

**Bill Martin  
753 Venus View  
Vista, CA 92081**

July 1, 2013

Kevin Ham  
Economic Development Director  
City of Vista  
200 Civic Center Drive  
Vista, CA 92084

RE: City of Vista Digital Billboards - Mitigated Negative Declaration

Dear Mr. Ham:

Thank you for providing this opportunity to respond to the Draft Mitigated Negative Declaration (MND) for the City's project to construct two electronic digital billboards for the purpose of displaying advertising to motorists on State Route 78. The MND notes the billboards will be illuminated and operational 24 hours each day with advertisements changing every eight seconds.

The MND purports to offer a complete analysis of the environmental effects of the project and the ways in which those significant effects would be mitigated. For the record, I would like to point out the following deficiencies in the MND document.

1. Aesthetics – The document notes the signs would comply with industry standards that limit lighting levels to a maximum of 0.3 foot candles over ambient levels which is a distance of 250 feet from the source. This light level is deemed to be the highest level where the amount of light arriving at a person's eyes would not be offensive or hazardous.

The document states there are one or more residences within 150 feet of the West Vista Way site. Potential impacts to these sensitive receptors should be given a higher level of importance and study because the exposure to intense light levels lasts all night, every night. While the document states there is no impact from these residences being closer than what the industry standard allows, there is no evidence provided to support this determination. The document does not provide a comparison of the pad elevations of adjacent homes to the overall elevation of the billboard sign. There are no foot candle measurements or estimations at the residential receptors. There are no measurements of view angles or cross-sections offered to illustrate the findings. At a minimum, this information should be provided before a determination of significance can be made. Appropriate mitigation measures should be included, as needed.

2. Biological Resources – The West Vista Way project area includes 1.56 acres of land wherein the proposed sign could be located. The document notes that 0.62 acre of the

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West Vista Way site contains disturbed buckwheat scrub and that impacts to this sensitive habitat would be considered significant.

While impacts to this habitat would constitute a significant effect, the sensitive habitat remains within the project area in an unprotected and unmitigated state. The document fails to provide a mitigation measure that would mitigate impacts to this habitat, nor has the project area been reduced in size to exclude the habitat. While a vague reference has been added to say "project design considerations" would avoid impacts, there is no enforceable commitment from the applicant to avoid impacts to this portion of the project area through the implementation of a conservation easement. Similarly, there is no mitigation specified to offset potential impacts should geotechnical or other reasons require the sign to be located in this sensitive portion of the project area. The document must be revised to eliminate the habitat from the project area, or specify the appropriate mitigation that will be implemented in the event impacts occur.

CEQA Section 15073.5 requires recirculation of a negative declaration when the document must be substantially revised after public notice of its availability has previously been given, but prior to its adoption. The comments provided above identify additional mitigation measures or project revisions that must be added in order to reduce project impacts to insignificance. As such, the comments meet the "substantial revision" test and the document must be revised and recirculated for public review.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill Martin", is written over the word "Sincerely,".

Bill Martin, AICP