimated trenching depth of 5 to 35 feet)
- 2,145 linear feet of 24-inch diameter pipe (estimated trenching depth of 5 to 35 feet)
- 3,345 linear feet of 60-inch diameter pipe (estimated trenching depth of 15 to 25 feet)
- 260 linear feet of 66-inch diameter pipe (estimated trenching depth of 25 to 35 feet)

The proposed storm drain pipes would connect to three existing outfalls at the north end of the alignment near La Costa Avenue: a 24-inch and an 18-inch outlet at the basin west of North Coast Highway 101; and a 24-inch outlet east of North Coast Highway 101. No construction is proposed at these three outfalls.

A junction box (diversion structure) would be constructed upstream of the three outfalls and convey flows from the existing and proposed storm drain system into these three existing outfalls; refer to Attachment A. This diversion structure would direct flows from storm events to the two western outfalls, which discharge into a series of detention basins adjacent to the Ponto Beach parking lot. These detention basins ultimately drain toward the channel mouth of Batiquitos Lagoon. An existing 24-inch storm drain pipe, which currently drains the project corridor, would be protected in place and would continue to drain the area near Vulcan Avenue and Union Street.



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File: 194340figures.indd

Not to Scale

LEUCADIA STREETSCAPE DRAINAGE IMPROVEMENTS PROJECT

Regional Location Map

Figure 1

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250 500 feet

Source:GoogleEarth, 2023

LEUCADIA STREETSCAPE DRAINAGE IMPROVEMENTS PROJECT

Project Site and Surrounding Area

Figure 2

Detail 1: Jupiter Street / Highway 101

Detail 2: Grandview Street / Highway 101

Detail 3: Bishop's Gate / Highway 101

Detail 4: La Costa Avenue / Highway 101

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LEUCADIA STREETSCAPE DRAINAGE IMPROVEMENTS PROJECT

Existing Conditions (Highway 101)

Figure 3

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]**:**
The North Coast Highway 101 corridor is situated at a relatively low elevation in the community of Leucadia, and as such, the corridor experiences flooding during moderate storm events. As depicted in Figure 4, Existing Conditions (Flooding Events), flooding during storm events makes nearby residences and businesses susceptible to damage and poses safety issues for vehicles, pedestrians, and cyclists. Furthermore, North Coast Highway 101 is currently out of compliance with State Best Management Practices (BMPs), which require the treatment of stormwater runoff prior to discharge to prevent adverse impacts to local waterways, such as Batiquitos Lagoon.[1]

The Public Safety Element of the City's General Plan identifies major hazards that might affect the City as well as resources that are currently available to respond in the event of an emergency to reduce the loss of life, injury, or property damage.[2] Goals and policies applicable to the Project include:

- Goal 2: The City of Encinitas will make an effort to minimize potential hazards to public health, safety, and welfare and to prevent the loss of life and damage to health and property resulting from both natural and man-made phenomena.[3]
- Policy 2.3: To minimize harmful pollutants from entering the ocean environment from lagoons, streams, and storm drains and other waterways containing potential contaminants, the City shall mandate the reduction or elimination of contaminants entering all such waterways; pursue measures to monitor the quality of such contaminated waterways; and pursue prosecution of intentional and grossly negligent polluters of such waterways.[4]

The Project would provide additional underground stormwater capacity during storm events, thereby reducing flooding along the corridor and minimizing threats to public health, safety, and welfare. Additionally, the Project would bring the North Coast Highway 101 corridor into compliance with State BMP requirements and provide water quality benefits for local waterways by providing new biofiltration and dispersion areas. In doing so, the Project would contribute to realizing the goals and policies of the Public Safety Element.

[1] City of Encinitas. 2021. Notice for North Coast Highway 101 Drainage Improvement Project Citizen Participation Program Meeting. Accessed April 20, 2023. https://archive.encinitasca.gov/WebLink/DocView.aspx?id=835470&dbid=0&repo=CityofEncinitas.
[2] City of Encinitas. 1995. City of Encinitas General Plan – Public Safety Element. https://archive.encinitasca.gov/WebLink/DocView.aspx?id=835468&dbid=0&repo=CityofEncinitas. Accessed April 20, 2023.
[3] Ibid.
[4] City of Encinitas. 2011. City of Encinitas General Plan – Resource Management Element. https://archive.encinitasca.gov/WebLink/DocView.aspx?id=835470&dbid=0&repo=CityofEncinitas. Accessed April 20, 2023.

View looking north adjacent to southbound Highway 101 (1600 block).

View looking northwest from northbound Highway 101 (900 block).

View looking north along northbound Highway 101 (600 block).

View looking southwest from southbound Highway 101 (900 block).

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File: 194340figures.indd

LEUCADIA STREETSCAPE DRAINAGE IMPROVEMENTS PROJECT

Existing Conditions (Flooding Events)

Figure 4

Existing Conditions and Trends [24 CFR 58.40(a)]**:**

Existing Site Conditions

The North Coast Highway 101 right-of-way affected by the Project is largely comprised of impervious surfaces and several landscaped areas. Portions of the right-of-way are used for street parking, and bicycle lanes are present along both sides of the roadway. Portions of the right-of-way (in particular, along the west/southbound side of the roadway) are improved with sidewalk, curb, and gutter. Runoff along the North Coast Highway 101 corridor currently enters an existing subsurface storm drain system through curb or grate inlets, pervious surfaces, or gutters and ultimately outfalls north of La Costa Avenue. Along the Project site, runoff either flows to curb inlets, primarily via gutter flow, or sheet flows east off of the roadway and channelizes to natural sump areas between North Coast Highway and the NCTD railroad tracks. As shown in Figure 4, the Project site and surrounding area are susceptible to flooding during storm events, which creates unsafe conditions along the roadway and results in damage to nearby residences and businesses. Currently, the City uses heavy machinery and pumps to clear the roadway of flood waters following a storm event.

Trends

Stormwater discharged towards Batiquitos Lagoon is currently not treated prior to entering the water body. During rain events, stormwater currently ponds along the roadway Highway 101 corridor and presents safety hazards for vehicles, pedestrians, and cyclists. Nearby residents and business owners experience property damage during storm events and are often faced with the economic burden of repairing their properties. These trends are likely to continue, or worsen, in the absence of the improvements proposed with the Project. Climate change is further anticipated to worsen the severity of storm events, which would increase the severity and frequency of flooding events and increase the volume of untreated stormwater entering Batiquitos Lagoon.

Funding Information

Grant Number	HUD Program	Funding Amount
B-23-CP-CA-0159	Economic Development Initiative – Community Project Funding (to City – please review)	$4,000,000

Estimated Total HUD Funded Amount: $4,000,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:**
Approximately $15,000,000

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields. To ensure compatible development, the record must demonstrate that the project is greater than 2,500 feet from a civilian airport or 15,000 feet from a military airport. According to HUD, if a project is within these distances, then additional design measures may be necessary to protect project residents from airport hazards. Airports designated by the Federal Aviation Administration (FAA) as commercial airports in the National Plan of Integrated Airports are considered civilian airports subject to HUD Regulation 24 CFR 51D. The closest commercial airport to the Project site is the McClellan Palomar Airport, located 3.1 miles to the northeast (16,368 feet). Therefore, the Project site is not within 2,500 feet of a civilian airport, and no further information is necessary per HUD Guidance. The closest military airport to the Project site is the Marine Corps Air Station Camp Pendleton (MCAS Camp Pendleton), which lies approximately 15.2 miles to the north. The MCAS Miramar is also located approximately 16.2 miles to the southeast. Therefore, the Project site does not lie within 15,000 feet from a military airport. There are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation:** Attachment B: Distance from Airports (Google Maps)

		Google, Inc. Google Maps. Distance from the McClellan Palomar Airport to Just North of the North Coast Highway 101 and La Costa Avenue Intersection. Accessed March 16, 2023. www.google.com/maps. Google, Inc. Google Maps. Distance from the MCAS Miramar. Accessed April 19, 2023. www.google.com/maps. Federal Aviation Administration. 2022. Report to Congress, National Plan of Integrated Airport Systems 2023-2027. Appendix A: List of NPIAS Airports. U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Airport Hazards. https://www.hudexchange.info/environmental-review/airport-hazards/. Accessed February 6, 2023.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	The Coastal Barrier Resources Act prohibits federal assistance within barrier islands that are subject to frequent damage by hurricanes and high storm surges. There are no coastal barrier resources identified by the U.S. Fish and Wildlife Service (USFWS) within the State of California. Therefore, there are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation:** Attachment C: USFWS_CBRS Mapper U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Coastal Barrier Resources. https://www.hudexchange.info/programs/environmental-review/coastal-barrier-resources/. Accessed March 16, 2023. United States Fish and Wildlife Service. 2019. Coastal Barrier Resources System Mapper. Accessed February 6, 2023. https://fwsprimary.wim.usgs.gov/CBRSMapper-v2/.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC	Yes ☐ No ☒	Section 202 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4106) requires that projects receiving federal assistance and located in an area identified by the Federal Emergency Management Agency (FEMA) as being within a Special Flood Hazard Areas (SFHA) be covered by flood insurance under the National Flood Insurance Program.

4001-4128 and 42 USC 5154a]		According to FEMA's Flood Insurance Rate Map (FIRM) Panel Number 06073C1033H, the Project site is within an area designated as Zone X, which is an Area of Minimal Flood Hazard. Therefore, the Project site is not located within a Special Flood Hazard Area (SFHA), and therefore, flood insurance is not required for the Project. There are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation:** Attachment D: FEMA Flood Map FEMA, National Flood Insurance Program, Flood Insurance Rate Map, Map Number 06073C1033H, map revised December 20, 2019. U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Flood Insurance. https://www.hudexchange.info/programs/environmental-review/flood-insurance/. Accessed March 16, 2023.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☒	Federally funded projects must conform to Clean Air Act requirements if they may constitute a significant new source of air pollution. If a project does not involve new construction, or conversion of land use facilitating the development of public, commercial, or industrial facilities, or five or more dwelling units, it can be assumed that emissions are below the U.S. Environmental Protection Agency's (USEPA) de minimis threshold levels. The following analysis summarizes the air quality assessment prepared for the proposed Project; refer also to Attachment E. The Project site is located in San Diego County, which lies in the San Diego Air Basin (SDAB) and within the jurisdiction of the San Diego Air Pollution Control District (SDAPCD). This region is designated as attainment or unclassified for all federal criteria pollutants except O_3, PM_{10}, and $PM_{2.5}$, for which the region is nonattainment. Per guidelines set forth by HUD, because the Project site is in a nonattainment area for O_3, PM_{10}, and $PM_{2.5}$, conformity with the State Implementation Plan (SIP) must be demonstrated. The SDAB portion of the SIP approved by the USEPA

comprises the SDAPCD air quality plans, including the Regional Air Quality Strategy (RAQS). The RAQS addresses state O_3 standards. It is periodically updated as new measures become technologically feasible, improve air quality, or protect public health. A project is shown to conform with the SIP if its criteria pollutant emissions remain below the local air district's significance thresholds and are consistent with the air quality plans.

Project Short-term (Construction) Emissions

Construction-generated emissions associated with the proposed Project were calculated using the CalEEMod Version 2020.1 modeling program; see Attachment E. Construction-generated emissions are short term, lasting only as long as such activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the Conformity Determination thresholds.

To determine if the Project conforms with the SIP, anticipated construction emissions were assessed and operations-related emissions were calculated using CalEEMod. **Table 1** shows the Project-related emissions during construction-related activities, as well as the SDAPCD thresholds for determining a significant impact.

Table 1
Construction-Related Emissions
(USEPA Conformity Determination Analysis)

Activity	Maximum Pollutants (tons per year)					
	VOC	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Construction Year One	0.06	0.48	0.50	<0.01	0.03	0.02
Construction Year Two	0.11	0.93	1.00	<0.01	0.06	0.04
Maximum Annual Emissions	***0.11***	***0.93***	***1.00***	***<0.01***	***0.06***	***0.04***
USEPA Conformity Determination Thresholds (40 CFR 93.153)	100	100	100	100	100	100
Exceed USEPA Conformity Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
SDAPCD Significance Thresholds	*15*	*40*	*100*	*40*	*15*	*15*
Exceed SDAPCD Significance Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod version 2020.1. Refer to Attachment E: Air Quality Monitoring.

		As shown above in **Table 1**, Project emissions resulting from construction activities would not exceed the USEPA Conformity Determination thresholds or the SDAPCD significance thresholds. ***Project Long-Term (Operational) Emissions*** The Project would implement drainage improvements that would generate minimal operational air emissions. Specifically, stormwater flows would continue to be discharged north towards facilities located near Batiquitos Lagoon and South Ponto Beach, as they are conveyed under existing conditions. The Project would not propose new pumps, generators, or other equipment with the potential to emit emissions over existing conditions. Additionally, the Project would not generate additional vehicular trips or cause any changes in operation when compared to the existing condition. As a result, the Project would not generate operational emissions when compared to the existing condition. Thus, there would be no adverse impact in this regard. ***Conclusion*** As part of its enforcement responsibilities, the USEPA requires each state with nonattainment areas to prepare and submit a SIP that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. As previously discussed, the Project site is in a nonattainment area for O_3, PM_{10}, and $PM_{2.5}$ requiring demonstrated conformity with the SIP. The SIP and air quality plans mentioned above, and their associated control measures are based on information derived from projected growth in the SDAB to project future emissions and then determine strategies and regulatory controls for the reduction of such emissions. Growth projections are based on the general plans developed by the counties and the incorporated cities in the SDAB. As such, projects that comply with all applicable SDAPCD significance thresholds and propose development consistent with the growth anticipated by the respective general plan of the jurisdiction in which the proposed development is located would be consistent with the SIP. As described above, the Project proposes improvements consisting of

		a series of subsurface storm drain pipes that would provide additional storage capacity during storm events. Thus, the Project would not result in population or employment growth and would not cause an increase in currently established population projections. As shown in **Table 1** above, Project emissions would not exceed USEPA Conformity Determination thresholds or SDAPCD's significance thresholds. Because the proposed Project would result in long-term and short-term emissions below the SDAPCD thresholds, the Project would not conflict with or obstruct regional air quality planning efforts in the SDAB. Therefore, no adverse effect would result from the proposed Project, and the Project would be consistent with HUD's guidance on air quality. No formal compliance steps or mitigation are required and no further analysis is necessary. **Source Documentation:** Attachment E: Air Quality Monitoring Data
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☒	The Coastal Zone Management Program (CZMP) is authorized by the Coastal Zone Management Act (CZMA). Projects that can affect a coastal zone must be carried out in a manner consistent with the state CZMP under Section 307(c) and (d) of the CZMA. The Project site is located within the boundaries of the coastal zone and is therefore subject to issuance of a Coastal Development Permit (CDP). As such, the City is required to make the finding that the Project conforms to its California Coastal Commission-certified Local Coastal Program (LCP). The City previously submitted an application for a CDP (CDPNF-004271-2020) to implement the proposed improvements. Based on the findings of an Addendum to the Environmental Impact Report prepared for the larger North Coast Highway 101 Streetscape Improvement Project (Case No. 10-035 DR/CDP/EIR), approved on November 13, 2020, the Encinitas Planning Commission issued an approval of the CDP for the Project. The City determined that the Project is consistent with the policies of the City's LCP, including the provisions of the General Plan and Municipal Code. No further review or action by the City (or the California Coastal Commission) is required relative to the CDP to

		allow for Project implementation. The Project would not conflict with requirements of Coastal Zone Management Act Sections 307(c) and (d). No formal compliance steps or mitigation are required and no further analysis is necessary. **Source Documentation:** Attachment F: CDP Approval Documentation U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Coastal Zone Management. https://www.hudexchange.info/programs/environmental-review/coastal-zone-management/. Accessed March 16, 2023.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No ☒	HUD policies state that all property proposed for use in HUD programs must be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. Further, an environmental review of multifamily and non-residential properties shall include an evaluation of previous uses of the site and other evidence of contamination on or near the site, to ensure that future residents of a proposed site are not adversely affected by the hazards. HUD guidance states that particular attention should be given to any proposed site on or in the general vicinity of dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous materials/wastes. As stated, the proposed Project would install a series of subsurface storm drain pipes to provide additional capacity along the North Coast Highway 101 Corridor during storm events. Following implementation of the proposed infrastructure improvements, use of the Project site would remain the same as today (Highway 101 median, landscaping). The Project would not modify existing residential or commercial structures in any way, nor does it include the addition of any new above-ground structures. entail. As such, the Project would not expose current or future residents to hazardous materials, contamination, or other hazards. Furthermore, in the State of California, Section 65962.5 of the Government Code requires that the California Department of Toxic Substances Control (DTSC), the California Department of Public Health (CDPH), and the

		State Water Resources Control Board (SWRCB) compile lists of all hazardous waste facilities subject to corrective action, sites included in the Abandoned Site Assessment Program, drinking water wells that contain detectable levels of organic contaminants, underground storage tanks with unauthorized releases, and solid waste disposal sites with a migration of hazardous materials. Locations of potential toxic substances and contamination in California are identified by the DTSC and the SWRCB. According to the online SWRCB GeoTracker database, several Leaking Underground Storage Tank (LUST) sites and Cleanup Program sites are located within 1,000 feet of the Project site. These sites are associated with commercial land uses along North Coast Highway 101 and North Vulcan Avenue to the west and east of the Project site, respectively. The cases associated with each of these sites have been granted regulatory closure by the applicable regulatory agency. None of the cases identified on GeoTracker are located within the boundaries of the Project site. The online DTSC EnviroStor database does not identify any cleanup sites within 1,000 feet of the Project site. According to the USEPA online NEPAssist database, several Hazardous Waste (RCRAInfo) facilities are identified within 1,000 feet of the Project site. These sites are included in a Resource Conservation and Recovery Act (RCRA) inventory of all generators, transporters, treaters, storers, and disposers of hazardous waste that are required to provide information about their activities. The NEPAssist database identifies one Hazardous Waste (RCRAInfo) facility (Batiquitos Pump Station) within the Project boundaries, located just south of the intersection of Grandview Street and North Coast Highway 101. According to available records, the Batiquitos Pump Station is owned by the Leucadia Wastewater District and is classified as a very small quantity generator of hazardous waste. The NEPAssist database does not identify any Toxic Releases, Superfund, Brownfields, or Toxic Substances Control Act sites on or within the vicinity of the Project site. While this location is identified as a small quantity generator of hazardous waste, there are no indications that there is hazardous waste located within the Project

		site that could be exacerbated by Project-related construction activities. In conclusion, the Project would not expose future residents to hazardous conditions, as no residents would occupy the Project site. Additionally, no hazardous conditions have been identified that would conflict with the intended use of the Project site. **Source Documentation:** Attachment G: Contamination and Toxic Substances Documentation California Department of Toxic Substances Control. 2023. EnviroStor. Accessed April 5, 2023. https://www.envirostor.dtsc.ca.gov/public/. State Water Resources Control Board. 2023. GeoTracker. Accessed April 5, 2023. https://geotracker.waterboards.ca.gov/. U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Site Contamination. https://www.hudexchange.info/programs/environmental-review/site-contamination/. Accessed April 5, 2023. U.S. Environmental Protection Agency. N.d. NEPAssist. Accessed April 5, 2023. https://nepassisttool.epa.gov/nepassist/nepamap.aspx.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☐ No ☒	According to HUD Guidance, an Environmental Assessment must "consider potential impacts of a HUD-assisted project to endangered and threatened species and critical habitats." Further, the review must "evaluate potential impacts not only to any listed but also to any proposed endangered or threatened species and critical habitats." HUD states that "A No Effect determination can be made if the project has no potential to have any effect on any listed species or designated critical habitats." This finding is appropriate if the project has no potential to affect any species or habitats or if there are no federally listed species or designated critical habitats in the action area. The USFWS identifies animal species, including the Pacific pocket mouse (endangered), California least tern (endangered), coastal California gnatcatcher (threatened), Least Bell's Vireo (endangered), light-

		footed clapper rail (endangered), Southwestern willow flycatcher (endangered), western snowy plover (threatened), monarch butterfly (candidate), Riverside fairy shrimp (endangered), San Diego fairy shrimp (endangered), California orcutt grass (endangered), Del Mar manzanita (endangered), Encinitas baccharis (threatened), orcutt's spineflower (endangered), San Diego button-celery (endangered), San Diego thornmint (threatened), spreading navarretia (threatened), and thread-leaved brodiaea (threatened) as endangered, threatened, or candidate species that may occur within the vicinity of the Project site. The mammals, birds, insects, crustaceans, and plants listed above require significant vegetation cover, marshlands, chaparral environments or sources of water (at least seasonally in the case of crustaceans) for their habitat. Additionally, as disclosed in a Marine Biology Technical Report prepared for the Project (2020; see Attachment M-2), the Project would increase the volume of stormwater discharging to Batiquitos Lagoon during 5-, 10-, 50-, and 100-year storm events. The report determined that the Project would not result in adverse impacts to eelgrass or other wetland vegetation, fish and benthic invertebrate communities, or avian communities, including special status species associated with the discharge of stormwater runoff to the West Basin of Batiquitos Lagoon (refer also to the Wetlands Protection section below for further discussion). The USFWS Critical Habitat for Threatened & Endangered Species online mapper shows the closest critical habitat to be approximately 0.43 mile east of the Project site. Project-related grading and construction activities would take place within an urbanized area that has been previously disturbed, is predominantly covered by impervious surfaces and structures, and is surrounded by existing residential and commercial buildings, as well as North Vulcan Avenue and a railroad to the east. Mature non-native eucalyptus trees are located along the North Coast Highway 101 alignment. As stated in the Project Description, two Western Redbuds, one Coast Live Oak, and one Monterey Cyprus are located on the Project site and would be removed with Project implementation. The trees do not provide habitat for any

		special status species. Further, the Project would be subject to requirements of the federal Migratory Bird Treaty Act (MBTA) to ensure that any breeding or nesting avian species are not disturbed by Project construction activities. The Project would not result in the loss of habitat utilized by endangered, threatened, or candidate species identified above, nor would it impact critical habitat. There are no formal compliance steps or mitigation required and no further analysis is necessary. **Source Documentation:** Attachment H: USFWS IPaC Report and Critical Habitat Attachment M-2: Marine Biology Technical Report MBC Aquatic Sciences. 2020. North Coast Highway 101 Streetscape Project Leucadia Flood Abatement Design. U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Endangered Species. https://www.hudexchange.info/programs/environmental-review/endangered-species/. Accessed March 16, 2023. United States Fish and Wildlife Service. 2022. Critical Habitat for Threatened & Endangered Species. Accessed February 6, 2023. https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77. United States Fish and Wildlife Service. Information for Planning and Consulting (IPaC). Accessed March 16, 2023. https://ipac.ecosphere.fws.gov/location/index.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☒	According to HUD Guidance for Explosive and Flammable Facilities, project sites located too close to facilities handling, storing, or processing conventional fuels, hazardous gases or chemicals of an explosive or flammable nature may expose occupants or end-users of a project to the risk of injury in the event of an explosion. When considering explosive and flammable facilities in the context of HUD-assisted projects, two lines of inquiry are appropriate: ▪ Does the project include development, construction, rehabilitation that will increase residential densities, or conversion? ▪ Does the project include development of a hazardous facility (a facility that mainly stores, handles, or

		processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)? The proposed Project does not include development, construction, or rehabilitation that would increase residential densities or result in the conversion of residential uses, nor does it include development of a hazardous facility. Therefore, there are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation:** U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Explosive and Flammable Hazards. https://www.hudexchange.info/programs/environmental-review/explosive-and-flammable-facilities/. Accessed March 16, 2023.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☒	Federal projects are subject to the Farmland Protection Policy Act requirements if they may irreversibly convert farmland to a nonagricultural use. The Project site has been classified by the California Department of Conservation as Urban and Built-Up Land. The Project site is currently developed with Highway 101 and unimproved dirt trails. The nearest land classified by the California Department of Conservation as Prime Farmland and Unique Farmland is located approximately 0.37 miles (1,960 feet) east of the Project site. Further, the Project site and surrounding area has a density greater than 30 structures per 40-acre area and, as such, is not considered "farmland" as it is an area "committed to urban development" per Section 658.2 of the Farmland Protection Policy Act. Additionally, the proposed infrastructure improvements would not result in physical impacts beyond the boundaries of the Project site and would not impact any prime farmland, unique farmland, or farmland of local importance. Therefore, there are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation:** Attachment I: Farmland Preservation

		California Department of Conservation. 2022. California Important Farmland Finder. Accessed March 16, 2023. https://maps.conservation.ca.gov/dlrp/ciff/. Google, Inc. Google Maps. Distance from Prime and Unique Farmland to the Project Site. Accessed March 16, 2023. www.google.com/maps. U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Farmlands Protection. https://www.hudexchange.info/programs/environmental-review/farmlands-protection/. Accessed March 16, 2023.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☒	As stated above, the Project site is located within an area designated as Zone X and is not within an SFHA. Additionally, HUD regulations at 24 CFR 55.20 require compliance with the HUD 8-Step Process for development within a floodplain if a project is deemed a critical action as defined in 24 CFR 55.2(b)(3). Critical actions are those activities for which even a slight chance of flooding would be too great because flooding may result in loss of life, injury, or damage to property. "Critical actions" include hospitals, nursing homes, fire and police stations, and roads providing sole egress from flood-prone areas. As the Project is not considered a "critical action" under this definition, and because the Project would not occur in a floodplain, there to are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source:** Attachment D: FEMA Flood Map U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Floodplain Management. https://www.hudexchange.info/programs/environmental-review/floodplain-management/. Accessed March 16, 2023.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and	Yes ☐ No ☒	The National Historic Preservation Act (NHPA) directs each federal agency, and those tribal, state, and local governments that assume federal agency responsibilities, to protect historic properties and to avoid, minimize, or mitigate possible harm that may result from agency actions. The review process, known as Section 106 review, is detailed in 36 CFR Part 800.

110; 36 CFR Part 800		**Historic Property Identification Memorandum** As part of required compliance with Section 106 of the NHPA, Michael Baker International prepared a Historic Property Identification Memorandum (April 2023; see Attachment J-1), which details the South Coastal Information Center (SCIC) records search conducted for the Project; a literature, aerial photograph, and historical map review; local interested party consultation; a Native American Heritage Commission (NAHC) Sacred Land Files Search; an archaeological field survey; and an archaeological sensitivity assessment to determine whether the Project could result in adverse effects to historic properties. The following summary is based on the analysis provided in the above-mentioned memorandum. *SCIC Records Search Results* On February 20, 2023, the SCIC conducted a records search for the Area of Potential Effects (APE), defined as the boundary of the Project limits plus the area for construction staging and vehicle traffic outside of the Project site. The Project APE would extend to a depth of 35 feet below ground surface to encompass the maximum depth of excavation anticipated for the proposed infrastructure improvements. The SCIC, an affiliate of the California Office of Historic Preservation (OHP) and State Historic Resources Commission, is the official state repository of historic resources records and reports for the County of San Diego. Michael Baker International supplemented the SCIC records search with a review of available online databases maintained by federal and state repositories, including the National Register of Historic Places (NRHP). Results of the records search indicated that 41 historic resource studies have been conducted within a half-mile radius of the APE. Eleven of these studies cover all or portions of the APE. No historic resources were previously recorded within the Project site or APE. Eleven historic resources were identified within one-half mile of the APE. Site P-37-039614, a one to three story commercial building, was identified approximately two meters from the APE. This site was evaluated and recommended ineligible for inclusion in the California Register of Historic Resources (CRHR). Additionally, site CA-SDI-23159, a pre-contact lithic scatter, was

		identified approximately 60 meters east of the APE and was recommended ineligible for inclusion in the CRHR following evaluation. *Archaeological Field Survey* An archaeological pedestrian survey of the APE was conducted on March 3 and March 16, 2023. During the survey, four isolate artifacts were identified on the peripheries of the APE, in disturbed contexts on the east side of North Coast Highway 101. The four isolates are ineligible for listing in the NRHP because they lack context, and therefore, integrity. Therefore, no historic properties were identified within the APE during the field survey. *Archaeological Sensitivity Assessment* Results of the archaeological sensitivity assessment indicated that the sensitivity for buried archaeological deposits within the APE is medium based on previously-recorded archaeological sites within the vicinity and the identification of isolates on the surface of the APE. Given the history of ground disturbance within the APE, the integrity of any buried deposits within the APE is likely to have been compromised. However, there is potential to disturb previously unknown archaeological resources during Project construction, and Project excavations have the potential to destroy and otherwise have an adverse effect on previously unidentified buried archaeological resources. In summary, based on the findings above, a finding of "no historic properties affected with conditions" is appropriate for the Project. **Native American Consultation** On February 9, 2023 Michael Baker requested that the NAHC conduct a search of its Sacred Lands File for any Native American resources that may be affected by the Project. In a letter dated March 13, 2023, the NAHC indicated that the search produced negative results. The NAHC also provided a list of Native American tribal contacts who may have knowledge about and interest in traditional cultural properties located within the Project vicinity. Per HUD guidelines, consultation invitations were sent via e-mail on March 28, 2023 to tribes identified on the NAHC list. Three tribes (Jamul Indian Village, San

		Pasqual Band of Diegueño Mission Indians, and San Luis Rey Band of Mission Indians) requested consultation. **State Historic Preservation Office (SHPO) Consultation** On May 12, 2023, the City received concurrence from SHPO that no historic properties would be affected by the Project pursuant to 36 CFR Part 800.4(d)(1) (see Attachment J-2). No further analysis or compliance steps are necessary. **Summary** Based on the records search, literature review, field survey, Native American consultation, and SHPO consultation, the proposed Project would not result in an adverse effect on known historic resources. Impacts to unanticipated archaeological resources may be avoided or reduced by implementing the mitigation measures below. Therefore, the Project is in compliance with NHPA Section 106. *Mitigation Measures* **HIST-1: Cultural Resources Monitoring Program** Prior to the commencement of any ground disturbing activities, a Cultural Resource Mitigation Monitoring Program shall be established to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during Project construction. The monitoring shall consist of the full-time presence of a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for "pre-historic" (i.e., pre-contact) and historic archaeology. Further, a Native American monitor from a tribe that is traditionally and culturally affiliated (TCA) with the Project area shall be retained to monitor all ground disturbing activities associated with Project construction, including vegetation removal, clearing, grading, trenching, excavation, or other activities that may disturb the original (pre-Project) ground, including the placement of imported fill materials and related roadway improvements (i.e., for access). ▪ The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.

		▪ The qualified archaeologist and each TCA Native American monitor shall attend all applicable preconstruction meetings with the contractor and/or associated subcontractors. ▪ Monitors shall be given at least 72 hours' notice of the initiation of construction and be kept reasonably apprised of changes to the construction schedule. In the event that a monitor is not present at the scheduled time, work can continue without the monitor present, as long as the notice was given and documented. *During Construction* ▪ The qualified archaeologist shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground disturbing or altering activities, as identified above. ▪ The qualified archaeologist and/or TCA Native American monitor shall have the authority to temporarily halt ground disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, if subsurface deposits believed to be cultural or human in origin are discovered during construction, all work shall halt within a 100-foot radius of the discovery and ground disturbing activities shall be temporarily directed away from these deposits to allow a determination of potential significance, the subject of which shall be determined by the qualified archaeologist and the TCA Native American monitor. Ground disturbing activities shall not resume until the qualified archaeologist, in consultation with the TCA Native American monitor, deems the resource or feature has been appropriately documented and/or protected. ▪ If the professional archaeologist determines with full agreement from the TCA monitor that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required. ▪ The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation. If avoidance is not feasible, a Data Recovery Plan will be required. If a Data Recovery Plan is required, then the TCA Native American monitor shall be

		notified and consulted in drafting and finalizing any such recovery plan. ▪ The qualified archaeologist and/or TCA Native American monitor may also halt ground disturbing activities around known archaeological artifact deposits or cultural features if, in their respective opinions, there is the possibility that they could be damaged or destroyed. ▪ The City shall relinquish ownership of all tribal cultural resources collected during the cultural resource monitoring conducted during all ground disturbing activities to the TCA Native American tribe for respectful and dignified treatment and disposition, including reburial, in accordance with the tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the most likely descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. ▪ Upon completion of monitoring activities, a Final Monitoring Report, which describes the results, analysis, and conclusions of the cultural resource mitigation monitoring efforts, shall be prepared by the qualified archaeologist and retained by the City. **HIST-2: Inadvertent Discovery of Human Remains** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the qualified archaeologist and/or the TCA Native American monitor) shall occur until the coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the qualified archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed

		by law. As further defined by state law, the coroner shall determine within two working days of being notified if the remains are subject to his or her authority. If the coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the most likely descendent. If Native American remains are discovered, the remains shall be kept in situ ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of the TCA Native American monitor. **Source Documentation**: Attachment J-1: Historic Property Identification Memorandum Attachment J-2: SHPO Concurrence
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes ☐ No ☒	HUD environmental noise regulations are set forth in 24CFR Part 51B (Code of Federal Regulations). The following exterior noise standards for new construction would be applicable to the Project: ▪ 65 dBA DNL (L_{dn})[5] or less – acceptable. ▪ Exceeding 65 dBA DNL but not exceeding 75 dBA DNL – normally unacceptable (appropriate sound attenuation measures must provide an additional 5 decibels of attenuation over that typically provided by standard construction in the 65 dBA DNL to 70 dBA DNL zone; 10 decibels additional attenuation in the 70 dBA DNL to 75 dBA DNL zone). ▪ Exceeding 75 dBA DNL – unacceptable. Per HUD guidance, the environmental review record should document whether the Project site is located within 1,000 feet of major roadways, 3,000 feet of railroads, and 15 miles military of FAA-regulated airfields. The Project site is located along the North Coast Highway 101 corridor and is located approximately 85 feet to the west of the NCTD railroad tracks. Additionally, the Project site is located approximately 3.1 miles to the southwest of the McClellan Palomar Airport (refer to Airport Hazards section above for additional discussion). The following discussion

[5] dBA = A-weighted decibels (adjusts the pressure of individual frequencies according to human sensitivity); DNL or L_{dn} = day/night noise level (measure of the 24-hour average noise level at a given location that accounts for increased sensitivity during nighttime hours)

addresses ambient noise levels at the Project site, given its proximity to the noise generators identified in the vicinity.

Existing Noise Environment

Roadways

To assess ambient noise levels associated with roadway noise, the existing ambient noise levels from mobile sources were modeled using the Federal Highway Administration's Highway Noise Prediction Model (FHWA RD-77-108). The RD-77-108 model calculates the average noise level at specific locations based on traffic volumes, average speeds represented by the posted speed limit, roadway geometry, and site environmental conditions. Most of the vehicular traffic in the area occurs along North Coast Highway 101, which generates the majority of existing noise in the immediate Project vicinity. Traffic volumes were forecast by the San Diego Association of Governments. The modeled results are shown in **Table 1: Ambient Noise Level: Roadways**. As shown in **Table 1**, the existing ambient noise level from mobile sources in the Project vicinity is approximately 59.2 dBA L_{dn} at 100 feet from the roadway centerline. Therefore, maximum noise levels associated with roadway noise observed on the Project site would fall within HUD's "acceptable" noise zone, which is defined as 65 dBA L_{dn} or less.

Table 1: Ambient Noise Level: Roadways

Roadway Segment	ADT	dBA Ldn @ 100 Feet from Roadway Centerline	Distance from Roadway Centerline to: (Feet)		
			70 Ldn Noise Contour	65 Ldn Noise Contour	60 Ldn Noise Contour
North Coast Highway 101 between La Costa Avenue and Jupiter Street	12,300	59.2	-	-	95

Notes: ADT = average daily traffic; dBA = A-weighted decibels; Ldn (DNL) = Day-Night Average Sound Level, - = contour is located within the roadway right-of-way

Source: San Diego Association of Governments, Transportation Forecast Information Center, https://tfic.sandag.org/, accessed March 24, 2023. See Attachment K-1 for noise modeling data.

Railroads

The railroad tracks to the east of the Project site accommodate COASTER commuter trains, Amtrak trains, and freight train operations. Associated train noise is experienced intermittently on a daily basis, as trains pass through Leucadia parallel to the Highway 101 corridor in the Project vicinity.

HUD's DNL Calculator was used to determine daily noise levels associated with railroad noise experienced at the Project site. The analysis assumed an average train operation (ATO) of 50 trains per day. The analysis utilized HUD's default values for average train speed (30 miles per hour for diesel trains), engines per train (two for diesel trains), railway cars per train (50 for diesel trains), and night fraction of ATO (15). As shown in Attachment K-2, the ambient noise level associated with railroad noise at the Project site is estimated to be 82 dBA. Although this level is above HUD's "acceptable" noise zone, the Project is a sub-surface infrastructure project and the site would not be inhabited by permanent residents following implementation. As such, the Project would not expose existing or future residents to unacceptable noise conditions.

Airfields

According to the McClellan-Palomar Airport Land Use Compatibility Plan (Exhibit III-I, Compatibility Policy Map: Noise), the Project site is not located within the noise contours of the McClellan-Palomar Airport. Therefore, maximum noise levels associated with airfield noise observed on the Project site would fall within HUD's "acceptable" noise zone.

Based on the discussion above, the Project would not require a noise waiver.

Future Noise Environment (Operation)

Pursuant to the HUD Guidelines, the noise exposure at least 10 years in the future must be considered in addition to the existing noise exposure. Under future conditions, operation of the proposed Project would not introduce any new noise-generating sources. The proposed Project would be an infrastructure improvement project that

		requires minimal maintenance. Stormwater flows would continue to be discharged north towards facilities located near Batiquitos Lagoon and South Ponto Beach, as they are conveyed under existing conditions. Project operation would not introduce any new pumps, generators, or other equipment that would increase potential noise levels over that which occur under existing conditions. Additionally, Project operations would not generate additional vehicular trips (other than limited trips occurring periodically for routine maintenance purposes). Therefore, the Project would have no adverse effect and would be consistent with HUD guidance on noise abatement and control. Therefore, there are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation**: Attachment K-1: Noise Modeling Data Attachment K-2: DNL Calculator San Diego Association of Governments. N.d. Los Angeles, San Diego, San Luis Obispo (LOSSAN) Coastal Rail Corridor – San Diego Segment. Accessed May 4, 2023. https://www.keepsandiegomoving.com/documents/Lossan/LossanBrochure_FINAL.pdf. San Diego County Airport Land Use Commission. 2011. McClellan-Palomar Airport Land Use Compatibility Plan. https://www.lee-associates.com/elee/sandiego/LeeLandTeam/Ponto/McClellan-Palomar_ALUCP_20111.pdf. Accessed April 27, 2023. U.S. Department of Housing and Urban Development. 2023. DNL Calculator. https://www.hudexchange.info/programs/environmental-review/dnl-calculator/. Accessed May 4, 2023. U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Noise Abatement and Control. https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/. Accessed April 4, 2023.

Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☒	The proposed Project does not consist solely of acquisition, leasing, or rehabilitation of an existing building(s). The Project is not located within a sole source aquifer area, as shown on the USEPA's online mapping portal. The nearest sole source aquifer is approximately 40.4 miles southeast of the Project site. Project-related improvements would not result in impacts to this sole source aquifer given the intervening distance. Therefore, there are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation:** Attachment L: Sole Source Aquifers U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Sole Source Aquifers. https://www.hudexchange.info/programs/environmental-review/sole-source-aquifers/. Accessed March 16, 2023. US Environmental Protection Agency. 2022. Sole Source Aquifers. Accessed March 16, 2023. https://www.epa.gov/dwssa/map-sole-source-aquifer-locations.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☒	Because the Project would involve installation of storm drain infrastructure improvements, the proposed Project would consist of "new construction," as defined in Executive Order 11990 ("draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of this Order [May 1977]"). As determined using the USFWS's National Wetlands Inventory, there are no known wetlands within the Project site. The Project site is a previously disturbed/developed, relatively flat site located within an urbanized environment. There are no drainages, hydrologic features, depressions, or topographical features indicative of potential wetland areas. Similar to current conditions, stormwater flows would continue to discharge north towards facilities located near Batiquitos Lagoon and South Ponto Beach, where flows would ultimately enter Batiquitos Lagoon. A Marine Biology Technical Report was prepared in 2020 (see Attachment M-2), which addressed potential

		impacts to biological resources of Batiquitos Lagoon as a result of the Project. Specifically, the report addressed potential effects related to erosion from high velocity discharges; dilution and salinity depression; sedimentation in the West Basin of Batiquitos Lagoon; and increased pollutant load transported by runoff, as the Project would result in a larger discharge of stormwater runoff during 5-, 10-, 50-, and 100-year storm events as compared to current conditions (see also Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff below). According to the report, Project implementation would not result in adverse effects to biological resources of the lagoon, including eelgrass or other vegetation, fish and benthic invertebrate communities, or avian communities, including special status species. No wetlands would be impacted in terms of Executive Order 11990's definition of new construction. Therefore, there are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation:** Attachment M-1: National Wetlands Inventory Attachment M-2: Marine Biology Technical Report MBC Aquatic Sciences. 2020. North Coast Highway 101 Streetscape Project Leucadia Flood Abatement Design Marine Biology Technical Report. U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Wetlands Protection. https://www.hudexchange.info/programs/environmental-review/wetlands-protection/. Accessed March 16, 2023. United States Fish and Wildlife Service. N.d. National Wetlands Inventory. Accessed March 16, 2023. https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☒	The Project site is not within proximity of a Wild and Scenic River as identified on the Nationwide Rivers Inventory, operated by the National Park Service. The Project would therefore not adversely affect the wild and scenic nature of any such river. There are no formal compliance steps or mitigation required, and no further analysis is necessary.

		Source Documentation: Attachment N: Nationwide Rivers Inventory National Park Service. 2022. Nationwide Rivers Inventory. Accessed March 16, 2023. https://www.nps.gov/maps/full.html?mapId=8adbe798-0d7e-40fb-bd48-225513d64977.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes ☐ No ☒	According to the USEPA's EJScreen database, a mapping tool based on nationally consistent data that combines environmental and demographic indicators, the neighborhood surrounding the Project site (within a one mile radius) ranks in the top 30 percentile in the State of California for proximity to traffic. Other environmental hazards in the Project area identified by the EJScreen include diesel particulate matter and lead paint. There were no significant adverse environmental impacts identified in any of the other compliance review portions of this Project's environmental review. Specifically, as discussed in the Clean Air Section above, the Project would result in construction emissions below SDAPCD thresholds. As discussed under Noise Abatement and Control, operation of the Project would not introduce any new noise-generating sources, including pumps, generators, or other equipment, nor would the Project generate a substantial number of additional vehicular trips during operations. Further, as discussed under Contamination and Toxic Substances, the Project would not expose future residents to hazardous materials, as no residents would occupy the Project site following construction of the proposed improvements. Because the Project would not result in substantial adverse environmental effects, it would not have the potential to result in disproportionately high adverse effects on minority or low-income populations. Rather, the Project would provide a beneficial contribution to the area by helping to alleviate flooding impacts along the North Coast Highway corridor. The Project does not include any new temporary or permanent residential or other structures, nor would it modify any existing residential or other uses. Upon construction completion, the Project site would return to its current use as a public roadway. The Project would result in installation of needed infrastructure that would serve to improve

		conditions in the surrounding community. Further, the Project would not create an adverse or disproportionate environmental impact or aggravate an existing impact. The proposed Project would not result in environmental justice concerns. Therefore, there is no adverse environmental impact that would disproportionately occur on low-income and/or minority communities, and the Project is compliant with Executive Order 12898. There are no formal compliance steps or mitigation required, and no further analysis is necessary. **Source Documentation**: Attachment O: USEPA EJScreen Report U.S. Environmental Protection Agency. EJScreen. Accessed April 6, 2023. https://ejscreen.epa.gov/mapper/.

Environmental Assessment Factors

[24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	**(2)** No impact anticipated	**Conformance with Plans** The Project site lies within the boundaries of the North 101 Corridor Specific Plan (N101SP). A goal of the N101SP is to ensure adequate public services and facilities, based on planned types and levels of land use. The N101SP identifies improvements to the existing storm drain system within the corridor as a "fundamental need," stating that "An adequate drainage system needs to be designed and installed to replace the virtually non-existent system today and resolve flooding problems." As discussed herein, the Project would result in infrastructure improvements along the Highway 101 corridor to improve area drainage and water quality; better accommodate stormwater flows; and reduce the potential for flooding and associated damage to occur. Therefore, the Project would be consistent with the need for such improvements as identified in the N101SP. No conflicts with applicable land use plans would occur with Project implementation. **Compatible with Land Use and Zoning** The proposed improvements would be implemented within the existing North Coast Highway 101 corridor right-of-

Environmental Assessment Factor	Impact Code	Impact Evaluation
		way. The right-of-way is not assigned a land use or zoning designation and would therefore not conflict with the community's land use policies or zoning ordinance. However, the proposed infrastructure improvements would be consistent with General Plan goals and policies pertaining to the protection of the biological and coastal resources; improving ocean water quality; minimizing pollutants from entering the ocean environment from storm drains; enhancing water quality; minimizing potential hazards to public health, safety, and welfare and preventing damage to health and property; and providing adequate facilities and services. **Scale and Urban Design** The Project proposes installation of subsurface storm water infrastructure improvements to enhance drainage and reduce potential flooding along the Highway 101 corridor. No aboveground modifications are proposed that would substantially change the existing visual setting. Following Project implementation, the Project site would appear similar to its current condition. Any on-site areas disturbed during construction would be restored to their original condition. *Summary* Based on the discussion above, no impact is anticipated, and no formal compliance steps or mitigation are required.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	**(2)** No impact anticipated	**Soil Suitability** According to HUD Guidance, soil suitability is the physical capacity of a soil to support a particular land use. To be suitable for a building, for example, the soil must be capable of adequately supporting its foundation without settling or cracking. In 2019, a Geotechnical Assessment Report was prepared for the larger North Coast Highway 101 Streetscape Improvement Project, the limits of which include the Project site. The Highway 101 Streetscape Project extended from A Street at the southern end to La Costa Avenue at the northern end, along the North Coast Highway 101 corridor. The results of this Geotechnical Assessment Report are summarized below.

Environmental Assessment Factor	Impact Code	Impact Evaluation
		Soil borings were taken along the Highway alignment and encountered asphalt pavement underlain by fill materials which generally consisted of moist, loose to dense reddish-brown silty sand. Beneath the fill material, old paralic deposits were encountered, which consisted of yellow loose to very dense poorly graded sands; loose to dense silty sands; or bedrock consisting of gray siltstone. Materials encountered are considered non-plastic and are not expected to be potentially expansive. The potential for collapse of underlying fill material is considered negligible, with the exception of fill material encountered in at two boring locations located outside of the Project site boundaries. **Slope** The Project site is entirely covered in impervious surfaces or managed landscaping and does not contain naturally occurring landforms or steep slopes. The Project would not involve alteration of hillsides or steep vegetated slopes and would therefore not substantially alter the Project site. No further compliance steps are required. **Erosion, Drainage, and Stormwater Runoff** While Project-related construction would result in ground disturbance, the Project would be required to implement sediment and pollution control measures during construction. Following installation of the proposed subsurface drain pipes, the affected area would remain entirely covered by impervious surfaces (asphalt) and/or managed landscaping. As such, during operation, the area affected by the proposed improvements would not include areas of unmanaged vegetation or uncovered/exposed soils that could result in soil erosion following a rain event. The Project would be designed to provide additional stormwater storage capacity along the North Coast Highway 101 corridor, thereby reducing potential impacts of flooding for the surrounding community. As disclosed in a May 2020 Hydrology and Water Quality Technical Report prepared for the Project, the proposed junction box (diversion structure) would be designed to prevent runoff from discharging at the 24-inch outlet east of North Coast Highway 101 (eastern outlet) within the 2- to 5-year storm

Environmental Assessment Factor	Impact Code	Impact Evaluation
		event range, and as such, water quality and quantity discharge at this outlet would not be impacted by the proposed improvements up to the 5-year storm event. During larger storm events, discharge quantity at the eastern outlet would increase as a result of reduced flooding along the North Coast Highway 101 Corridor. However, analysis in the Hydrology and Water Quality Technical Report indicated that water quality is not expected to change significantly under large storm events, as the first flush would be diverted to the 24-inch and 18-inch outlets at the basin west of North Coast Highway 101 (western outlet). Peak flow discharge and water quality at the western outlet would not be significantly impacted as a result of Project implementation, as the proposed junction box is designed to prevent an increase in capacity based on existing capacity of the 24-inch and 18-inch outlets. Based on the analysis provided above, the Project would not result in impacts related to erosion, drainage, or stormwater runoff. *Summary* Based on the discussion above, no adverse impact is anticipated, and no formal compliance steps or mitigation are required. **Source Documentation:** Attachment P: Geotechnical Assessment Report Attachment Q: Hydrology and Water Quality Technical Report
Hazards and Nuisances including Site Safety and Noise	**(2)** No impact anticipated	**Hazards and Site Safety** The Project site is located in an urbanized area and is not exposed to potential natural hazards, including hazardous terrain, volcanoes, steep slopes/landslide areas, fire-prone areas, or strong winds and sandstorms. The Project site does not include any known poisonous plants, animals, or insects. Contamination and Toxic issues are described above. ***Seismic Hazards*** In general, the San Diego region is a seismically active part of California. According to the Geotechnical Assessment

Environmental Assessment Factor	Impact Code	Impact Evaluation
		Report prepared for the Project, there are a number of active and potentially active faults located within 60 miles of the Project site. However, the Project site is not located within a state-designated Earthquake Fault Zone, and no surface expression of fault traces were found to cross the Project site or project towards it. As such, the potential for surface rupture due to faulting beneath the Project site during the design life of the proposed Project was determined to be low. Additionally, the City's Best Management Practices Design Manual (2016) does not map the Project site within a liquefaction hazard zone. The Geotechnical Assessment Report determined that an occurrence of earthquake-induced landslides, tsunamis, and subsidence are not considered hazards for the Project site. **Nuisances** There is no evidence that the Project site would be affected by gas, smoke, or fumes; odors; vibration; glare from adjacent industrial or commercial uses; vacant buildings; unsightly land uses; front lawn parking; abandoned vehicles; or vermin infestation from the uses surrounding the Project site. Further, the Project site would not be occupied by residents who could be potentially exposed to such nuisances. **Noise** The Project itself would not be a noise-generating facility. Project construction would occur within the North Coast Highway 101 corridor and would include installation of a storm drain system and construction of a junction box (diversion structure). While such activities would be limited in scope and duration, these construction activities would generate construction-related noise. However, the Project would be occurring within a fully urbanized area, characterized by residential and commercial land uses, as well as vehicle traffic on North Coast Highway 101 and adjacent heavy rail operations. The Project would adhere to the City's noise ordinance (Chapter 9.32, Noise Abatement and Control, and Chapter 30.40, Performance Standards, the Encinitas Municipal Code) which governs hours of construction and maximum allowable noise levels received by surrounding land uses during construction activities. In accordance with these regulations, construction noise

Environmental Assessment Factor	Impact Code	Impact Evaluation
		would be limited to normal working hours (7:00 a.m. to 7:00 p.m. Monday through Saturday, and 10:00 a.m. to 5:00 p.m. on Sundays per Chapter 9.32.410 of the Municipal Code). Furthermore, in accordance with these regulations, construction equipment would not be operated so as to cause noise at a level in excess of 75 decibels for more than eight hours during any 24-hour period when measured at or within the property lines of any property which is developed and used either in part or in whole for residential purposes. *Summary* Based on the discussion above, no impact is anticipated, and no formal compliance steps or mitigation are required. **Source Documentation:** Attachment P: Geotechnical Assessment Report
SOCIOECONOMIC		
Employment and Income Patterns	**(2)** No impact anticipated	A minor increase in construction-related employment opportunities would occur as a result of Project construction, which are anticipated to be filled by the existing regional workforce. However, the Project's influence on employment and income patterns is anticipated to be temporary and/or negligible. *Summary* Based on the discussion above, no impact is anticipated, and no formal compliance steps or mitigation are required.
Demographic Character Changes, Displacement	**(2)** No impact anticipated	**Demographic Character Changes** The proposed Project would result in construction of a series of subsurface storm drain pipes that would provide additional storage capacity during storm events in the area of the North Coast Highway 101 corridor. As stated above, construction-related employment opportunities are anticipated to be filled by the existing regional workforce. The Project site would not be occupied by residents/users, nor would the Project induce population growth in the area. Therefore, the Project would not result in significant demographic changes within the City. Furthermore, there are no Project design features that would isolate a particular

Environmental Assessment Factor	Impact Code	Impact Evaluation
		neighborhood or population, making access to local services, facilities, and institutions or other parts of the City more difficult. **Displacement** The Project site is located within the North Coast Highway 101 corridor right-of-way. There are no residential or commercial uses within the Project boundaries. Therefore, the Project would not result in the displacement of existing residents or businesses. *Summary* Based on the discussion above, no impact is anticipated, and no formal compliance steps or mitigation are required.
Environmental Justice	**(2)** No impact anticipated	Please refer Environmental Justice section above for relevant discussion.
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	**(2)** No impact anticipated	The Project would construct a series of subsurface storm drain pipes that would provide additional storage capacity during storm events. The Project would not result in the construction of new homes or businesses that would induce population growth in the area and result in increased uses of education and cultural facilities. Therefore, no Project impacts are anticipated, and no mitigation is necessary.
Commercial Facilities	**(2)** No impact anticipated	The Project would not be occupied by residents/users who would rely on retail services, nor would the Project adversely impact or displace existing retail and commercial services. Therefore, no Project impacts are anticipated, and formal compliance steps or mitigation are necessary.
Health Care and Social Services	**(2)** No impact anticipated	The Project would not be occupied by residents/users who would rely on health care, social, or special medical services, nor would the Project induce population growth in the area such that an increase in health care services beyond current capacities would be needed. Therefore, no Project impacts are anticipated, and no formal compliance steps or mitigation are necessary.
Solid Waste Disposal / Recycling	**(2)** No impact anticipated	During construction, the Project site would be served by EDCO Waste and Recycling Services, which operates through an exclusive franchise agreement with the City.

Environmental Assessment Factor	Impact Code	Impact Evaluation
		Solid waste is collected and taken to a local transfer station and then to the Otay Landfill in Chula Vista or the Sycamore Landfill in Santee. The Otay Landfill has a total permitted capacity of 61,154,000 cubic yards and has a remaining capacity of 21,194,008 cubic yards with a cease operation date of February 28, 2030. The Sycamore Landfill has a total permitted capacity of 147,908,000 cubic yards and has a remaining capacity of 113,972,637 cubic yards with a cease operation date of December 31, 2042. The City has also adopted a Construction & Demolition Debris (C&D) Ordinance (Chapter 11.22) that helps divert waste from landfills and comply with statewide mandates. Materials subject to the ordinance include, but are not limited to, asphalt, concrete, brick, dirt, rock, lumber, cardboard, metals and any vegetative or other land clearing/landscaping materials. Projects are required to reuse, salvage or recycle 60% of all C&D debris generated from the project. The proposed Project would collect and sort construction waste materials for diversion in order to ensure compliance with statewide mandates. Solid waste from construction activities would be delivered to the two landfills identified above, both of which have capacity to accommodate solid waste from the project. Once operational, the proposed Project would not generate solid waste. Based on the projected capacity of the landfills identified above and with adherence to the City C&D Ordinance, the proposed Project would not result in significant impacts related to solid waste or recycling. As such, no formal compliance steps or mitigation are required. **Source Documentation**: California Department of Resources Recycling and Recovery (CalRecycle). 2019. SWIS Facility/Site Search. https://www2.calrecycle.ca.gov/SolidWaste/Site/Search. Accessed March 22, 2023.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Waste Water / Sanitary Sewers	**(2)** No impact anticipated	The Project would not be occupied by residents/users and would not be served by sewer systems or on-site septic systems. Therefore, the Project would not result in significant impacts related to wastewater or sanitary sewers. As such, no formal compliance steps or mitigation are required.
Water Supply	**(2)** No impact anticipated	The Project would not be served by water supplies, and therefore, the Project would not result in a significant consumption of the community's available water supply or significant deterioration of water quality, nor would the Project affect a sole source or other aquifer through overdrawing. The Project would not result in significant impacts related to water supply. As such, no formal compliance steps or mitigation are required.
Public Safety - Police, Fire and Emergency Medical	**(2)** No impact anticipated	**Police** The Project vicinity is served by the San Diego County Sheriff's Department from its North Coastal Station. The station is located at 175 North El Camino Real, approximately 3.1 miles southeast of the Project site. The Project would not present unique features or operational aspects that could reasonably be expected to result in an increased need for police facilities. Considering that residents/users would not occupy the Project site and that the Project would not induce population growth in the area, as well as the lack of design features that would create public safety concerns, adequate police protection would be provided with existing and planned resources. No adverse impacts are identified. **Fire and Emergency Medical** First-response fire and emergency medical services are provided by the Encinitas Fire & Marine Safety Department. The nearest station to the Project site is Fire Station 3, located at 801 Orpheus Avenue, approximately 0.9 mile to the southeast. The Encinitas Fire & Marine Safety Department has 70 full-time employees operating from 6 fire stations and is responsible for responding to a variety of emergencies in a 20 square mile area. Additionally, the American Medical Response ambulance

Environmental Assessment Factor	Impact Code	Impact Evaluation
		service is currently contracted to provide services for City residents. Due to the nature of the infrastructure improvements proposed, the Project is not anticipated to increase demand for fire or emergency medical services. However, given the close proximity of fire stations to the Project site and the services provided by these stations, there would be adequate fire protection services, including emergency medical services, available to serve the Project (e.g., during Project construction). No residents/users would occupy the Project site, nor would the Project induce population growth in the area. Furthermore, the Project site is not mapped as being within a High Fire Hazard Zone. As such, demand for fire protection and emergency medical services would not likely increase as a result of the Project, and the Project would not require new construction or expansion of fire or emergency medical facilities. No adverse impacts are identified, and no formal compliance steps or mitigation are required. **Source Documentation**: Attachment R: High Fire Hazard Zones City of Encinitas. N.d. Public Safety. https://www.encinitasca.gov/Government/Departments/Public-Safety. Accessed March 22, 2023. City of Encinitas. N.d. MyEncinitas Map. https://myencinitas.encinitasca.gov/map/. Accessed March 22, 2023.
Parks, Open Space and Recreation	**(2)** No impact anticipated	The proposed Project would include a series of subsurface storm drain pipes that would provide additional storage capacity during storm events in the area of the North Coast Highway 101 corridor. The proposed Project would not result in the construction of new housing or businesses and would therefore not induce population growth. As such, the proposed Project would not increase demand on nearby parks, open space, or recreational facilities that would warrant construction of new facilities or result in substantial deterioration of existing facilities. Therefore, no adverse impacts are identified, and no formal compliance steps or mitigation are required.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Transportation and Accessibility	**(3)** Minor Adverse Impact	The Project would construct a series of subsurface storm drain pipes along the North Coast Highway 101 Corridor to reduce the frequency and intensity of flooding events that are common in the area. Project operation would not result in long-term impacts to the local or regional transportation system, as no residents/users would occupy the Project site. Project-related activities would occur during daylight hours and on an intermittent basis, depending on the scope and intensity of the work taking place. While construction-related traffic (i.e., trucks and worker vehicles) could affect traffic flow on the surrounding street network, the impacts would be temporary and would fluctuate in intensity throughout the construction day and vary throughout the overall construction program. Because the construction traffic impacts associated with the proposed Project would be temporary and limited to right-of-way along the affected segment of Highway 101, they would not significantly affect the performance of the vehicular transportation network with respect to traffic congestion and travel delay. During construction, materials would be placed within the boundaries of the Project site adjacent to the current phase of construction to avoid any access conflicts in case of emergency evacuations. Project construction would not result in closures along local roadways that may have an effect on emergency response or evacuation plans in the vicinity. It is anticipated that all local roadways would remain open during Project construction. Construction activities would comply with adopted conditions and would not restrict access for emergency vehicles responding to incidents on-site or in the surrounding area. No formal compliance steps or mitigation are required.
NATURAL FEATURES		
Unique Natural Features, Water Resources	**(2)** No impact anticipated	The Project site is generally comprised of impervious surfaces and maintained landscaped surfaces. The Project site does not contain any water resources or unique natural features, such as sand dunes, waterfalls, or rock outcroppings. As such, Project implementation would not result in the removal of such resources. No formal compliance steps or mitigation are required.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Vegetation, Wildlife	**(2)** No impact anticipated	The Project site is located within an urbanized area, surrounded by commercial and residential properties and is nearly entirely covered by impervious surfaces, apart from some limited areas of landscaping along the corridor. There are no existing remnant or endemic plant communities or wildlife habitat within the Project boundaries. In compliance with MBTA requirements for the protection of migratory species, preconstruction clearance surveys would be conducted prior to ground disturbance and vegetation removal activities to avoid direct and indirect impacts to potential active bird nests and/or nesting birds. Further, the Marine Biology Technical Report prepared for the Project (2020; see Attachment M-2) determined that Project implementation would not result in adverse effects to biological resources of the Batiquitos Lagoon, including eelgrass or other vegetation, fish and benthic invertebrate communities, or avian communities, including special status species. No wetland habitat would be impacted in terms of Executive Order 11990's definition of new construction. Therefore, the Project would not impact any sensitive vegetation or wildlife. No formal compliance steps or mitigation are required. **Source Documentation:** Attachment H: USFWS IPaC Report and Critical Habitat
Other Factors	**(2)** No impact anticipated	Refer to the Environmental Justice sections of this Environmental Assessment for relevant discussion.
CLIMATE AND ENERGY		
Climate Change Impacts	**(2)** No impact anticipated	Per Executive Order 14008 and HUD recommendations, it is federal policy to incorporate climate considerations into decision-making and build resilience against the impacts of climate change. HUD -assisted projects need to consider the potential future impacts of climate change on residents' safety, wellbeing, and property. Natural hazards that may change in frequency or severity as a result of climate change identified by HUD include flooding, sea level rise, hurricanes and extreme storms, drought, extreme heat, wildfire, landslides, and extreme cold. Similarly, climate change may alter site suitability factors including air

Environmental Assessment Factor	Impact Code	Impact Evaluation
		quality, urban heat island effects, soil stability, and water resources. As stated, the Project proposes a series of storm drainage pipes to provide additional storage capacity along the North Coast Highway 101 corridor during storm events. As such, Project operations would not emit greenhouse gases that would contribute to climate change. Construction activities would emit greenhouse gases; however, such emissions would be temporary and would not be of substantial quantity to contribute to climate change. Given the nature of the Project, natural hazards such as extreme heat or drought would not impact the Project's short- and long-term suitability and resilience. The Project would be designed to manage additional stormwater capacity and would therefore serve to protect surrounding residences and businesses as flooding impacts become more severe as a result of climate change. The Project site is located atop coastal bluffs lying adjacent to the Pacific Ocean. According to the National Oceanic and Atmospheric Administration Sea Level Rise viewer, which uses topography data and future climate change projections to estimate what areas of the nation's coast may be inundated by certain climate change scenarios, the Project site would not be inundated by coastal flooding even with 10 feet of sea level rise as compared with existing conditions. Furthermore, no residents would occupy the Project site following construction, and therefore, the Project would not expose occupants to potential impacts associated with climate change. While climate change generally may result in increasingly frequent or more severe natural hazards in the future, the Project itself would not exacerbate these hazards or place residents at abnormally high risk. **Source Documentation:** Attachment S: NOAA Sea Level Rise Viewer National Oceanic and Atmospheric Administration. N.d. Sea Level Rise Viewer. https://coast.noaa.gov/slr/#/layer/slr/0/-11581024.663779823/5095888.569004184/4/satellite/non

Environmental Assessment Factor	Impact Code	Impact Evaluation
		e/0.8/2050/interHigh/midAccretion. Accessed April 20, 2023.
Energy Efficiency	**(2)** No impact anticipated	Given the limited duration and scope of construction, temporary energy use during construction would not result in a significant energy increase and would not result in inefficient or unnecessary consumption of energy resources. Once operational, the Project would not result in increased energy demands. As such, the Project would not result in a significant increase in energy production for local energy providers. Additionally, the Project would not result in increased vehicle trips that would substantially contribute to greenhouse gas emissions.

Additional Studies Performed:

- MBC Aquatic Sciences. North Coast Highway 101 Streetscape Project Leucadia Flood Abatement Design Marine Biology Technical Report. Dated May 8, 2020.
- Michael Baker International. Historic Property Identification Memorandum and Finding of No Historic Properties Affected with Conditions for the Leucadia Streetscape Drainage Improvements Project, City of Encinitas, California. Dated April 10, 2023.
- Michael Baker International. North Coast Highway 101 Streetscape Project: Hydrology and Water Quality Technical Report. Dated May 20, 2020.
- Michael Baker International. Noise Modeling Data. N.d.
- Michael Baker International. Air Quality Modeling Data for the Leucadia Streetscape Drainage Improvements Project. Dated March 30, 2023.
- Tetra Tech. Geotechnical Assessment Report, Highway 101 Streetscape Project. Dated June 14, 2019.

Field Inspection (Date and completed by)**:**
Field studies completed for the Project are detailed in the technical studies identified above.

List of Sources, Agencies, and Persons Consulted [40 CFR 1508.9(b)]:

- California Department of Conservation. 2022. California Important Farmland Finder. Accessed March 16, 2023. https://maps.conservation.ca.gov/dlrp/ciff/.
- California Department of Resources Recycling and Recovery (CalRecycle). 2019. SWIS Facility/Site Search. https://www2.calrecycle.ca.gov/SolidWaste/Site/Search. Accessed March 22, 2023.
- California Department of Toxic Substances Control. 2023. EnviroStor. Accessed April 5, 2023. https://www.envirostor.dtsc.ca.gov/public/.
- City of Encinitas. 1995. City of Encinitas General Plan – Public Safety Element. https://archive.encinitasca.gov/WebLink/DocView.aspx?id=835468&dbid=0&repo=CityofEncinitas. Accessed April 20, 2023.

- City of Encinitas. 2011. City of Encinitas General Plan – Resource Management Element. https://archive.encinitasca.gov/WebLink/DocView.aspx?id=835470&dbid=0&repo=CityofEncinitas. Accessed April 20, 2023.
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- Federal Aviation Administration. 2022. Report to Congress, National Plan of Integrated Airport Systems 2023-2027. Appendix A: List of NPIAS Airports.
- FEMA, National Flood Insurance Program, Flood Insurance Rate Map, Map Number 06073C1033H, map revised December 20, 2019.
- Google, Inc. Google Maps. Distance from the Marine Corps Air Station Camp Pendleton to Just North of North Coast Highway 101 and La Costa Avenue Intersection. Accessed March 20, 2023. www.google.com/maps.
- Google, Inc. Google Maps. Distance from Prime and Unique Farmland to the Project Site. Accessed March 16, 2023. www.google.com/maps.
- National Oceanic and Atmospheric Association. N.d. Sea Level Rise Viewer. https://coast.noaa.gov/slr/#/layer/slr/0/-11581024.663779823/5095888.569004184/4/satellite/none/0.8/2050/interHigh/midAccretion. Accessed April 20, 2023.
- National Park Service. 2022. Nationwide Rivers Inventory. Accessed March 16, 2023. https://www.nps.gov/maps/full.html?mapId=8adbe798-0d7e-40fb-bd48-225513d64977.
- San Diego Association of Governments. N.d. Los Angeles, San Diego, San Luis Obispo (LOSSAN) Coastal Rail Corridor – San Diego Segment. Accessed May 4, 2023. https://www.keepsandiegomoving.com/documents/Lossan/LossanBrochure_FINAL.pdf.
- San Diego County Airport Land Use Commission. 2011. McClellan-Palomar Airport Land Use Compatibility Plan. https://www.lee-associates.com/elee/sandiego/LeeLandTeam/Ponto/McClellan-Palomar_ALUCP_20111.pdf. Accessed April 27, 2023.
- State Water Resources Control Board. 2023. GeoTracker. Accessed April 5, 2023. https://geotracker.waterboards.ca.gov/.
- U.S. Department of Housing and Urban Development. 2023. DNL Calculator. https://www.hudexchange.info/programs/environmental-review/dnl-calculator/. Accessed May 4, 2023.
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- U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Explosive and Flammable Hazards. https://www.hudexchange.info/programs/environmental-review/explosive-and-flammable-facilities/. Accessed March 16, 2023.
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- U.S. Department of Housing and Urban Development. 2023. HUD Exchange. Floodplain Management. https://www.hudexchange.info/programs/environmental-review/floodplain-management/. Accessed March 16, 2023.
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- United States Fish and Wildlife Service. Information for Planning and Consulting (IPaC). Accessed March 16, 2023. https://ipac.ecosphere.fws.gov/location/index.
- United States Fish and Wildlife Service. N.d. National Wetlands Inventory. Accessed March 16, 2023. https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/.

List of Permits Obtained:

- Coastal Development Permit (CDPNF-004271-2020)

Public Outreach [24 CFR 50.23 & 58.43]:

The Project results in a Finding of No Significant Impact (FONSI) which will be published in the newspaper and circulated to public agencies, interested parties, and landowners/occupants of parcels located within the project's Area of Potential Effect. Information about where the public may find the Environmental Review Record pertinent the Project will be included in the FONSI Notice. Additionally, the Citizen Participation Program (CPP) meeting notice for the Project was issued on January 4, 2021 and is included on the City's website. The CPP meeting was held on January 19, 2021.[6]

Cumulative Impact Analysis [24 CFR 58.32]:

According to 24 CFR 58.32, a Responsible Agency must group together and evaluate as a single project all individual activities which are related either on a geographical or functional basis, or are logical parts of a composite of contemplated actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Project ground disturbing activities would have the potential to contribute to the disturbance or loss of unknown historic resources, in particular when combined with potential effects of other cumulative development projects within the surrounding region. Mitigation measures HIST-1 and HIST-2 would be implemented to reduce the Project's direct and cumulative impacts on such unknown resources. Other cumulative projects within the area would similarly be required to identify measures to reduce potential effects on both known and unknown historic resources. With implementation of such mitigation, it is not anticipated that the Project would contribute to a cumulative impact.

The Project would not introduce any new permanent noise-generating sources, including pumps, generators, or other equipment. Noise generated during the construction phase would be temporary and generally limited to the area where improvements were being actively undertaken. With regard to air quality, the proposed Project would not result in short- or long-term air quality impacts, as emissions would be below SDAPCD adopted construction thresholds. Furthermore, the Project would not generate increased operational emissions when compared to existing

[6] City of Encinitas, Engineering Public Notices. https://www.encinitasca.gov/government/public-notices/engineering-public-notices

conditions. As such, the Project's contribution to cumulative air quality or noise impacts would not be considerable, and cumulative impacts would be negligible.

With regard to the protection of wetland resources, particularly those of Batiquitos Lagoon, the Project would not result in adverse impacts to biological resources of the lagoon, including special status species. Furthermore, during larger storm events (larger than the 5-year storm event), stormwater discharge at the existing eastern outlet of the Project site would increase; however, in such instances, the first flush would be diverted to the western outlet, which includes existing 24- and 18-inch outlets. As described, the proposed junction box (diversion structure) is designed to prevent an increase in capacity at the existing 24- and 18-inch outlets, thereby preventing potential adverse impacts to water quality of Batiquitos Lagoon and minimizing the potential for the Project to contribute to a cumulative impact on such resources.

Based on the analysis herein, the Project would not considerably contribute to a significant cumulative impact resulting from successive or multiple projects that are related either on a geographical or functional basis, or are logical parts of a composite of contemplated actions.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Alternative Location Alternative

Project implementation at a different location within the City was considered to determine if adverse impacts of the Project could be avoided, lessened, or eliminated. As disclosed in this Environmental Assessment, the Project would not negatively impact the surrounding environment. Mitigation measures HIST-1 and -2 would ensure that impacts to unanticipated historic resources would be avoided or reduced. Additionally, to avoid direct and indirect impacts to potential active bird nests and/or nesting birds, the Project would implement preconstruction clearance surveys in compliance with the MBTA. Implementation of the Project elsewhere in the City would not achieve the Project's basic objectives, which are to lessen flooding impacts along the North Coast Highway 101 corridor and provide treatment of stormwater prior to discharging into Batiquitos Lagoon. Furthermore, because the City is urbanized and largely built out, it is anticipated that potential effects relative to air quality, noise, historic resources, and biological resources would be similar as compared to the Project if such activities were undertaken elsewhere within the community. The Project is preferred over this alternative.

No Action Alternative [24 CFR 58.40(e)]:

Under this alternative, the Project would not occur, and the City's current subsurface stormwater drainage system would remain in place. Some environmental impacts, such as air quality emissions, impacts to cultural resources, and noise generation during Project construction, would be less severe than those resulting from the Project. However, as discussed in the Statement of Purpose and Need for the Proposal and Alternatives Sections above, the City has documented the need for additional stormwater capacity along the North Coast Highway 101 corridor to minimize impacts of flooding on nearby residences and businesses, in particular with regard to the effects of anticipated increased future rain events due to climate change. Without Project implementation, the City would continue to utilize heavy equipment and pumps to remove flood waters during storm events. Further, flooding of the corridor affects regional transit and circulation facilities, including restricting the mobility of individuals with disabilities as well as those without vehicles (i.e., pedestrians and bicyclists) along the corridor during such conditions. Ponding of water along the roadway for extended periods of time also has the potential to

generate the breeding of vectors (i.e., mosquitoes) that may pose a risk to human health. The Project therefore provides a permanent solution to economic and public safety concerns associated with flooding along the corridor and would alleviate ongoing City expenses and emissions associated with removing flood waters. Therefore, the Project is preferred over the No Action Alternative.

Summary of Findings and Conclusions:

Implementation of the mitigation measures described throughout this Environmental Assessment, as well as compliance with the federal, state, and local regulations would ensure that the Project would not negatively impact the surrounding environment and would not have an adverse environmental or health effect on future residents. The Project complies with NEPA and other related federal and state environmental laws and is suitable for the site.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Historic Preservation National Historic Preservation Act of 1966, particularly Sections 106 and 110; 36 CFR Part 800	**HIST-1: Cultural Resources Monitoring Program** Prior to the commencement of any ground disturbing activities, a Cultural Resource Mitigation Monitoring Program shall be established to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed Project. The monitoring shall consist of the full-time presence of a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for "pre-historic" (i.e., pre-contact) and historic archaeology. Further, a Native American monitor from a tribe that is traditionally and culturally affiliated (TCA) with the Project area shall be retained to monitor all ground disturbing activities associated with project construction, including vegetation removal, clearing, grading, trenching, excavation, or other activities that may disturb the original (pre-project) ground, including the placement of imported fill materials and related roadway improvements (i.e., for access). ▪ The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.

Law, Authority, or Factor	Mitigation Measure
	▪ The qualified archaeologist and each TCA Native American monitor shall attend all applicable preconstruction meetings with the contractor and/or associated subcontractors. ▪ Monitors shall be given at least 72 hours' notice of the initiation of construction and be kept reasonably apprised of changes to the construction schedule. In the event that a monitor is not present at the scheduled time, work can continue without the monitor present, as long as the notice was given and documented. *During Construction* ▪ The qualified archaeologist shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground disturbing or altering activities, as identified above. ▪ The qualified archaeologist and/or TCA Native American monitor shall have the authority to temporarily halt ground disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, if subsurface deposits believed to be cultural or human in origin are discovered during construction, all work shall halt within a 100-foot radius of the discovery and ground disturbing activities shall be temporarily directed away from these deposits to allow a determination of potential significance, the subject of which shall be determined by the qualified archaeologist and the TCA Native American monitor. Ground disturbing activities shall not resume until the qualified archaeologist, in consultation with the TCA Native American monitor, deems the cultural resource or feature has been appropriately documented and/or protected. ▪ If the professional archaeologist determines with full agreement from the TCA monitor that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required. ▪ The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, a Data Recovery Plan will be required. If a Data Recovery Plan is required, then the TCA Native American monitor shall be notified and consulted in drafting and finalizing any such recovery plan. ▪ The qualified archaeologist and/or TCA Native American monitor may also halt ground disturbing activities around known archaeological artifact deposits or cultural features if, in their

Law, Authority, or Factor	Mitigation Measure
	respective opinions, there is the possibility that they could be damaged or destroyed. ▪ The City shall relinquish ownership of all tribal cultural resources collected during the cultural resource monitoring conducted during all ground disturbing activities to the TCA Native American tribe for respectful and dignified treatment and disposition, including reburial, in accordance with the tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the most likely descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. ▪ Upon completion of monitoring activities, a Final Monitoring Report, which describes the results, analysis, and conclusions of the cultural resource mitigation monitoring efforts, shall be prepared by the qualified archaeologist and retained by the City. **HIST-2: Inadvertent Discovery of Human Remains** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the qualified archaeologist and/or the TCA Native American monitor) shall occur until the coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the qualified archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by state law, the coroner shall determine within two working days of being notified if the remains are subject to his or her authority. If the coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the most likely descendent. If Native American remains are discovered, the remains shall be kept in situ ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of the TCA Native American monitor.

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: 5/31/23

Name/Title/Organization: Milena LaBarbiera/Environmental Planner/Michael Baker International

Certifying Officer Signature: _____ Date: 5/31/23

Name/Title: Matthew Widelski / Principal Engineer and NEPA Certifying Officer

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).