DRAFT
Tribal Environmental Impact Report
(TEIR)

for the Viejas Hotel South Tower

prepared for

The Viejas Band of Kumeyaay Indians
5000 Willows Road
Alpine, CA 91901

prepared by

BRG Consulting, Inc.
304 Ivy Street
San Diego, CA 92101

April 2014

Draft

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A Notice of Preparation/Initial Study Checklist
Prepared by BRG Consulting, Inc.
January 23, 2014 (bound with TEIR)

The following are contained on the CD, which is attached to the back of this TEIR

B Traffic Impact Analysis
Prepared by Linscott, Law & Greenspan, Engineers
February 27, 2014

C Air Quality Assessment
Prepared by Ldn Consulting, Inc.
April 11, 2014

D Noise Assessment
Prepared by Ldn Consulting, Inc.
March 11, 2014

E Supporting Water Supply Assessment
Prepared by Environmental Navigation Services, Inc.
April 14, 2014

F Visual Impact Analysis
Prepared by BRG Consulting, Inc.
March 2014

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ACRONYMS

Acft	Acre-feet
AM	morning
ADT	Average Daily Traffic
AFY	Acre-feet per year
AMSL	Above Mean Sea Level
CARB	California Air Resources Board
CO	Carbon monoxide
DG	Decomposed granite
DPM	Diesel Particulate Matter
DPW	Viejas Department of Public Works
FCI GPA	Forrest Conservation Initiative General Plan Amendment (proposed)
I-8	Interstate 8
IGRA	Indian Gaming Regulatory Act
lb/day	Pounds per day
LOS	Level of Service (for traffic)
μg/m3	Micro grams per cubic meter
NOx	Oxides of nitrogen
NO_2	Nitrogen dioxide
O_3	Ozone
PDS	County of San Diego Planning and Development Services
PM	afternoon, evening
PM_{10}	Particulate Matter, 10 microns or smaller in size
$PM_{2.5}$	Particulate Matter, 2.5 microns or smaller in size
ROW	Right-of-way (road)
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SO_2	Sulfur dioxide
sq ft, SF	square feet
TEIR	Tribal Environmental Impact Report
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geologic Survey
VOC	Volatile Organic Compounds
VP	Viewpoint
V/C	Traffic volume on a road segment divided by the standard capacity of that road design

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SUMMARY

S.1 Project Synopsis

The proposed Project is an approximately 128-room, six-story hotel, adjacent to the existing Viejas Casino (referred to as the South Hotel Tower). It would replace the existing office space on the southeastern portion of the casino. The proposed Project would include additional gaming space, a kitchen in the basement, ballroom, pre-function terrace, meeting rooms, bar, and retail. The office space would be relocated within the existing facility.

The Casino currently offers approximately 113,000 square feet (sf) of gaming area in a 325,000 sf casino. Current gaming offerings include slot machines, table games, an off-track betting facility, a 750 seat bingo pavilion, a special events venue, five restaurants, a 128-room hotel, and a parking structure. With construction of the first Hotel Tower in 2012-2013, the Casino reduced the amount of original gaming area by approximately 20,000 sf. The proposed project would add approximately 16,500 sf of gaming area, resulting in a net reduction of approximately 3,500 sf of the gaming area presented in 2012. Additionally, no new infrastructure would be required, or is proposed.

S.2 Summary of Significant Effects and Mitigation Measures that Reduce or Avoid the Significant Effects

If the proposed Project is implemented, significant, construction-related, off-Reservation construction-related PM10 and DPM air quality impacts have the potential to occur; however, with implementation of mitigation measures AQ-1 through AQ-3, no significant off-Reservation environmental effects would occur. This conclusion has been reached based on the analysis in the project Initial Study, Appendix A, and subsequent technical studies addressing transportation/traffic, noise, air quality, groundwater availability, and aesthetics. No other potentially significant environmental effects were identified and no other mitigation measures, except AQ-1 through AQ-3, are required.

S.3 Project Alternatives

Other alternatives would not feasibly attain most of the project objectives. Alternative hotel sites on the Reservation would not reduce project-related traffic on West Willows Road or construction-related PM10 and DPM emissions. An alternative hotel site outside the Viejas Reservation would not provide the desired proximity of the hotel and casino. For these reasons, other on- or off-Reservation hotel alternatives are not considered feasible alternatives.

A smaller hotel than proposed would marginally reduce the local traffic and construction-related PM10 and DPM impacts in the area, but would not meet the projected service demand. Since the proposed Project would not result in any significant, unmitigable, environmental impacts, and considering that a smaller hotel may require visitors to find alternative accommodations during full occupancy of the Viejas hotel(s), which may result in more environmental impacts related to traffic than the proposed Project; a smaller hotel alternative is rejected as not meeting the project objectives. Therefore, no environmental advantage has been identified for such a smaller alternative.

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1.0 PROJECT DESCRIPTION AND ENVIRONMENTAL SETTING

1.1 Project Description and Location

1.1.1 Precise Location/Boundary

The project site is located within the Viejas Indian Reservation, at 5000 Willows Road, in the unincorporated San Diego County Community of Alpine. The project is located within the northeastern portion of Section 30 (Range 3 East, Township 15 South) of the San Bernardino Base and Meridian, USGS 7.5-Minute Viejas Mountain Quadrangle. The regional location of the proposed Project is shown in Figure 1-1. Figure 1-2 depicts the location of the proposed Project relative to the boundaries of Viejas Reservation. The project site connects to the southeast corner of the existing casino, as shown in Figure 1-3. This area is located north of Willows Road and south of Viejas Creek on the southwestern area of the Viejas Reservation. Access to the casino is via east and west Willows Road, immediately north of Interstate 8 (I-8).

1.1.2 Project's Component Parts

The project is an approximately 128-room, six-story hotel, adjacent to the existing Viejas Casino. The expansion would demolish the existing office space on the southeastern portion of the casino and replace it with a second hotel tower. The south hotel tower project would include additional gaming space, a kitchen in the basement, ballroom, pre-function terrace, meeting rooms, bar, and retail. The office space would be relocated within the existing facility. This second hotel tower, known as the Viejas Hotel South Tower, will be similar to the first hotel tower (north tower) that was constructed in 2013.

The Casino currently offers approximately 113,000 square feet (sf) of gaming area in a 325,000 square foot casino. Current gaming offerings include slot machines, table games, an off-track betting facility, a 750 seat bingo pavilion, a special events venue, five restaurants, a 128-room hotel, and a parking structure. With construction of the first Hotel Tower in 2012-2013, the Casino reduced the amount of gaming area by approximately 20,000 sf, as shown in Table 1-1. The proposed hotel would add approximately 16,500 sf of gaming area, resulting in a net reduction of approximately 3,500 sf of the gaming area provided in 2012. Additionally, non-potable water would be used for landscaping and no new infrastructure would be required, or is proposed, for the Viejas South Tower Hotel.

Table 1-1
Net Reduction in Gaming Square Footage

Project	Existing Gaming Area	Project Gaming Area	Total Gaming Area with Project
Viejas Casino Expansion	115,000 sq ft	+18,000 sq ft	133,000 sq ft
Viejas Hotel	133,000 sq ft	-20,000 sq ft	113,000 sq ft
Viejas Parking Structure	113,000 sq ft	0 sq ft	113,000 sq ft
Viejas Hotel South Tower	113,000 sq ft	+16,500 sq ft	129,500 sq ft
Net Overall Reduction			**3,500 sq ft**

Source: BRG, 2014

1.1.3 Project Background Information

1.1.3.1 History of Gaming on the Viejas Indian Reservation

Gaming is one of the oldest forms of recreation, and Indian gaming predates European settlement in America. Large-scale tribal government gaming, mainly in the form of Bingo, began in the 1970s. In 1987, the United States Supreme Court recognized the right of American Indian tribal governments to run gaming, ruling that states had no Constitutional authority to prohibit or regulate gaming on Indian land if such gaming is permitted outside the reservation for any other purpose. Following the Supreme Court decision, Congress passed the Indian Gaming Regulatory Act (IGRA) to place some restriction on tribal government gaming. The IGRA separated gaming into three classes: Class I, traditional Indian social gaming; Class II, bingo, similar games and card games lawful in the state; and, Class III, all other forms of gaming. The IGRA also gave limited jurisdiction for joint regulation of tribal government gaming to the states in the case of Class III gaming. This was accomplished through the requirement that tribes negotiate compacts with states.

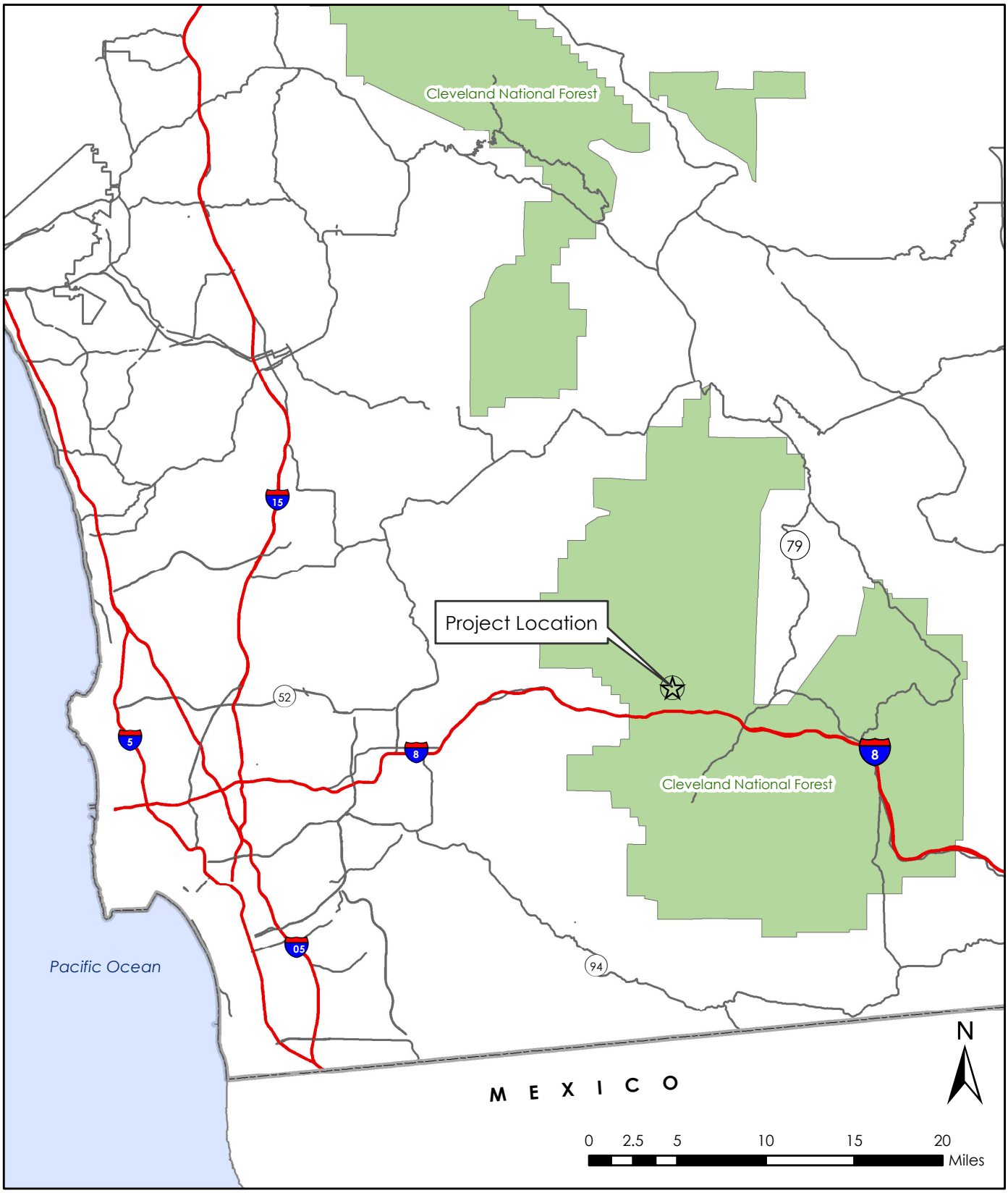
On September 10, 1999, 58 tribal governments executed compacts with the State of California. The new compacts limited the number of slot machines in the state to those already in operation, and allowed 350 slot machines for each tribe that did not have gaming prior to September 1, 1999. There was also a maximum of 2,000 gaming devices per tribe, which includes existing devices. The compacts call for strict tribal-state-federal regulation of gaming as provided by the federal IGRA and as detailed in the compacts. Additionally, the compacts use funds from gaming device licensing fees for a revenue-sharing fund to provide revenue distributions to non-gaming tribes. The compacts also call for the allocation of up to 13 percent of net win revenues to cover the state costs of gaming regulation, funding impacts on local governments and a state problem gambling program, as well as appropriations as determined by the Legislature. Implementation of the compacts was subject to approval of Proposition 1A - the Indian Self-Reliance Initiative - which appeared on the March 2000 Ballot and was approved by the voters.

In June 2004, the State of California and the Viejas Band of Kumeyaay Indians agreed to an amendment to the 1999 Compact (Viejas Tribal-State Gaming Compact). A new hotel serving the Casino falls within the definition of a "Project" under the Compact. Exhibit A of the Compact amendment identifies the specific off-reservation environmental considerations to be addressed in evaluation of such a Project.

Indian tribes are using gaming revenues to build houses, schools, roads and sewer and water systems; to fund the health care and education of their people; and to develop a strong, diverse economic base for future generations. As a direct result of tribal gaming, unemployment and welfare subsidies have been drastically reduced on gaming reservations and tribal governments have begun to raise the revenues they have lacked for decades to fund basic governmental services, such as police, fire, health care, education and other government-provided programs. Tribal governments are using gaming proceeds to diversify their economics by entering into other enterprises.

1.2 Project Objectives

The purpose of the proposed Project is to provide convenient hotel space for casino guests, improve entry to the facility, provide a ballroom, meeting spaces, kitchen in the basement, pre-function terrace, retail and a bar. The proposed hotel would encourage patrons to stay at the hotel rather than drive home, which would result in an increase in public safety and a reduction in traffic. The proposed hotel would facilitate tribal economic development and contribute to the economic viability of the tribe.



SOURCE: SanGIS and BRG Consulting, Inc., 2014

3/11/14

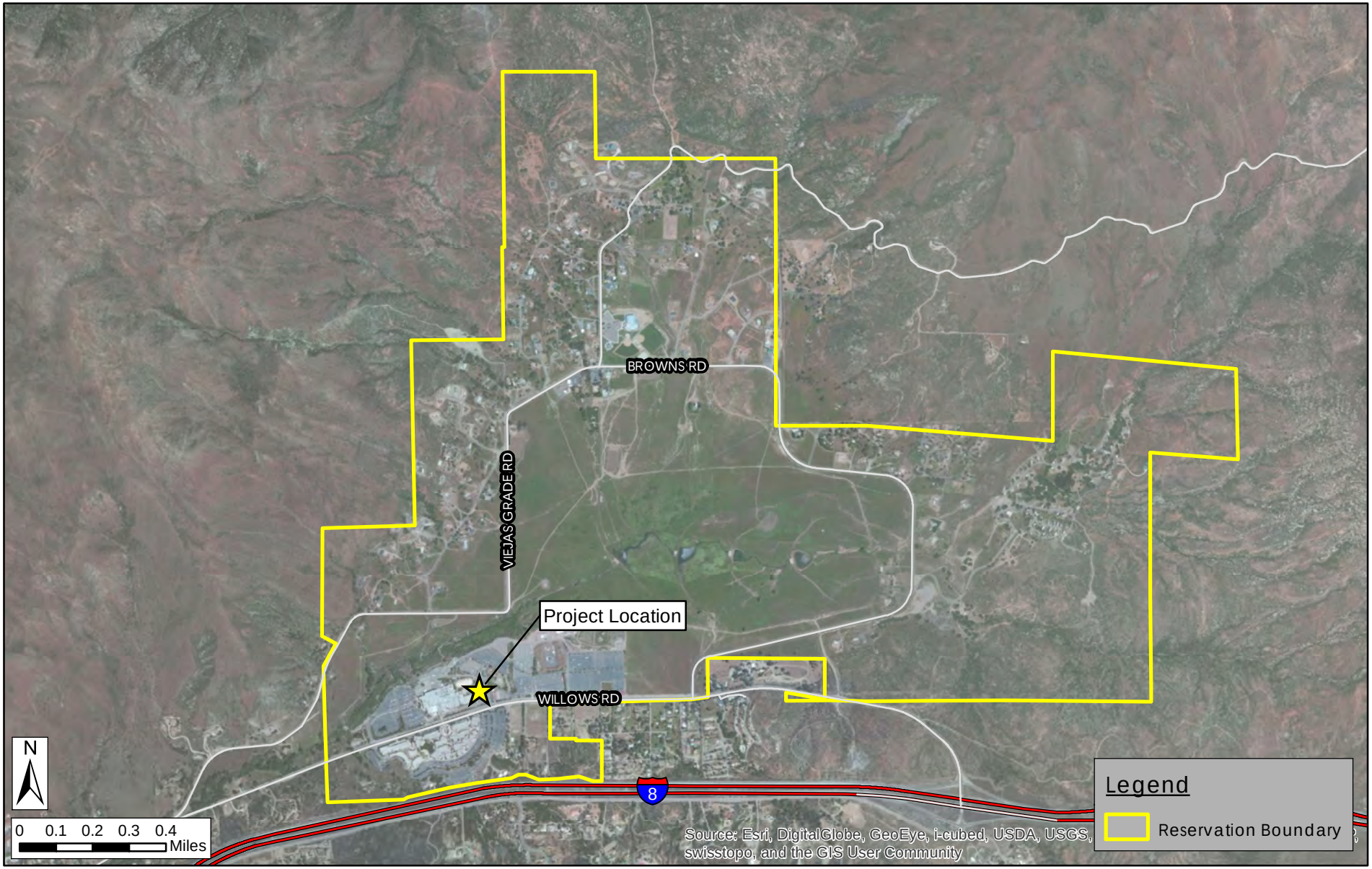
BRG CONSULTING, INC.

Viejas Hotel South Tower TEIR

Regional Vicinity Map

FIGURE

1-1



SOURCE: Esri, 2014; SanGIS, 2014

3/11/14

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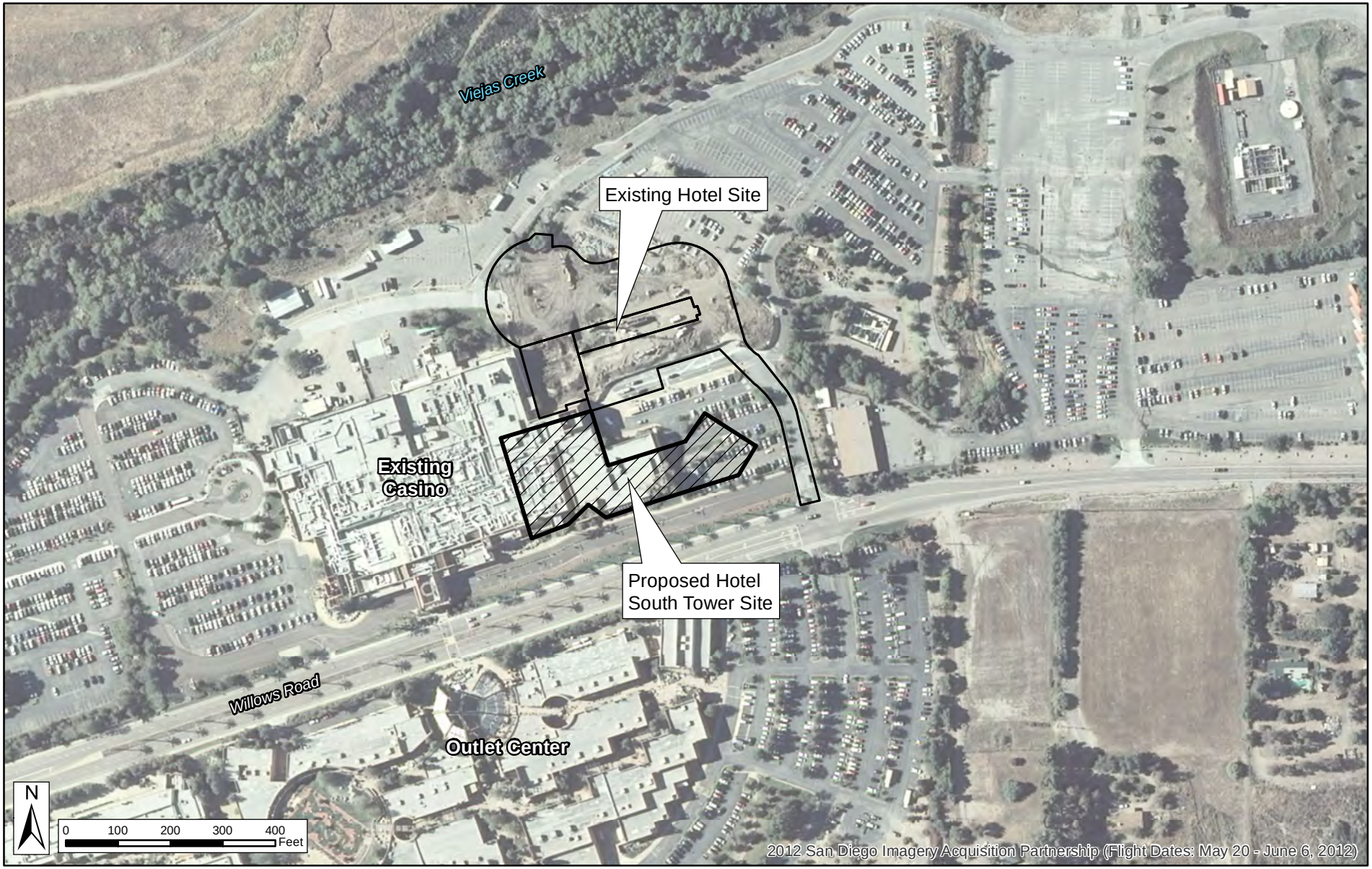
Viejas Hotel South Tower TEIR

Project Location Inside the Viejas Indian Reservation

FIGURE

1-2



SOURCE: SanGIS, 2012; JCJ Architecture, 2013

3/11/14

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Viejas Hotel South Tower TEIR

Proposed Hotel Site

FIGURE 1-3

1.3 Intended Uses of this TEIR

Preparation of this Tribal Environmental Impact Report (TEIR) is required by the Viejas Tribal-State Gaming Compact. It serves to inform public agency decision-makers and the public generally of any anticipated significant off-Reservation environmental effects of the proposed Project, to identify ways to minimize the significant effects, and to describe reasonable alternatives that would not cause it to forego gaming activities (Compact, Section 10.8.1). If significant impacts from a project are identified, the TEIR provides a basis for discussion with local governments about how best to minimize such impacts.

The TEIR generally follows County Department of Planning and Land Use EIR Format and General Content Requirements, to the extent that those requirements are consistent with requirements of the Viejas Tribal-State Gaming Compact.

1.4 Environmental Setting

The project site is located north of Willows Road and south of Viejas Creek adjacent to the existing casino. The project area is developed with commercial uses. The Viejas Outlet Center is located south of the casino and south of Willows Road. Interstate-8 (I-8) lies to the south of the Outlet Center, with residential areas of the community of Alpine south of I-8. Non-Reservation residential areas are also found along Willows Road, both to the east and west of the Reservation.

Viejas Creek is a restored perennial stream that provides native riparian habitat. The Tribal residential area lies to the north of Viejas Creek, as does land used for cattle grazing. Coast live oak trees are common throughout this area. The Cleveland National Forest lies to the north, east and west of the Reservation. Various private residential in-holdings lie between the Reservation and Cleveland National Forest.

1.5 List of Past, Present and Reasonably Anticipated Future Projects in the Project Area

Past development projects on and outside the Reservation that are considered in this analysis include the original Viejas Casino and Outlet Center, a 45,000 sq. ft. Casino expansion developed in 2006, the Albertson's shopping center project in Alpine, the Viejas Hotel Project and the Viejas Parking Structure which were developed in 2012 and 2013. In addition, this TEIR considers the County of San Diego Department of Planning and Development Services' recent Draft Forest Conservation Initiative (FCI) General Plan Amendment. Information regarding other current or anticipated near-term development projects located in the Alpine area was obtained from the County of San Diego by LLG Engineers personnel, and is shown in Table 1-2. County development planning for private lands under County jurisdiction is found in the County General Plan Update, approved by the Board of Supervisors in August 2011. County planning for FCI lands south of the Reservation is underway, but not yet approved. No Final EIR has been prepared for those anticipated changes.

1.6 Growth-Inducing Effects

The proposed Project is the addition of an approximately 128-room six-story hotel adjacent to the existing Viejas Casino. None of the County of San Diego examples of projects that may have growth-inducing characteristics, as

found in the County of San Diego EIR Format and General Content Guidelines (September 2006) relate to the proposed Project. The proposed Project would not result the need for utility or road infrastructure to be extended that could potentially induce nearby growth. The proposed Project would not result in any economic stimulus, such as that provided by golf courses, shopping centers, industrial facilities or residential specific plans. Finally, the proposed Project does not involve a revision to local land use policies, such as General Plan amendments, annexations or rezoning.

TABLE 1-2
Summary of Cumulative Projects–Alpine Community Planning Area

No.	County Processing No.	Project Name	Land Use	Intensity/Units	Daily Trips
1	3500 10-005	Cronin Light Industrial	Industrial Park	33,500 SF	536
2	3500 03-073-01	DGJM Self Storage	Storage	11,978 SF	240
3	3500 01-064-01	Alpine Regional Center Expansion	Specialty Retail	25,000 SF	1,000
			Bank with Drive-Thru	2,000 SF	400
4	3300 64-018-04	Alpine Convalescent	Convalescent	29 beds	87
5	3500 10-022	Victoria Village	Specialty Retail	5,525 SF	221
			Condominiums	4 dwelling units	32
6	3100 5431	Victoria Estates	Rural Estates	35 dwelling units	420
7	NA	Alpine High School	High School	1,100 students	1,430
8	NA	Library	Library	13,000 SF	650
9	NA	Walker Health Clinic	Dental and Standard Commercial Office	26,400 SF	939
				Total Daily Trips	5,955

Source: LLG Engineers, 2014

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2.0 SIGNIFICANT OFF-RESERVATION ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

No significant off-Reservation environmental effects, which cannot be avoided, would occur as a result of the project. Topics reviewed in detail to determine if they might result in a significant project impact include those identified in the Viejas Tribal-State Gaming Compact, the Initial Study, and Notice of Preparation of a Tribal EIR for the proposed hotel project. These topics are discussed in Chapter 4.0 of this TEIR, Environmental Effects Found Not To Be Significant.

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3.0 SIGNIFICANT OFF-RESERVATION ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT THAT CAN BE MITIGATED

The following potential off-reservation impacts have been found to result in significant impacts requiring mitigation with the implementation of the proposed project.

3.1 Air Quality

Information contained in this section is summarized from the *Air Quality Assessment, Viejas Hotel South Tower* prepared by Ldn Consulting, Inc. (Ldn) (March 4, 2014). The air quality impact analysis is provided in Appendix C to this TEIR.

3.1.1 Existing Conditions

3.1.1.1 Regional Meteorology/Climate

Climate within the San Diego Air Basin (SDAB) area often varies dramatically over short geographical distances due to the size and topography. Most of southern California is dominated by high-pressure systems for much of the year, which keeps the East County sunny and warm. Typically, during the winter months, the high-pressure system drops to the south and brings cooler, moister weather from the north. It is common for inversion layers to develop within high-pressure areas, which mostly define pressure patterns over the SDAB. These inversions are caused when a thin layer of the atmosphere increases in temperature with height. An inversion acts like a lid preventing vertical mixing of air through convective overturning.

3.1.1.2 Local Meteorology

Meteorological trends within the Viejas Reservation area generally are very similar to that of nearby Alpine where daytime highs typically range between 65ºF in the winter to approximately 90ºF in the summer with August usually being the hottest month. Median temperatures range from approximately 54ºF in the winter to approximately 76ºF in the summer. The average humidity is approximately 64% in the winter and about 73% in the summer. Alpine usually receives 16.53 inches of rain per year with February usually being the wettest month.

3.1.1.3 Applicable Rules, Regulations, Policies and Guidelines

The proposed Project resides entirely within a United States Federal Reservation under the auspices of the U.S. Bureau of Indian Affairs (BIA). The EPA is responsible for enforcing the Federal Clean Air Act of 1970 (United States Code, Title 42, Chapter 85) and subsequent amendments within all federally designated lands. The Clean Air Act (CAA) established the NAAQS for the protection of human health and public welfare. The NAAQS represent the maximum levels of background pollution that provide an adequate margin of safety to protect the public health and welfare.

The CAA allows states to adopt ambient air quality standards and other regulations provided they are at least as stringent as federal standards. The CAA of 1988 established CAAQS for criteria pollutants and additional standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles. California Air Resources Board (CARB) is the state regulatory agency with authority to enforce regulations to achieve and maintain the CAAQS, except in areas where the local air quality management district has been given authority over stationary source emissions. CARB required each air basin to develop its own strategy for achieving the NAAQS and CAAQS and still maintains regulatory authority over these strategies as well as mobile source emissions statewide.

The State of California has 35 specific air districts, which are each responsible for ensuring that the criteria pollutants are below the NAAQS and CAAQS. Air basins that exceed either the NAAQS or the CAAQS for any criteria pollutants are designated as "non-attainment areas" for that pollutant. Currently, there are 15 non-attainment areas for the federal ozone standard and two non-attainment areas for the $PM_{2.5}$ standard and many areas are in non-attainment for PM_{10} as well. The state therefore created the California State Implementation Plan (SIP), which is designed to provide control measures needed for California Air basis to attain ambient air quality standards. A SIP is a compilation of goals, strategies, schedules, and enforcement actions that will lead the state (including areas within the San Diego Air Basin such as the Viejas Indian Reservation) into compliance with all federal air quality standards. Every change in a compliance schedule or plan must be incorporated into the SIP. The Clean Air Act Amendments (CAAA) established new deadlines for achievement of the NAAQS depending on the severity of nonattainment. The CAAA of 1990 also mandates states to develop an operating permit program that requires all major sources of pollutants to obtain an air permit, and contains programs designed to reduce mobile source emissions, and control emissions of hazardous air pollutants through establishing control technology guidelines for various classes of sources.

The San Diego County Air Pollution Control District (SDAPCD) is the local agency for the administration and enforcement of air quality regulations; it adopted the Regional Air Quality Strategy (RAQS) to comply with CARB requirements for developing this plan. The RAQS is largely based on population predictions by the San Diego Association of Governments (SANDAG). Projects that produce less growth than predicted by SANDAG would generally conform to the RAQS and projects that create more growth than projected by SANDAG may create a significant impact assuming that either produces unmitigable emission generation in excess of the regional standards. Also, the proposed hotel would be considered a significant impact if the proposed hotel produces cumulative impacts. Currently, San Diego is in "non-attainment" status for federal O3 and the State PM_{10} and $PM_{2.5}$. However, an attainment plan is only available for O_3. The RAQS was adopted in 1992 and has been updated as recently as 2009, which was the latest update incorporating minor changes to the prior 2004 update.

<u>SDAPCD Criteria Pollutant Standards</u>

The SDAPCD has established thresholds in Rule 20.2 for new or modified stationary sources. The County's Guidelines for Determining Significance and Report Format and Content Requirements incorporate screening level thresholds from Rule 20.2 for use in all County related Air Quality Impact Assessments (AQIA) and for determining CEQA air quality impacts. These screening criteria can be used to demonstrate that a project's total emissions would not result in a significant impact as defined by CEQA. Also, since SDAPCD does not have AQI threshold for Volatile Organic Compounds (VOCs), it is acceptable to use the Coachella Valley VOC threshold from South Coast Air Quality Management District. Should emissions be found to exceed these thresholds, additional modeling is required

to demonstrate that the proposed hotel's total air quality impacts are below the state and federal ambient air quality standards. These screening thresholds for construction and daily operations are shown in Table 3.1-1 below.

Table 3.1-1
Screening Threshold for Criteria Pollutants

Pollutant	Total Emissions (Pounds per Day)
Construction Emissions	
Respirable Particulate Matter (PM_{10} and $PM_{2.5}$)	100 and 55
Nitrogen Oxide (NO_x)	250
Sulfur Oxide (SO_x)	250
Carbon Monoxide (CO)	550
Volatile Organic Compounds (VOCs)	75
Reactive Organic Gases (ROG) SCAQMD	75
Operational Emissions	
Respirable Particulate Matter (PM_{10} and $PM_{2.5}$)	100 and 55
Nitrogen Oxide (NO_x)	250
Sulfur Oxide (SO_x)	250
Carbon Monoxide (CO)	550
Lead and Lead Compounds	3.2
Volatile Organic Compounds (VOCs)	75
Reactive Organic Gases (ROG) SCAQMD	75

Source: Ldn Consulting, 2014.
- Threshold for VOC's based on the threshold of significance for reactive organic gases (ROG's) from Chapter 6 of the CEQA Air Quality Handbook of the South Coast Air Quality Management District.
- Threshold for ROG's in the eastern portion of the County based on the threshold of significance for reactive organic gases (ROG's) from Chapter 6 of the CEQA Air Quality Handbook of the Southeast Desert Air Basin.
- Thresholds are applicable for either construction or operational phases of a project action.
- The PM2.5 threshold is based upon the proposed standard identified in the, *"Final – Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds*", published by SCAQMD in October 2006.

3.1.1.4 Existing Air Quality

Criteria pollutants are measured continuously throughout the SDAB. This data is used to track ambient air quality patterns throughout the County. As mentioned earlier, this data is also used to determine attainment status when compared to the NAAQS and CAAQS. The SDAPCD is responsible for monitoring and reporting monitoring data. The District operates 10 monitoring sites, which collect data on criteria pollutants. SDAPCD published the five-year air quality summary for all of the monitoring stations within the San Diego area air basin. The proposed development project is closest to the Alpine and El Cajon monitoring stations which are approximately 3.74 and 13.1 miles away. Table 2.4 of the Air Quality Study identifies the criteria pollutants monitored at the aforementioned stations.

Four additional sites collect meteorological data, which is used by the District to assist with pollutant forecasting, data analysis and characterization of pollutant transport. SDAPCD published the five-year air quality summary for all of the monitoring stations within the San Diego basin.

3.1.2 Guidelines for Determination of Significance

Exhibit A of the Viejas-State Compact utilizes the following guidelines for determination of significance related to potential air quality impacts. As such, a significant air quality impact would occur if implementation of the proposed hotel would:

a. *Conflict with or obstruct implementation of the applicable air quality plan;*

b. *Violate any air quality standard or contribute to an existing or projected air quality violation;*

c. *Result in a cumulatively considerable net increase of any criteria pollutant for which the proposed hotel region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors);*

d. *Expose off-Reservation sensitive receptors to substantial pollutant concentrations; or,*

e. *Create objectionable odors affecting a substantial number of people off-Reservation.*

These guidelines were considered in the preparation of the proposed Project's Environmental Initial Study, attached to this document as Appendix A.

3.1.3 Analysis of Project Effects and Determination of Significant Impact

3.1.3.1 Impact Analysis

A. Project Construction Emission Findings

The proposed Project would begin demolition of the existing office space to make way for the hotel. Demolition is expected to last approximately one month. Demolition debris will be exported offsite, which would generate roughly 120 trips within a 30-mile radius.

Once demolition is complete, the proposed Project would begin grading the site and excavating the footings for the facility. It's estimated that approximately 30,000 CY of soil will be moved and would balance over the Reservation area. Once grading is complete the proposed Project would pave exposed areas and begin construction of the hotel and casino area. It's estimated that construction would be completed by November 2015. The estimated onsite construction footprint would be within a 5-acre area. A summary of the construction emissions is shown in Table 4.1 of the Air Quality Study (Appendix C of this TEIR). Based on the analysis, PM10 emissions could exceed SDAPCD air quality standards between the start of the proposed Project's grading period until the end of the grading period due to grading, heavy equipment usage, and from construction workers commuting to and from the site. With implementation of mitigation measures (MM) and in compliance with the State Water Recourses Control Board Clean Water Act Section 402 General Construction Permit, the project will include wet dust suppression techniques, such as watering disturbed areas and all onsite unpaved roadways at least two-times per day to suppress the fine dust particulates from leaving the ground surface and becoming airborne through the action of mechanical disturbance or wind motion and reduce the impacts to a level that is far below the 100 pounds per day threshold established by the SDAPCD (assuming a median 51% control efficiency).

Therefore, with implementation of MM AQ-1 and AQ-2, less than significant air quality impacts are expected as a result of emissions during construction of the proposed Project.

B. Health Risk

Based upon the air quality modeling as discussed in the Air Quality Study, it was found that worst-case PM10 from exhaust would range between 0.49 and 1.10 lb/day. Given this and utilizing the SCREEN3 dispersion model, we find that the peak maximum 1-hr concentration is 12.06 μg/m3 during the worst-case construction period. Converting the peak 1-hr concentration to an annual concentration yields a concentration of 0.9648 μg/m3.

The proposed Project is expected to generate maximum diesel particulate matter (DPM) during grading of the proposed Project. If one million people were exposed to the maximum DPM for only the duration of grading and diesel equipment use, the estimated increased cancer risk could be 1.43 individuals per million.

The maximum DPM is projected to occur approximately 108 meters from the geometric center of the proposed Project. As a result of construction of the proposed Project, the increased risk of individuals exposed to DPM of this concentration would be greater than one in one million and less than ten in one million. Since the proposed Project could potentially increase the DPM concentration risk to more than one person per million, the proposed Project would require mitigation which includes utilizing equipment that meets the requirements of T-BACT, such as using diesel particulate filters or catalytic converters and utilizing Tier II certified equipment at a minimum. As such, the Tribe shall ensure that all heavy diesel construction equipment is either classified as Tier II at minimum and has diesel particulate filters installed on the exhaust systems to limit diesel particulates, in order to reduce the impact to a level of less than significant.

There are also known acute, chronic health risks associated with diesel exhaust, which are considered non-cancer risks. Based on the methods described in the Air Quality Study, it was determined that the annual concentration of 0.96 μg/m3 divided by the Recommended Exposure Limit (REL) of 5 μg/m3 yields a Health Hazard Index of 0.19, which is less than one; and therefore, less than significant.

Therefore, with implementation of MM AQ-3, no cancer risks are expected and all health risks are considered less than significant with the construction of the proposed Project.

C. Operational Findings

Based on the proposed Project's traffic study the proposed Project could add as many as 384 daily trips once project is fully operational sometime in the year 2015. The calculated daily emission levels due to travel to and from the site are shown in Table 4.2 of the Air Quality Study. Based on the calculations, implementation of the proposed Project would not exceed any of the SCAQMD criteria pollutant thresholds.

Based upon the calculations in the Air Quality Study, no significant impacts for any criteria pollutants were identified and no operational impacts are expected with the implementation of the proposed Project.

D. Odor Impact Findings

Odor impacts from construction operations would be considered short-term events and would not be considered an impact. Although the proposed Project would require additional wastewater to be treated by the Tribe's wastewater treatment plant, the additional amount is minimal and would not affect the Tribe's ability to control the odor that caused by the treatment plant.

Therefore, long-term operations would not create offensive odors and would not create any operational odor impacts with the implementation of the proposed Project.

E. Cumulative Air Quality Impacts

As described above, the proposed Project would result in less than significant air quality impacts. Additionally, due to the distant proximity of the cumulative projects identified, the proposed Project would not result in a cumulatively

considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality standard. Therefore, no cumulatively significant air quality impact has been identified.

3.1.3.2 Conclusions

Based upon the analysis of significant construction impacts, direct PM10 impacts are expected during grading; however, this impact would be reduced by watering the disturbed areas and the on-site unpaved roadways twice per day during construction, assuming maintenance of at least 51% control efficiency. Also, given the proposed Project cancer risk will be greater than one in a million but less than ten in a million; the grading contractors would be required to utilize equipment meeting T-BACT requirements. Equipment shall be retrofitted with diesel particulate filters or be labeled as Tier II or better per California Air Resource Board definitions. The proposed Project would not be expected to generate any short-term construction impacts with regards to offensive odors. Therefore no additional significant off-Reservation air quality impacts are anticipated during either the construction or operational phases of the proposed Project, and the proposed Project would be consistent with both the Regional Air Quality Strategy (RAQS) and the State Implementation Plan (SIP). Therefore, less than significant direct and cumulative air quality impacts have been identified with the implementation of the proposed Project.

3.1.3.3 Mitigation Measures

The following mitigation measures would reduce significant off-Reservation air quality impacts identified for the proposed Project to levels less than significant.

AQ-1 Apply water during grading/grubbing activities to all active disturbed areas at least twice daily (Assuming a 51% control efficiency).

AQ-2 Apply water to all onsite unpaved roadways at least two times daily (Assuming 51% control efficiency).

AQ-3 Ensure all heavy diesel construction equipment is either classified as Tier II at a minimum and has diesel particulate filters installed on the exhaust systems to limit diesel particulates. This will be considered appropriate under T-BACT guidelines.

4.0 ENVIRONMENTAL EFFECTS FOUND NOT TO BE SIGNIFICANT

4.1 Effects Found Not Significant as Part of the TEIR Process

The proposed Project Initial Study (TEIR Appendix A) found that transportation/traffic, air quality, noise, groundwater availability, and aesthetic changes associated with the proposed Project might result in significant off-Reservation impacts. These environmental topics are addressed in this TEIR. Anticipated transportation/traffic impacts, noise, groundwater availability and aesthetic changes were found to be less than significant. Air Quality impacts were found to be significant, but those effects are fully mitigated as described previously in Chapter 3.0 of this TEIR. No other topics had effects found to be potentially significant in the Initial Study, thus not requiring further TEIR review.

Please note, the Initial Study (TEIR Appendix A) analyzed impacts with implementation of a 113-room hotel. Since distribution of the proposed hotel Initial Study, the proposed Project description has been revised to include an additional 15-rooms for a total of 128-rooms. The Initial Study has been reviewed to consider the additional rooms, and no additional environmental topic areas were considered to have potentially significant impacts as a result. Additionally, all environmental topic areas addressed in this TEIR were analyzed according to the project description, which includes the 128-room proposed hotel.

County of San Diego personnel, at a meeting held on February 27, 2014 to discuss the proposed Project, requested that Viejas address the following on-Reservation issues further in the TEIR, even though environmental topics related to these issues were found to be less than significant as part of the Initial Study. These included assurances that:

- In accordance with the Viejas Compact (Section 6.4.2), the structure will meet the California Building Code (CBC) and Public Safety Code as described in the California Code of Regulations Titles 19 and 24;
- Contractors are familiar with the CBC and Public Safety Code, therefore, compliance will not require the tribe to acquire additional labor or unique skills for the construction of the proposed hotel;
- Hotel staff is capable and experienced in managing and operating the equipment associated with a six-story structure;
- The amount of staffing is adequate to accommodate a 128 room hotel;
- Hazardous materials typically used at hotels will be handled in accordance with State laws and regulations;
- Viejas water reclamation plant has the capacity to treat the amount of estimated project effluent;
- Adequate emergency medical services (EMS) and law enforcement services will be provided; and,
- Adequate Fire Safety Public Services be provided. Information on Fire Safety Public Services is provided below:
    - As required in Sections 6.4.2 (d) through (k) of the 2004 Compact between Viejas and the State of California, the proposed hotel will be built according to the State adopted International Building

Codes and Fire Codes. In compliance with those codes, adequate fire sprinklers will be installed in the hotel, and the structure will have appropriate fire equipment access to areas near the proposed hotel, and availability of appropriate fire-fighting equipment. A fire flow analysis has been conducted for the proposed project and the project will be consistent with all of the code requirements identified in the Tribe's Gaming Compact.

- The Viejas Fire Department's current fleet of suppression vehicles consists of a type 1 engine, a type 3 engine and a type 2 truck that is cross-staffed by 3 firefighters. Viejas has a current agreement with the predecessor agency to the San Diego County Fire Authority and honors its commitments under that agreement. Viejas also has an agreement with the San Diego Rural Fire Department to jointly operate a water tender, and is in the process of negotiating an agreement to staff one of the County Fire Authority's water tenders.
- The Viejas Fire Department operates an advance life support ambulance that is staffed with 2 firefighters. In addition, Viejas has Mutual-Aid arrangements with other service providers such as Alpine, Coronado and Lakeside. Approximately 60% of the EMS calls responded to by Viejas Fire Department are to areas outside the Reservation. This rate is not expected to change as a result of the planned hotel. Most of the patrons expected to stay at the hotel are persons who already are in attendance at the Casino or the Outlet Center, and thus would not result in additional EMS calls.
- The area near Viejas is under the jurisdiction of the U.S. Forest Service, with which the Tribe has a close working relationship. In conjunction with the Forest Service, Viejas has implemented a defensible space program as part of a Bureau of Indian Affairs-approved fire management plan. Viejas' fire standards mirror those of the Forest Service and Viejas will provide adequate protection to all on the Reservation. With regards to wildfires, the hotel will be able to operate as a 'shelter-in-place'.

Under provisions of Section 10.8.8 of the Viejas Tribal-State Compact of 2004, it is required that the Tribe offer to commence negotiations with the County of San Diego no later than the issuance of the Final TEIR to develop an enforceable written agreement with respect to all potential off-Reservation environmental effects, such as those in the bulleted list above. We believe that the discussions in the Initial Study regarding these issues are adequate, and that, if the County needs such "assurances", the Tribal-County negotiations leading up to the written agreement is the appropriate vehicle for further discussion and resolution.

4.2 Transportation/Traffic

Information contained in this section is summarized from the *Traffic Impact Analysis, Viejas Hotel South Tower* prepared by Linscott, Law and Greenspan (LLG) (February 27, 2014). The traffic impact analysis is provided in Appendix B to this TEIR.

4.2.1 Traffic Analysis Approach Background

4.2.1.1 Level of Service

Level of service (LOS) is the term used to denote the different operating conditions which occur on a given roadway segment under various traffic volume loads. It is a qualitative measure used to describe a quantitative analysis taking

into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is reported differently for signalized intersections, unsignalized intersections and roadway segments.

4.2.1.2 Intersections

Each study area intersection is unsignalized. These were analyzed under PM peak hour conditions. Average vehicle delay and LOS was determined based upon the procedures found in Chapter 17 of the *2000 Highway Capacity Manual (HCM*), with the assistance of the *Synchro* (version 7) computer software. However, study area intersections at both Viejas Casino driveways were analyzed with the assistance of the *Synchro* (version 8) for multi-lane unsignalized intersections as *Synchro* (version 7) does not have the capability. Average vehicle delay was determined utilizing the methodology found in Volume 3: Interrupted Flow, Chapter 20 of the 2010 HCM. A more detailed discussion of the LOS and methodology is provided in the traffic technical study (Appendix B of this TEIR).

4.2.1.3 Street Segments

Street segment analysis is based upon the comparison of daily traffic volumes (ADTs) to the County of San Diego's *Roadway Classification*, *Level of Service*, and *ADT Table*. This table provides segment capacities for different street classifications, based on traffic volumes and roadway characteristics. A more detailed discussion of these standards and thresholds are provided in the traffic technical study (Appendix B of this TEIR).

4.2.1.4 Marginal Deficiency

The County General Plan update acknowledged that in some circumstances, exempting a road from County LOS standards may be the more preferable choice when a road failure results from only a marginal deficiency in performance, as described in the County General Plan EIR Section 2.15 (County of San Diego 2011). Traffic congestion on a small portion of a road may produce a failing LOS for only that short segment while the remainder of the road is acceptable. Due to the short segment length, overall delays may be small in comparison to the travel time along the length of the entire road corridor. In many cases, operational improvements such as synchronized signals and additional turn lanes can alleviate the problem and are more cost effective than adding new travel lanes. Some failing roads are projected to carry a traffic volume that is not significantly higher than the acceptable threshold (LOS D). If the projected volume is not anticipated to affect overall traffic operation, planning for a wider road to accommodate the additional traffic may not be required. Acceptance of a lower LOS is particularly appropriate when underutilized, alternate routes are available.

4.2.2 Existing Conditions

4.2.2.1 Project Study Area

The study area for this project encompasses areas of anticipated impact related to the proposed Project. The scope of the study area was developed based on the guidelines outlined in the "*County of San Diego Report Format and Content Requirements – Transportation and Traffic – First Modification February 19, 2010*" manual, existing traffic volumes to the Viejas Casino, the proposed Project distribution, and a working knowledge of the location transportation system.

The intersections and segments included in the study area are listed below. These locations were chosen since they will carry the majority of project traffic.

A. Intersections

1. Willows Road (West) / I-8 Westbound ramps
2. Willows Road (West) / I-8 Eastbound ramps
3. Willows Road (West) / Alpine Boulevard
4. Willows Road/ Viejas Grade Road
5. Willows Road/ West Viejas Casino Entrance
6. Willows Road/ East Viejas Casino Entrance
7. Willows Road (East) / I-8 Westbound ramps
8. Willows Road (East) / I-8 Eastbound ramps

B. Street Segments

1. Willows Road – West of Viejas Casino/Hotel site
2. Willows Road – East of Viejas Casino/Hotel site

4.2.2.2 Existing Circulation Network

The roadways in the vicinity of the site that may be affected by the proposed Project include I-8 and Willows Road. Figure 4.2-1 depicts the existing roadways and intersection configurations of the proposed Project area. The following provides a brief description of each of these roadways:

Interstate 8 (I-8) is an east/west facility that extends as a freeway from the San Diego area eastward to the California-Arizona border and beyond. It provides three lanes eastbound and two lanes westbound in the proposed Project area. The posted speed limit of I-8 is 70 mph in the proposed Project area. Local interchanges are provided at Willows Road (west) and Willows Road (east).

Willows Road is constructed as a two lane undivided roadway east and west of the casino and as a four-lane roadway along the casino frontage. According to the County of San Diego General Plan, Willows Road is classified as a Rural Light Collector east and west of the casino, and as a Boulevard in the immediate vicinity of the casino. Passing is allowed on some portions of the roadway. The posted speed limit is 45 mph and 50 mph. Bus stops are provided on West Willows Road. Access to the proposed Project site is via the I-8 interchanges at West Willows Road and East Willows Road only. West Willows Road is an LOS-exempt road pursuant to the County General Plan because a) further widening would have caused the community planning group to oppose the General Plan and b) further widening would be unnecessary in the event a proposed neighboring casino was constructed closer to the Viejas Casino because traffic for that casino would come from East Willows Road.

4.2.2.3 Existing Traffic Volumes

A. Existing Daily Traffic Segment Volumes

Bi-directional daily traffic counts were conducted on the street segments during the weekday (Thursday October 22, 2013) and weekend (Saturday, February 22, 2014). Table 4.2-1 is a summary of the ADT volumes. Figure 4.2-2 depicts the existing weekday and existing Saturday traffic volumes on a PM peak hour and daily basis.

Table 4.2-1
Existing Traffic Volumes

Street Segment	Existing ADT	
	Weekday	Saturday
Willows Road		
West of Viejas Casino	8,080	11,760
East of Viejas Casino	2,550	3,320

Source: LLG, 2014.

B. Existing Daily Intersection Operations

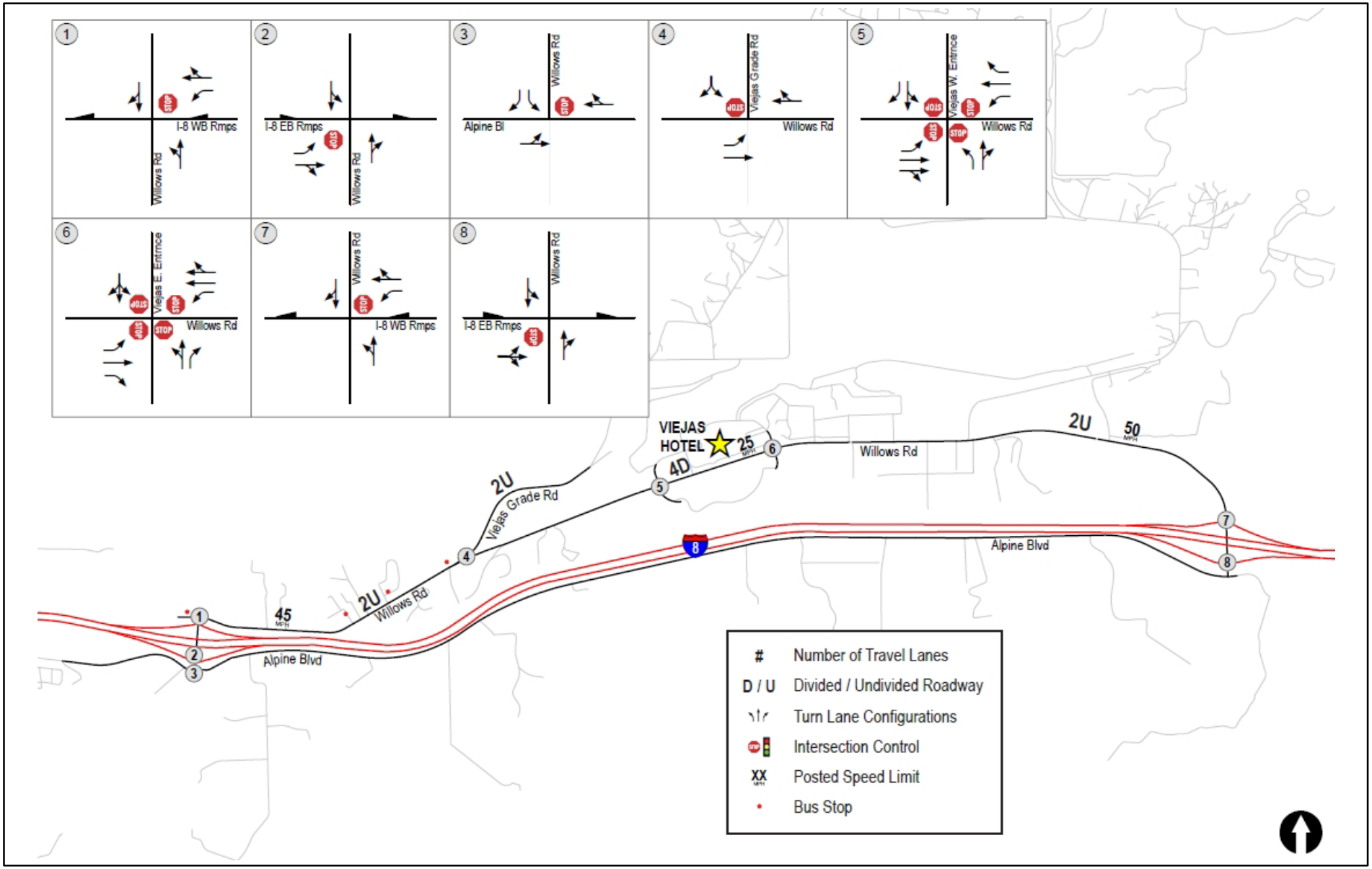
LLG commissioned manual intersection turning movement counts during the weekday (Thursday, October 24, 2013, 4-6 PM) and weekend (Saturday, February 22, 2014, 4-6 PM). These timeframes were selected as they represent highest traffic loads due to commuter and casino traffic, respectively.

Table 4.2-2 summarizes the peak hour intersection operations for existing conditions in the study area. As shown, all the study area intersections are calculated to currently operate at acceptable service levels of LOS C or better on both a weekday and Saturday.

TABLE 4.2-2
Existing Intersection Operations

Intersection	Control Type	Existing			
		Weekday		Saturday	
		Delay[a]	LOS[b]	Delay[a]	LOS[b]
1. Willows Road (West)/I-8 WB Ramps	TWSC[c]	15.8	C	22.8	C
2. Willows Road (West)/I-8 EB Ramps	TWSC	13.6	B	22.8	C
3. Willows Road (West)/Alpine Boulevard	TWSC	14.3	B	11.9	B
4. Willows Road/ Viejas Grade Road	TWSC	9.8	A	11.3	B
5. Willows Road/ West Viejas Casino Entrance	AWSC[d]	9.2	A	12.1	B
6. Willows Road/ East Viejas Casino Entrance	AWSC	8.4	A	8.6	A
7. Willows Road (East)/I-8 WB Ramps	TWSC	8.9	A	9.1	A
8. Willows Road (East)/I-8 EB Ramps	TWSC	9.6	A	10.0	A

Notes: a. Average delay expressed in seconds per vehicle
b. Level of service
c TWSC – Two-Way Stop Controlled intersection. Minor street left turn delay is reported.
d AWSC – All-Way Stop Controlled intersection.
Source: LLG, 2014.



SOURCE: Linscott, Law and Greenspan, 2014

4/23/14

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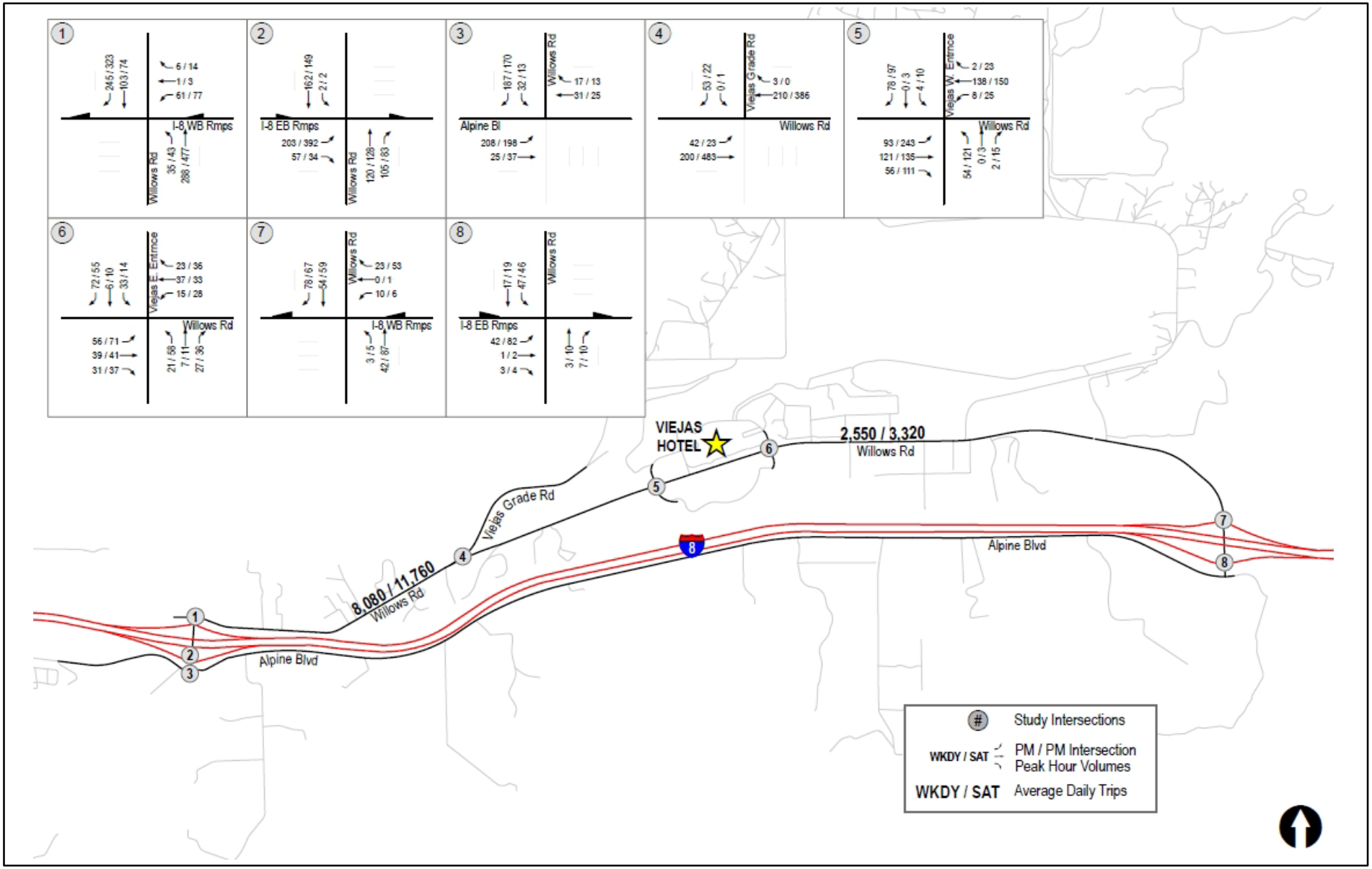
Viejas Hotel South Tower TEIR

Existing Conditions

FIGURE 4.2-1



SOURCE: Linscott, Law and Greenspan, 2014

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Viejas Hotel South Tower TEIR

Existing Traffic Volumes (Weekday/Saturday)

FIGURE 4.2-2

C. Daily Segment Levels of Service

Table 4.2-3 summarizes the existing weekday and Saturday segment operations along the key study area roadways. As shown, Willows Road is calculated to currently operate at acceptable LOS with the exception of Willows Road – west of Viejas Casino, which is calculated to currently operate at LOS E on Saturday.

TABLE 4.2-3
Existing Street Segment Operations

Street Segment	Classification	Capacity (LOS E) [a]	Weekday		Saturday	
			ADT[b]	LOS[c]	ADT[b]	LOS[c]
Willows Road						
West of Viejas Casino	2-lane Rural Light Collector	16,200	8,080	D	**11,760**	**E**
East of Viejas Casino	2-lane Rural Light Collector	16,200	2,550	B	3,320	B

Notes: a. Capacities based on County of San Diego Roadway Classification Table.
b. Average daily traffic volume.
c. Level of service.
Source: LLG, 2014.

Viejas has worked with County of San Diego staff and the local community to implement several traffic related improvements in the last few years, which improve safety and reduce traffic loads on Willows Road. The following is a list of the improvements:

- Implemented double yellow striping on West Willows Road.
- Conducted a speed survey on West Willows Road which resulted in an increase in the use of radar detection and enforcement.
- Realigned the West Willows Road/Viejas Grade Road intersection and implemented lighting and guardrails.
- Relocated the bus turnout on West Willows Road.
- Install guardrails along a portion of East Willows Road.
- Require all bus and shuttles oriented to/from the Casino to the use East Willows Road.
- Require all Casino employees to use East Willows Road and implement disciplinary action to those who violate.
- Implemented traffic control procedures during special events that direct the majority of patrons to East Willows Road.

4.2.2.4 Counts Comparison

LLG originally conducted traffic counts on Willows Road in Year 2011 through work on the existing Viejas Hotel. LLG conducted an ADT comparison between the Year 2011 and Year 2013 traffic counts. Based on LLG's review, the Year 2013 traffic counts increased as high as 4.5 percent on a weekday and 21.6 percent on a Saturday (this percent increase is on the lightly traveled portion of Willows Road east of the casino. However, Saturday counts remained consistent west of the casino with only a 0.4 percent decrease). The higher volumes translate to slightly higher overall delays as compared to the past analyses.

4.2.3 Guidelines for Determination of Significance

For purposes of this TEIR, a significant Transportation/Circulation impact would occur if implementation of the proposed Project would:

a. *Cause an increase in off-reservation traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections);*

b. *Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated off-reservation roads or highways;*

c. *Substantially increase hazards to an off-reservation design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or*

d. *Result in inadequate emergency access for off-Reservation responders.*

These criteria to determine significant traffic impacts are part of Exhibit A of the Viejas-State Compact and County policies have evolved with regard to LOS and traffic increases that are acceptable. For criteria a and b, in general, if project-only traffic impact causes the thresholds in Table 4.2-4 below to be exceeded, the impacts are a potentially direct significant impact unless the impacts are to a LOS exempt roadway or cause only a marginal deficiency. If the proposed Project together with other cumulative projects causes the thresholds to be exceeded, the impact is a potentially cumulative significant impact unless the impacts are to a LOS exempt roadway or cause only a marginal deficiency.

Criteria d. was addressed in the Initial Study, Appendix A of this document, and found to be less than significant. Regarding Criterion c., in order to identify if the proposed Project would contribute traffic to any specific hazardous off-reservation design features, LLG contacted the County of San Diego to retrieve accident data in the study area. Correspondence with Ms. Giselle Finley of the County of San Diego on Tuesday March 4, 2014, indicated the County could not provide data, and instead deferred to the California Highway Patrol (CHP), who did not provide data. No hazardous design features were identified. Therefore, the traffic report only addressed Criterion a., regarding increased off-reservation traffic.

The following criterion was utilized to evaluate potential significant impacts, based on the County of San Diego Guidelines for Determining Significance—Transportation and Traffic, dated June 30, 2009 with a first modification effective February 19, 2010. The County of San Diego's General Plan Mobility Element discusses the County's LOS criteria under Goal M-2. It requires that development projects provide associated road improvements necessary to achieve a LOS of "D" or higher on all Mobility Element roads except for those where a failing LOS has been accepted by the County. The County maintains a list of such roads. West Willows Road, west of Viejas Casino, has been accepted at LOS F.

TABLE 4.2-4
County of San Diego Significance Criteria
Project-Related Increases That Exceed the Level of Significance [FN1]

Roadway Segments			
Level of Service	**Two-Lane Road**	**Four-Lane Road**	**Six-Lane Road**
LOS E	200 ADT	400 ADT	600 ADT
LOS F	100 ADT	200 ADT	300 ADT
Intersections			
Level of Service	**Signalized**		**Unsignalized**
LOS E	Delay of 2 seconds or less		20 or less peak hour trips on a critical movement
LOS F	Either a Delay of 1 second, or 5 peak hour trips or less on a critical movement		5 or less peak hour trips on a critical movement

Note (1) If the project exceeds this significance criterion, its impact is only significant if the impacts are to a LOS-exempt roadway or cause more than a marginal deficiency.
Source: LLG, 2014.

4.2.4 Analysis of Project Effects and Determination of Significant Impact

4.2.4.1 Impact Analysis

A. Project Access, Pedestrian Circulation, and Project Construction

Project Access

Access to the hotel is proposed via an existing driveway on Willows Road, east of the casino. This existing driveway is an all-way stop controlled intersection. Dedicated left-turn and through lanes are currently provided on Willows Road, thereby increasing overall intersection capacity. With the addition of project traffic, this driveway is expected to operate very well and provide adequate access to the project site requiring no modification.

Pedestrian Circulation

With the proposed hotel on the Viejas property, pedestrian activity will likely increase between the outlet center on the south side and the casino/ hotel on the north. The existing traffic signal on Willows Road fronting the casino includes a pedestrian crosswalk and push buttons. This signalized intersection and the dedicated pedestrian crosswalk would adequately serve the pedestrian interaction between the various uses on-site. No pedestrian circulation issues are identified; therefore, no modification is required.

Project Construction Review

Construction traffic relates to the traffic generated from construction vehicles, which consist primarily of heavy trucks, smaller construction trucks, and worker vehicles. Construction of the project is expected to begin in June 2014 and be completed by November 2015. The major activities include site work, construction of foundation, building structures and interior design.

The project proposes to remove approximately 30,000 cubic yards of soil. The project proposes to utilize the 30,000 cubic yards of soil that is currently available on-site and relocate to an appropriate area on the Viejas reservation. An additional 120 truck trips are anticipated to remove demolition debris from the project site. This would occur over two

or more weeks meaning a maximum of twelve (12) trucks a day would be added to the street system. This amount is less than two trips per hour and the trucks would use East Willows Road. Considering the low traffic volumes on Willows Road east of the casino, no significant traffic related off-site construction impacts are identified.

The duration of the construction traffic would be limited, as would the expected hours of construction. The analysis in Section 4.2.4.4 shows acceptable LOS D or better operations during the PM commuter peak hour at the key study area intersections for both weekday and Saturday. Additionally, the Viejas Reservation is requiring that all construction employees and workers be required to use the east Willows Road interchange to off-load traffic from west Willows Road. Given the above, no construction impacts are anticipated. It should be noted that construction permits from the County would be required for any work that is done within the County right-of-way; however, no such work is anticipated at this time.

B. Project Trip Generation

Project trips consist of vehicular trips on the street system, which begin or end at the proposed Project site and are generated by the proposed development. The proposed Project traffic generation calculations were conducted using the trip generation rates published in the County of San Diego document titled Traffic Needs Assessment of Tribal Development Projects in the San Diego Region (March 2003). The document indicates a trip rate of 3 trips per room for a hotel. The above document does not specify different trip rates between weekday and weekend timeframes. Therefore, 3 daily trips per room were assumed for both weekdays and weekends in the traffic analysis.

Table 4.2-5 shows a summary of the proposed Project traffic generation. As tabulated the proposed hotel is calculated to generate 384 daily trips with 27 trips (11 inbound/16 outbound) during the PM peak hour.

TABLE 4.2-5
Project Trip Generation

Land Use	Size	Daily Trip Ends (ADTs)		PM Peak Hour[b]			
		Rate[a]	Volume	percent of ADT	In: Out Split	Volume In	Volume Out
Hotel	128 rooms	3/room	384	7%	40:60	11	16

Notes: a. Rate is based on County of San Diego document titled Traffic Needs Assessment of Tribal Development Projects in the San Diego Region, March 2003
b. PM peak hour percentage and In/Out splits are based on "Resort Hotels" shows in SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002.
Source: LLG, 2014.

C. Project Trip Distribution

Trip distribution is the process of determining traffic percentage splits on the regional and local roadway network from which traffic will access a project site. Trip distribution is dependent upon the land use characteristics of the proposed Project and upon the general location of other land uses to which project trips would originate or terminate.

Given that the hotel is proposed to be located adjacent to the existing Viejas Casino, existing traffic counts were used to deduce the traffic distribution percentages. It is important to note that employees working at the Viejas Indian Reservation are required to use the East Willows Road interchange to offload traffic on West Willows Road, as reflected in the existing traffic counts. To be conservative, this study assumed all project trips from the west use the I-8/ West Willows Road interchange. Figure 4.2-3 shows the proposed Project trip distribution percentages.

D. Existing + Project Near-Term Conditions

Intersection Near-Term Analysis

Table 4.2-6 summarizes the peak hour intersection operations for Existing + Project conditions on a weekday. With the addition of the proposed Project traffic, all the study area intersections are calculated to continue to operate at acceptable LOS C or better.

Table 4.2-7 summarizes the peak hour intersection operations for Existing + Project conditions on a Saturday. With the addition of the proposed Project traffic, all the study area intersections are calculated to continue to operate at acceptable LOS C or better.

Therefore, peak hour intersection operations for existing + project conditions on a weekday and Saturday would continue to operate at acceptable levels of service and would not result in a significant traffic impact.

Street Segment Near-Term Operations

Table 4.2-8 summarizes the weekday street segment operations. With the addition of the proposed Project traffic, Willows Road is calculated to continue to operate at acceptable LOS D or better. Therefore, no significant traffic impact is anticipated for weekday street segment operations.

Table 4.2-9 summarizes the Saturday street segment operations. With the addition of the proposed Project traffic, Willows Road – West of Viejas Casino is calculated to continue to operate at LOS E. The proposed Project adds 307 ADT on this segment. While this exceeds the threshold of 200 ADT on a 2-lane road at LOS E, there is no significant impact requiring mitigation on Willows Road – west of the casino for the following reasons:

1) According to the County of San Diego General Plan Update Alpine Mobility Element Network, the street segment operations on this portion of Willows Road have been accepted at LOS F and west Willows Road is therefore LOS-exempt; and,

2) It is only a marginal deficiency for the following reasons:

   a) The intersections adjacent to this segment (Willows Road/ I-8 WB ramps and casino traffic signal) are calculated to operate at LOS D or better (LOS C on a weekday). Given the minimal side friction on Willows Road in this stretch, street segment operations may operate better than calculated;

   b) A portion of Willows Road along the casino frontage is currently built to 4-lanes, which helps in reducing congestion and improving overall street operations;

   c) The proposed Project is a low generating ancillary use to the casino adding 307 ADT and 22/22 (AM/PM) peak hour trips on this segment; and,

   d) The impact occurs only on a Saturday. During peak weekday commuter traffic, which is what the County typically analyzes, this segment is calculated to operate at LOS D or better.

Because of the reasons listed above, no mitigation measures are proposed for existing + project conditions on Saturday street segment operations and impacts are less than significant.

TABLE 4.2-6
Near-Term Intersection Operations (Weekday)

Intersection	Control Type	Existing		Existing + Project			Existing + Project + Cumulative Project			Significant Impact?
		Delay[a]	LOS[b]	Delay	LOS	Δ[c]	Delay	LOS	Δ	
1. Willows Road (West) / I-8 WB Ramps	TWSC[d]	15.8	C	16.2	C	0	17.4	C	10	No
2. Willows Road (West) / I-8 EB Ramps	TWSC	13.6	B	13.9	B	8	13.9	B	14	No
3. Willows Road (West) / Alpine Boulevard	TWSC	14.3	B	14.3	B	1	17.9	C	55	No
4. Willows Road / Viejas Grade Road	TWSC	9.8	A	9.9	A	0	10.0	A	0	No
5. Willows Road / West Viejas Casino Entrance	AWSC[e]	9.2	A	9.4	A	0	9.5	A	0	No
6. Willows Road / East Viejas Casino Entrance	AWSC	8.4	A	8.5	A	9	8.6	A	9	No
7. Willows Road (East) / I-8 WB Ramps	TWSC	8.9	A	8.9	A	0	8.9	A	3	No
8. Willows Road (East) / I-8 EB Ramps	TWSC	9.6	A	9.6	A	3	9.7	A	3	No

Notes:
a. Average delay expressed in seconds per vehicle.
b. Level of Service.
c. Δ denotes an increase in trips for the critical movement due to the proposed Project.
d. TWSC – Two-Way Stop Controlled intersection. Minor street left turn delay is reported.
e. AWSC – All-Way Stop Controlled intersection.
Source: LLG, 2014.

TABLE 4.2-7
Near-Term Intersection Operations (Saturday)

Intersection	Control Type	Existing		Existing + Project			Existing + Project + Cumulative Project			Significant Impact?
		Delay[a]	LOS[b]	Delay	LOS	Δ[c]	Delay	LOS	Δ	
1. Willows Road (West) / I-8 WB Ramps	TWSC[d]	22.8	C	23.5	C	0	34.4	D	63	No
2. Willows Road (West) / I-8 EB Ramps	TWSC	22.8	C	23.9	C	8	34.1	D	14	No
3. Willows Road (West) / Alpine Boulevard	TWSC	11.9	B	11.9	B	1	15.9	C	25	No
4. Willows Road / Viejas Grade Road	TWSC	11.3	B	11.4	B	0	11.5	B	0	No
5. Willows Road / West Viejas Casino Entrance	AWSC[e]	12.1	B	12.3	B	0	12.4	B	0	No
6. Willows Road / East Viejas Casino Entrance	AWSC	8.6	A	8.8	A	9	8.8	A	9	No
7. Willows Road (East) / I-8 WB Ramps	TWSC	9.1	A	9.1	A	0	9.1	A	1	No
8. Willows Road (East) / I-8 EB Ramps	TWSC	10.0	A	10.0	A	3	10.1	B	3	No

Notes:
a. Average delay expressed in seconds per vehicle.
b. Level of Service.
c. Δ denotes an increase in trips for the critical movement due to the proposed Project.
d. TWSC – Two-Way Stop Controlled intersection. Minor street left turn delay is reported.
e. AWSC – All-Way Stop Controlled intersection.
Source: LLG, 2014.

TABLE 4.2-8
Weekday Street Segment Operations

Street Segment	Classification	Existing Capacity (LOS E)[a]	Existing		Existing + Project			Existing + Project + Cumulative Projects			Significant Impact?
			ADT[b]	LOS[c]	ADT	LOS	Δ[d]	ADT	LOS	Δ	
Willows Road											
West of Viejas Casino	2-lane Rural Light Collector	16,200	8,080	D	8,387	D	307	8,537	D	457	No
East of Viejas Casino	2-lane Rural Light Collector	16,200	2,550	B	2,627	B	77	2,777	B	227	No

Notes:
a. Capacities based on the *County of San Diego Roadway Classification & LOS table* (See *Appendix C*).
b. Average Daily Traffic
c. Level of Service
d. Δ denotes a project-induced increase in the average daily traffic.
Source: LLG, 2014.

TABLE 4.2-9
Saturday Street Segment Operations

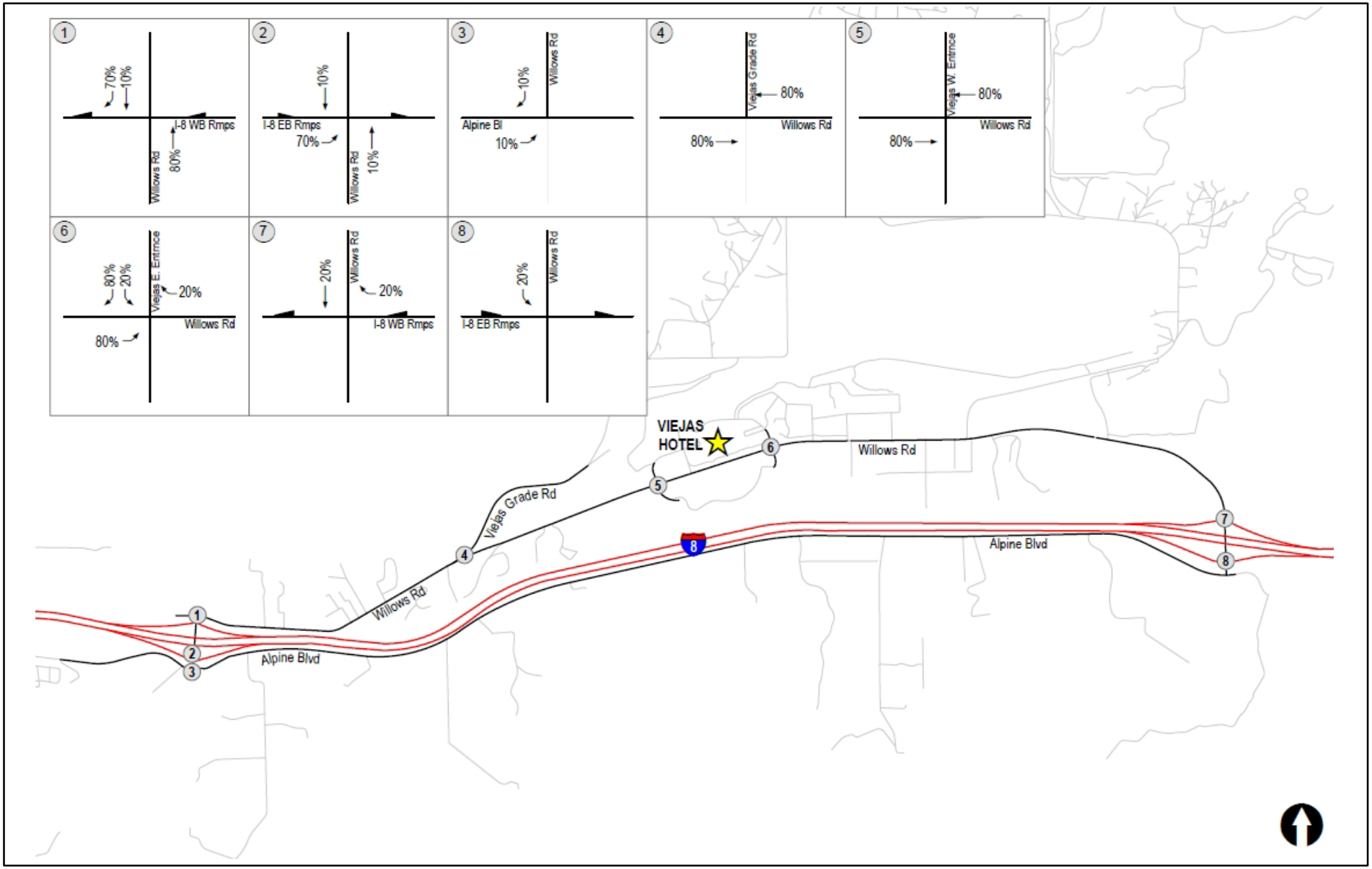
Street Segment	Classification	Existing Capacity (LOS E)[a]	Existing		Existing + Project			Existing + Project + Cumulative Projects			Significant Impact?
			ADT[b]	LOS[c]	ADT	LOS	Δ[d]	ADT	LOS	Δ	
Willows Road											
West of Viejas Casino	2-lane Rural Light Collector	16,200	11,760	E	12,067	E	307	12,217	E	457	No[e]
East of Viejas Casino	2-lane Rural Light Collector	16,200	3,320	B	3,397	B	77	3,547	B	227	No

Notes:
a. Capacities based on the *County of San Diego Roadway Classification & LOS table* (See *Appendix C*).
b. Average Daily Traffic
c. Level of Service
d. Δ denotes a project-induced increase in the average daily traffic.
e. See *Section 9.3.2* for discussion.
Source: LLG, 2014.

E. Identified Cumulative Projects

Cumulative projects are other projects in the study area that will add traffic to the local circulation system in the near future. LLG coordinated with the County of San Diego staff regarding the cumulative projects in the proposed Project's study area. The following cumulative projects were included in the traffic study. The north hotel was built at the time the baseline traffic counts were conducted and therefore this project is not a cumulative project.

1. Cronin Light Industrial
2. DGJM Self Storage
3. Alpine Regional Center Expansion
4. Alpine Convalescent
5. Victoria Village
6. Victoria Estates
7. Alpine High School
8. Alpine Library
9. Walker Health Clinic



SOURCE: Linscott, Law and Greenspan, 2014

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Project Traffic Distribution (Weekday/Saturday)

FIGURE

4.2-3

F. Cumulative Projects Analysis

As indicated and detailed in Table 1-1 of this TEIR, nine (9) cumulative projects were identified in the proposed Project area. These projects are projected to generate 5,955 ADT with 603 total PM peak hour trips in the community of Alpine when constructed. The majority of the cumulative projects are distant from the subject project study area; therefore only a small portion of cumulative trips will be added to the study area. The cumulative summary is based on weekday trip rates, but was also applied to the Saturday peak hour to provide a conservative assessment of weekend cumulative traffic.

Figure 4.2-4 shows the cumulative project locations and total cumulative project traffic volumes. Figure 4.2-5 shows the Existing + Project + Cumulative projects traffic volumes on a weekday and Saturday.

Intersection Analysis

Table 4.2-6 summarizes the peak hour intersection operations for Existing + Project + Cumulative projects conditions on a weekday. With the addition of the proposed Project and cumulative project's traffic, all the study area intersections are calculated to continue to operate at acceptable LOS C or better. As shown in Table 4.2-7, with the addition of the proposed Project and cumulative project traffic, all the study area intersections are calculated to continue to operate at acceptable service levels of LOS D or better on a Saturday.

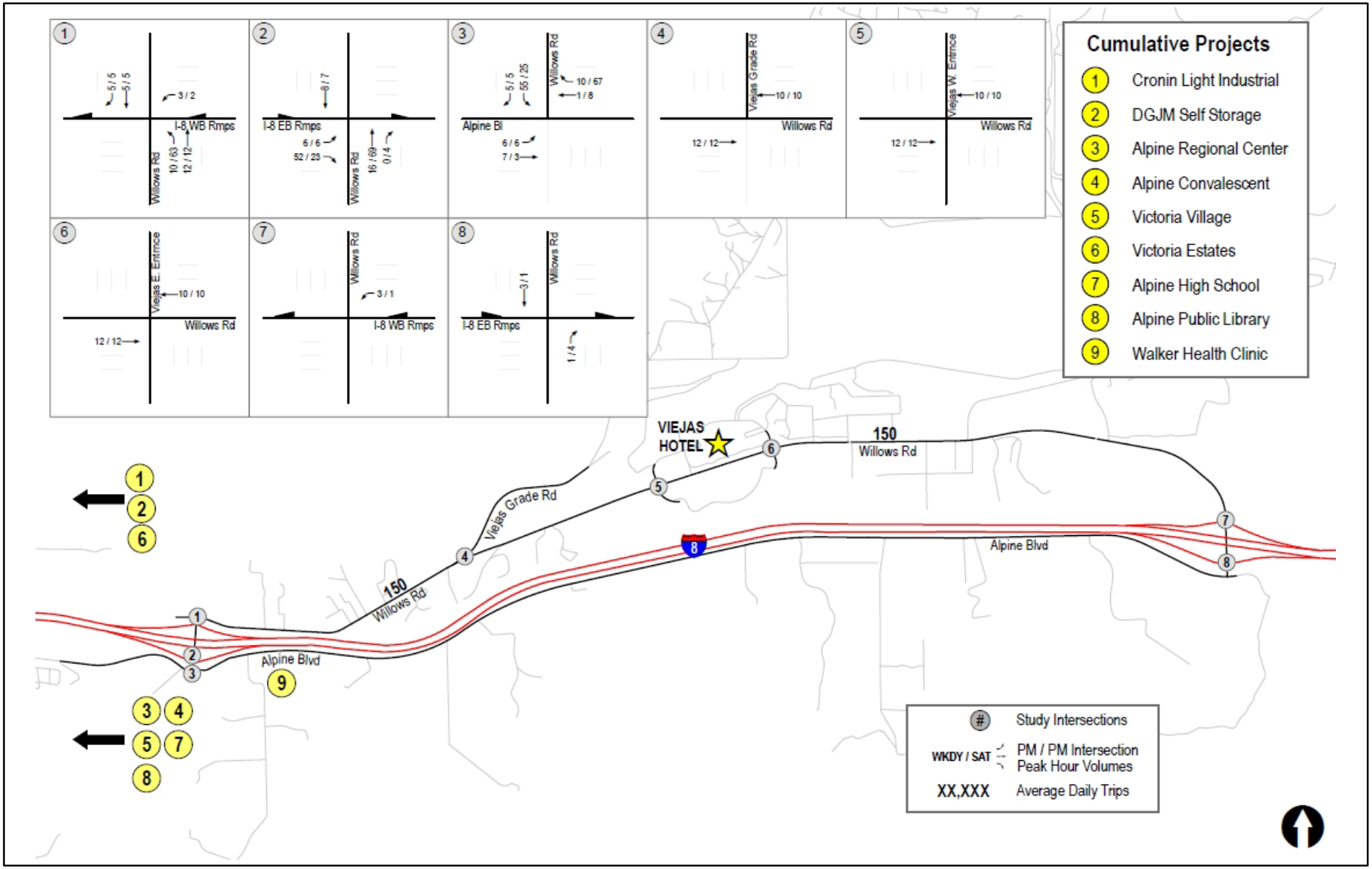
Therefore, peak hour intersection operations for existing + project + cumulative project conditions on a weekday and Saturday would continue to operate at acceptable levels of service and would not result in a significant cumulative traffic impact.

Street Segment Operations

Table 4.2-8 summarizes the weekday street segment operations. With the addition of the proposed Project and cumulative project traffic, Willows Road is calculated to continue to operate at acceptable LOS D or better.

Table 4.2-9 summarizes the Saturday street segment operations. With the addition of the proposed Project and cumulative project traffic, Willows Road – west of Viejas Casino is calculated to operate at LOS E on a Saturday. The proposed Project plus cumulative development traffic on this segment adds 457 ADT. While this exceeds the threshold of 200 ADT on a 2-lane road at LOS E, there is no significant impact requiring mitigation on Willows Road – west of the casino for the following reasons:

1) According to the County of San Diego General Plan Update Alpine Mobility Element Network, the street segment operations on this portion of Willows Road have been accepted at LOS F and is therefore an LOS-exempt road; and,
2) It is only a marginal deficiency for the following reasons:
    a) The intersections adjacent to this segment (Willows Road/ I-8 WB ramps and casino traffic signal) are calculated to operate at LOS D or better (LOS C on a weekday). Given the minimal side friction on Willows Road in this stretch, street segment operations may operate better than calculated;
    b) A portion of Willows Road along the casino frontage is currently built to 4-lanes, which helps in reducing congestion and improving overall street operations;



SOURCE: Linscott, Law and Greenspan, 2014

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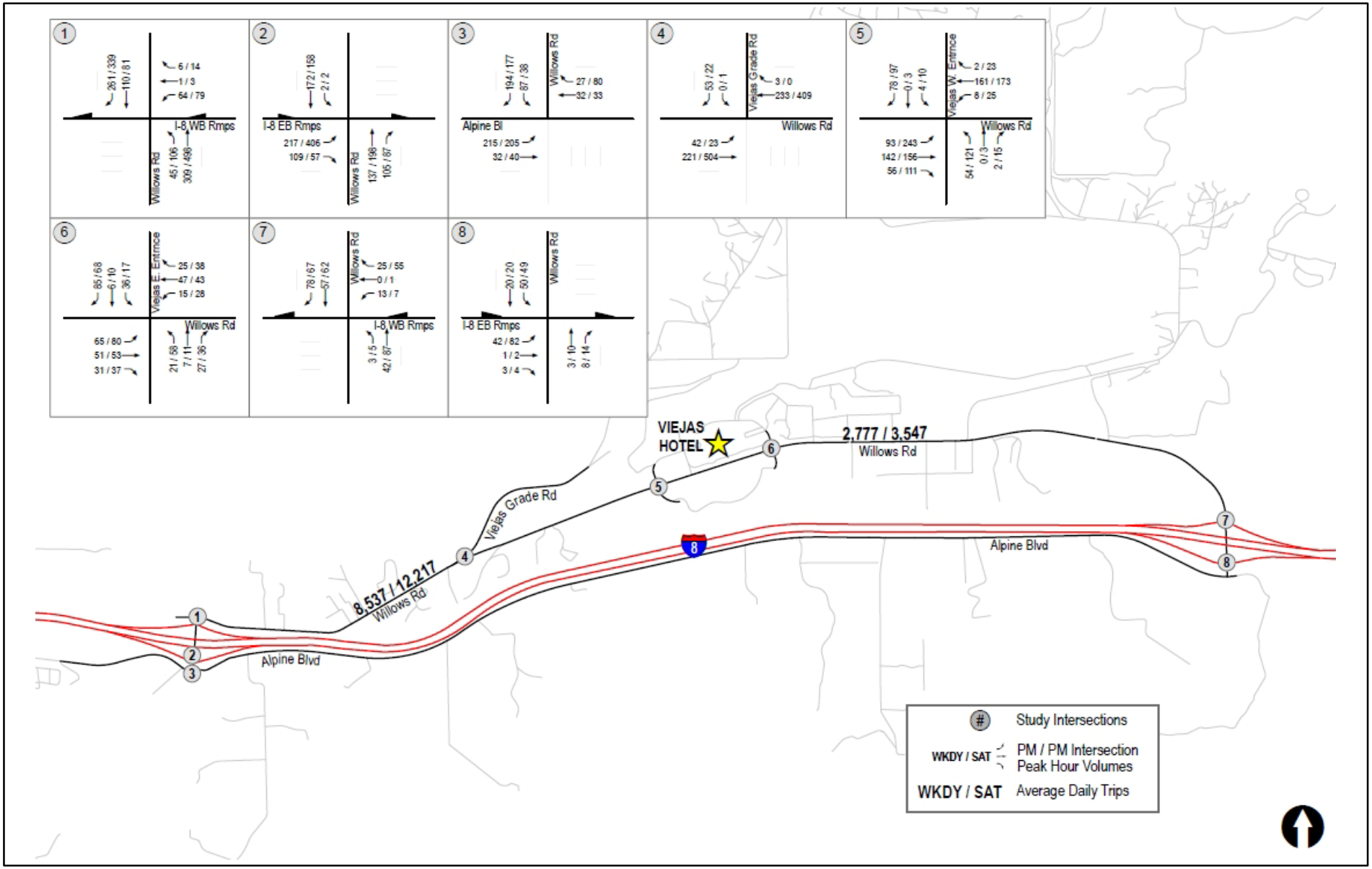
Cumulative Projects Traffic Volumes

FIGURE 4.2-4



SOURCE: Linscott, Law and Greenspan, 2014

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Existing + Project + Cumulative Projects Traffic Volumes

FIGURE 4.2-5

c) The proposed Project is a low generating ancillary use to the casino adding 307 ADT and 22/22 (AM/PM) peak hour trips on this segment; and,

d) The impact occurs only on a Saturday. During peak weekday commuter traffic, which is what the County typically analyzes, this segment is calculated to operate at LOS D or better.

Because of the reasons listed above, no cumulative street segment impact would occur and no mitigation measures are proposed for existing + project + cumulative conditions on Saturday street segment operations.

G. Long-Term Scenarios Analysis

A Draft Supplemental Environmental Impact Report (SEIR) for the proposed Forrest Conservation Initiative General Plan Amendment (FCI GPA) was released for public review on February 1, 2103 (County of San Diego 2013). The proposed FCI GPA tiers from the current San Diego County General Plan and the General Plan Update Program EIR adopted on August 3, 2011. As part of the FCI GPA, various Community Plan and Subregional Plan Updates, Mobility Element Road Network Changes and San Diego County Zoning Ordinance Amendments were included in the traffic study in order to identify known issues and to ensure proper recommendations.

Table 4.2-10 summarizes the Long-Term street segment operations. As shown in Table 4.2-10, Willows Road – East and West of Viejas Casino is anticipated to operate at LOS F under the current General Plan Update Mobility Element Reclassification. However, with the implementation of the FCI GPA roadway reclassification, Willows Road – East and West of Viejas Casino is calculated to operate at LOS D. As demonstrated in Section 4.2.4.1.F above, the proposed Project would not result in a significant cumulative impact; and therefore, the proposed Project does not trigger the need to reconstruct Willows Road as a prime arterial.

Table 4.2–10
Long-Term Street Segment Operations

Street Segment	Forecast ADT[a]	Existing			GPU EIR Reclassification			FCI GPA Reclassification		
		Classification[b]	Capacity (LOS E)[b]	LOS[c]	Classification	Capacity (LOS E)	LOS	Classification	Capacity (LOS E)	LOS
Willows Road										
West of Viejas Casino	47,736	2-lane Light Collector *No Median (2.2E)*	16,200	F	4-lane Major Road *with Intermittent Turn Lanes (4.1B)*	34,200	**F**	6-lane Prime Arterial *(6.2)*	57,000	D
East of Viejas Casino	46,656	2-lane Light Collector *No Median (2.2E)*	16,200	F	2-lane Light Collector *No Median (2.2E)*	16,200	**F**	6-lane Prime Arterial *(6.2)*	57,000	D

Notes: a. Source: FCI GPA SEIR. b. Capacities based on the *County of San Diego Roadway Classification & LOS table* (See *Appendix C*).
c. Level of Service
Source: LLG, 2014.

4.2.4.2 Conclusion

Implementation of the proposed Project would not result in direct or cumulative traffic impacts.

4.2.4.3 Mitigation Measures

No significant direct or cumulative intersection impacts were calculated on a weekday or Saturday. Therefore, no mitigation measures are required.

Additionally, no significant direct or cumulative street segment impacts were calculated on a weekday. Willows Road – west of the casino was calculated to exceed the County's ADT threshold for street segments on a Saturday. However, a significant impact requiring mitigation on Willows Road – west of the casino is not determined; therefore, no mitigation measures are proposed.

4.3 Noise

Information contained in this section is summarized from the *Noise Assessment, Viejas Hotel South Tower* prepared by Ldn Consulting, Inc. (Ldn) (March 4, 2014). The noise impact analysis is provided in Appendix D to this TEIR. The following analysis has been prepared in conjunction with the analysis provided in the Traffic Impact Assessment for the Viejas Hotel South Tower prepared by LLG, and can be found in Appendix B.

4.3.1 Existing Conditions

4.3.1.1 Site Characterization

The proposed Project site is located directly east of the existing Viejas Casino structure and north of the Viejas Outlet Center. Regional access to the site is obtained from Willows Road, via U.S. I-8. The site is entirely enclosed by Reservation property and is surrounded by parking lots, the Viejas Casino, and the Viejas Hotel North Tower. The proposed Project would be built on a developed and paved area east of the casino. This area is currently used as office space and as surface parking for tribal members and guests. As identified in Figure 4.3-1, the nearest residential (occupied) off-Reservation property line from the construction activities is located more than 980 feet to the east.

4.3.1.2 Existing Noise

Two noise monitoring locations were used: a segment of Willows Road located west of the existing casino, and a segment of Willows Road located to the east of it. As shown in Table 4.3-1 below, the average weekday noise levels for these west and east Willows Road segments, from a distance of 50 feet, were found to be 68.5 and 63.5 dBA CNEL, respectively. Average weekend noise levels for these two segments were found to be 70.1 and 64.7 dBA CNEL, respectively.

Table 4.3-1
Existing Noise Levels

Roadway	Segment	ADT[1]	Vehicle Speeds (MPH)[1]	Noise Level @ 50-Feet (dBA CNEL)	60 dBA CNEL Contour Distance (Feet)
		Weekday			
Willow Road	West of Viejas Casino	8,080	45	68.5	352
	East of Viejas Casino	2,550	45	63.5	111
		Weekend			
Willow Road	West of Viejas Casino	11,760	45	70.1	510
	East of Viejas Casino	3,360	45	64.7	145

Source: Ldn, 2014.

SOURCE: Esri, 2013; JCJ Architecture, 2013; BRG Consulting, Inc. 2014

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Potential Properties Affected Near the Project Site

FIGURE 4.3-1

4.3.1.3 Applicable Rules, Regulations, Policies and Guidelines

The Tribe has not developed or adopted noise standards and no federal or local regulations are directly applicable to the proposed hotel. However, federal and local agencies have developed standards for similar projects or that are applicable to off-Reservation receptors. The thresholds used in the noise assessment were primarily developed from the following County of San Diego noise standards and policies.

SEC. 36.404: SOUND LEVEL LIMITATIONS ON STATIONARY NOISE

The purpose of the noise ordinance is to protect, create and maintain an environment free from noise that may jeopardize the health or welfare, or degrade the quality of life. The County Noise Ordinance states that it shall be unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level, at any point on or beyond the boundaries of the property, exceeds the applicable limits provided in Table 4.3-2.

Table 4.3-2
Sound Level Limits in Decibels (dBA)

Zone		Applicable Limit One-Hour Average Sound Level (Decibels)
R-S, R-D, R-R, R-MH, A-70, A-72, S-80, S-81, S-87, S-88, S-90, S-92, R-V, and R-U Use Regulations with a density of less than 11 dwelling units per acre.	7 a.m. to 10 p.m.	50
	10 p.m. to 7 a.m.	45
R-RO, R-C, R-M, C-30, S-86, R-V, R-U and V5. Use Regulations with a density of 11 or more dwelling units per acre.	7 a.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50
S-94, V4, and all other commercial zones.	7 a.m. to 10 p.m.	60
	10 p.m. to 7 a.m.	55
V1, V2	7 a.m. to 7 p.m.	60
V1, V2	7 p.m. to 10 p.m.	55
V1	10 p.m. to 7 a.m.	55
V2	10 p.m. to 7 a.m.	50
V3	7 a.m. to 10 p.m.	70
	10 p.m. to 7 a.m.	65
M-50, M-52, M-54	Anytime	70
S-82, M-58, and all other industrial zones.	Anytime	75

Source: Ldn, 2014.

SEC. 36.408: HOURS OF OPERATION OF CONSTRUCTION EQUIPMENT

Except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment:

a. Between 7 p.m. and 7 a.m.

b. On a Sunday or a holiday. For purposes of this section, a holiday means January 1st, the last Monday in May, July 4th, the first Monday in September, December 25th and any day appointed by the President as a special national holiday or the Governor of the State as a special State holiday. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10 a.m. and 5 p.m. at the person's residence or for the purpose of constructing a residence for himself or herself, provided that the operation of construction equipment is not carried out for financial consideration or other consideration of any kind and does not violate the limitations in sections 36.409 and 36.410.

SEC. 36.409: SOUND LEVEL LIMITATIONS ON CONSTRUCTION EQUIPMENT

Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 decibels for an eight-hour period, between 7 a.m. and 7 p.m., when measured at the boundary line of the property where the noise source is located or on any property where the noise is being received.

SEC. 36.410: SOUND LEVEL LIMITATIONS ON IMPULSIVE NOISE

In addition to the general limitations on sound levels in section 36.404 and the limitations on construction equipment in section 36.409, the following additional sound level limitations shall apply:

Except for emergency work or work on a public road project, no person shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in Table 4.3-3 (provided below), when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period, as described in subsection (c) below. The maximum sound level depends on the use being made of the occupied property. The uses in Table 4.3-3 are as described in the County Zoning Ordinance.

TABLE 4.3-3
Maximum Sound Level (Impulsive)
Measured at Occupied Property in Decibels (dBA)

OCCUPIED PROPERTY USE	DECIBELS (dBA)
Residential, village zoning or civic use	82
Agricultural, commercial or industrial use	85

Source: Ldn, 2014.

Except for emergency work, no person working on a public road project shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in Table 4.3-4, when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period. The maximum sound level depends on the use being made of the occupied property. The uses in Table 4.3-4 are as described in the County Zoning Ordinance.

TABLE 4.3-4
Maximum Sound Level (Impulsive) Measured at Occupied Property
in Decibels (dBA) for Public Road Projects

OCCUPIED PROPERTY USE	DECIBELS (dBA)
Residential, village zoning or civic use	85
Agricultural, commercial or industrial use	90

Source: Ldn, 2014.

The minimum measurement period for any measurements conducted under this section shall be one hour. During the measurement period a measurement shall be conducted every minute from a fixed location on an occupied property. The measurements shall measure the maximum sound level during each minute of the measurement

period. If the sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute, it will be deemed that the maximum sound level was exceeded during that minute.

4.3.2 Guidelines for Determination of Significance

Exhibit A of the Viejas-State Compact utilizes the following guidelines for determination of significance related to potential noise impacts. Therefore, for purposes of this TEIR, a significant noise impact would occur if implementation of the proposed Project would:

a. *Result in exposure of off-reservation persons to noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;*

b. *Result in exposure of off-reservation persons to excessive groundborne vibration or groundborne noise levels;*

c. *Result in a permanent increase in ambient noise levels in the off-reservation vicinity of the proposed Project; or,*

d. *Result in a substantial temporary or periodic increase in ambient noise levels in the off-reservation vicinity of the proposed Project.*

4.3.3 Analysis of Project Effects and Determination of Significant Impact

4.3.1.1 Impact Analysis

A. Construction Noise Impacts

Construction noise represents a short-term impact on the ambient noise levels. Noise generated by construction equipment includes haul trucks, water trucks, graders, dozers, loaders and scrapers can reach relatively high levels. Grading activities typically represent one of the highest potential sources for noise impacts.

The U.S. Environmental Protection Agency (U.S. EPA) has compiled data regarding the noise generating characteristics of specific types of construction equipment. Noise levels generated by heavy construction equipment can range from 60 dBA to in excess of 100 dBA when measured at 50 feet. However, these noise levels diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 75 dBA measured at 50 feet from the noise source to the receptor would be reduced to 69 dBA at 100 feet from the source to the receptor, and reduced to 63 dBA at 200 feet from the source.

The County's Noise Ordinance states that noise is measured at the boundary line of the property where the noise source is located or on any off-Reservation occupied property where the noise is being received. The properties surrounding the proposed Project site are mostly developed with the exception of a few parcels to the south and west of the site. As depicted in Figure 4.3-1 above, the nearest off-Reservation occupied properties are separated by distances of over 950 feet from the construction operations.

Construction of the proposed Project will be located within an existing one-acre paved area. It's estimated that preparation of the site would require demolition of the existing office building and grading equipment to break up and remove the asphalt. Once the site is clear of all asphalt the contractors would then excavate all footings and utility trenches necessary for the parking structure. It was estimated that site grading activities would require a one-month period. The structure would be constructed using reinforced concrete, which is estimated to last several months. The final phase of the proposed Project would include asphalt paving and finish landscaping around the structure to incorporate the hotel tower into the site. The estimated duration for the proposed Project from start to finish were estimated to require 6 months.

The equipment estimates and associated noise levels are shown in Table 2-1 of the Noise Assessment (Appendix D of this TEIR). From a noise standpoint the worst-case construction activities will occur during the Building construction phase. Building construction is when the nosiest and largest number of construction equipment will be required.

The calculations of the expected construction noise impacts were completed using a point-source noise prediction model with a typical 6-dBA reduction per doubling of distance. The essential model input data for these performance equations include the source levels of each type of equipment, relative source to receiver horizontal and vertical separations, the amount of time the equipment is operating in a given day, also referred to as the duty-cycle and any transmission loss from topography or barriers.

As identified in Table 2-2 of the Noise Assessment (Appendix D of this TIER), if all the equipment were operating in the same location, which is not physically possible, the cumulative noise level from the equipment during the noisiest phase would be 84.8 dBA at a distance of 50-feet. The nearest occupied off-Reservation property line from the construction activities is located more than 950 feet to the west. This would result in an anticipated worst-case combined noise level of 56.8 dBA at the property line. Given the distance separation, the noise levels will comply with the County of San Diego's 75 dBA standard at all Project property lines.

Construction within the proposed Project area would typically occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday; however occasionally, construction activities may occur outside the normal working hours or workdays as described in the County Ordinance above. These activities will be limited in the amount of equipment that will be utilized. The anticipated noise levels during these occurrences would be lower than the cumulative noise level and no off-Reservation impacts are anticipated.

No blasting or rock crushing is anticipated during the grading operations. Therefore, no impulsive noise sources are expected and the proposed Project is anticipated to comply with Section 36.410 of the County Noise Ordinance and no further analysis is required.

Therefore, no construction impacts are anticipated with the implementation of the proposed Project at any off-Reservation land uses and no further analysis is required.

Biological Noise

In 1991, the U.S. Fish and Wildlife Service (USFWS) recommended that hourly noise levels not exceed 60 dBA Leq or ambient conditions, whichever is greater, to protect the California Gnatcatcher and other bird species. The County of San Diego has adopted this standard for all sensitive species. Therefore, the 60 dBA Leq or ambient was used as the noise criteria to assess noise impacts on sensitive wildlife both onsite and offsite. Construction activities may

occur during a sensitive habitat nesting/breeding season. Based on the worst-case noise levels identified in above of 84.8 dBA at 50 feet, the nearest off-Reservation sensitive habitat area is located 2,200 feet from the proposed construction activities. At a distance of 2,200 feet the worst-case construction noise level would be 52 dBA Leq. Thus, the construction noise levels would be below the 60-dBA Leq threshold. This is a worst-case scenario that does not take into account topography or the separation of the anticipated equipment.

B. Operational Noise Impacts

Potential stationary noise source impacts associated with the operation of the proposed Project, primarily includes noise generated from the proposed HVAC units, as well as sweeping the parking lot and delivery trucks.

The HVAC units are proposed on the roof of the building. To predict the worst-case future noise environment, continuous reference noise levels were used to represent the mechanical ventilation system. Even though the mechanical ventilation system will cycle on and off throughout the day and night, this approach presents the worst-case noise condition. In addition, these units have been designed to provide cooling during the peak summer daytime periods, and it is unlikely that all the units will be operating continuously throughout the noise sensitive nighttime periods. To assess the mechanical equipment noise impacts the worst-case nighttime standard of 45 dBA was utilized.

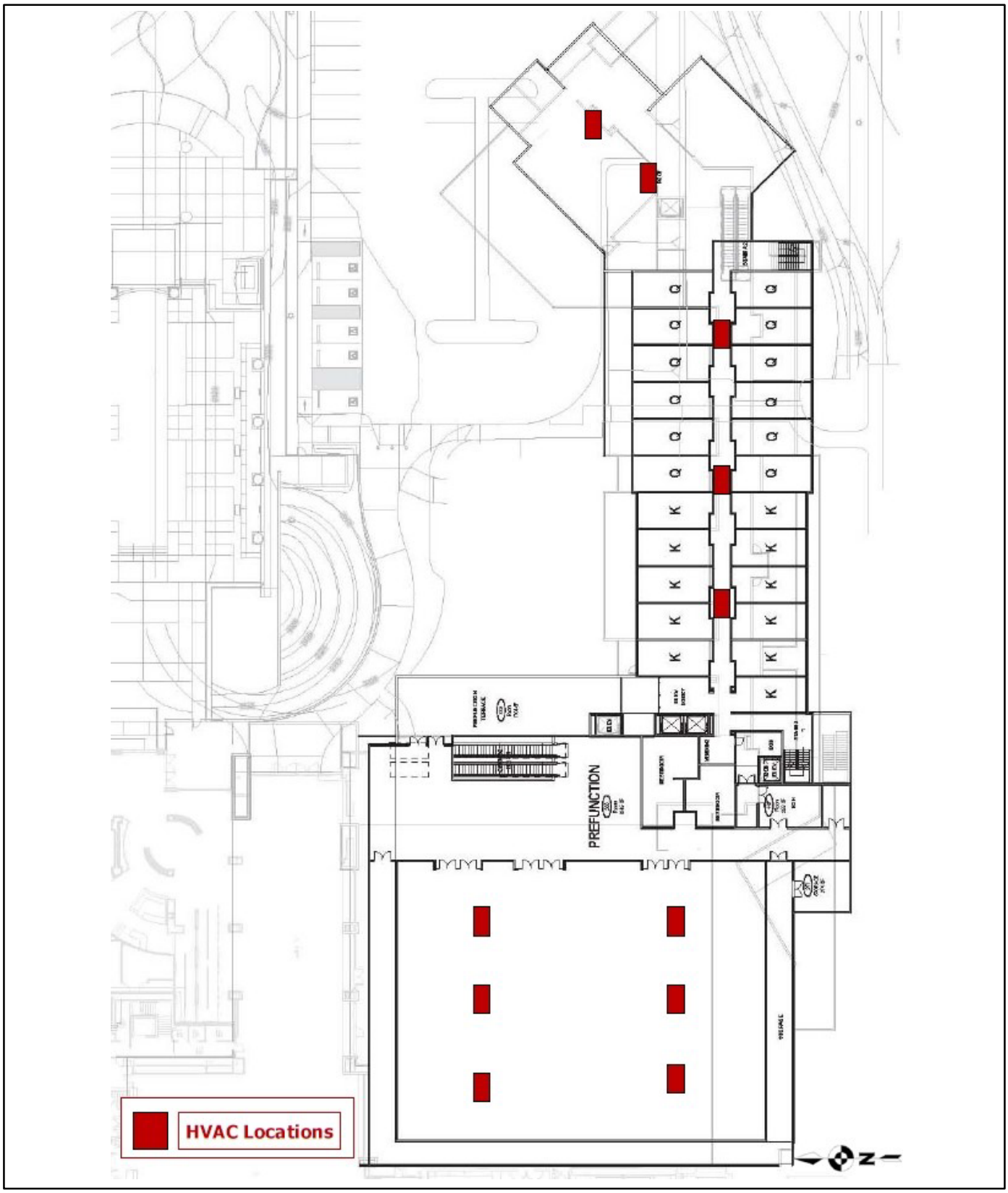
Sound from a small localized source (a “point” source) radiates uniformly outward as it travels away from the source. The sound level attenuates or drops-off at a rate of 6 dBA for each doubling of distance. A drop-off rate of 6 dBA per doubling of distance was used for this piece of equipment.

The proposed project is proposing the installation of eleven (11) 20-ton condensers. In order to evaluate the HVAC noise impacts, the analysis utilized reference noise level measurements taken at a Kaiser Health Care Facility in Los Angeles, CA (Ldn 2012). The unshielded noise levels for the HVAC units were measured at 84-85 dBA Leq at a distance of 6 feet. To predict the worst-case future noise environment, a continuous reference noise level of 85 dBA at 6 feet was used to represent the rooftop mechanical ventilation system. Even though the mechanical ventilation system will cycle on and off throughout the day, this approach presents the worst-case noise condition.

It was determined based on the site configuration and the existing off-Reservation sensitive receptors (as shown in Figure 4.3-1 above) that the worst-case noise exposure would occur to the east of the site. The distance from the proposed Project site to the Reservation boundary is slightly more than 400 feet. The HVAC units will be spread out over the entire structure with the units located 450 feet to 750 feet from the property line. The representative locations of the mechanical equipment can be seen in Figure 4.3-2.

The noise levels associated with the roof-top mechanical ventilation system will be limited with the proposed parapet walls on the building that may vary in height but will be used to shield them both visually and acoustically based upon the proposed hotel plans. For modeling purposes, all the HVAC equipment was considered to be operating in the same location, which is not physically possible.

To determine the noise level reductions from the parapet walls, the Fresnel Barrier Reduction Calculations were modeled based on distance, source height, receiver elevation, and the top of barrier. The noise level reductions due to distance and the parapet walls for the nearest property line located to the east are provided in Table 4.3-5 below along with the cumulative noise level. The Fresnel barrier reduction calculations for the parapets are provided in Attachment A of the Noise Report, which is provided as Attachment D of this TEIR.



SOURCE: Ldn Consulting, 2014

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Rooftop HVAC Conceptual Layout

FIGURE 4.3-2

Table 4.3-5
Cumulative HVAC Noise Levels at Nearest Property Line

Source	Noise Level @ 6-feet (dBA)	Quantity	Combined Noise Level (dBA)	Distance To Nearest Property Line (Feet)	Reduction from Distance (dBA)	Reduction Due To Parapets (dBA)	Resultant Noise Level (dBA)*
HVAC	85	11	95.4	450	-37.5	-12.6	45.3

*Complies with the nighttime Noise Standard of 45 dBA. Source: Ldn, 2014.

The HVAC units would not result in noise impacts to sensitive receptors located off the Reservation, because the HVAC units would be spread out over the entire roof and noise levels would be below 45 dBA at the closest property line.

C. Off-Site Transportation Noise Impacts

The offsite project related roadway segment noise levels projected in this report were calculated using the methods in the Highway Noise Model published by the Federal Highway Administration in 1978. The FHWA Model uses the traffic volume, vehicle mix, speed, and roadway geometry to compute the equivalent noise level. A spreadsheet calculation was used which computes equivalent noise levels for each of the time periods used in the calculation of CNEL. Weighting these equivalent noise levels and summing them gives the CNEL for the traffic projections. The noise contours are then established by iterating the equivalent noise level over many distances until the distance to the desired noise contour(s) are found. For this project the 60 dBA CNEL contour was calculated based upon the County of San Diego thresholds.

Hard site conditions were used to develop the noise contours and analyze noise impacts along all roadway segments. The future traffic noise model utilizes a typical, conservative vehicle mix of 95% Autos, 3% Medium Trucks and 2% Heavy Trucks for all analyzed roadway segments. The vehicle mix provides the hourly distribution percentages of automobile, medium trucks and heavy trucks for input into the FHWA Model.

Direct and cumulative roadway noise impacts would be considered significant if the proposed Project increases noise levels for a noise sensitive land use by 3 dBA CNEL and if: (1) the existing noise levels already exceed the 60 dBA CNEL residential standard, or (2) the proposed Project increases noise levels from below the 60 dBA CNEL standard to above 60 dBA CNEL in the area adjacent to the roadway segment.

To determine if direct offsite noise level increases associated with the development of the proposed Project will create noise impacts, the existing conditions were compared with the noise level increase anticipated with project implementation. Utilizing the proposed Project's traffic assessment noise contours were developed for the following weekday and weekend traffic scenarios:

- Existing: Current day noise conditions without construction of the proposed Project.
- Existing + Project: Current day noise conditions plus the completion of the proposed Project.
- Existing vs. Existing + Project: Comparison of the direct project related noise level increases in the vicinity of the proposed Project site.

The noise levels and the distances to the 60 dBA CNEL contours for the roadways in the vicinity of the proposed Project site are given in Table 4.3-6 for the Existing Scenario and in Table 4.3-7 for the Existing Plus Project Scenario. Note that the values given do not take into account the effect of any noise barriers or topography that may affect ambient noise levels. Table 4.3-8 presents the comparison of the Existing Year with and without project related noise levels. The overall roadway segment noise levels will increase of 0.1 dBA CNEL with the development of the proposed Project.

The proposed Project would not create a direct noise increase of more than 3 dBA CNEL on any roadway segment. Therefore, the proposed Project's direct contributions to offsite roadway noise increases would not cause any significant impacts to any existing or future noise sensitive land uses.

Table 4.3-6
Existing Noise Levels

Roadway	Segment	ADT[1]	Vehicle Speeds (MPH)[1]	Noise Level @ 50-Feet (dBA CNEL)	60 dBA CNEL Contour Distance (Feet)
		Weekday			
Willow Road	West of Viejas Casino	8,080	45	68.5	352
	East of Viejas Casino	2,550	45	63.5	111
		Weekend			
Willow Road	West of Viejas Casino	11,760	45	70.1	510
	East of Viejas Casino	3,360	45	64.7	145

Average Daily Traffic
Source: Ldn, 2014.

Table 4.3-7
Existing + Project Noise Levels

Roadway	Segment	ADT[1]	Vehicle Speeds (MPH)[1]	Noise Level @ 50-Feet (dBA CNEL)	60 dBA CNEL Contour Distance (Feet)
		Weekday			
Willow Road	West of Viejas Casino	8,387	45	68.6	365
	East of Viejas Casino	2,627	45	63.6	114
		Weekend			
Willow Road	West of Viejas Casino	12,067	45	70.2	526
	East of Viejas Casino	3,397	45	64.8	148

[1] Average Daily Traffic
Source: Ldn, 2014.

Table 4.3-8
Existing vs. Existing + Project Noise Levels

Roadway	Segment	Existing Noise Level @ 50-Feet (dBA CNEL)	Existing Plus Project Noise Level @ 50-Feet (dBA CNEL)	Project Related Direct Noise Level Increase (dBA CNEL)
		Weekday		
Willow Road	West of Viejas Casino	68.5	68.6	**0.1**
	East of Viejas Casino	63.5	63.6	**0.1**
		Weekday		
Willow Road	West of Viejas Casino	70.1	70.2	**0.1**
	East of Viejas Casino	64.7	64.8	**0.1**

Sound Levels provided are worst-case and do not take into account topography or shielding from barriers.
Source: Ldn, 2014.

D. Cumulative Off-Site Noise Impacts

If cumulative impacts are found, the County of San Diego requires that the cumulative without Project scenario and the cumulative with project scenario be compared to the existing noise levels to determine if the proposed Project has a cumulatively considerable significant impact. Project generated cumulatively considerable roadway noise impacts would be significant if the proposed Project raises the cumulative without Project noise level by 1 dBA or greater. If the proposed Project and cumulative projects do not increase the existing noise levels to sensitive land uses by 3 dBA CNEL, no significant cumulative noise impacts occur and the proposed Project would not result in a cumulatively considerable impact.

To determine if cumulative offsite noise level increases associated with the development of the proposed Project and other planned or permitted projects in the vicinity will create noise impacts. The noise levels for the near-term project buildout and other planned and permitted projects were compared with the existing conditions. Utilizing the proposed Project's traffic assessment (LLG, 2014) noise contours were developed for the following weekday and weekend traffic scenarios:

- Existing: Current day noise conditions without construction of the proposed Project.
- Existing + Cumulative Projects + Project: Current day noise conditions plus the completion of the proposed Project and the completion of other permitted or planned projects.
- Existing vs. Existing + Cumulative + Project: Comparison of the existing noise levels and the related noise level increases from the combination of the proposed Project and all other planned or permitted projects in the vicinity of the site.

The existing noise levels and the distances to the 60 dBA CNEL contours for the roadways in the vicinity of the proposed Project site are given in Table 4.3-1 above for the Existing Scenario. The near-term cumulative noise conditions are provided in Table 4.3-9 below. No noise barriers or topography that may affect noise levels were incorporated in the calculations. Table 4.3-10 below presents the comparison of the Existing Year and the Near-Term Cumulative noise levels. The overall roadway segment noise levels are anticipated to increase 0.3 dBA CNEL with the development of the proposed Project.

Cumulative noise level increases of more than 3 dBA CNEL were not found on any of the roadway segments with the implementation of the proposed Project. Therefore, no cumulative or cumulatively considerable impacts are anticipated and no future analysis is required.

Table 4.3-9
Existing + Project + Cumulative Noise Levels

Roadway	Segment	ADT[1]	Vehicle Speeds (MPH)[1]	Noise Level @ 50-Feet (dBA CNEL)	60 dBA CNEL Contour Distance (Feet)
		Weekday			
Willow Road	West of Viejas Casino	8,537	45	68.7	372
	East of Viejas Casino	2,777	45	63.8	121
		Weekend			
Willow Road	West of Viejas Casino	12,217	45	70.3	532
	East of Viejas Casino	3,547	45	64.9	155

[1] Average Daily Traffic
Source: Ldn, 2014

Table 4.3-10
Existing vs. Existing + Project + Cumulative Noise Levels

Roadway	Segment	Existing Noise Level @ 50-Feet (dBA CNEL)	Cumulative Plus Project Noise Level @ 50-Feet (dBA CNEL)	Cumulative Noise Level Increase (dBA CNEL)
		Weekday		
Willow Road	West of Viejas Casino	68.5	68.7	**0.2**
	East of Viejas Casino	63.5	63.8	**0.3**
		Weekday		
Willow Road	West of Viejas Casino	70.1	70.3	**0.2**
	East of Viejas Casino	64.7	64.9	**0.3**

Notes: Sound Levels provided are worst-case and do not take into account topography or shielding from barriers. Source: Ldn, 2014.

4.3.3.2 Conclusions

Based on the noise analyses, no significant noise impacts are anticipated off-Reservation during either the construction or operational phases of the proposed Project. The proposed Project would not result in the exposure of off-reservation persons to noise levels in excess of standards established in the County noise ordinance, or U.S. EPA acceptability standards.

Based on the empirical data, the proposed parapet and the distances to the property lines the unshielded cumulative noise levels from the proposed HVAC units were found to be below the most restrictive nighttime property line standard of 45 dBA at the adjacent off-Reservation residential properties. In addition, the proposed Project would not create a direct or cumulative impact of more than 3 dBA CNEL on any roadway segment.

The proposed Project would not result in exposure of off-reservation persons to excessive groundborne vibration or groundborne noise levels. The proposed Project would not result in a permanent or substantial temporary or periodic increase in ambient noise levels in the off-reservation vicinity of the proposed Project. Therefore, the proposed Project would not result in a significant, nor cumulatively significant, noise impact.

4.3.3.3 Mitigation Measures

With no significant construction, operational, or cumulative off-Reservation noise impacts identified for the proposed Project, no mitigation measures are required.

4.4 Groundwater Availability

Information contained in this section is summarized from the *Supporting Water Supply Evaluation, Viejas Hotel South Tower* prepared by Environmental Navigation Services, Inc. (March 4, 2014). The water supply evaluation is provided in Appendix E to this TEIR.

4.4.1 Existing Conditions

A. Groundwater Supply

Viejas Creek is centered in Viejas Valley, drains to the west, and exits the western side of the Reservation. A series of tributary drainages that flow into Viejas Valley provide seasonal flows that accumulate within the central portion of the valley. The 1,600-acre Viejas Indian Reservation is centrally located within the 5,750-acre Viejas Creek

Watershed as shown in Figure 4.4-1 (for purposes of the TEIR the watershed is defined by the western boundary of the Reservation). The entire 7,391-acre Viejas Creek Watershed shown in Figure 4.4-2 is larger in area than the watershed described in this TEIR because it encompasses areas downstream and west of the Reservation.

The Tribe rehabilitated the strongly eroded Viejas stream channel in the 1980s and 1990s to facilitate ground water preservation, riparian habitat restoration and accommodate commercial development. A series of check dams/retention basins were constructed to manage stormwater flows, to reduce erosion, support the riparian habitat restoration, and to enhance groundwater recharge. The rehabilitation was very successful and the lower (western-most) portion of the channel contains perennial water and a thriving riparian habitat.

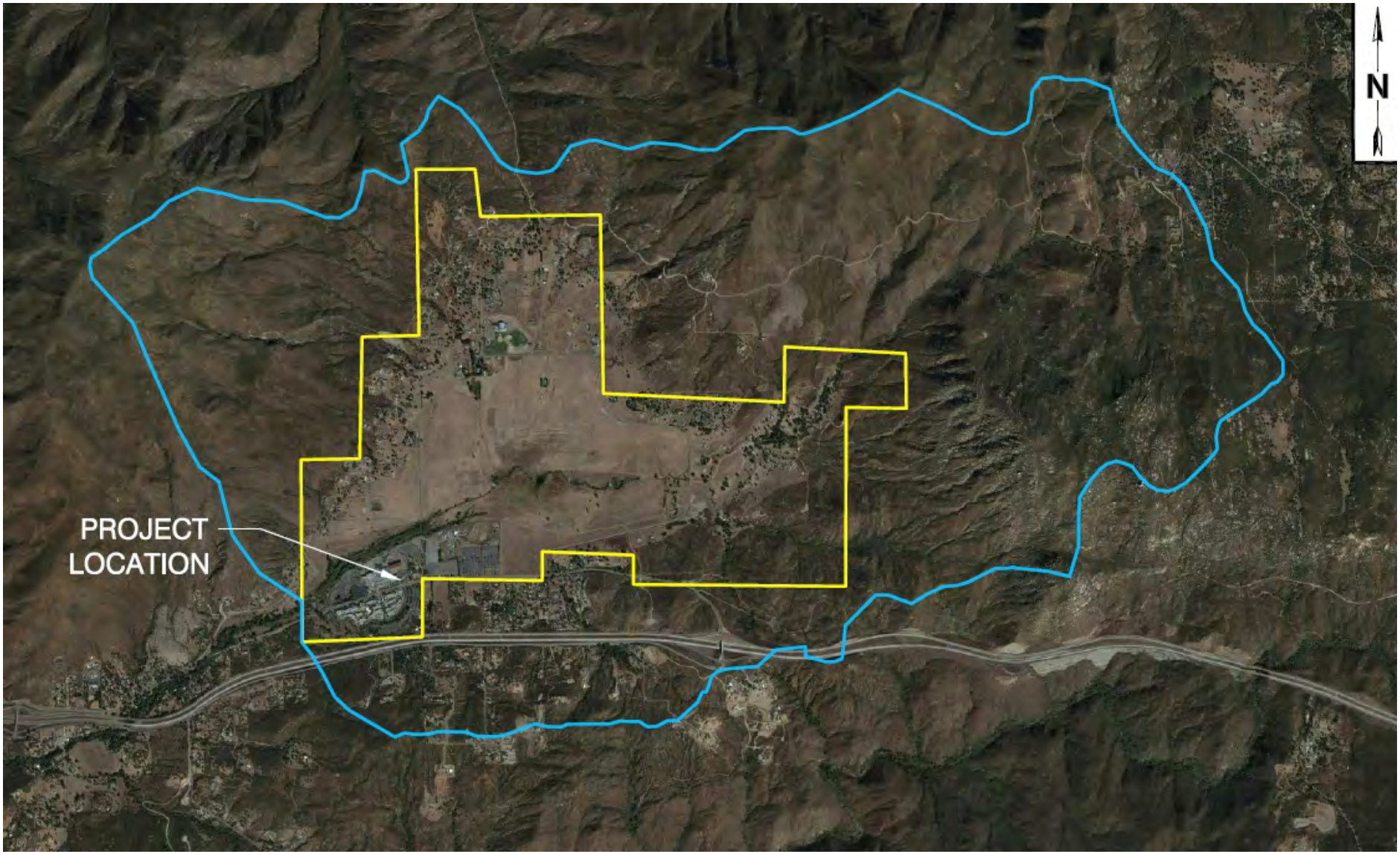
Existing Groundwater conditions for the Viejas Creek Watershed were described in a July 2001 report by Brown & Caldwell Engineers entitled, "Viejas Indian Reservation Water and Wastewater Master Plan". Brown & Caldwell determined that the watershed basin encompassed approximately 5,750-acres, ranging from Viejas Mountain in the west, to Chiquito Peak on the east, from Poser Mountain in the north, to the hills south of I-8 in the south. The basin boundaries are shown in Figure 4.4-1. The Tribe has subsequently conducted additional private studies of local groundwater conditions that provide site-specific data obtained since 2001. The results of these additional studies generally support the findings of the July 2001 study. A summary description follows.

The overall groundwater system is comprised of an unconfined aquifer system within alluvium and decomposed granite overlying granitic bedrock. The hillsides are comprised of granitic rock with a thin veneer of soils. The bedrock in the area is described as Mesozoic age granitic rock (between 65 to 248 million years old). The eastern portion of the watershed contains gabbroic rock. (CA Division of Mines and Geology, 2000). Granite and gabbro are crystalline igneous rocks that have visible mineral grains in the rock.

The soils within the Viejas Valley reflect the infilling of the valley by soils and alluvium derived from the hillside drainages. A description of the various soils mapped in the valley has been obtained from the US Department of Agriculture (USDA), and is provided in Table 4.4-1 below. Figure 4.4-3, developed from the US Department of Agriculture Natural Resource Conservation Service on-line database (http://websoilsurvey.nrcs.usda.gov/app/), shows the various soils mapped in the valley.

Alluvium occurs within the central portion of the main channel of Viejas Creek and deepens to the west. The channel to the north of the commercial center was a deeply eroded channel prior to restoration. Following check dam construction the eroded channel filled with water, soil, and alluvium. Groundwater levels within the western portion of Viejas Creek are maintained by the perennial stream and occur close to the ground surface as evidenced by the extent of vegetation that now occurs within the creek channel, as shown in Figure 4.4-1.

Underlying the soil and alluvium within the Valley is weathered bedrock, referred to as decomposed granite or DG. The amount of water contained in saturated DG is proportional to the degree of weathering and typically ranges from 2 to 8 percent by volume. Alluvium can store significantly more water, on the order of 10 to 20 percent by volume. The extent of weathering decreases with depth and the granitic rock becomes harder, so the primary porosity of the rock occurs as a result of fracturing. A depth of 500 feet is typically assumed. Water production wells on the Reservation are completed within moderately fractured bedrock and produce water from depths of approximately 400 to 1000 feet.



SOURCE: Environmental Navigation Services, Inc., 2014

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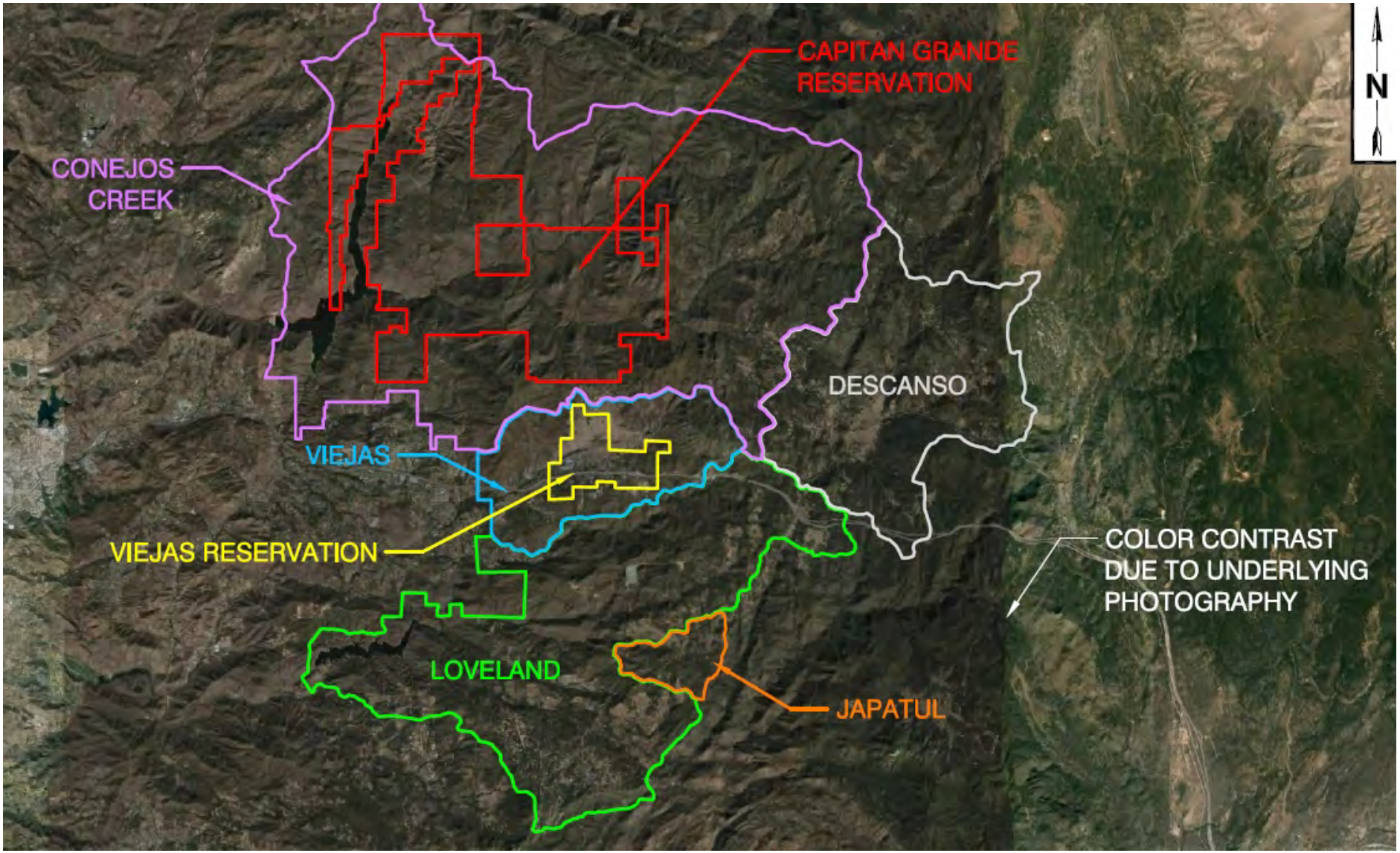
Viejas Hotel South Tower TEIR

Viejas Watershed

FIGURE

4.4-1



SOURCE: Environmental Navigation Services Inc., 2014

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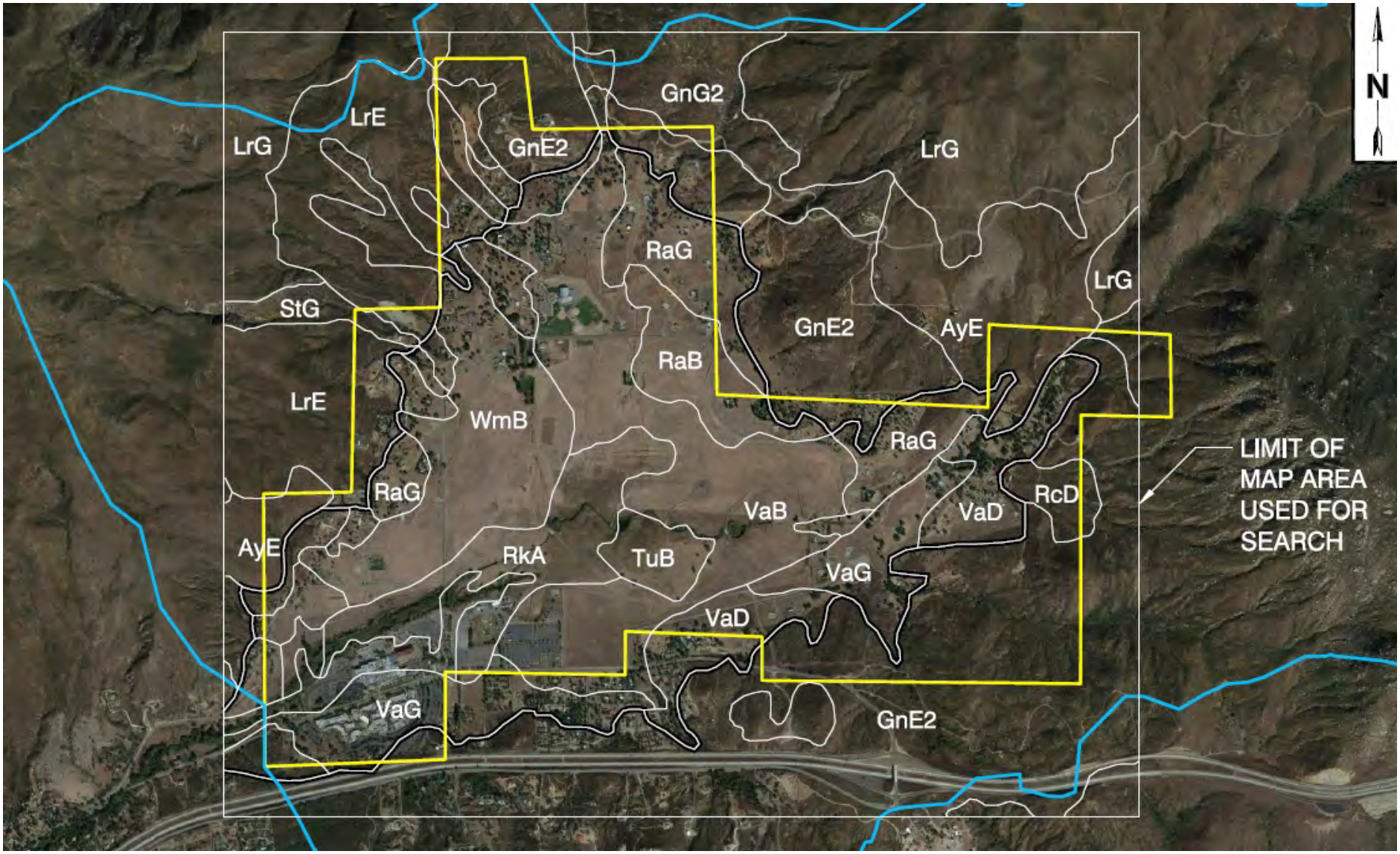
Viejas Adjacent Watershed Boundaries

FIGURE 4.4-2



SOURCE: Environmental Navigation Services, Inc., 2014

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Soils Map for the Viejas Valley

FIGURE

4.4-3

Table 4.4-1
Soils within the Reservation

Map Unit Symbol	Map Unit Name
AyE	Auld stony clay, 9 to 30 percent slopes
CmE2	Cieneba rocky coarse sandy loam, 9 to 30 percent slopes , eroded
CnE2	Cieneba-Fallbrook rocky sandy loams, 9 to 30 percent slopes, eroded
CnG2	Cieneba-Fallbrook rocky sandy loams, 30 to 65 percent slopes, eroded
FaD2	Fallbrook sandy loam, 9 to 15 percent slopes, eroded
FeE	Fallbrook rocky sandy loam, 9 to 30 percent slopes
LrE	Las Posas stony fine sandy loam, 9 to 30 percent slopes
LrG	Las Posas stony fine sandy loam, 30 to 65 percent slopes
PfC	Placentia sandy loam, thick surface, 2 to 9 percent slopes
RaB	Ramona sandy loam, 2 to 5 percent slopes
RaC	Ramona sandy loam, 5 to 9 percent slopes
RcD	Ramona gravelly sandy loam, 9 to 15 percent slopes
RcE	Ramona gravelly sandy loam, 15 to 30 percent slopes
RkA	Reiff fine sandy loam, 0 to 2 percent slopes
StG	Steep gullied land
TuB	Tujunga sand, 0 to 5 percent slopes
VaB	Visalia sandy loam, 2 to 5 percent slopes
VaC	Visalia sandy loam, 5 to 9 percent slopes
VaD	Visalia sandy loam, 9 to 15 percent slopes
VvD	Vista rocky coarse sandy loam, 5 to 15 percent slopes
WmB	Wyman loam, 2 to 5 percent slopes

Source: Environmental Navigation Services, 2014.

B. Groundwater Use and Production

Water Use

Water use measurements have been made for the north tower hotel. The north tower hotel opened for business March 21, 2013. For the 10-month period of March to December 2013, the north tower hotel water use was measured to be 4,446,577 gallons (13.7 Acft). It is conservatively assumed that the water use is for a 9-month period, equivalent to an annual water demand of 18.2 Acft for the 128-room hotel.

Water Production

Viejas operates a series of production wells located across the Reservation to provide potable water for commercial, tribal, and residential use. Seven production wells are currently in use. The wells produce water at rates of 40 to 130 gallons per minute (gpm), depending on the well capacity and pumps installed in the wells. The well locations are distributed across the Reservation. Specific locations are not shown in this report due to security concerns.

All of the wells operate at the same time and are used to fill a series of storage tanks. Pumping ceases in all wells when the tanks are full. As a result the wells are cyclically operated, with an average operation time ranging from approximately 25 to 50 percent depending on seasonal demands.

Water and wastewater production and use data were compiled from Viejas' Department of Public Works reports and records. A summary is presented in Table 4.4-2 that shows groundwater-pumping rates were fairly constant in 2012 and 2013.

Table 4.4-2
Viejas Water Use Summary, 2012-2013

Water Use	2012	2013
Total Groundwater Pumping	322	323
Treated Water Produced (Reclaimed)	144	158
Reclaim Irrigation	54	74
Percent of Reclaim Use	38%	47%
Excess Discharged to Percolation Basin	90	84
Annual Evaporation, Perc Basin	0.74	0.74
Net Recharge	89	83
as percent of water production	28%	26%
Net Pumping	233	240

Notes: Units: Acft. (a) 2011 production was 311 Acft. (b) Evaporation Loss assumes 55 inches/yr (CIMIS Zone 9) from a 7,000-ft2 basin.
Source: Environmental Navigation Services, 2014.

Reclaimed Water Production and Use, 2012-2013

All of the commercial operations, all of the Tribal offices buildings, and nearly all of the residences on the Reservation are supported by a wastewater treatment system operated by the Viejas Department of Public Works (DPW). The wastewater is treated in a closed membrane filtration treatment system that minimizes water loss. Following treatment the reclaimed water becomes available for non-potable, irrigation uses. Wastewater production and use rates for 2012 and 2013 are summarized in Table 4.4-2. Viejas' wastewater system treated and used more water in 2013 than 2012, reflecting an ongoing successful program to reclaim wastewater.

A large portion of the treated wastewater is discharged to a percolation basin where it us allowed to infiltrate. Evaporative losses are included in Table 4.4-2, conservatively assuming that the basin is full of water all year and that evaporation occurs across the entire basin. Discussions with Viejas DPW staff indicate that the use of reclaimed water for irrigation has been maximized to supply existing demands.

Groundwater Use and Production Summary

The projected net annual groundwater demand for the south hotel tower is conservatively estimated to be 9.45 Acft (in Acft: 18.2 inflow, 17.3 return flow, 8.75 recharged, 9.45 net) based on the return flow and recharge assumptions. The north tower hotel was operated for 9-months in 2013 with no observed increase in groundwater pumping versus 2012. It is assumed that the water demand for the proposed hotel would be similar on a per room basis because it is understood that the room design and plumbing from a water use perspective would be the same as the current north tower design. Thus the assumed change in groundwater demand is judged to be conservative because it exceeds the pumping data reported for 2012 and 2013 (Table 4.4-2).

C. Groundwater Recharge Rate

Recharge is water that goes through the soil and replenishes the aquifer system. The recharge rate depends on the amount and rate of rainfall, the residence time of the water at the ground surface, evaporation and plant transpiration losses (evapotranspiration), and the ability of the soil to retain and transmit water to the aquifer. In essence recharge is evaluated based on whether enough rainfall occurs in a month period to sufficiently wet the soil, cause the soil to exceed its soil moisture capacity, and to allow water to flow through the soil column to the underlying aquifer system.

A large percentage of the rainfall is assumed to not be available for recharge because it is either lost as evapotranspiration or as run-off. The soil moisture balance approach does not consider surface water retention as a source of recharge. Viejas has constructed a series of check dams/retention basins along Viejas Creek to manage stormwater flows, to reduce erosion, enhance groundwater recharge, and support the riparian habitat restoration. A soil moisture balance recharge calculation methodology will underestimate recharge for the Viejas Reservation because it cannot account for reduced runoff, surface water storage, and associated enhanced recharge along Viejas Creek.

Brown & Caldwell (2001) estimated that Groundwater recharge of the basin would be 0.12 Acft/acre per year for the Viejas watershed during a year with average annual rainfall. This recharge estimate is compared to the screening-level recharge calculations conducted by the County of San Diego for the Viejas watershed and four adjacent watersheds that include Conejos Creek, Descanso, Japatul, and Loveland, as shown in Figure 4.4-2. The intent of the comparison is to examine the 0.12 Acft/acre recharge rate relative to values determined for nearby watersheds in similar terrain and climatic conditions. Table 4.4-3 shows that the average annual recharge rates for the four basins ranged from 0.14 to 0.33-acre-feet/acre- all greater than the 0.12 Acft/acre estimate used by Brown and Caldwell (2001).

Table 4.4-3
Comparison of Average Aquifer Recharge and Storage

	Conejos Ck	Descanso	Japatul	Loveland	Viejas	Viejas			
GP EIR Table No.:	C-16	C-20	C-40	C-46	C-80	C-80mod	mods	TEIR-est	B&C (2001)
Area, acres	33,581	13,413	1,486	22,717	5,791	7,391	1,600	5,750	5,750
Recharge, Acft/yr	7,183	4,441	206	4,044	816	1,173	357	920	690
acft/acre recharge	0.21	0.33	0.14	0.18	0.14	0.16			
Storage, Acft	5,807	4,256	749	6,287	2,224	3,319	1,095	2,582	not est
Acft/acre storage	0.17	0.32	0.50	0.28	0.38	0.45			

Notes: (a) Recharge rate based on average annual rainfall. (b) Table C-80 modifications: increase watershed by 1600 acres to include the Viejas Reservation, recharge in the reservation conservatively estimated using 700 acres @0.33 Acft/acre and 900 acres @0.14 Acft/acre, storage in the reservation estimated as 700 acres with 20 ft DG (5%) and 500 ft mod frx bedrock (0.1%), and 900 acres w/ 500 ft slightly fractured rock (0.01%). (c) The 5,750-acre watershed (TEIR-est) calculation uses a recharge rate of 0.16 and storage of 0.45
Source: Environmental Navigation Services, 2014.

Since the Reservation is a sovereign entity, and not subject to County regulations, the County of San Diego analysis "white-holed" the 1,600-acre Reservation and addressed only the watershed area of Viejas Creek basin area outside Viejas Reservation (i.e. the 5,791-acre area excludes the Reservation). The exclusion of the Viejas Reservation from the groundwater analysis leads to an underestimation of the amount of groundwater recharge shown in Table 4.4-3.

Also shown in the Table is a revised estimate (C-80mod) that includes the 1,600-acre reservation. It assumes a high-range recharge rate of 0.33-acre-feet/acre for the 700-acre valley and a low-range recharge rate of 0.14-acre-feet/acre for the surrounding hillsides and upper stream valleys. This recalculation results in an average annual recharge rate of 0.16-acre-feet/acre (920 Acft/year versus 690 Acft/year). This value is conservative and less than observed in three of the four adjacent watersheds, shown in Table 4.4-3. Also note that a significant portion of the Los Conejos watershed was also "white-holed."

The recharge rate shown in Table 4.4-3 is considered to be a conservative estimate to be used for screening-level purposes. It is subject to revision- actual recharge rates are expected to be significantly higher within the Reservation as result of Viejas' stream channel modifications and riparian habitat management program that benefit on- and off-Reservation water resources. The results of ongoing measurements by Viejas supports that the check dams and riparian habitat management practices are highly effective, have raised groundwater levels, and have provided drought-period benefits both on-Reservation and to adjacent off-Reservation properties.

D. Groundwater Storage Estimates

Groundwater is a renewable resource- rainfall recharges the aquifer system and replaces the water pumped out of the ground. During drought periods, the aquifer system provides for storage of groundwater in the absence of recharge. The amount of groundwater in subsurface storage depends on the ability of subsurface materials to hold water. Groundwater in subsurface storage is estimated based on a generally accepted 10 percent storage coefficient for alluvium, 5 percent storage coefficient for DG (weathered bedrock), and a storage coefficient of 0.1 percent in moderately fracture bedrock.

Brown & Caldwell (2001) did not provide an estimate of groundwater storage. Table 4.4-3 examines the storage calculations in a manner similar to the analysis done in the previous section for recharge. Calculated storage values range from 0.17 to 0.50 Acft/acre.

The exclusion of the Viejas Reservation from the County of San Diego groundwater analysis, previously prepared for the General Plan EIR, leads to an underestimation of the amount of groundwater in storage because data obtained by Viejas, consistent with data presented in the County of San Diego General Plan EIR (County of San Diego 2011), demonstrate that the portion of the watershed along Viejas Creek within the Reservation contains saturated alluvium and deeply weathered granitic rock (decomposed granite, or DG). Because these materials contain more water per volume than the adjacent hillsides, the Viejas basin calculations were modified by conservatively assuming the approximately 700-acre valley contains 20 feet of saturated DG (at 5 percent) and 500 feet of moderately fractured rock (at 0.1 percent). The modification conservatively excludes the storage capacity of the alluvium known to occur within the Reservation. Surrounding hillsides were assumed to be composed of slightly fractured rock (500 feet at 0.01 percent). The result is an average of 0.45 Acft/acre storage over the watershed, or 2,582-acre-feet of storage in the 5,750-acre watershed.

E. Sustainable Yield

According to Brown & Caldwell (2001), "The unit recharge rate was developed from precipitation data collected over many years. Therefore, the 690 AFY [value] should be considered a long-term average recharge rate." "[F]or planning purposes, the safe yield is nominally taken as being equal to the recharge rate for a particular year." Therefore, based on the foregoing definition, the average safe yield for the Viejas basin would be approximately 690 Acft/yr.

Brown & Caldwell provided a minimum basin safe yield of 450 Acft/yr for the entire 5,750-acre watershed. For comparison, this is equivalent to approximately half of the "TEIR-est" annual average recharge value of 920 Acft/yr (Table 4.4-3).

An alternative definition of safe yield is based on the maximum sustainable pumping rate that will not cause the aquifer to have less than 50 percent of its total capacity at any time. The long-term available water supply is evaluated by using the historical rainfall record to calculate annual groundwater recharge rates. The critical periods occur during prolonged drought periods and typically end with "El Nino"-type (above average) rainfall when the rainfall recharge replaces the groundwater that is used by pumping. In this case, the long-term maximum pumping rate of 450 Acft/yr is compared to an aquifer with a total storage capacity of 2,582 Acft. The aquifer capacity would need to drop to 1,214 Acft (50 percent of total). This would theoretically occur after nearly three years of pumping at 450 Acft/yr in the absence of recharge.

4.4.2 Guidelines for Determination of Significance

Exhibit A of the Viejas-State Compact utilizes the following guidelines for determination of significance related to potential Groundwater impacts. Therefore, for purposes of this TEIR, a significant groundwater availability impact would occur if implementation of the proposed Project would:

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

4.4.3 Analysis of Project Effects and Determination of Significant Impact

County of San Diego comments on the NOP (NOP 2014) dated February 21, 2014 state that "[T]the County bases sustainable groundwater yield through usage of the County Groundwater Ordinance as well as the California Environmental Quality Act (CEQA). The County Guidelines for Determining Significance- Groundwater Resource (http://www.sdcounty.ca.gov/County of San Diego/docs/GRWTR-Guidelines.pdf) provide measurable standards for determining when an impact would be considered significant to groundwater resources pursuant to CEQA."

While acknowledging that County of San Diego regulations do not apply on Tribal trust lands, the approach presented herein generally addresses the two criteria described by the County of San Diego:

a. *Evaluate water level decline resulting from groundwater pumping. "As an initial screening tool, off site well interference will be considered a significant impact if, after a five year projection of drawdown, the results indicate a decrease of 20 feet or more in the offsite wells. If site-specific data indicates water-bearing fractures exist which substantiate an interval of more than 400 feet between the static water level in each offsite well and the deepest major water bearing fracture in the well(s), a decrease in saturated thickness of 5 percent or more in the offsite wells would be considered a significant impact. "*

b. "Determine if extraction is in excess of sustained yield, which is defined in the County Guidelines as cumulative depletion of storage of greater than 50 percent capacity of the given basin."

4.4.3.1 Impact Analysis

A. Water Demand

The south tower hotel is proposed to include 128 rooms. It is assumed that the water demand will be similar on a per room basis to that measured for the north hotel tower. The projected annual water demand is thus estimated to be 18.2 Acft. Effectively all of the water demand is for interior use with minimal water loss. Approximately 95 percent of the water demand (17.3 Acft) is assumed to be returned to Viejas' wastewater treatment plant where it is treated and reclaimed. Reclaimed water is used for irrigation, with excess water sent to an infiltration basin and allowed to percolate into the ground.

Discussions with DPW staff indicate that the use of reclaimed water for irrigation has been maximized to supply existing demands. As a result, staff believes that most of south hotel tower reclaimed water will be excess and discharged to the percolation basin (recharged). For purposes of the TEIR discussion it is conservatively assumed that 50 percent of the south hotel tower use will be used for irrigation.

The 2012 Viejas Hotel TEIR (Viejas Band of Kumeyaay 2012) did not account for any changes in water uses associated with the reduction in gaming area. As there is no net gain in gaming area, it is understood that the proposed Project will not require an analysis of changes in water use related to gaming area because of the net decrease in gaming activities and area.

B. Water Level Decline Resulting from Groundwater Pumping

The change in water level (drawdown) that occurs within an aquifer associated with pumping at a given well decreases with distance away from the well. At the well, a small increase in the pumping rate will give rise to a proportional decrease in water level- here expected to be less than five percent. With distance the drawdown decreases rapidly (exponentially) and forms what is referred to as the cone of depression.

The Tribe's water production wells are used to supply a single water supply system that serves private and commercial users on the Reservation. The proposed hotel will be included in the Viejas water and wastewater system. Water from the all of the supply wells is combined, and the proposed Project water demand will be spread across all of the wells.

A five percent (or more) long-term decrease in water levels and hence long-term pumping rates is judged to be significant. The on-Reservation pumping rate was 323 Acft/yr in 2013 and 322 Acft/yr in 2012, an increase of 0.3 percent. A 5 percent increase from 2013 pumping levels would be 16.1 Acft/yr. If spread evenly across the seven production wells this corresponds to an increase of approximately 1.4 gpm (24 hours per day).

The projected annual demand for the proposed Project is estimated to be 18.2 Acft, with a wastewater reclamation rate of 95 percent. Review of current reclaimed water use supports that approximately 50 percent of the water is recharged, so the net groundwater demand is conservatively estimated to be approximately 9.45 Acft/yr. Given the net increase in groundwater use associated with the hotel was 2.9 percent over 2013 pumping rates, the water levels in off-Reservation wells will not experience significant water level impacts due to the proposed Project.

The presence of the perennial portion of Viejas Creek sustained by the groundwater management and riparian habitat restoration work provides hydraulic conditions that reduce the potential effect of off-Reservation water level changes. In simple terms Viejas' production wells preferentially draw water from the on-Reservation portion of the aquifer being

recharged by the creek. This effect, known as a boundary condition, will significantly reduce the potential for off-Reservation wells to be impacted by on-Reservation pumping.

Finally it should be noted that there was minimal observed change in groundwater pumping rates from 2012 to 2013 subsequent to the operation of the north tower hotel that opened March 2013.

C. Aquifer Depletion Relative to Groundwater Extraction Rates

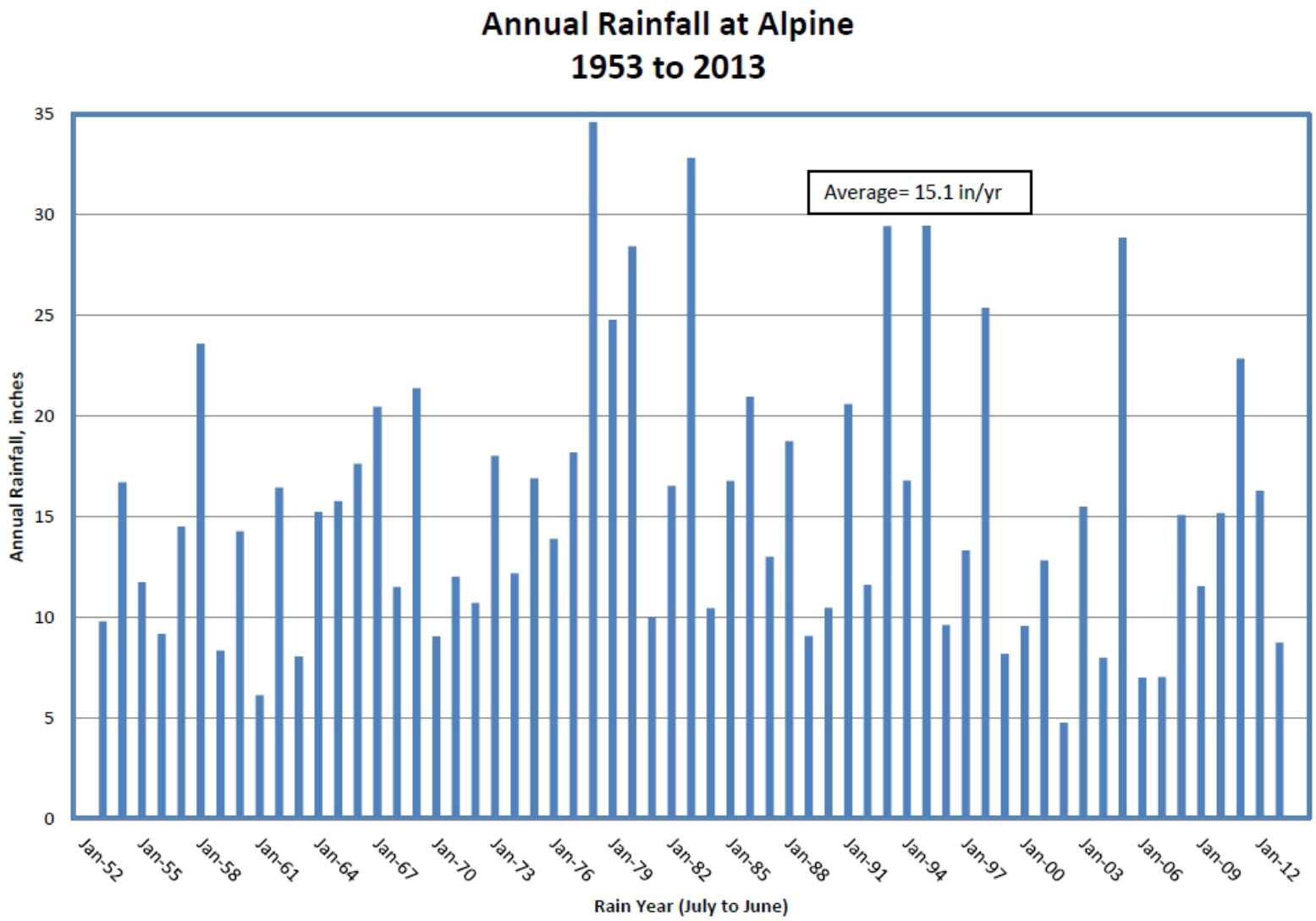
A cumulative depletion of water in subsurface storage of greater than 50 percent of the aquifer capacity is judged to be a significant impact. Here 50 percent of storage is estimated for purposes of the TEIR to be 1,291 Acft. A sustainable long-term pumping rate of 450 Acft/yr is assumed based on Brown & Caldwell, 2001.

A cumulative depletion calculation is done by examining the change in the amount of groundwater in the aquifer over time. Water is extracted from the aquifer at a hypothetical constant rate. Historical rainfall data are used to support calculations of the potential change in groundwater recharge that offset groundwater withdrawal. Water extraction is judged to be significant per the County of San Diego Guidelines if the amount of water in the aquifer decreases by more than 50 percent. The 50 percent significance criterion occurs when only 1,291 Acft of water remains in the aquifer.

The historical rainfall record was obtained from the nearby Alpine weather station, which has lower rainfall than expected to occur in the Viejas Creek Watershed, as shown in Figure 4.4-4. The monthly data are shown in Table 4 of the *Supporting Water Supply Evaluation* (in Appendix E of this TEIR). Rainfall rates in the Viejas watershed are expected to be higher- the Alpine data are used as a proxy to approximate groundwater recharge rates. Review of the historical rainfall record shows that rainfall rates significantly vary over time. Rainfall variability occurs, in part, due to recognized climatic cycles such as the El Nino/ La Nina (http://www.elnino.noaa.gov/) and the Pacific Decadal Oscillation (PDO) (http://www.ncdc.noaa.gov/teleconnections/pdo.php). A July to June 'rain year' is used to present the data because area precipitation occurs primarily from November to April. The rainfall record for Alpine is incomplete, especially so for the period of 2005 to 2008. Review of nearby weather station data shows that rainfall rates at Lakeside 2E station (#044710) are comparable, and that the station has a more complete record for this period. The Lakeside data are substituted for this period to better approximate the historical rainfall record.

Average annual recharge for the 5,750-acre watershed is conservatively estimated to be 920 Acft/yr. Recharge is calculated as a function of rainfall. If rainfall is less than half of the annual average, no recharge is assumed to occur. Recharge is assumed to be one third of the average annual rainfall for rainfall rates ranging up to the annual average. Recharge is held constant at the average annual value for above-average rainfall. These assumptions are based on review of other soil moisture balance recharge calculations, intended to be conservative, and to be used only for screening-level purposes. The calculations do not reflect the dry season effectiveness of the check dams along Viejas Creek to retain and recharge stormwater, and are not intended to simulate changes in water levels that may occur at any specific locations within the watershed.

The calculations are done on an annual basis for a 'bucket' aquifer using the available rainfall record, as shown in Table 5 of the *Supporting Water Supply Evaluation* in Appendix E of this TEIR. Water is withdrawn at a constant annual rate of 450 Acft/yr. Recharge is calculated based on the annual rainfall rate. The aquifer starts 'full' and the cumulative change is tracked on an annual basis. The aquifer volume as described by the screening-level calculations generally remains fairly full under sustained pumping except for the period of 2006 to 2009 where there are two consecutive low rainfall years.



SOURCE: Environmental Navigation Services, Inc., 2014

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Viejas Hotel South Tower TEIR

Annual Rainfall at Alpine

FIGURE 4.4-4

In summary, the calculations show that the sustainable yield estimate of 450 Acft/yr is reasonable for purposes of the TEIR because the aquifer does not drop below the 50 percent criterion in the cumulative demand calculations under a sustained pumping rate of 450 Acft/year based on the foregoing calculations.

The proposed Project would not substantially deplete off-Reservation groundwater supplies or interfere substantially with groundwater recharge such that there should be a net deficit in aquifer volume or a lowering of the local groundwater table level; therefore a less than significant impact has been identified.

4.4.3.2 Conclusions

No significant off-Reservation water availability impacts were identified.

4.4.3.3 Mitigation Measures

Since no significant off-Reservation water supply impacts were identified, no mitigation measures are proposed or required.

4.5 Aesthetics

Information contained in this section is summarized from the *Visual Impact Assessment, Viejas Hotel South Tower* prepared by BRG Consulting, Inc. (March 5, 2014). The visual impact analysis is provided in Appendix F to this TEIR.

4.5.1 Existing Conditions

According to the current Alpine Community Plan (County of San Diego 2010a), the plan area covers approximately 108 square miles, ranging in elevation from 1,500 feet AMSL in some of the southwestern riparian areas, to the 4,100 ft. AMSL elevations of Viejas Peak and Cajon Mountain. Most of the 17,609 population of the plan area is concentrated in the unincorporated community of Alpine, with small residential concentrations within the Viejas Indian Reservation, Peutz Valley, Japatul Valley, Hidden Glen, Dunbar Lane and Galloway Valley. Viejas Indian Reservation is located at the eastern edge of the Alpine Community Plan area. Common native vegetation habitats in the Viejas Reservation area include areas of Engelmann oak and coast live oak woodland; chamise and southern mixed chaparral; Diegan coastal sage scrub; valley needle-grass grassland; and non-native grassland (Biological Resource Report, Red Oak Parcels, Marquez & Associates, August 2008).

The Alpine Community Plan indicates that the visual quality of the landscape is important, especially protection of scenic ridgelines and natural oak groves. The plan also indicates that it is the community intent to keep residential and agricultural areas of Alpine free from industrial and major commercial encroachments. The Resource Conservation appendix of the plan indicates that lands at Viejas Mountain, Viejas Indian Reservation, and Poser Mountain, all in the vicinity of the proposed Project, should be conserved in order to protect valuable resources. According to the appendix, Viejas Mountain is valuable as a local “aesthetic landmark”, its undisturbed chaparral habitats, and three specific rare plants. Poser Mountain has similar resources, although it is not named as an “aesthetic landmark.” Finally, Viejas Indian Reservation is noted for its high concentration of known and yet unknown archaeological sites. Viejas Creek, to the west of the Reservation, is identified for conservation of its perennial stream and aquatic ecosystems, adjacent to oak and riparian woodlands. In apparent contrast to the Alpine

Community Plan, the County is processing a General Plan Amendment for the Forrest Conservation Lands in the vicinity that would allow substantial new commercial and residential development.

No state-designated scenic highways are located in the Alpine Community Plan area, but Interstate-8 (I-8), which bisects the plan area, is identified as a "second priority" scenic route. The Scenic Highways chapter goes on to identify the following "scenic view corridors" of the Community Plan:

- From I-8 toward El Capitan Reservoir
- East and west views of Viejas Mountain from I-8; and
- From I-8 south along the Sweetwater River.

The ROW of Viejas Grade Road is used for the California Riding and Hiking Trail, a regional riding and hiking resource [pers. comm. Maryanne Vancio, County of San Diego Parks and Recreation Dept., Nov. 4, 2011]. Recreational users are typically considered more sensitive to potential visual impacts, and the slow pace at which riding and hiking is conducted is more conducive to appreciation of scenic views. However, the majority of the proposed Project site is obstructed by existing vegetation and development. Additionally, the proposed Project site is distant and visually blends in with the existing Viejas commercial structures from these viewpoints because the structure is similar in color palette, architectural style, and height of the existing structural components of the Viejas commercial complex. Therefore, views from Viejas Grade Road towards the proposed Project site are not considered significant and require additional analysis.

4.5.2 Guidelines for Determination of Significance

Exhibit A of the Viejas-State Compact utilizes the following guidelines for determination of significance related to potential visual or aesthetic impacts. For purposes of this TEIR, a significant aesthetic impact would occur if implementation of the proposed Project would:

a. *Have a substantial adverse effect on a scenic vista;*

b. *Substantially damage off-reservation scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or,*

c. *Create a new source of substantial light or glare, which would adversely affect day or nighttime views of historic buildings or views in the area?*

4.5.3 Analysis of Project Effects and Determination of Significant Impact

4.5.3.1 Impact Analysis

The generalized development plan for the proposed hotel site is shown in Figure 1-3 of this TEIR. The proposed Viejas Hotel South Tower would be six-stories, or approximately 72 feet in height (2,395.40 feet above mean sea level [AMSL]) with the highest point of the structure being the elevator tower at 78 feet above the first floor (2401.40' AMSL). The proposed hotel would be located immediately adjacent to the existing casino (325,000 square feet) and parallel to the existing five-story hotel, located northeast of the existing casino area. The existing casino development is much larger than the hotel in terms of square footage and the façade facing both Willows Road and I-8.

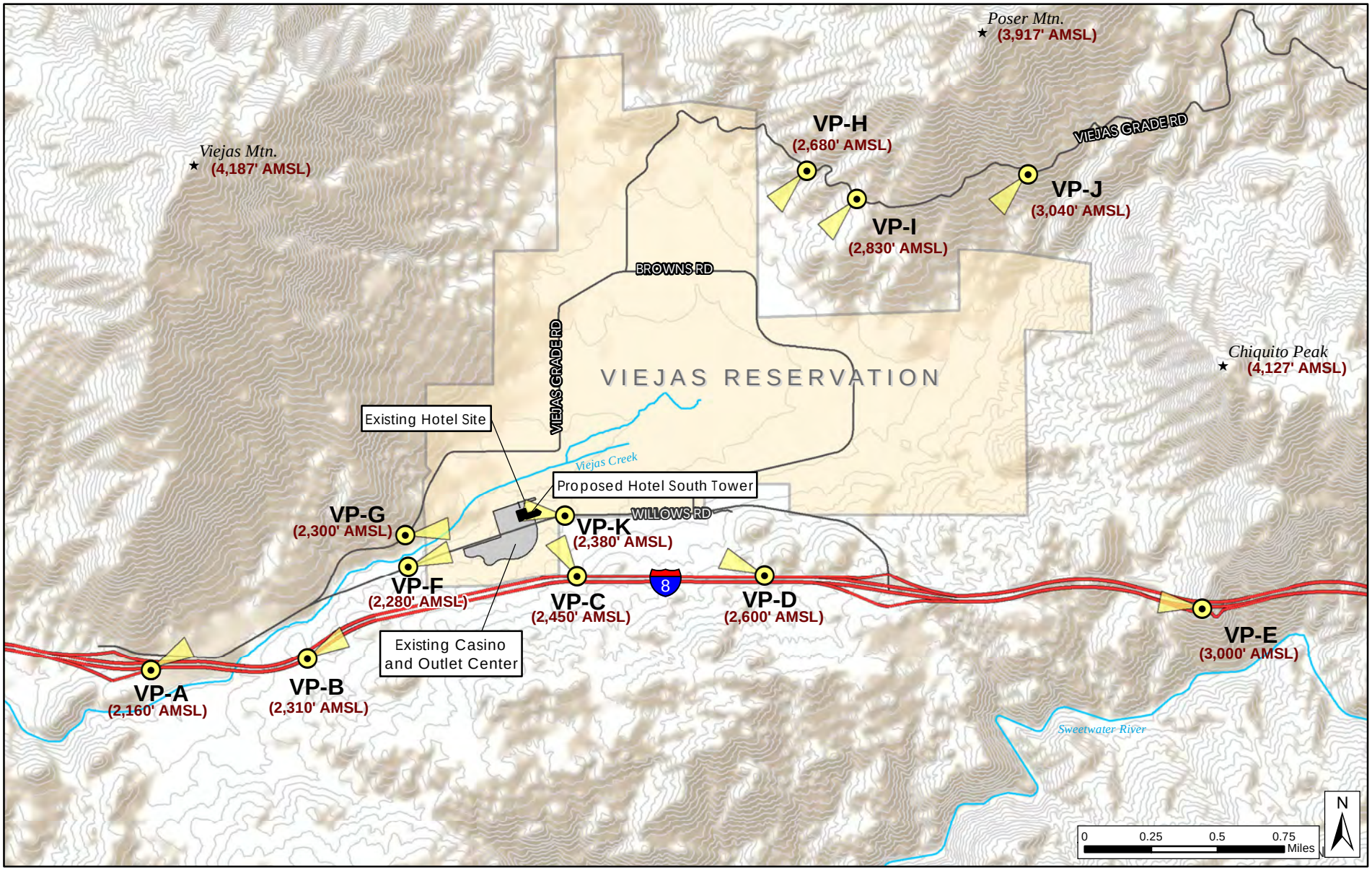
Approximate grade at the site is 2,323 feet AMSL, while the building parapet would be at an approximate elevation of 2,401 feet AMSL. The building surface is expected to be an earth tone consistent with colors of existing casino and hotel structures. The hotel structure would be visually dominant as the viewer approaches from the east on I-8 or Willows Road; however, the structure would add diversity to the structural forms that exist at the complex. It would be lit at night, but be consistent with County of San Diego lighting ordinance policies.

The location of the proposed hotel site is shown in Figure 4.5-1, including an outline of the existing Casino and Outlet Center complex located on the Reservation. Other key items shown on Figure 4.5-1 include potential viewpoints (VPs) A through K from where a traveler could possibly see the proposed hotel from either Interstate-8, Willows Road, or Viejas Grade Road (part of the California Riding and Hiking Trail). The proposed hotel site is not substantially visible from Viewpoints A, B, D, E, F, G, H, I, or J as demonstrated by the photos taken from each of these viewpoints toward the proposed Project site (see Appendix F, Figures 8, 9, 10, and 11). The only substantial, off-Reservation public views of the proposed hotel would occur from I-8, at VP-C, and from Willows Road, at VP-K.

Photographs of existing conditions taken from VP-C (I-8) and VP-K (Willows Road) are shown in Figure 4.5-2. All of the photos in this section, and in the Visual Analysis (Appendix F) were taken in February 2014, at views most-closely approximating the view of the human eye. Approximately 12,750 vehicles per day passed by this point on Interstate 8 in 2010, according to Caltrans information, or about 6,375 vehicles in the westbound direction, from which the hotel would be visible.

From VP-C, for travelers westbound on I-8, there would be a momentary view of both Viejas Mountain (clear view) and of the proposed hotel (partially screened by trees as can be seen in Figure 4.5-3, visual simulations of the proposed hotel tower). The photo in Figure 4.5-2 shows the existing Viejas office building (attached to the Viejas Casino) where the hotel structure would be located, approximately 1,500 feet away. However, the traveler would need to turn to look approximately 60 degrees to the right of their travel direction to see the hotel site, and it would be visible as a “side view” for less than five seconds from a vehicle traveling at 65 mile per hour. The existing hotel tower can also be seen in this photo.

The proposed hotel would be visible to west-bound travelers on Willows Road (in the vicinity of the nearest non-Viejas owned private property, the “Trading Post,”). The proposed hotel is approximately 980 feet from the identified location and the viewer elevation is similar to the base grade of the proposed hotel site. From this viewpoint, the proposed hotel south tower would be considerably blocked by existing mature trees, as can be seen in Figure 4.5-3. As the viewer moves west and approaches the proposed Project site from the east, the viewer would have mostly unobstructed views to the new hotel south tower. The proposed hotel south tower would dominate the viewshed as the viewer approaches the project site from the east; however, the new hotel south tower would be consistent in color with existing structure and provide diversity to the existing structural forms that make up the Viejas commercial complex. The dominant view elements from Willows Road would be Viejas Mountain to the right, Viejas surface parking lots in foreground to the right, and undeveloped parcels to the west. The new hotel tower would be consistent in color with existing structures, and, although it would be larger/taller than existing structures, it would not be a dominant visual element to the viewer from this viewpoint due to the obstructed view towards the new proposed Project. Each viewer would have a short duration of view (less than ten seconds).



SOURCE: Esri, 2014; SanGIS, 2014; BRG Consulting, Inc., 2014

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Viejas Hotel South Tower TEIR

Proposed Location, Potential Viewpoints (VPs), and Topography

FIGURE

4.5-1

An analysis of the degree of viewer exposure to the hotel is provided in Appendix F, Table 1. That analysis concluded that the degree of viewer exposure at VP-C would be "moderately-low to moderate" due to the viewer's distance to the site, rapid motion, short duration of view, obscured view, a view from above the site, and backdropping by other landscape elements. Viewer exposure from Willows Road was rated as "moderately-low to moderate" due to the viewer's distance to the site, moderate speed, backdropping by other landscape elements, periodic times of visibility, and obstructing vegetation.

The analysis of level of visual sensitivity and the degree of visual change are provided on in Tables 2 and 3 of Appendix F. Visual sensitivity for the I-8 viewpoint was characterized as "moderate to moderately-high", and the Willows Road viewpoint was determined to be "moderately-low to moderate." The degree of visual change for the I-8 views was characterized as "moderately low to moderate", while that from Willows Road would also be "moderately-low to moderate." When the visual sensitivity and visual change criteria are integrated (Appendix F, p. 24), the result for both sensitive viewpoints from which the proposed Project would be visible are similar: "adverse, but less than significant adverse [impact]."

The first visual/aesthetic impact criterion is: Would the proposed Project have a substantial adverse effect on an [off-Reservation] scenic vista? Based on the prior discussions, it is clear that the proposed Project would be substantially visible from only two public view corridors, the one from westbound I-8 to Viejas Mountain, and another from Willows Road looking generally west toward Viejas Mountain. Neither of these views is characterized as a designated scenic vista in the Alpine Community Plan.

Interstate-8 View: At the I-8 location, the hotel would be visible to west-bound highway travelers for five seconds or less, and it would be seen as an incremental addition to an existing commercial complex (Viejas Casino and Outlet Center). The dominant visual elements in that view would be Viejas Mountain and the Viejas Casino sign (Figure 4.5-3). The top of the proposed hotel would be lower than the viewer's horizontal view, it would comprise a small portion of the view, it would be back-dropped by lower slopes of Viejas Mountain and residential developments in the Reservation, and partially screened from view by vegetation in the foreground. The color planned for the hotel is an earth tone compatible with the existing Casino and Outlet Center colors. It would be consistent with colors seen in Viejas Mountain from this view.

View from Willows Road: There would be fewer viewers of the project that from I-8, the project would be obscured by existing trees, and the project would blend in with the existing Viejas commercial structures. The dominant view elements from Willows Road would be Viejas Mountain to right, surface parking lots in the foreground to the right, open parcels in the foreground to the left, and obstructed views of the Viejas commercial structure complex in the center (Figure 4.5-3). The new hotel would be consistent in color with existing structures, and, although it would be larger/taller than existing structures, it would be a small part of an existing complex, and would not be a dominant visual element to the viewer from that distance.

The proposed Project would not have a substantial adverse effect on an [off-Reservation] scenic vista.

SOURCE: BRG Consulting, Inc., 2014

4/23/14

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Existing Conditions
of Viewpoints C and K

FIGURE
4.5-2

SOURCE: BRG Consulting, Inc., 2014

4/23/14

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Viejas Hotel South Tower TEIR

Visual Simulations
of Viewpoints C and K

FIGURE
4.5-3

The second criterion is: Would the proposed Project substantially damage off-Reservation scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? As discussed in TEIR Section 4.5.1, there is no designated state scenic highway present. The proposed hotel would remove the existing Viejas office building adjacent to the Viejas Casino, but would have no impact on any scenic resources such as trees, rock outcroppings or historic buildings. The proposed Project is entirely located on the Reservation, and would not physically damage any off-Reservation scenic resources.

The proposed Project would not substantially damage off-Reservation scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Finally, the third aesthetic criterion is: Would the proposed Project create a new source of substantial light or glare, which would adversely affect day or nighttime views of historic buildings or views in the area? Regarding potential "glare", the hotel would have limited amounts of glass for windows. Any windows would be vertical in orientation, and located below the elevation of potential viewers at VP-C, and thus, any sun-related glare from either the rising or setting sun would reflect at an angle below viewers at VP-C.

Regarding project lighting that may be visible after dark, it is anticipated that the southern face of the hotel would be illuminated using lighting from above. As with prior Viejas projects, the hotel lighting would comply with the County's Light Pollution Code, Sec. 59.101 through 59.115. The proposed Project site is located approximately 17 miles from Mt. Laguna Observatory, and so is categorized as within "Zone B" of the light pollution code. This code allows for illumination of the hotel building by low-pressure sodium lighting, other lighting of 4050 lumens and below, and/or luminous tube lighting. Per the Code, the Class III (decorative lighting) would need to be turned off between 11:00 p.m. and sunrise (Sec. 59.108 D). Parking lot lighting at the Reservation would continue to comply with the Light Pollution Code provisions.

The proposed Project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views of historic buildings or views in the area.

4.5.3.2 Cumulative Impact Analysis

The list of cumulative projects provided to LLG by County of San Diego personnel and listed in Table 1-1 of the TEIR, are all located within the community of Alpine. None of the cumulative projects would be visible from within the hotel project viewshed, so there would be no cumulative visual impacts associated with the hotel project and with any of the cumulative projects listed in TEIR Table 1-1.

It is possible that in the future additional commercial developments will be identified and pursued within Viejas Reservation. Also, additional commercial developments may be implemented in the private lands located between the Reservation and the East Willows Interchange to I-8, in accordance with the proposed FCI GPA. As no development plans have been presented, it is unknown at this time, how the planned development may visually impact the area. The proposed hotel is visually similar to the existing hotel and other Viejas commercial development; therefore, the proposed hotel is consistent with the existing character of the area.

The proposed Project would not result in a cumulative visual aesthetic impact.

4.5.3.3 Conclusions

No significant visual or aesthetic impacts to off-Reservation public viewpoints or identified sensitive vistas would occur as a result of the proposed Project.

4.5.3.4 Mitigation Measures

No mitigation measures are required, since no significant visual or aesthetic impacts to identified off-Reservation public viewpoints were found.

4.6 Cumulative Impacts

Potential cumulative impacts associated with the proposed Project and other identified and studied projects known from the proposed Project vicinity have been addressed under each of the environmental topics discussed in TEIR Sections 4.2 through 4.5. No cumulative impacts associated with the implementation of the proposed Project have been identified at this time.

4.7 Effects Found Not Significant During the Initial Study

The proposed Project Initial Study (TEIR Appendix A) found that project off-Reservation impacts other than traffic, air quality, noise, groundwater availability, and aesthetics would be less than significant. These include agricultural resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, water resources, land use, mineral resources, population and housing, public services, recreation, and utilities and service systems.

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

5.1 Rationale for Alternative Selection

Compact Section 10.8.1 (b) requires that project alternatives be analyzed that would feasibly attain most of the objectives of the proposed project, while reducing or avoiding the project's significant impacts. In this project TEIR, no significant impacts and unmitigable were identified. The transportation/traffic, noise, groundwater availability, and aesthetic analyses indicate that project transportation/traffic, noise, groundwater availability and aesthetic impacts would be less than significant. Therefore, no alternatives are required in order to avoid potential transportation/traffic, air quality, noise, groundwater availability or aesthetic impacts. Significant, but mitigable, impacts were identified for air quality, in particular:

- Construction PM10 emissions; and,
- Construction Diesel Particulate Matter (DPM) Emissions.

For this reason, a small hotel that would reduce construction impacts is addressed in Section 5.2 of this TEIR.

Under the terms of the Tribal-State Compact between Viejas and the State of California, the Tribe "…need not address alternatives that would cause it to forgo its right to engage in Gaming Activities authorized by this Compact on its Indian lands…" (Compact, Sec. 10.8.1 (iv)). The gaming floor space and associated amenities that would be added by the project are within the definition of "Gaming Activities authorized by (the) Compact," and therefore the Tribe need not address alternatives such as the No Project alternative, because that alternative would impair the Tribe's right to engage in the Gaming Activities authorized by the Compact.

5.2 Other Alternatives Considered

Other alternatives would not feasibly attain most of the Project Objectives. Alternative hotel sites on the Reservation would not reduce project-related traffic on West Willows Road or construction-related PM10 and DPM emissions. A hotel located on the eastern side of the Reservation would have the potential to reduce trips on West Willows Road, there is not adequate infrastructure such as sewer, water, electricity or natural gas service presently available there to support the proposed hotel. Providing these infrastructure needs would increase PM10 and DPM emissions. In addition, the hotel site needs to be co-located with the Casino to meet the needs of the gaming public. Visual impacts would depend on the location of the alternative site identified. Alternative hotel sites, either at the eastern side of the Reservation, or outside the Viejas Reservation, would not provide the desired proximity of hotel and casino. For these reasons, eastern or off-Reservation hotel alternatives are not considered feasible alternatives.

A smaller hotel than proposed would marginally reduce the local traffic and construction-related PM10 and DPM impacts in the area, but would not fill the projected service demand. The northern hotel tower operates at approximately 99 percent occupancy, demonstrating the need for a second hotel. Based on the demand, Viejas is proposing a 128-room second hotel tower to meet visitor demands. If the smaller second hotel is built and cannot meet demands, a potential guest would need to find alternative accommodations in the Alpine or San Diego metro

area, thus resulting in additional vehicle traffic and greenhouse gas emissions. Since the proposed Project would not result in any significant, unmitigable, environmental impacts, and considering that a smaller hotel may require visitors to find alternative accommodations during full occupancy, which may result in more environmental impacts related to traffic than the proposed Project; a smaller hotel alternative is rejected as not meeting the project objectives. Therefore, no environmental advantage has been identified for such a smaller alternative.

6.0 LIST OF REFERENCES

Brown & Caldwell, 2001

Viejas Indian Reservation Water and Wastewater Master Plan. July 2001.

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Viejas Band of Kumeyaay Indians, Viejas Hotel TEIR, 2012)

7.0 LIST OF TEIR PREPARERS AND PERSONS AND ORGANIZATIONS CONTACTED

7.1 Viejas Enterprises

Robert Scannell, Director of Planning and Design

7.2 BRG Consulting, Inc.

Erich R. Lathers, President and Principal in Charge

Kathie Washington, Vice President and Senior Project Manager and TEIR Preparer

Audrey B. Young, Assistant Project Manager and TEIR Preparer

Edward Arcadia, Visual Simulation

John Addenbrooke, Production Manager/Environmental Planner

Tristan Evert, Environmental Planner

Karl Lintvedt, GIS/Graphics Preparer/Environmental Planner

7.3 County of San Diego, Office of the Chief Administrative Officer, Land Use and Environment Group

Eric Lardy, CAO Staff Officer

7.4 County of San Diego, Dept. of Planning and Land Use

Todd Snyder, Chief of Advance Planning

Sheri McPherson, Land Use / Environmental Planner III

Jim Bennett, Groundwater Geologist

7.5 County of San Diego, Dept. of Public Works

Murali Pasumarthi, LUEG Manager

Mike Kenney, County Traffic Engineer

Richard Chin, Associate Transportation Specialist

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8.0 LIST OF MITIGATION MEASURES

Significant impacts only were identified in the area of construction-related PM10 and diesel particulate matter. The following mitigation measures would reduce significant off-Reservation air quality impacts identified for the proposed Project to levels less than significant.

AQ-1 Apply water during grading/grubbing activities to all active disturbed areas at least twice daily (Assuming a 51% control efficiency).

AQ-2 Apply water to all onsite unpaved roadways at least two times daily (Assuming 51% control efficiency).

AQ-3 Ensure all heavy diesel construction equipment is either classified as Tier II at a minimum and has diesel particulate filters installed on the exhaust systems to limit diesel particulates. This will be considered appropriate under T-BACT guidelines.

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Viejas Hotel South Tower Project Draft TEIR

Appendix A

Notice of Preparation (NOP)/Initial Study Checklist

Prepared by BRG Consulting, Inc.

January 23, 2014

NOTICE OF PREPARATION

To: State Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: Viejas Enterprises
5000 Willows Road
Alpine, CA 91903

To: County of San Diego
Clerk of the Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, CA 92101

Subject: **Notice of Preparation of a Draft Tribal Environmental Impact Report**

The Viejas Band of Kumeyaay Indians is preparing a Draft Tribal Environmental Impact Report (TEIR) for the project identified below. The TEIR is a requirement of Viejas' Gaming Compact and will identify Off-reservation, gaming-related, significant, environmental effects. We need to know your views as to the scope and content of the off-Reservation environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Interested persons are requested to identify the off-Reservation environmental issues and reasonable mitigation measures that the Tribe should explore in the Draft TEIR.

The project description, location, and the potential environmental effects are contained in the attached materials. Exhibit A to Viejas' Gaming Compact includes an environmental checklist for gaming-related projects undertaken by the Tribe. The Tribal Initial Study and environmental checklist are attached.

Due to the time limits mandated by the Compact, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice.

Please send your response to Mr. Bob Scannell at the address shown above. We will need the name of a contact person in your agency.

Project Title: Viejas Hotel South Tower

Date: January 23, 2014

Signature _____

Title GM

Telephone _____

OFF-RESERVATION ENVIRONMENTAL IMPACT ANALYSIS

CHECKLIST AND DISCUSSION

1. Lead agency name and address:
   Viejas Band of Kumeyaay Indians
   Viejas Enterprises
   5000 Willows Road
   Alpine, CA 91903

2. a. Contact: Mr. Bob Scannell
   b. Phone number: (619) 659-1931

3. Project location:
   5000 Willows Road in the San Diego County Community of Alpine.
   Thomas Brothers Coordinates: Page 1234, Grid J/5

4. Project sponsor's name and address:
   Viejas Enterprises
   5000 Willows Road
   Alpine, CA 91903

5. Tribal Plan Designation
   Land Use Designation: Commercial

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

   The project is an approximately 113-room, 6-story hotel, adjacent to the existing Viejas Casino. The expansion would demolish the existing office space on the southeastern portion of the casino and replace it with a second hotel tower. The south hotel tower project would include additional gaming space, a kitchen in the basement, ballroom, pre-function terrace, meeting rooms, bar, retail, and pool area. The office space would be relocated within the existing facility.

   The Casino currently offers approximately 113,000 square feet (sf) of gaming area in a 325,000 square foot casino. Current gaming offerings include 2,000 slot machines, 86 gaming tables, a 150-seat off-track betting facility, a 750 seat bingo pavilion, a special events venue, five restaurants, a 150-room hotel, and a parking structure. The proposed project would add approximately 16,385 square feet of gaming space. With construction of the recently developed first Viejas Hotel, the Casino reduced the amount of original gaming area by approximately 20,000 sf. The proposed project would add approximately 16,500 sf of gaming area in the new development.

   No new infrastructure would be required, or is proposed, for the Viejas South Tower Hotel.

7. Surrounding land uses and setting (Briefly describe the project's surroundings):

The project area is located north of Willows Road and south of Viejas Creek. It is extensively developed with commercial uses. The Viejas Outlet Center is located south of Willows Road. Interstate 8 (I-8) lies to the south of the Outlet Center, with residential areas of the community of Alpine south of I-8. Residential areas also are found along Willows Road both to the east and west of the Viejas Indian Reservation.

Viejas Creek is a restored perennial stream that provides native riparian habitat. North of Viejas Creek is the Tribal residential area and land used for cattle grazing. Coast live oak trees are common throughout this area. North, east, and west of the Reservation is the Cleveland National Forest. There are residential in-holdings between the Reservation and the Forest.

I-8 and Willows Road (with two interchanges to I-8) provide access to the site.

8. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

There are no other public agencies with approval authority over the project.

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

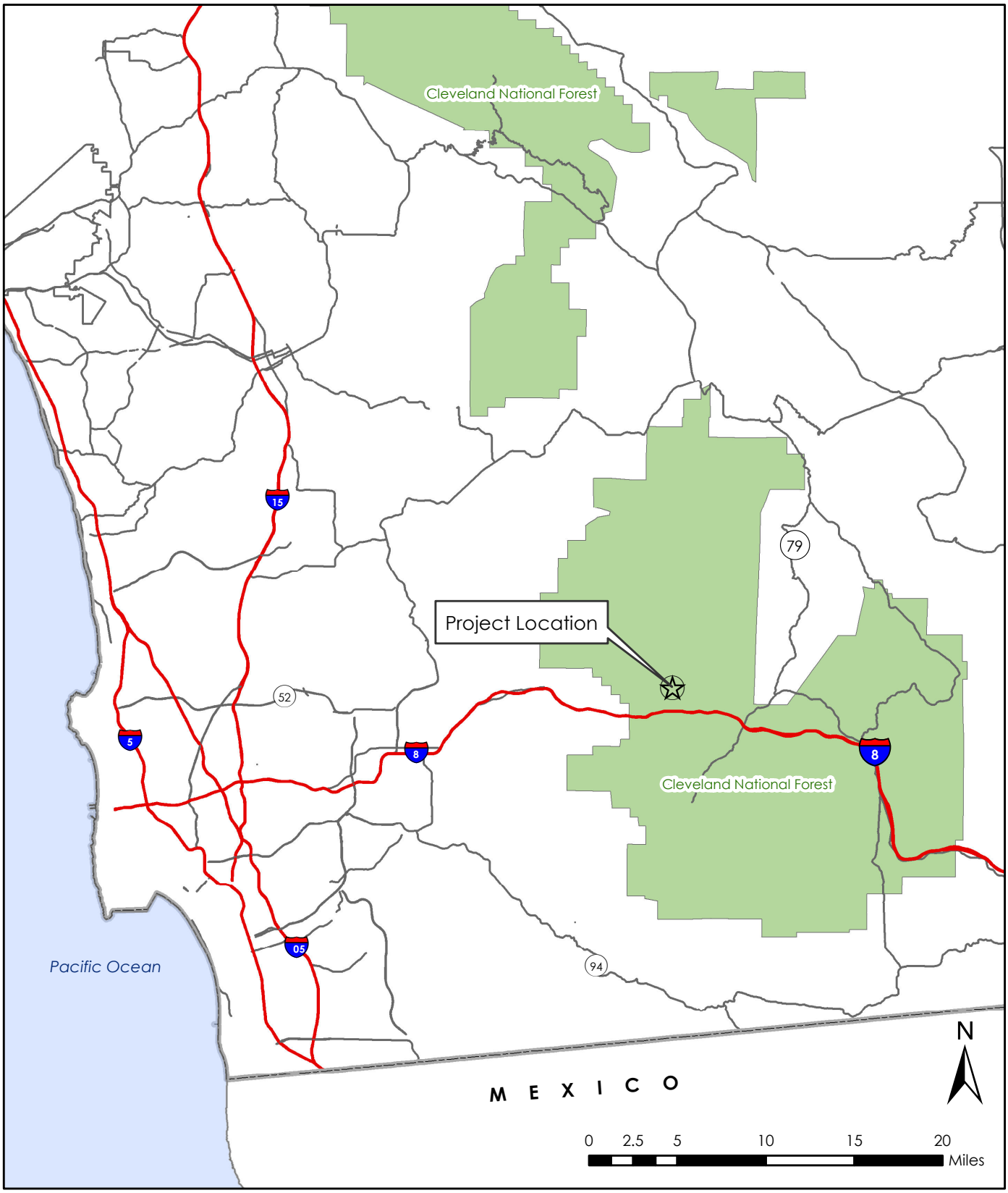
■ Aesthetics	☐ Agriculture Resources	■ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology & Soils
☐ Hazards & Haz. Materials	☐ Water Resources	☐ Land Use
☐ Mineral Resources	■ Noise	☐ Population & Housing
☐ Public Services	☐ Recreation	■ Transportation/Traffic
☐ Utilities & Service Systems	■ Cumulative Effects	

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

■ In order to fulfill the Tribe's Class III Gaming Compact with the State of California, a TRIBAL ENVIRONMENTAL IMPACT REPORT is required.

Signature: _____ Date: 1/21/14

Printed Name: Chris Kelley Title: GM



SOURCE: SanGIS and BRG Consulting, Inc., 2014

1/6/14

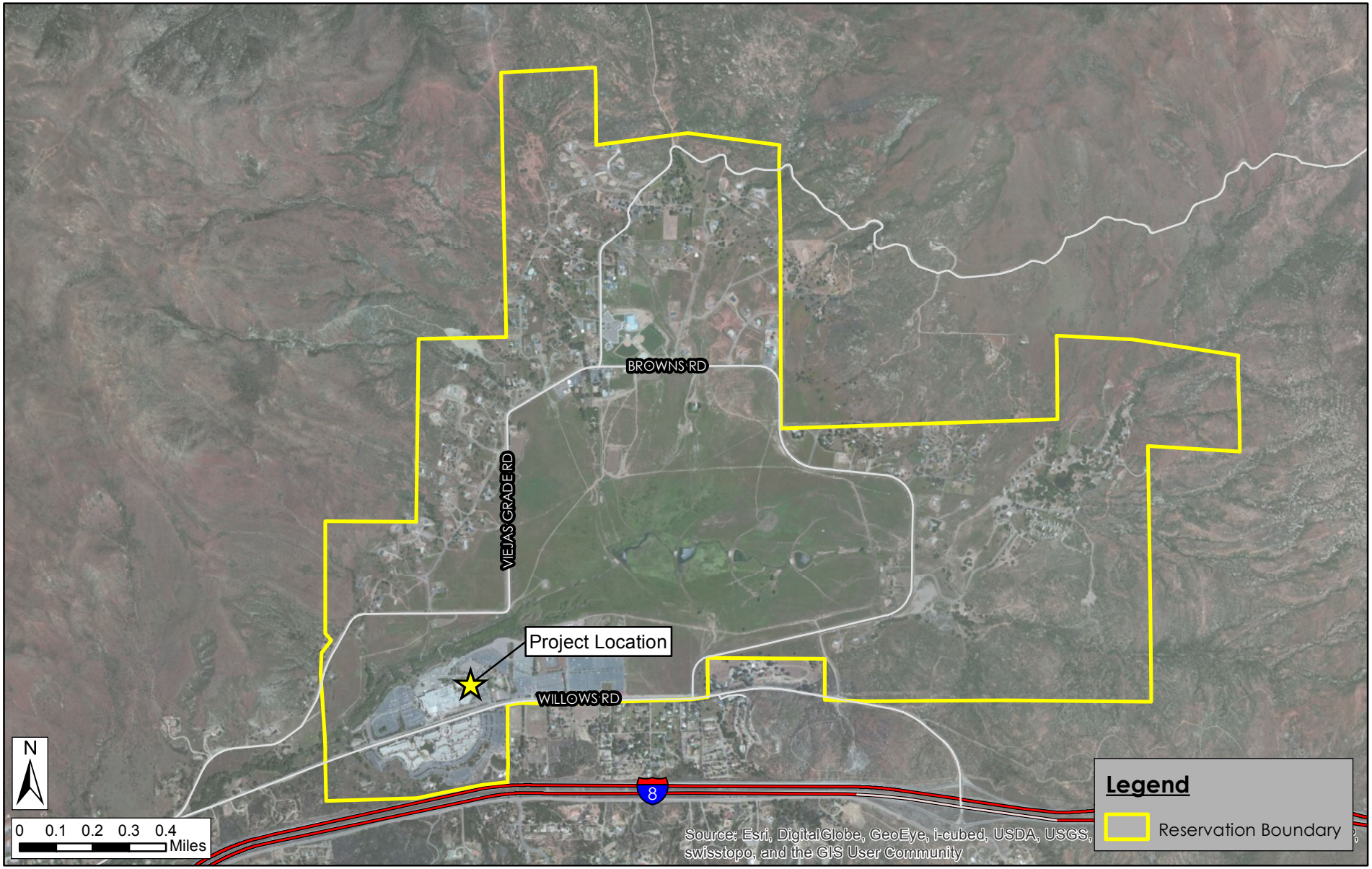
BRG CONSULTING, INC.

Viejas Second Hotel

Regional Vicinity Map

FIGURE

1



SOURCE: Esri, 2014; SanGIS, 2014

1/6/14

BRG CONSULTING, INC.

Viejas Second Hotel

Project Location Inside the Viejas Indian Reservation

FIGURE

2

SOURCE: Esri, 2013; JCJ Architecture, 2013

1/6/14

BRG CONSULTING INC

Viejas Second Hotel

Proposed Second Hotel Site

FIGURE

3

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant.

4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

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

I. AESTHETICS -- Would the project:

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

- ■ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Potentially Significant Impact: Scenic vistas are singular vantage points that offer unobstructed views of valued viewsheds, including areas designated as official scenic vistas along major highways or County designated visual resources. The proposed project would be 6 stories in height, and may be visible from Interstate-8 or a scenic vista. Therefore, it is possible that the proposed project could result in a substantial adverse effect on a designated scenic vista. Whether there are any such vistas off-Reservation in the vicinity of the project would be addressed during TEIR preparation.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: State scenic highways refer to those highways that are officially designated. A scenic highway is officially designated as a State scenic highway when the local jurisdiction adopts a scenic corridor protection program, applies to the California Department of Transportation for scenic highway approval, and receives notification from Caltrans that the highway has been designated as an official Scenic Highway. There are no State Scenic Highways with views to the project area. Although nearby I-8 is eligible for scenic designation, the applicable local jurisdiction, the County of San Diego, has not adopted a scenic corridor protection program for it, and has not applied to Caltrans for designation. Therefore, the proposed project would not have any substantial adverse effect on a scenic resource within a State Scenic highway.

c) Create a new source of substantial light or glare, which would adversely affect day or nighttime views of historic buildings or views in the area?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project proposes limited changes in outdoor lighting, but does not include building materials with highly reflective properties such as highly reflective glass or high-gloss surface colors. Therefore, it is not anticipated that the project would create new sources of light pollution that could contribute to skyglow, light trespass or glare that would adversely affect day or nighttime views in area.

The project would not contribute to significant cumulative impacts on nighttime views because the proposed project would conform to the San Diego County Light Pollution Code. The project site is over 15 miles from the observatories at Palomar Mountain and Mount Laguna.

In addition, the project's outdoor lighting is controlled by the Tribal Government, which limits outdoor lighting through strict controls. Therefore, conformance with the Code, in combination with the outdoor lighting controls listed above ensures that the project would not create a significant new source of substantial light or glare.

There are no designated historic buildings in proximity to the proposed hotel.

II. AGRICULTURE RESOURCES -- Would the project:

a) Involve changes in the existing environment, which, due to their location or nature, could result in conversion of off-Reservation farmland to non-agricultural use?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project site is located in the general vicinity of the southeast corner of the existing Viejas Casino. The proposed expansion would not trigger any additional development that may result in conversion of off-Reservation farmland, to non-agricultural use.

III. AIR QUALITY -- Would the project:

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Operation of the project would not result in emissions of noticeable quantities of criteria pollutants listed in the California Ambient Air Quality Standards or toxic air contaminants as identified by the California Air Resources Board. Most of the anticipated guests of the proposed hotel would be persons who had already travelled to the Casino, Outlet Center, or existing hotel. It is anticipated that new trips to the hotel would be minimal. This would be confirmed as part of the TEIR traffic study. Therefore, the project would not conflict with or obstruct implementation of the RAQS nor the SIP on a project or cumulative level. Minor construction-related emissions would occur. During operations, new emission would be limited to those related to incrementally increased deliveries and additional client and employee trips.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Air quality impacts from the proposed hotel would be the result from motor vehicles, and from short-term construction activities associated with such projects. The project proposes a new approximately 113-room, six-story hotel adjacent to the existing Casino. The site is currently developed as an office building attached to the existing Casino. It is expected that emissions from the demolition and construction phase would be minimal and localized, resulting in pollutant emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the South Coast Air Quality Management District (SCAQMD) CEQA Air Quality Handbook section 6.2 and 6.3. As such, the project is not expected to violate any air quality standard or contribute substantially to an existing or projected air quality violation. However, anticipated construction emissions would be addressed in the TEIR.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

- ■ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Potentially Significant Impact: San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS)

for Ozone (O_3). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM_{10}) under the CAAQS. O_3 is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM_{10} in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

It is not likely that construction of the proposed hotel would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). However, potential air quality impacts may be cumulatively significant, and would be addressed in technical studies as part of the TEIR.

d) Expose off-Reservation sensitive receptors to substantial pollutant concentrations?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. Sensitive receptors have not been identified within a quarter-mile (the radius determined by the SCAQMD in which the dilution of pollutants is typically significant) of the proposed project. Furthermore, no point-source emissions of air pollutants (other than vehicle emissions) are associated with the project. As such, the project would not expose sensitive populations to excessive levels of air pollutants.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: No potential sources of objectionable odors have been identified in association with the proposed hotel project. As such, no impact from odors is anticipated.

IV. BIOLOGICAL RESOURCES -- Would the project:

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

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The project site is developed as part of the existing casino building and the rest is graded, paved and/or landscaped. Therefore, no species identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service would be expected to occur on-site. Assessment of off-Reservation potential indirect noise impacts would be done outside the Reservation boundaries. No significant hotel construction noise impact to those biological resources is anticipated as a result of noise diminution with increasing distance, but the issue would be addressed in the noise technical report, and in the TEIR. No operational noise impacts to biological resources off the Reservation are expected from the hotel due to low to null amounts of noise generation.

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

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The proposed project site is limited to Reservation property and is not adjacent to any off-Reservation riparian habitats or other sensitive natural communities as defined by the County of San Diego Multiple Species Conservation Program, County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Game Code, Endangered Species Act, Clean Water Act, or any other local or regional plans, policies or regulations. The project site is developed as part of the existing casino building and the rest is graded, paved and/or landscaped. See the response to Item IV.a related to potential indirect noise impacts.

c) Have a substantial adverse effect on federally protected off-Reservation wetlands as defined by Section 404 of the Clean Water Act?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The proposed project site is limited to Reservation property and is not near any off-Reservation wetlands as defined by Section 404 of the Clean Water Act. There would be no hydrologic interruption, diversion, or obstruction of Viejas Creek proposed. Therefore, no impacts would occur to off-Reservation wetlands defined by Section 404 of the Clean Water Act over which the Army Corps of Engineers maintains jurisdiction.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The site has been completely disturbed and contains no native vegetation or habitats. Therefore, impedance of the movement of any native resident or migratory fish or wildlife species, or established native resident or migratory wildlife corridors, or impedance of the use of native wildlife nursery sites would not be expected as a result of the proposed project. Also see the response to Item IV.a.

e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The Tribe is not a party to any adopted Habitat Conservation Plan or Natural Communities Conservation Plan, nor is the Tribe subject to other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources. Lands that fall under such plans occur off-Reservation and would not be affected by the proposed project.

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of an off-Reservation historical or archaeological resource?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project would not impact any off-Reservation historical or archaeological resources, because there would be no ground or structure disturbance off-Reservation.

b) Directly or indirectly destroy a unique off-Reservation paleontological resource or site or unique off-Reservation geologic feature?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project would not destroy either a unique off-Reservation paleontological resource or site or unique off-Reservation geologic feature, because there would be no ground disturbance off-Reservation.

c) Disturb any off-Reservation human remains, including those interred outside of formal cemeteries?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project would not disturb any off-Reservation human remains, including those interred outside of formal cemeteries, because there would be no ground disturbance off-Reservation.

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose off-Reservation people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

☐ Potentially Significant Impact
☐ Potentially Significant Unless Mitigation Incorporated
☐ Less than Significant Impact
■ No Impact

Discussion/Explanation:

No Impact: The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California. Therefore, off-Reservation people or structures could not be exposed to any project-related effects from rupture of a known earthquake fault.

ii. Strong seismic ground shaking?

☐ Potentially Significant Impact
☐ Potentially Significant Unless Mitigation Incorporated
☐ Less than Significant Impact
■ No Impact

Discussion/Explanation:

No Impact: Viejas has adopted the Uniform Building Code (UBC) for Casino-related development in accordance with provisions of the 2004 State-Tribal Compact. The UBC classifies all San Diego County with the highest seismic zone criteria, Zone 4. However, the project is not located within 5 kilometers of the centerline of a known active-fault zone as defined within the Uniform Building Code's Maps of Known Active Fault Near-Source Zones in California. The project site is 17 miles southeast of the Elsinore Fault, the nearest known active fault. The project would conform to the Seismic Requirements of the UBC. Therefore, there would be no impact at the project site from the exposure of people or structures to potential adverse effects from strong seismic ground shaking as a result of this project, and no potential off-Reservation impacts.

iii. Seismic-related ground failure, including liquefaction?

☐ Potentially Significant Impact
☐ Potentially Significant Unless Mitigation Incorporated
☐ Less than Significant Impact
■ No Impact

Discussion/Explanation:

No Impact: A geotechnical report for the prior Casino expansion project concluded that the potential for seismic-related ground failure, including liquefaction, is low. There would be no seismic-related impacts off-Reservation.

iv. Landslides?

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The site is not located within a landslide susceptibility zone and thus there would be no off-Reservation landslide impact.

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

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The project would not create any new impermeable surfaces. There would be no impact because the project does not involve any off-Reservation ground disturbance, or any changes to off-Reservation drainage patterns or velocities.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

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

☐	Potentially Significant Impact	■	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Less Than Significant Impact: The project proposes a new hotel attached to the existing Casino. Building construction and on-going activities needed to run and maintain the Casino involve routine transport, use, and disposal of hazardous materials. These materials are typical of material used safely on a daily basis throughout the County and State of California in households and commercial uses. The hotel project would not result in a significant hazard to the off-Reservation public or off-Reservation environment because all transport, use, and disposal of hazardous substances would

be in full compliance with the requirements of the Class III Gaming Compact and with the State of California and federal regulations.

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

☐	Potentially Significant Impact	■	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Less Than Significant Impact: See VII a), above. Materials transported, used and disposed of associated with the proposed project would be in such small quantities that any upset condition, such as a traffic accident involving a vehicle transporting such materials, would result in a minor spill requiring reporting and clean up in accordance with all applicable regulations. Such events happen routinely throughout San Diego County and the State of California, with no significant effect. Impacts would be less than significant.

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

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact:
The project is not located within one-quarter mile of any existing or proposed school. Therefore, the project would not have any effect on an existing or proposed school.

d) Expose off-Reservation people or structures to a significant risk of loss, injury or death involving wildland fires?

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The proposed project is completely surrounded by developed areas, including the Casino, paved parking lots, irrigated landscape and streets. The Viejas Fire Department oversees wildland fire risk for the Casino and within the Reservation. There would be no off-Reservation impact.

VIII. WATER RESOURCES -- Would the project:

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The project proposes a new hotel attached to the existing Casino. The existing casino, hotel, commercial uses, residential and other uses on the Reservation rely on wastewater treatment at the Viejas water reclamation plant. This facility is permitted and monitored by the US Environmental Protection Agency for compliance with applicable sections of the Clean Water Act. The project would implement site design measures and/or source control Best Management Practices (BMP) and/or treatment control BMPs to reduce potential construction pollutants to the maximum extent practicable from entering storm water runoff that could leave the Reservation. The project site is developed as part of the existing casino building and the rest is graded, paved and/or landscaped; therefore, no additional runoff or changes in the character of the existing runoff is anticipated.

The project's BMPs and sewer treatment plant would ensure that the project would not contribute to a cumulatively considerable impact to water quality from waste discharges.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The 2012 TEIR on the proposed Viejas Hotel Project found adequate ground water supplies for both Reservation and off-Reservation uses, including the Casino expansion, based on a 2001 Water and Wastewater Master Plan for Viejas Reservation, prepared by Brown & Caldwell and supplemental studies that generally supported the findings of the 2001 report. The TEIR water supply analysis would rely on those prior documents and would consider the change in demand associated with the proposed changes in development. Effluent from the hotel use would be treated at the tertiary treatment plant operated by the Reservation and the water used directly for irrigation of facility landscaping, thus minimizing facility impact on ground water levels.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project does not involve construction of new or expanded development that could alter the drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site. The project site is developed as part of the existing casino building and the rest is graded, paved and/or landscaped, and the proposed hotel would not substantially alter the existing natural topography, vegetation, or drainage courses on-site or off-Reservation.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project does not involve construction of new or expanded development that could alter the drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. The project site is developed as part of the existing casino building and the rest is graded, paved and/or landscaped, and the proposed hotel would not substantially alter the existing natural topography, vegetation, or drainage courses on-site or off-Reservation.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The project would not introduce any substantial new impervious surfaces since the project site is developed as part of the existing casino building and the rest is graded, paved and/or landscaped. Construction BMPs would limit runoff of any construction-related stormwater pollution.

f) Place within 100-year flood hazard area structures, which would impede or redirect off-Reservation flood flows?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: No 100-year flood hazard areas were identified or are expected to occur on the project site. The 100-year flood hazard area is totally contained within Viejas Creek, which is outside of the proposed project's footprint; therefore, no impact would occur.

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

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project does not include any dam or levee or source of potential floodwaters. Therefore, the project would not expose people to a significant risk of loss, injury or death involving flooding.

<u>IX. LAND USE AND PLANNING</u> -- Would the project:

a) Conflict with any off-Reservation land use plan, policy, or regulation of an agency adopted for the purpose of avoiding or mitigating an environmental effect?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: As demonstrated elsewhere in the Initial Study Checklist, the project would not result in any significant land-use related effect.

b) Conflict with any habitat conservation plan, or natural communities conservation plan covering off-Reservation lands?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The Tribe is not a party to any habitat conservation plan, or natural communities conservation plan covering off-Reservation lands. Lands that fall under such plans occur off-Reservation and would not be affected by the proposed project. There would be no impact.

X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known off-Reservation mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and the residents of the state?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project would not affect any off-Reservation land. There would be no impact to mineral resources off the Reservation.

b) Result in the loss of availability of an off-Reservation locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project would not affect any off-Reservation land. Thus, there would be no impact.

XI. NOISE -- Would the project result in:

a) Exposure of off-Reservation persons to noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

■	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Potentially Significant Impact: The project site is far enough away from existing off-Reservation uses that noise levels associated with construction or operation of the new hotel would not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable standards for the following reasons:

General Plan – Noise Element

The County of San Diego General Plan, Noise Element, Policy 4b addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive areas to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Noise sensitive areas include residences, hospitals, schools, libraries or similar facilities where quiet is an important attribute. Residences are the only noise sensitive uses near the project area. Project implementation is not expected to expose existing or planned noise sensitive areas to project-related noise in excess of the CNEL 60 dB(A) because of the distance of the project site and existing parking lots to such off-Reservation uses. Therefore, it is expected that the project would not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element. However, a noise study would be conducted as part of the TEIR in order to confirm that expectation.

Noise Ordinance – Section 36-404

Non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36-404) off the Reservation. The adjacent properties are zoned for low density residential, and have one-hour average sound limit of 45 to 50 dBA. The project's operational noise levels are not anticipated to impact adjoining properties or exceed County Noise Standards because the project does not involve any noise producing equipment that would exceed applicable noise levels at the adjoining property line, and construction activities would be conducted in accordance with the County of San Diego's noise ordinance provisions. However, a noise study would be conducted as part of the TEIR in order to confirm that expectation.

Noise Ordinance – Section 36-410

The project would not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36-410). Construction operations would occur only during permitted hours of operation pursuant to Section 36-410. Also, it is

not anticipated that the project would operate construction equipment in excess of 75 dB for more than an 8 hours during a 24-hour period.

Cumulative noise effects would be less than significant because the project would be in compliance with General Plan Noise Element and Noise Ordinance as described above, and because of the distance, topography, and vegetation between the project site and off-Reservation residential uses. The increase in traffic (and associated noise) related to the proposed hotel guests are expected to be Casino patrons, who would have been there anyway, but who decided to stay over at the hotel. This assumption would be addressed as part of the TEIR traffic study, and the results used to calculate project-related noise impacts.

b) Exposure of off-Reservation persons to excessive groundborne vibration or groundborne noise levels?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels in the surrounding area. Construction of the proposed hotel could result in temporary off-site vibration. Whether that vibration level would be considered significant at the nearest existing off-Reservation homes would be reviewed as part of the TEIR noise study.

c) A substantial permanent increase in ambient noise levels in the off-Reservation vicinity of the project?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ■ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: Studies completed by the Organization of Industry Standards (ISO 362; ISO 1996 1-3; ISO 3095; and ISO 3740-3747) state an increase of 10 dB is perceived as twice as loud and is perceived as a significant increase in the ambient noise level. Typically, a 3 dB increase in ambient sound levels would be perceptible, and has been used as a significance criterion for noise impacts.

It is possible that noise during construction of the hotel could result in temporary off-Reservation impacts at nearby off-Reservation homes, but project compliance with County construction noise regulations and procedures make it unlikely that such

temporary impacts would be found significant. It is also considered unlikely that hotel operations after completion of construction would result in significant noise impacts, but these issues would be addressed in the TEIR noise study.

d) A substantial temporary or periodic increase in ambient noise levels in the off-Reservation vicinity of the project?

■	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Potentially Significant Impact: The project does not involve any uses that may create substantial temporary or periodic increases in ambient noise levels in the project vicinity including but not limited to extractive industry; outdoor commercial or industrial uses that involve crushing, cutting, drilling, grinding, or blasting of raw materials; truck depots, transfer stations or delivery areas; or outdoor sound systems. However, increases in Casino-related traffic along Willows Road may result in periods of traffic noise. This issue would be addressed in the TEIR noise study.

Also, general construction noise is not expected to exceed the construction noise limits of the County of San Diego Noise Ordinance (Section 36-410), which are derived from State regulations to address human health and quality of life concerns. Construction operations would occur only during permitted hours of operation pursuant to Section 36-410. Also, it is not anticipated that the project would operate construction equipment in excess of 75 dB for more than an 8 hours during a 24-hour period. Therefore, the project would not result in a substantial temporary or periodic increase in existing ambient noise levels in the project vicinity.

XII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial off-Reservation population growth?

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The proposed project would not induce substantial population growth in the area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth including, but limited to the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large-scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations; or LAFCO annexation actions.

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

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The proposed project would not displace any existing housing since the site is currently paved and is used for vehicle parking.

XIII. PUBLIC SERVICES

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

Fire protection?
Police protection?
Schools?
Parks?
Other public facilities?

☐	Potentially Significant Impact	■	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Less Than Significant Impact: The proposed hotel project represents an incremental expansion of an existing Casino complex. Schools, parks and other public facilities are not required to support this expansion. Fire protection is provided by Viejas Tribal Government and through the Tribe's cooperative agreements with neighboring Fire Districts. Police protection is provided by the Viejas Security Department and by contract with the San Diego County Sheriff. It is not anticipated that this new hotel would substantially change the level of service currently provided by the Sheriff.

XIV. RECREATION

a) Would the project increase the use of existing off-Reservation neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project does not propose any residential use, included but not limited to a residential subdivision, mobile home park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in off-Reservation traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?

- ■ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Potentially Significant Impact: It is possible that the proposed hotel project would result in additional daily trips on Willows Road in the vicinity of the Reservation. The expected number of additional trips would be identified and analyzed in a traffic study. This is considered a potentially significant impact. A traffic study would be prepared to determine if the project would result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at nearby intersections.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated off-Reservation roads or highways?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: Willows Road and I-8 in the vicinity of the Reservation are not congestion management roads. There would be no new traffic, and no traffic impact is anticipated.

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

■	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Potentially Significant Impact: A traffic study would be prepared to investigate if there are off-Reservation hazardous design features that would be used by the guests and suppliers of the proposed hotel. If such features are discovered, the traffic study would include an assessment of whether the project substantially increases hazards at such features. Interstate-8 and Willows Road in the project vicinity are not known to carry incompatible vehicles and the guests and suppliers of the hotel casino would not operate incompatible vehicles.

d) Result in inadequate emergency access for off-Reservation responders?

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The proposed project would not result in inadequate emergency access. The project is not served by a dead-end road; therefore, the project has adequate emergency access for off-Reservation responders.

<u>XVI. UTILITIES AND SERVICE SYSTEMS</u> -- Would the project:

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

☐	Potentially Significant Impact	☐	Less than Significant Impact
☐	Potentially Significant Unless Mitigation Incorporated	■	No Impact

Discussion/Explanation:

No Impact: The project proposed would discharge wastewater to a community sewer system that is located on the Reservation, run by the Tribe, and permitted to operate by

the United States Environmental Protection Agency. Effluent is not discharged off-Reservation; therefore, there are no applicable off-Reservation wastewater treatment requirements.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant off-Reservation environmental effects?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: Anticipated maximum project-related potable water use and anticipated sewage effluent volumes would be addressed in the Water Supply Assessment. The proposed project is not expected to require the construction or expansion of water or wastewater treatment facilities. Therefore, the project would not have the potential to result in significant off-Reservation environmental effects.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant off-Reservation environmental effects?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project does not include new or expanded storm water drainage facilities. The project does not involve any substantial landform modification or require any source treatment or structural BMPs for storm water during operations. (Construction BMPs in conformance with the Clean Water Act would be identified prior to construction, and subsequently employed during project construction.) Therefore, the project would not require any construction of new or expanded facilities that could cause significant environmental effects.

d) Result in a determination by an off-Reservation wastewater treatment provider (if applicable), which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ■ No Impact

Discussion/Explanation:

No Impact: The project would receive wastewater service from the on-Reservation Viejas Water Reclamation Plant. Therefore, there would be no project-related effect on any off-Reservation wastewater treatment provider.

XVII. CUMULATIVE EFFECTS:

a) Would the project have impacts that are individually limited, but cumulatively considerable off-Reservation? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past, current, or probable future projects.

- ■ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigation Incorporated
- ☐ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Potentially Significant Impact: Traffic and air quality impacts may be cumulatively significant as described above. Potential cumulative impacts would be addressed during TEIR preparation.