

Nutmeg Homes

City of Escondido

Draft Finding and Facts in Support of Findings

California Environmental Quality Act (CEQA)

State Clearinghouse No. 2018081063

City Project No. ENV 18-005 / SUB 18-005

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City of Escondido

Planning Division

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1.0 Introduction

Findings of Fact

The California Environmental Quality Act (CEQA) (Public Resources Code (PRC) §§ 21000, et seq.)¹ and the State CEQA Guidelines (Guidelines) (14 Cal. Code Regulations §§ 15000, et seq.),² require that the environmental impacts of a proposed project be examined before the proposed project is approved. Specifically, PRC Section 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” PRC Section 21002 further states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Agencies comply with PRC Section 21002’s mandate by adopting findings before approving projects for which EIRs are required. [See PRC § 21081, subd. (a); Guidelines § 15091, subd. (a).] The approving agency must make written findings for each significant environmental effect identified in an EIR for a project and must reach at least one of three permissible conclusions. The first possible finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” [Guidelines § 15091, subd. (a)(1).] The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding” and that “[s]uch changes have been adopted by such other agency or can and should be adopted by such other agency.” [Guidelines, § 15091, subd. (a)(2).] The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.” [Guidelines, § 15091, subd. (a)(3).]

Agencies must not adopt a project with significant environmental impacts if feasible alternatives or mitigation measures would substantially lessen the significant impacts. PRC Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” Guidelines Section 15364 includes “legal” considerations as another indicia of feasibility. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.) Project objectives also inform the determination of “feasibility.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.)

Further, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) An agency may

¹ References to sections of CEQA shall be identified as “PRC Section” or “PRC §.”

² References to sections of the State CEQA Guidelines shall be identified as “Guidelines Section” or “Guidelines §.”

not, however, adopt infeasible mitigation measures or alternatives. [Guidelines, § 15091, subs. (a), (b).] Environmental impacts that are less than significant do not require the imposition of mitigation measures. [Leonoff v. Monterey County Board of Supervisors (1990) 222 Cal.App.3d 1337, 1347.]

PRC Section 21002 requires an agency to “substantially lessen or avoid” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy PRC Section 21002’s requirement. (Laurel Hills Homeowners Assn. v. City Council (1978) 83 Cal.App.3d 515, 521 (“CEQA does not mandate the choice of the environmentally best feasible Project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”); Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles (1986) 177 Cal.App.3d 300, 309 (“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the Project unfeasible”).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or the selection of an alternative is not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (Guidelines § 15091, subs. (a), (b).) The California Supreme Court has stated, “[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” Citizens of Goleta Valley v. Board of Supervisors, *supra*, 52 Cal.3d at p. 576.

Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

When the lead agency approves a project, which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed, and considered the Final Environmental Impact Report (Final EIR) for the Project (EIR), as well as all other information in the Record, the following Findings of Fact (Findings) are hereby adopted by the City of Escondido (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Nutmeg Homes Project (Project).

Record of Proceedings

For purposes of CEQA and these Findings, the record of proceedings for the Project (Record) consists, at a minimum, of the following documents and other evidence:

1. The Notice of Preparation (NOP), Notice of Availability, Notice of Completion, and all other public notices issued by the City in conjunction with the Project.
2. The Draft EIR and all appendices to the Draft EIR for the Project.
3. The Final EIR and all appendices to the Final EIR for the Project.
4. All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
5. All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
6. All written and verbal public testimony presented during a noticed public hearing for the Project at which such testimony was taken.
7. City staff reports and presentation materials related to the Project.
8. The mitigation monitoring and reporting program (MMRP).
9. The reports and technical memoranda included or referenced in the Response to Comments in the Final EIR.
10. Matters of common knowledge to the City, including but not limited to federal, state and local laws and regulations.
11. Any documents expressly cited in these Findings, including but not limited to, the City General Plan.

12. Project applications and amendments to those applications.

13. Any other relevant materials required to be in the Record by PRC Section 21167.6(e).

Custodian and Location of Records

The City Clerk is the custodian of the Record. The documents and other materials which constitute the Record are available for inspection upon reasonable request at the offices as noted below. This information is provided in compliance with PRC Section 21081.6(a)(2) and Guidelines Section 25091(e).

**City of Escondido
Planning Division
201 North Broadway
Escondido, California 920205.**

2.0 Summary of Project Description

Project Location

The project site is located to the east of Interstate–15 [Escondido Freeway (I-15)], to the north and south of North Nutmeg Street, and to the west of North Centre City Parkway in the City of Escondido (City), County of San Diego (County) CA. The I-15 Freeway bounds the project site to the west and is substantially above the project site. North Nutmeg Street travels to the west under the Freeway to the City. North Centre City Parkway travels to the north and south providing access to the City. The project site is approximately two (2) miles from the intersection of State Route 78 (SR-78) and the I-15. EIR Figure 3-1 provides the regional context. EIR Figure 3-2 and EIR Figure 3-3 provides a more precise location and boundaries of the proposed project. The total disturbed area of the project site would be 9.86 acres.

Assessor's Parcel Number(s)

The project site is currently vacant and comprised of three (3) parcels, I-15 right-of-way, Nutmeg Street right-of-way, and Centre City Parkway right-of-way. The I-15 Freeway and Centre City Parkway portions of the project site do not have assessor's parcel numbers. The project site is comprised of the following assessor's parcel numbers are: 224-260-23-00; 224-260-47-00; and 224-260-46-00.

Project Components

Land Use

The proposed project includes the development of 135 homes, off-street parking, on-site circulation, tot-lot, and outdoor open space areas. The proposed site plan is depicted on Figure 3-5. The homes and off-street parking would include construction of three (3) areas and two (2) types of homes. The number of units, unit type, stories, bedrooms, bathrooms and parking for each is provided in Table 3-4.

Figure 3-5 indicates the location of each of the proposed Villas. Overall the proposed project includes development of 135 homes on 7.66 acres. The total disturbed area of the project site including the grading within Caltrans right-of-way and Centre City Parkway right-of-way would be 9.86 acres. The overall density of the proposed project would be approximately 18 dwelling units per net acre (135 dwelling units / 9.9 acres = 14 dwelling units per gross acre or 135 dwelling units / 7.5 dwelling units per net acre). Net is defined per City Codes. Figure 3-6 shows the proposed project elevations.

Parking

The proposed project would provide a total of 307 parking spaces. This includes 270 garage spaces and 37 guest spaces. Figure 3-5 indicates the location of all on-street parking spaces. Table 3-5 indicates the proposed parking to be provided and spaces required by the City Municipal Code. The proposed project total

parking requirement equals 299 parking spaces (see Table 3-5). Therefore, the proposed project meets City standards for parking.

Access

Public (resident, guest, and deliveries) access to the proposed project would be provided from two (2) driveways one (1) on each side of Nutmeg Street. The proposed project would construct improvements to Nutmeg Street to increase the horizontal safety. The proposed project would provide for frontage improvements along Centre City Parkway. No improvements are proposed to I-15.

Internal circulation within the project site is based on driveway aisles that measure 24 feet wide and have been designed to meet the City's design standards.

Drainage

The proposed project is an attached residential complex with minimal areas for landscape, vegetated swales and other natural drainages that serve slow runoff velocity and reduce runoff volume. The existing drainage pattern for the project site shows several drainage areas. To the south of Nutmeg Street, the project site stormwater flows into an existing inlet located in the southwest portion of the site.

The proposed development would create several small drainage areas. Consequently, the runoff from some of the proposed drainage areas is captured and treated using LID BMP's. The project site will capture these runoffs using catch basins and inlets and discharge into proposed storm drain system. The proposed storm drain pipes, in each respective drainage areas, are designed to flow southeast where the proposed infiltration basins are located. The infiltration basins will be design to provide the same runoff flow and volume reducing benefits as natural drainages.

The project site proposes capturing all site stormwater runoff via yard inlets and catch basins, then routed to the infiltration basins with natural infiltrating capacity. As a pre-treatment for the site, catch basins will be installed with filter inserts. The infiltration basins will provide the infiltration properties in order to reduce the quantity and velocity of the project site.

The project site will be fully developed and will be landscaped with native and/or non-native drought-tolerant species. Runoff from the parking areas will be diverted to LID areas via curb openings. LID areas will contain catch basins to convey stormwater toward the infiltration basins. Runoff from the site will be infiltrated so as to treat the first flush. The roof runoff is proposed to drain into landscaped areas before entering the area drain system. Several landscaped areas are designed to be below the finish grade to help in treating and retaining some of the runoff before it continues to flow into the proposed infiltration basin. Some drainage areas will disperse the runoff flow to the proposed filter catch basins. Both conditions mentioned above will show that the project proposes to disperse runoff to adjacent pervious areas to the maximum extent practicable.

Landscaping and Fencing

With the exception of oak trees on the southern portion of the project site, there are no existing significant trees on the project site. The proposed project would include open space, tot-lots, and outdoor space area centrally located within the complex. Pedestrian access would be provided from each of the buildings to these areas. The entire project site area will be landscaped. The project site will be fenced. Figure 3-7 shows the proposed project landscape plan.

Off-Site Improvements

To implement the proposed project, off-site improvements would be constructed in Centre City Parkway and Nutmeg Street.

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Construction, Operation, and Phasing

Construction

The construction would occur after the completion of the grading phase. It is anticipated that construction would commence at the end of grading. For the purposes of providing a “worst case” analysis, this environmental document will assume that all improvements are completed by October 2020.

Demolition

There are no structures on the project site. Demolition of the existing public infrastructure improvements (i.e., streets, etc.) would occur with City approved improvement plans. The proposed project would involve the removal of all vegetation in the on the project site. Subsequent to the removal of vegetation; the demolition of all existing public infrastructure improvements, grading, and infrastructure improvements to the project site would occur.

Mass Grading and Super Pads

The Project Applicant has stated that grading and construction would start immediately after City approvals. Grading would occur in approximately six (6) months and they anticipate completion by November 2019.

Off-Site Improvements

The proposed project would require off-site improvements. These improvements include extension of the sewer line south along North City Centre Parkway. Additionally, the proposed project includes cut and fill within the California Department of Transportation (Cal Trans) right-away, adjacent to the project site.

Paving

Paving would occur after the completion of the building construction phase. The paving phase would include the paving of the on-site roads and parking areas. Paving activities would occur over two months.

Architectural Coating

The application of architectural coatings would occur after the completion the building construction phase and would have the potential of occurring concurrently with the paving phase and possibly the building construction phase. Architectural coating would occur over three (3) month

Occupancy

Occupancy would be anticipated begin in January 2020 before all improvements are completed and occur over approximately 12 months (12 homes per month). This document will assume that full occupancy would occur by January 2021.

Phasing

The phasing of the proposed project improvements would follow the objectives described below:

1. Build-out of the proposed project will be based upon market and economic conditions. Subject to those conditions, build-out is expected to occur by the Year 2020.
2. Provision of adequate infrastructure and public facilities concurrent with development.

Discretionary Actions and Associated Project Approvals

The proposed project consists of the following entitlements and agency approvals, which would be processed concurrently unless noted:

1. Certification of the Environmental Documentation;

2. Approval of General Plan Amendment (GPA);
3. Approval of Zone Change (ZC);
4. Approval of a Tentative Tract Map for condominium purposes, vacation of Centre City Parkway right-of-way, and realignment of Nutmeg Street;
5. Approval of a Master and Precise Development Plan (Site Plan, Floor Plans, Elevations, and Landscape Plan);
6. Approval of Grading Permit that Includes an Exemption;
7. Approval of Specific Alignment Plan; and,
8. Approval of Encroachment Permit from State of California Department of Transportation and City of Escondido.

Project Objectives

The following project objectives have been identified for the proposed project:

- OBJ-1** To develop 135 new homes to meet demand in the City. By the provision of entry level and move-down housing priced within the Federal Housing Administration (FHA) and Veteran's Administration (VA) guidelines in close proximity to employment. This would assist the City in implementing the General Plan's housing goals by increasing the City's housing stock and diversifying the range of housing opportunities.
- OBJ-2** To reduce daily and peak-hour traffic significantly below that would occur if the project site were to be developed in accordance with the existing City General Plan with commercial office uses. By the development of the project site with residential land use.
- OBJ-3** To enhance mobility in the City. By the provision of improves North Centre City Parkway, North Nutmeg Street, and Caltrans R-O-W in the vicinity of the project site for pedestrians, bicycles, and vehicles. Additionally, by improvements to project site access and circulation in accordance with all City standards.
- OBJ-4** To meet City development and design standards related to land use and density, by providing a variety of housing types and designs within an interrelated development proposal that provides two (2) types of homes (i.e., townhomes and villas) with multiple designs, variations in height, design, and setback along North Nutmeg Street and North Centre City Parkway. Avoiding a monotonous streetscapes and visual impacts.
- OBJ-5** To meet the City Municipal Code requirements related to recreation and open space in a reasonable manner, while providing for the development of housing affordable under FHA and VA guidelines.

By establishing a landscape with appropriate modern materials for recreation areas, landscaped setbacks, sidewalks, fences, and signage.

- OBJ-6** To meet the demand for on-site recreational opportunities by the provision of an interrelated open space and recreation system that includes concern for scenic vistas, scenic resources, community character and quality, and light and glare are all part of the visual landscape. By the provision of open space, tot-lots, and outdoor space area central located within the proposed project. Including: North Nutmeg Street a small park, seating area with overhead, and exercise station; and, South of North Nutmeg Street a park, seating area with overhead, and barbeque, spa, tot lot, exercise stations. Additionally, by the introduction of 222 trees.
- OBJ-7** To meet all requirements related to the quality of storm water runoff. By the provision of a Storm Water Pollution Prevention Program (SWPPP) that meets all state, regional, and City standards. A program that would relate stormwater management and discharge control, harmful waters and wastes, sewer service charges, private sewage disposal systems, sewer connection fees, sewer connection laterals, and industrial wastewaters.
- OBJ-8** To increased City revenues (i.e., property, sales, and other taxes). By changing the existing General Plan and zoning to allow reasoned development of the project site.

3.0 Environmental Review and Public Participation

Initial Study Checklist

The City prepared an Initial Study Checklist in accordance with the State CEQA Guidelines Section 15063. The Initial Study was posted on the City's website on August 29, 2018. Based on the Initial Study, the City determined an EIR would be prepared to address potential direct and cumulative impacts associated with the proposed project.

Notice of Preparation

The City distributed a Notice of Preparation (NOP) of an EIR to the State Clearinghouse, local and regional responsible agencies, and other interested parties on August 29, 2018 for a 30-day comment period which ended on September 28, 2018, in accordance with State CEQA Guidelines Section 15082. The Initial Study was provided as an attachment to the NOP.

The City also advertised the NOP comment review period in an ad in a local newspaper. Various agencies and other interested parties responded to the NOP.

Senate Bill 18 and Assembly Bill 52

The City provided consultation opportunity with Native American tribes, as relevant. The City's NOP and associated comments are included in the Final EIR.

Scoping Meeting

Pursuant to State CEQA Guidelines Section 15092(c)(1), the City held a scoping meeting for the proposed project on Thursday, September 6, 2018 at City Hall to encourage public participation and obtain input regarding potential environmental impacts as part of the EIR preparation process. Fewer than five (5) people attended the scoping meeting, and written comments were submitted to the City based on the information presented at the scoping meeting.

Draft EIR

The Draft EIR for the proposed project was then prepared and circulated for review and comment by the public, agencies, and organizations and was circulated for public review and comment pursuant to the State CEQA Guidelines for a period of 45 days: May 10, 2019 to June 24, 2019.

Notice of Availability

A Notice of Availability (NOA) of the Draft EIR for review was mailed to organizations and parties expressing interest in the proposed project on May 10, 2019 notifying the general public, public agencies, and interested individuals and organizations that a 45-day public review period would begin on May 10, 2019 and end on

June 24, 2019. The Notice of Availability was also filed with the City Clerk, published, and posted on the City's website.

Notice of Completion

A Notice of Completion the Draft EIR was circulated to State agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2018081063) on June 28, 2017.

Response to Comments

The public comment period on the Draft EIR concluded on 2018081063. During the 45-day public review period, the City received 6 comment letters and emails related to the proposed project. Pursuant to the State CEQA Guidelines Section 15088, the City prepared responses to all written comments received on the Draft EIR which raised environmental issues. These comments and the response to comments have been incorporated into the Final EIR. Responses to public agency comments were released for a 10-day public notice period on October 7, 2019, pursuant to Public Resources Code Section 21092.5.

Final EIR

The Final EIR was distributed on October 7, 2019. The Final EIR was prepared by the City in accordance with CEQA statutes and the State CEQA Guidelines. The Final EIR contains copies of all comments and recommendations received on the Draft EIR, a list of persons, organizations and public agencies commenting on the Draft EIR, responses to comments received during public review, changes to the Draft EIR, and the MMRP.

Planning Commission Public Hearing

On October 24, 2019, the City of Escondido Planning Commission (Planning Commission) held a public hearing on the environmental documentation and the proposed project; and, provided recommendations to the City Council.

EIR Certification

With respect to the entitlements over which the City Council has final approval authority and pursuant to CEQA Guidelines Section 15090, the City Council certifies that:

- a. The Final EIR constitutes an adequate, accurate, objective and complete final environmental impact report in full compliance with the requirements of CEQA and the State CEQA Guidelines;
- b. The Final EIR has been presented to the City Council, and the Council has reviewed and considered the information contained in the Final EIR prior to taking action on the Project; and

- c. The Final EIR, as certified, reflects the City Council's independent judgment and analysis.

Pursuant to CEQA Guidelines Section 15091(e), the administrative record of these proceedings is located, and may be obtained from the City of Escondido, Community Development Department, Planning Division, 201 North Broadway, Escondido, CA 92025. The custodian of these documents and other materials is the Community Development Department, Planning Division.

Notice of Determination.

Upon approval of the proposed project, the City shall file a Notice of Determination (NOD) with the County Clerk of San Diego County and, with the State Office of Planning and Research, pursuant to the provisions of CEQA Section 21152.

4.0 General Findings

Environmental Document Determinations

The City Planning Commission Finds and recommends that the City Council make the following Findings:

1. The City is the lead agency for the proposed Project, as the public agency with the principal responsibility for approving the proposed Project, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), 14 California Code of Regulations Section 15000 et. seq.
2. The City distributed a Notice of Preparation ("NOP") of the Draft EIR to the State Clearinghouse, local and regional responsible agencies, and other interested parties on August 29, 2018, for a 30-day public comment period in accordance with CEQA Guidelines Section 15082.
3. The City received various agencies and other interested parties responses to the NOP and responded to each CEQA related request in the Draft EIR.
4. The Draft EIR for the proposed Project was then prepared and after completing the Draft EIR (SCH No. 2018081063), the City released the document for public review for a 45-day public comment period by filing a Notice of Availability with the County Clerk of San Diego. The 45-day public comment period started May 10, 2019, and ended June 24, 2019.
5. The City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines Sections 15086 and 15087 during the public comment period of the Draft EIR.
6. The City received comments concerning the Draft EIR from public agencies, organizations, and individuals.
7. The City prepared responses to all written comments received on the Draft EIR which raised environmental issues pursuant to CEQA Guidelines Section 15088.
8. The City has determined that the comments received on the Draft EIR did not contain any significant new information within the meaning of CEQA Guidelines Section 15088.5 and therefore, recirculation of the Draft EIR is not required.
9. The City prepared a Final EIR, which contains the information required by CEQA Guidelines Section 15132, including the Draft EIR, the technical appendices and referenced documents, revisions and additions to those documents, public and agency comments on the Draft EIR, and the City's responses to comments.

Section 4: General Findings

10. The City has determined based on City Staff's review of the Project that no special circumstances exist that would create a reasonable possibility that granting a General Plan Amendment, Rezone, Preliminary and Master Development Plan, Tentative Subdivision Map, Specific Alignment Plan, and Grading Exemption, for this Project would have a significant effect on the environment beyond what was previously analyzed and disclosed.
11. The City has carefully reviewed and considered all environmental documentation comprising the Final EIR, including the Draft EIR and the revisions and additions thereto, the technical appendices and referenced documents, and the public comments and the responses thereto (on file in the Office of the City Clerk and incorporated by this reference).
12. The City has found that the Final EIR considers all potentially significant environmental impacts of the proposed Project and is complete and adequate, and fully complies with all requirements of CEQA and the State CEQA Guidelines.
13. The City has considered all significant impacts, mitigation measures, and Project alternatives identified in the Final EIR and found that all potentially significant impacts of the proposed Project have been lessened or avoided to the extent feasible.
14. The City finds that the Project alternatives would not satisfy the Project objectives as effectively as the proposed Project. Pursuant to Public Resource Code Section 21082.1 (c)(3) and CEQA Guidelines Section 15090(a)(3),
15. The City finds that the EIR reflects the City's independent judgment as the lead agency for the proposed Project.
16. The City finds that in recommending City Council adoption of these Findings and Facts in Support of Findings that they recommend adoption of the Mitigation Monitoring and Reporting Program (MMRP) included in the Final EIR as required by CEQA and the City,
17. The City finds that the MMRP meets the requirements of California Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the potentially significant effects of the recommended proposed Project.
18. The City finds that the Draft EIR and Final EIR were prepared in compliance with CEQA and the CEQA Guidelines.
19. The City has independently reviewed and analyzed the Draft EIR and Final EIR, and these documents reflect the independent judgment of the City Council and the City as the Lead Agency for the Project.

20. The City finds that the City has based its decision on substantial evidence and has complied with CEQA Sections 21081.5 and 21082.2 and Guidelines Section 15901(b) in determining whether the proposed Project has a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA,
21. The City finds that the impacts of the proposed Project have been analyzed to the extent feasible at the time of certification of the Final EIR.
22. The City finds that the City provided consultation opportunities with Native American tribes, as relevant pursuant to Senate Bill 18 and Assembly Bill 52.
23. The City finds that the City evaluated comments on the environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments; and the responses, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR. The City reviewed the comments received and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The City has based its actions on a full evaluation of all comments in the Record of Proceedings, concerning the environmental impacts identified and analyzed in the Final EIR.
24. The City finds that the City evaluated the clarifications, enhancements, and minor revisions made to the EIR after preparation of the Draft EIR. In accordance with CEQA, the City finds that recirculation of the Draft EIR prior to certification is not required pursuant to CEQA Guidelines Section 15088.5 because no "significant new information," as defined in that section, has been added to the EIR after public notice of availability of the Draft EIR.
25. The City finds that the City has made no decisions that constitute an irretrievable commitment of resources toward the proposed Project prior to certification of the Final EIR, nor has the City previously committed to a definite course of action with respect to the proposed Project;
26. The City finds that any finding made by the City shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by this City, whether or not any particular sentence or clause includes a statement to that effect. The City intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross reference or incorporate by reference any other part of these findings, that any finding required or committed to be made by the City with respect to any particular subject matter of the Final EIR, shall be deemed to be made if it appears in any portion of these findings.

Section 4: General Findings

27. The City finds that these findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft EIR and the Final EIR, on the one hand, and these Findings, on the other, these Findings shall control, and the Draft EIR, Final EIR, or both, as the case may be, are hereby amended as set forth in these findings.
28. The City finds that no significant irreversible environmental changes which would be involved in the proposed Project which have not been discussed within the individual sections of the Final EIR.
29. The City finds that copies of all the documents incorporated by reference in the Final EIR are and have been available upon request at all times at the offices of the City, custodian of record for such documents or other materials.
30. The City finds that having received, reviewed, and considered all information and documents in the record, the City hereby conditions the proposed Project and makes the findings as stated in herein. To the extent that these Findings conclude that various Mitigation Measures outlined in the Final EIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement these measures. These Findings, therefore constitute a binding set of obligations that will come into effect when the City formally approves the proposed Project. The Mitigation Measures are included in the MMRP adopted concurrently with these Findings and will be effectuated through the process of Project implementation.

5.0 Environmental Impact Findings

Legal Requirements for Impact Findings

The CEQA statute at Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible Mitigation Measures available that would substantially lessen the significant environmental effects of such projects[...]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures that will avoid or substantially lessen such significant effects. However, "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects."

The principles established in CEQA Section 21002 are implemented, in part, through the requirement that an agency must adopt findings before approving a project for which an EIR has been certified which identified one or more significant environmental effects of a project. For each significant environmental effect identified in the EIR, the approving agency must issue a written finding, accompanied by a brief explanation of the rationale for each finding, reaching one or more of three permissible conclusions stated at CEQA Guidelines Section 15091(a):

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (CEQA Guidelines Section 15091(a)).

"Feasible" in this context means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors. (CEQA, Public Resources Code, § 21061.1, CEQA Guidelines § 15364, *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565). The concept of "feasibility" of a particular alternative or mitigation measure promotes the underlying goals and core objectives of a project (see *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18; see also *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417). Feasibility under CEQA encompasses desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.

CEQA equates "mitigating" with "substantially lessening" the effects of a project. (CEQA, Pub. Res. Code §§ 21002, 21081, CEQA Guidelines § 15091.) For purposes of these Findings, the term "avoid" means to not result in a significant impact, while the term "substantially lessen" refers to the effectiveness of a mitigation measure or measures to substantially reduce the severity of a significant effect to a level which is less than significant. Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level or has simply been lessened but remains significant. Moreover, although CEQA Guidelines Section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the Final EIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modifications or alternatives are not required, however, where such changes are infeasible. (CEQA Guidelines, Section 15091, subd. (a)(3).) With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects" (CEQA Guidelines Sections 15093 and 15043(b)). The California Supreme Court has stated that, "[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced" (Goleta, supra, 52 Cal.3d at p. 576; see also *Cherry Valley Pass Acres Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 357-359).

This section makes those findings required by CEQA Guidelines Section 15091. In making each of the findings below, the City has considered the project design and applicable plans, programs, and policies listed in the Final EIR. The Final EIR, responses to comments in the Final EIR, all documents included in the record of proceedings, and/or other documents identified in these findings, are hereby incorporated by reference as if fully set forth herein.

Summary of Impact Findings

The Final EIR contains an environmental analysis of the potential impacts associated with implementing the proposed project. In preparing the requisite environmental analysis, the City has considered design features of the proposed project, as well as the applicable plans, programs, regulations, and policies. The City assumes that the proposed project will be implemented consistent with the project description, and applicable plans, programs, regulations and policies that the proposed project is subject.

The City Finds that the proposed project based on the analysis in the Final EIR, and other evidence in the administrative record relating to the proposed project will have the environmental effects described in the following.

No Impact or a Less Than Significant Impact

The City finds and determines that the Project will have no impact or a less than significant impact, and that no mitigation measures are needed, with respect to the following environmental impact categories:

Findings of the Initial Study

- Agricultural
- Mineral Resources
- Population and Housing
- Recreation; and,
- Utility Systems

These topics were not carried forward for evaluation within the Draft EIR.

Findings of the Final EIR

- Aesthetics
- Air Quality
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning

Less than Significant Impact with Mitigation Measures

The following environmental impact categories were evaluated in the Final EIR and, it was determined that the potentially significant impacts of the proposed project would be reduced below a level of significance with the implementation of the mitigation measures described therein.

Findings of the Final EIR

- Biology
- Cultural Resources
- Hazards
- Noise
- Transportation/Traffic

Project Environmental Findings by Topic

The following provides project Findings by environmental impact category. The City Finds that it has independently review and considered the information contained in the Final ER and the Record of Proceedings. The City Finds based upon substantial evidence in the record that the following individual and cumulated environmental effects of the proposed project will have no impact or a less than significant impact and no mitigation is required. The City Finds that for the purpose of these Findings that:

1. **No Impact.** Future development arising from the project’s implementation will not have any measurable environmental impact on the environment and no additional analysis is required.
2. **Less Than Significant Impact.** The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.
3. **Potentially Significant Unless Mitigated.** The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project’s physical or operational characteristics can reduce these impacts to levels that are less than significant.

The determination of the environmental analysis prepared by the City is presented below by each environmental impact category as follows:

- Environmental Category
- Determination of Impact
- Facts in Support of Finding

Initial Study - Aesthetics

No Impact or Less than Significant Impact

- b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?*
- c. Substantially degrade the existing visual character or quality of the site and its surroundings?*
- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Facts in Support of Finding

Scenic Resources: The development of the proposed project would not substantially damage scenic resources, as there are no significant trees, rock outcroppings, or other visual resources on the project site. The project site is not located near a Scenic Highway, State Route 78 (SR-78); however, the portion of SR-78 that is designated by the State as a Scenic Highway occurs from the west boundary and terminates at the east boundary of Anza Borrega Desert State Park for a span of 18.2 miles. This recognized stretch is several miles away from the project site. Therefore, the proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur and no mitigation measures would be required.

Visual Character: The project site is presently vacant and does not appear to ever have been developed with structures. The proposed project will include potential short-term and long-term impacts both on-site and off-site related to the existing visual character or quality of the project site and its surroundings.

Construction of the proposed project will cause short-term visual impacts. Views of the project site will include heavy construction equipment and machinery preparing the land (i.e. grading). The proposed project includes the development of 135-unit single-family attached residential homes, off-street parking, on-site circulation, tot-lot, outdoor open space areas and off-site potential long-term impacts.

Development standards for setbacks, building heights and landscaping would be consistent with the existing and surrounding development, and the City Zoning Ordinance. Therefore, a less than significant impact would occur and no mitigation measures would be required.

Light and Glare: Development of the proposed project would include the installation and operation of lighting features that introduce new sources of light and glare on and in the proximity to the project site. The proposed project will be required to comply with the City's lighting standards for residential development, which will reduce potential light impacts. Therefore, a less than significant impact would occur related to lighting impacts that would adversely affect nighttime views in the area.

Initial Study – Agricultural Resources

No Impact or Less than Significant Impact

- a. *Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA. Resources Agency, to non-agricultural use?*
- b. *Conflict with existing zoning for agricultural use, or a Williamson Act Contract?*
- c. *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*
- d. *Result in the loss of forest land or conversion of forest land to non-forest use?*
- e. *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

Facts in Support of Finding

a. Farmland: The project site is designated as “Urban and Built-up Land” by the State of California, Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program. Therefore, development of the proposed project would not convert Important Farmland to non-agricultural use and no mitigation measures would be required.

b. Zoning/Williamson Act: The project site is currently designated in the Land Use Map of the City General Plan as “Office” (O). The Office designation provides for the development of a variety of activities in an office environment, such as administrative and professional offices; business support services; financial, insurance, and real estate services; and some supportive commercial uses. The project site zoning is Residential Estate-20 (RE-20) has not been updated since the adoption of the 2012 Comprehensive General Plan Update. The RE-20 Zone classification is inconsistent with the City General Plan designation and the project site would need to be rezoned prior to developing a commercial use.

The project site is not planned or zoned for an agricultural use and is not designated under a Williamson Act contract. Therefore, the proposed project would not impact with existing zoning for agricultural use or a Williamson Act contract and no mitigation measures would be required.

c. Timberland: The proposed project is not forest land, timberland, or timberland zoned Timberland Production. The proposed project would not cause the rezoning of forest land, timberland, or timberland zoned Timberland Production. Therefore, no impacts would occur and no mitigation measures would be required.

d. Conversion Forestland: The project site is presently vacant and does not appear to ever have been developed with structures. The development of the proposed project would not involve other changes in

the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. Therefore, no impacts would occur and no mitigation measures would be required.

e. Conversion Farmland: The project site is presently vacant and does not appear to ever have been developed with structures. The development of the proposed project would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. Therefore, no impacts would occur and no mitigation measures would be required.

Initial Study – Air Quality

No Impact or Less than Significant Impact

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

Facts in Support of Finding

e. Objectionable Odors: The proposed project would not create objectionable odors affecting a substantial number of people. Potential odor impacts have been analyzed separately for construction and operations below.

Individual responses to odors are highly variable and can result in a variety of effects. Generally, the impact of an odor results from a variety of factors such as frequency, duration, offensiveness, location, and sensory perception. The frequency is a measure of how often an individual is exposed to an odor in the ambient environment. The intensity refers to an individual's or group's perception of the odor strength or concentration. The duration of an odor refers to the elapsed time over which an odor is experienced. The offensiveness of the odor is the subjective rating of the pleasantness or unpleasantness of an odor. The location accounts for the type of area in which a potentially affected person lives, works, or visits; the type of activity in which he or she is engaged; and, the sensitivity of the impacted receptor.

Sensory perception has four (4) major components: detectability, intensity, character, and hedonic tone. The detection (or threshold) of an odor is based on a panel of responses to the odor. There are two (2) types of thresholds: the odor detection threshold and the recognition threshold. The detection threshold is the lowest concentration of an odor that will elicit a response in a percentage of the people that live and work in the immediate vicinity of the project site and is typically presented as the mean (or 50 percent of the population). The recognition threshold is the minimum concentration that is recognized as having a characteristic odor quality; this is typically represented by recognition by 50 percent of the population. The intensity refers to the perceived strength of the odor. The odor character is what the substance smells like. The hedonic tone is a judgment of the pleasantness or unpleasantness of the odor. The hedonic tone varies in subjective experience, frequency, odor character, odor intensity, and duration.

Construction-Related Odor Impacts

Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement, paints and solvents and from emissions from diesel equipment. The objectionable odors that may be produced during the construction process would be temporary and would not likely be noticeable for extended periods of time beyond the project site's boundaries. Odor emission during construction would be short-term in nature and limited to the operational time of diesel equipment and the amounts of odor producing materials being utilized, which would result in transitory odor impacts at the nearby residences that would not be anticipated to impact 50 percent of the nearby population at any time. Therefore, a less than significant odor impact would occur and no mitigation would be required.

Potential Operations-Related Odor Impacts

The long-term operation of the proposed project would consist of the operation of 137 residential townhomes, which may result in the creation of odor emissions from the trash storage areas. Pursuant to City regulations, permanent trash enclosures that protect trash bins from rain as well as limit air circulation would be required for the trash storage areas. Due to the distance of the nearest receptors from the project site (single-family homes located as near as 700 feet west and east of the project site) and through compliance with SDAPCD's Rule 51, no significant impact related to odors would occur during the on-going operations of the proposed project. Therefore, a less than significant odor impact would occur and no mitigation measures would be required.

Initial Study – Cultural Resources

No Impact or Less than Significant Impact

- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*
- d. Disturb any human remains, including those interred outside of formal cemeteries?*

Facts in Support of Finding

c. Paleontological Resources: No known paleontological resources or unique geologic features exist on the site. However, it is possible that subsurface earthwork activities will encounter previously undiscovered paleontological resources. The implementation of standard cultural resource construction conditions of approval would ensure that this impact would be less than significant. These conditions include prior to the issuance of any grading or demolition permit, if a potentially significant cultural resource (historical, archaeological, or paleontological) is encountered during subsurface earthwork activities, all construction activities within a 50-foot radius of the find shall cease. The project applicant shall then obtain a qualified archaeological consultant who shall examine any newly found materials, assess their significance, and perform appropriate exploratory and investigative procedures to determine and implement the best course to ensure that there are no significant adverse impacts associated with cultural resources on the site. All recommendations of the archaeologist shall be followed. Any previously undiscovered resources found during construction shall be recorded on appropriate significant cultural resources consist of, but are not

limited to, stone, bone, wood, and shell artifacts; fossils; and, features including hearths, structural remains, and historic dumpsites.

d. Human Remains: The potential for encountering human remains during construction activities of the proposed project is low. As required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains were found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law, following the provisions of State CEQA Guidelines Section 15064.5. Based on compliance with these existing State regulations, the proposed project potential to disturb human remains is considered less than significant and no mitigation measures would be required.

Initial Study – Geology and Soils

No Impact or Less than Significant Impact

- b. Result in substantial soil erosion or the loss of topsoil?*
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

Facts in Support of Finding

b. Soil Erosion or Loss Topsoil: Grading for the proposed project does have the potential to expose soils that would be subject to erosion by wind and water. However, the City Development Code contains strict erosion control procedures, and the Regional Water Quality Control Board requires the implementation of a variety of Best Management Practices (BMPs) on construction and operation of projects, which would minimize potential erosion from the site over the short- and long-term.

Therefore, by following these required practices, there would be a less than significant impact related to soil erosion or the loss of topsoil and no mitigation measures would be required.

e. Disposal Waste Water: The proposed project does not include any improvements that would require the use of septic systems. Sewers are proposed to dispose of wastewater from the proposed project, and as discussed below in Section 14.7, *Utilities and Service Systems*, a less than significant impact related to the increase in wastewater generation is anticipated.

Therefore, the proposed project would not create the potential for adverse effects due to soils being incompatible with the use of septic systems and no mitigation measures would be required.

Initial Study – Hazards and Hazardous Materials

No Impact or Less than Significant Impact

Section 5: Environmental Impact Findings

- a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**
- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*
- d. *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*
- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?*
- f. *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*
- g. *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Facts in Support of Finding

a. Use and Transport of Hazardous Materials: During construction-related activities, the proposed project may involve the use and transport of hazardous materials. These materials may include fuels, oil, mechanical fluids, and other chemicals. Compliance with all applicable federal, State, and local statute regulations will be required in order to transport, store, use, and dispose of hazardous materials during construction. By abiding by all applicable regulations, the impacts related to routine hazardous material activities will be less than significant. In addition, prior to commencement of construction, the construction manager must submit a Spill Prevention Control Plan (SPCP) as described in the BMP for Storm Water Pollution Prevention Plan (SWPPP) requirements, which will explain how to manage any spill that may occur while construction is in progress.

Additionally, based on the information provided in Appendix A: *Hazards / Hazardous Materials Study (Phase 1)* there are no Underground Storage Tanks (UST) presently on the project site or planned as a part of the proposed project.

Therefore, the proposed project would create a less than significant impact related to hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and no mitigation measures would be required.

Please refer to Threshold 8a above for details. Impacts would be less than significant related to hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and no mitigation measures would be required.

b. Release Hazardous Materials: Please refer to Threshold 8a above for details. Impacts would be less than significant related to hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and no mitigation measures would be required.

c. Existing or Proposed School: A The nearest existing or proposed school site is North Broadway School, Escondido Union School District kindergarten to fifth (K to 5) grade located 1.3 miles from the proposed project. The proposed project would not involve the use of significant quantities of hazardous materials and, therefore, would not have the potential to expose the school to such substances. Transportation of construction waste is anticipated to travel on Interstate-15 (I-15) or Center City Parkway not in a direction toward the existing school.

Therefore, the proposed project would have less than significant impacts related emitting hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school to and no mitigation measures would be required.

d. List Hazardous Materials Sites: As noted in Appendix A: *Hazards / Hazardous Materials Study (Phase 1)*, the Phase I ESA indicated that the project site was undeveloped land. Additionally, the Phase I ESA did an environmental database review for the project site. Neither the project site location nor the business address was listed in the databases searched nor were they identified at local regulatory agencies as sites of known or suspected contamination.

Therefore, the development of the proposed project would not expose the public or environment to significant hazardous materials associated with current or past uses of the project parcel and no mitigation measures would be required.

e. Public Airport: The nearest public airport, or public use airport to the project area is McClellan-Palomar Airport, located approximately 12.8 miles from the project site. The proposed project is not located within an existing or proposed airport land use plan, or within two (2) miles of a public airport or public use airport.

Therefore, the proposed project would result in a less than significant impact related to safety hazard for people residing or working in the project area and no mitigation measures would be required.

f. Private Airport: The nearest private airport is the Fallbrook Airpark, located approximately 17.6 miles north from the project site. The proposed project is not located within an existing or proposed airport land use plan, or within two (2) miles of a private airport or airstrip.

Therefore, the proposed project would result in a less than significant impact related to safety hazard for people residing or working in the project area and no mitigation measures would be required.

g. Emergency Plans: The proposed project would introduce residents to the project site that would be subject to emergency evacuation or response in the event of a major disaster. Traffic associated with the proposed development could impact evacuation routes in the vicinity of the project site. The proposed project would not result in the impairment or interference with the implementation of the City's emergency evacuation and support services procedures in the event of a natural disaster or other emergency. The proposed project provides adequate emergency vehicular access to and throughout the project site.

Therefore, the proposed project related impacts regarding an adopted emergency response plan or emergency evacuation plan would be less than significant and no mitigation measures would be required.

Initial Study – Hydrology and Water Quality

No Impact or Less than Significant Impact

- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of 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)?*
- g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?*
- j. Inundation by seiche, tsunami, or mudflow?*

Facts in Support of Finding

b. Groundwater: The availability of groundwater and issues involving the adequacy of recharge capability are regional in nature. The Groundwater Management Act (AB 3030) (CWC 2011) provides a systematic procedure for an existing local agency to develop a groundwater management plan. AB 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater.

It is anticipated that potable water to the proposed project would continue to be supplied by the Escondido Water and Wastewater Division (EWWD) and would not use groundwater supply for any purpose. Although the project would increase the amount of impermeable surfaces on the project site, surface water would infiltrate on-site through the proposed biofiltration basins and landscape areas on the project site. An analysis of water supplies that would serve the proposed project is provided in Section 17 (Utilities and Service Systems).

The construction of the proposed project would not interfere with groundwater recharge, as the project site is not identified as a groundwater recharge area. Development of the project site would increase the amount of impervious surfaces (such as building roof-tops, paving, etc.), which would inhibit percolation on the

project site. The changes in impervious surfaces that would occur are not anticipated to significantly impact groundwater.

Therefore, the proposed project would not interfere with groundwater recharge activities, and a less than significant impact would occur and no mitigation measures would be required.

g. Housing within 100-Year Flood Hazard Area: The proposed project includes the development of 135-unit single-family attached residential homes, off-street parking, on-site circulation, community building, pool and deck, tot-lot, outdoor open space areas and off-site potential long-term impacts. The proposed project would not place housing within a 100-year flood zone.

Therefore, a less than significant impact would occur and no mitigation measures would be required.

h. Structures within 100-Year Flood Hazard Area: The proposed project includes the development of 137 homes, off-street parking, on-site circulation, tot-lot, outdoor open space areas and off-site potential long-term impacts. Flood Insurance Rate Map Community Panel No. 06073C0811G, dated May 16, 2012 indicates that the project site is located in Zone X (Other Areas), which is defined as areas determined to be outside the 0.2% annual chance flood plain. It would not place structures within a 100-year flood zone.

Therefore, no impact would occur and no mitigation measures would be required.

i. Failure Levee or Dam: Dam failure inundation is flooding caused by the release of impounded water from a structural failure or overtopping of a dam. The failure of a dam occurs most commonly as a result of extreme rainfall, poor design, neglect, or structural damage caused by earthquakes. This event is extremely hazardous, as it will typically occur quickly and without warning. Areas directly below the dam are at the greatest risk, and as the water moves farther downstream and reduces in velocity and depth, the magnitude of the damage and potential risk to life and property decreases.

The project site is not within a dam inundation area (County of San Diego Department of Planning and Land Use, Draft – Dam Failure, County of San Diego Hazard Mitigation Planning Map. The project site is not within a dam failure inundation area, and the proposed project, as designed, would not create hazards in this regard.

Therefore, no impact would occur and no mitigation measures would be required.

j. Seiche, Tsunami, or Mudflow: Seiches are oscillations of the surface of inland bodies of water that vary in period from a few minutes to several hours. Seismic excitation can induce such oscillations. Tsunamis are large sea waves produced by submarine earthquakes or volcanic eruptions. The proposed project is not near a large body of water, or the Pacific Ocean, and the project site is relatively flat without any hills (which can produce mudflows).

Therefore, the project site has a very low chance of being impacted by seiche, tsunami, or mudflow. Therefore, a less than significant impact would occur and no mitigation measures would be required.

Initial Study – Land Use and Planning

No Impact or Less than Significant Impact

- a. *Physically divide an established community?*

Facts in Support of Finding

a. Divide Established Community: The project site is located to the east of Interstate – 15 [Escondido Freeway (I-15)], to the north and south of North Nutmeg Street, and to the east of North Center City Parkway in the City of Escondido (City), County of San Diego (County) CA. The I-15 Freeway bounds the project site to the west and is substantially above the project site. North Nutmeg Street travels to the west under the Freeway to the City. North Center City Parkway travels to the north and south providing access to the City. The project site is approximately two (2) miles from the intersection of State Route 78 (SR-78) and the I-15. The proposed project includes the development of 137 homes, off-street parking, on-site circulation, tot-lot, and outdoor open space areas. Based on the surrounding land uses the proposed project would provide connectivity within the community and not physically divide an established neighborhood or community.

Therefore, the proposed project would have no impact related to physically dividing an established community and no mitigation measures would be required.

Initial Study – Mineral Resources

No Impact or Less than Significant Impact

- a. *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

Facts in Support of Finding

a. Loss Mineral Resources: It would not be feasible to use the site for mining operations due to the site's zoning and land use designation, the relatively small property size, and the surrounding land uses. The City's General Plan does not identify the project site as an existing or former extraction site. Implementation of the project would result in no impact related to the loss of a local, regional, or state mineral resource.

Therefore, no impact would occur and no mitigation measures would be required.

b. Loss Plan Mineral Resources Site: See response provided above in "a".

Therefore, no impact would occur and no mitigation measures would be required.

Initial Study – Noise

No Impact or Less than Significant Impact

- b. *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*
- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

Facts in Support of Finding

b. Expose Persons: The proposed project would not expose persons to or generation of excessive groundborne vibration or groundborne noise levels. The following section analyzes the potential vibration impacts associated with the construction and operations of the proposed project.

Construction-Related Vibration Impacts.

Vibration impacts from construction activities associated with the proposed project would be a function of the vibration generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. The nearest sensitive receptors to the proposed project are large lot single-family homes located as near as 700 feet west and east of the proposed project. There are also single-family tract homes located as near as 710 feet southeast of the proposed construction activities associated with development of the proposed project.

The primary source of vibration during construction would be from the operation of a bulldozer during the grading phase. From Table 6: Vibration Source Levels for Construction Equipment above a large bulldozer would create a vibration level of 0.089 inch per second PPV at 25 feet. Based on typical propagation rates, the vibration level at the nearest homes (700 feet away) would be around 0.002 inch per second PPV. This is below the 0.02 inch per second PPV threshold of perception and would also be below the typical ambient vibration level of 0.005 inch per second PPV for areas located near freeways (Caltrans, June 2004).

Therefore, a less than significant vibration impact would occur from construction of the proposed project and no mitigation measures would be required.

Table 6: Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity (inches/second)	Approximate Vibration Level (L _v) at 25 feet
Pile driver (impact): Upper range	1.518	112

Section 5: Environmental Impact Findings

Equipment	Peak Particle Velocity (inches/second)	Approximate Vibration Level (L _v) at 25 feet
Pile driver (impact): typical	0.644	104
Pile driver (sonic): Upper range	0.734	105
Pile driver (sonic): typical	0.170	93
Clam shovel drop (slurry wall)	0.202	94
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Federal Transit Administration, May 2006.

Operations-Related Vibration Impacts

The long-term operation of the proposed project would consist of the operation of 137 residential townhomes. Residential uses do not typically create vibration levels that are high enough to be perceptible at the property line. Therefore, a less than significant vibration impact would occur from operation of the proposed project and no mitigation measures would be required.

e. Public Airport & f. Private Airport: The proposed project would not expose people residing at the project site to excessive noise levels from aircraft. The nearest private airport is the Lake Wohlford Resort Airport, located approximately six miles east of the project site and the nearest public airport, or public use airport to the project area is McClellan-Palomar Airport, located approximately ten miles west of the project site. The project site is located outside of the 65 dBA CNEL noise contours of these airports and the site observations at the project site determined that aircraft create minimal noise impacts at the project site.

Therefore, impacts would be less than significant and no mitigation measures would be required.

Initial Study – Population and Housing

No Impact or Less than Significant Impact

- a. *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses or indirectly (for example, through extension of roads or other infrastructure)?*
- b. *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c. *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Facts in Support of Finding

a. Population Growth: According to the 2010 Census data summary provided by the San Diego Association of Governments (SANDAG) the total population of the City is 143,911. Since the 2010 Census, the City has experienced a population increase. The City population is estimated at 151,613 and a total of 48,557 housing units (2016). As indicated in EIR Table 7: *Local and Regional Population, Housing, and Employment Projections* SANDAG estimates the population of the City to continue to grow to 165,812 persons by the year 2030 and 177,559 persons by the year 2050.

Table 7: Local and Regional Population, Housing, and Employment Projections

JURISDICTION	2000	2020	2030	2040	2050
Population					
City of Escondido	133,559	154,635	165,812	172,490	177,559
SANDAG Region	2,813,833	3,535,000	3,870,000	4,163,688	4,384,867
Housing					
City of Escondido	49,716	50,370	52,954	53,738	54,596
SANDAG Region	1,040,149	1,262,488	1,369,807	1,457,545	1,529,090
Employment					
City of Escondido	49,716	66,803	71,331	73,451	74,915
SANDAG Region	1,384,676	1,619,615	1,752,630	1,877,668	2,003,038

Source: SANDAG 2018.

Population and Housing

The proposed project will consist of the revitalization of 137 homes, off-street parking, on-site circulation, tot-lot, and outdoor open space areas.

The construction activities associated with the proposed project could indirectly influence population growth. The proposed project related construction jobs (i.e. grading, and building of new structure) are considered short-term in nature. The positions would likely be filled by workers who reside in the general project area, and are not presumed to contribute to a permanent increase in population. Existing local area residents would likely fill many of these future employment opportunities.

The additional 137 homes would directly influence population growth. Based on 3.12 persons per household (City) the proposed project would add approximately 427 persons to the City’s existing population. This would be a less than 0.003% increase in population and a less than significant increase. The proposed project

would not substantially induce population growth beyond what has been forecasted for the City or the region.

The additional 137 homes would directly increase the number of housing units. The 137 homes would be less than 0.003% increase in housing units in the City and a less than significant increase.

The proposed project would not indirectly through extension of roads or other infrastructure induce substantial population growth in the area. Developed roads and real estate development, including infrastructure, surround the project site.

Employment

The proposed project related construction jobs (i.e. grading, and building of new structures) are considered short-term in nature. The positions would likely be filled by workers who reside in the general project area, and are not presumed to contribute to a permanent increase in population. Existing local area residents would likely fill many of these future employment opportunities. The proposed project would not create a significant number of long-term jobs.

Therefore, the temporary increase in employment during construction is a less than significant impact and no mitigation measures would be required. No long-term jobs would be created no impact would occur and no mitigation measures would be required.

Therefore, the any increase in employment is considered a less than significant impact and no mitigation measures would be required.

Therefore, the proposed project would have less than significant impacts related to inducing substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), and no mitigation measures would be required.

b. Displace Housing: There are no existing residential dwelling units on the project site. The development of the proposed project would not displace existing housing, necessitating the construction of replacement housing elsewhere.

Therefore, related to displacement of substantial numbers of existing housing necessitating the construction of replacement housing elsewhere, no impact would occur and no mitigation measures would be required.

c. Displace People: There are no existing residential dwelling units on the project site. The development of the proposed project would not displace existing housing, necessitating the construction of replacement housing elsewhere.

Therefore, related to the displacement of substantial numbers of people necessitating the construction of replacement housing elsewhere, no impact would occur and no mitigation measures would be required.

Initial Study – Public Services

No Impact or Less than Significant Impact

- a. *Fire Protection?*
- b. *Police Protection?*
- c. *Schools?*
- d. *Parks?*
- e. *Other public facilities?*

Facts in Support of Finding

a. Fire protection: Fire protection would be provided to the proposed project via the Escondido Fire Department (EFD). The EFD's seven (7) firehouses provide a presence in neighborhoods throughout the City. The Escondido Fire Department Administration offices are located at the combined Police and Fire Facility, located at 1163 North Centre City Parkway. The EFD area includes administrative and training spaces, fire prevention services, paramedic services management, and community education areas. The seven (7) Fire Stations presently house emergency response personnel and equipment. The Escondido Fire Department provides fire protection and emergency medical services to the City and, through a contractual arrangement established in 1984, the Rincon Del Diablo Fire Protection District. A staff of 93 full-time safety (including Chief Officers), 18 full-time non-safety, 10 full-time administration, 3 part-time administration, and 27 senior volunteers provides services to a population of approximately 153,614 in an area covering 50 square miles.

The mission of the EFD is to serve the public and to safeguard the community from the impact of fire, medical, and environmental emergencies through education, emergency services, and enforcement.

The EFD is responsible for the protection of life and property from fire, explosion, hazardous materials incidents, severe weather, earthquakes, transportation disasters, multi-casualty incidents, terrorist acts, and other emergencies. The EFD is also responsible for providing pre-hospital emergency medical care within the jurisdictional boundary lines of the City and any agency with which they have appropriate agreements.

To prevent and reduce the impact of the variety of emergencies to which personnel potentially respond, the EFD also provides fire and life safety education to the public. Working with business owners, builders, and others to maximize safety and evacuation elements throughout the design and construction process, the EFD enforces various fire and life safety codes once a building is occupied, as well.

The proposed project will be required to comply with all applicable Federal, State, and local codes and regulations. The construction of the proposed project will be required to comply with the City Fire Code

(Escondido Municipal Code Chapter 11, Article 2, *Fire Prevention*), and the California Fire Code, as published by the International Fire Code Council and interpreted by the EFD related to fire access; fire flow requirements; the number, placement, and spacing of any hydrants; and, automatic fire extinguishing systems.

The project site is presently vacant and does not appear to ever have been developed with structures. The proposed project includes the development of 137-unit single-family attached residential homes, off-street parking, on-site circulation, community building, pool and deck, tot-lot, and outdoor open space areas. The closest fire station to the project site is the Fire Station No. 3 located at 1808 Nutmeg Street, Escondido, CA 92026. Fire Station No. 3 is located approximately 0.8 miles from the project site. Fire Station No. 3 houses one (1) paramedic fire engine and one (1) wildland brush engine.

The occupation of the currently vacant project site and the additional construction would not significantly increase demand for fire protection services. The proposed project will be required to pay development impact fees to the City to mitigate the project's impact on fire prevention services. The proposed project will not create the need to expand or build new fire facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire services.

Therefore, by complying with all applicable Federal, State, and local codes and regulations, including the payment of development fees, the proposed project will have a less than significant impact on fire protection services and no mitigation measures would be required.

b. Police Protection: Police protection services are provided by the Oceanside Police Department. The City Police and Fire Department Headquarters Station is located at 1163 North Centre City Parkway., Escondido, CA. The City Police Department currently employs over 170 sworn officers, over 69 non-sworn employees, and volunteers.

The proposed project will result in an increased demand for police protection services. During construction, there exists the potential for service calls concerning theft as well as other crimes. The operation of the proposed project would result in an increase in the amount of traffic, and an ensuing need for traffic enforcement. The proposed project would necessitate the need for protection on-site. The proposed project would provide state-of-the-art lighting and security systems that will decrease demand on police services.

The proposed project will be required to pay development impact fees to the City to mitigate the project's impact on police services. The proposed project will not create the need to expand or build new police facilities in order to maintain acceptable service ratios, response times or other performance objectives for police services.

Therefore, impacts to City Police Department will be less than significant and no mitigation measures would be required.

c. Schools: The project site is located within the Escondido Union School District which would provide elementary and middle school services to the proposed project. The District has 17 elementary schools and five (5) middle schools. The District serves over 17,000 elementary and middle school students with a teacher ratio of 19.6 to 1. (esud.org). The project site would be served by the Reidy Creek Elementary School located at 2869 North Broadway, Escondido, CA 92026. Reidy Creek Elementary School is located approximately 1.5 miles from the project site. Reidy Creek Elementary School serves grades kindergarten to fifth. (esud.org)

The project site would be served by Rincon Middle School located at 925 Lehner Avenue, Escondido, CA 92026. Rincon Middle School is located approximately 2.2 miles from the project site. Rincon Middle School serves grades sixth to eighth. (esud.org)

The project site is located within the Escondido Union High School District which would provide high school services to the project site. The District office is located at 302 North Midway Drive, Escondido, Ca 92027. The project site would be served by Escondido High School located at 1535 North Broadway, Escondido, CA 92028 approximately 2.4 miles from the project site. Escondido High School serves grades ninth to twelfth.

The project site is presently vacant and does not appear to ever have been developed with structures. The proposed project includes the development of 137-unit single-family attached residential homes, off-street parking, on-site circulation, community building, pool and deck, tot-lot, and outdoor open space areas. The proposed project will be required to pay development impact fees to the Escondido Union School District and the Escondido Union High School District to mitigate the project's impact on school services. The proposed project will not create the need to expand or build new facilities in order to maintain acceptable service services.

Therefore, a less than significant impact would occur and no mitigation measures would be required.

d. Parks: The City offers a wide variety of outdoor recreational opportunities. These include camping, fishing, picnicking, hiking, mountain biking, and boating, just to name a few. The City maintains a number of different facilities, including Dixon Lake, Lake Wohlford, Daley Ranch, and nine urban park facilities. Each facility provides users with a multitude of unique resources.

The City General Plan states that,

The city shall provide a minimum of 11.8 acres of active and passive parkland per 1,000 dwelling units. This parkland acreage shall involve a minimum of 5.9 acres of developed active neighborhood and community parks in addition to 5.9 acres of passive park land and/or open space for habitat preservation per 1,000 dwelling units. Urban recreational amenities such as exercise courses, urban trails, tree lined shaded walkways and plazas, etc. shall be focused in high intensity downtown and urban areas. Priority shall be given to acquiring land to expand Grape Day Park north of Woodward Avenue and developing neighborhood parks in urban areas with the greatest need. School playground areas may be included as park acreage, provided that neighborhood park amenities and facilities are accessible, approval is granted by the school district(s)

and the facility is open to the public as determined by the City Council. Prior to build-out, the city shall provide a minimum of two (2) community centers. Other specialized recreation facilities shall be incorporated into the City's Master Plan for Parks, Trails and Open Space. (City General Plan, Page I-15)

The proposed project would be in conformance with Article 18B of Chapter 6 of the Escondido Municipal Code, which establishes the public facility fees for the City. This article requires that all new residential or nonresidential development pay a fee for the purpose of assuring that the public facility standards established by the City are met with respect to the additional needs created by such development.

With the addition of 1375 dwelling units, the development of the proposed project is not anticipated to result in a significant increase in demand for parks or governmental services related to parks. The proposed project includes a private community and pool area for the future residents. Additionally, the proposed project includes a tot lot and open space area. The proposed project would pay fees in accordance with adopted City polices related to park fees.

Therefore, less than significant impact would occur and no mitigation would be required.

e. Other Public Facilities: The Escondido Public Library (EPL) provides library materials and services to the City. There are currently three (3) facilities of the EPL located within the City: Escondido Public Library at 239 South Kalmia Street; Literacy Learning Center located at 200 South Broadway Street; and, the Pioneer Room located at 247 South Kalmia Street all in Escondido, CA.

The proposed project would not result in substantial population growth, therefore potential impacts on library services related to existing services levels would not substantially increase. In addition, the proposed project will be required to pay development impact fees to reduce indirect impacts on the library system. The proposed project will not create the need to expand or build other public facilities in order to maintain acceptable service ratios or other performance objectives for other public facilities.

Therefore, as long as required development impact fees are paid, impacts to libraries will be less than significant and no mitigation measures would be required.

Initial Study – Recreation

No Impact or Less than Significant Impact

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?*
- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

Facts in Support of Finding

a. Existing Parks: The City owns and operates a number of parks in the vicinity of the project site and throughout the City. Jesmond Dene Park is the located the closest to the project site (2.1 miles northwest). Jesmond Dene Park is located at 2401 North Broadway, Escondido, CA 92026. The park site is located at the intersection of Jesmond Dene Road and North Broadway. Amenities at this facility include a picnic area. The project site is also in close proximity to the Palisades Park approximately 0.9 miles to the east of the project site. This Park has 16 developed acres, two (2) lighted little league fields, one (1) unlighted baseball field, concession stand, picnic tables, barbecues, tot lot, playground, and restrooms. This Park is open for sunrise to sunset, except for lighted ballfields that close at or before 10:30 PM. The City acquired the park site in 1978.

The project site is presently vacant and does not appear to ever have been developed with structures. The proposed project includes the development of 137-unit single-family attached residential homes, off-street parking, on-site circulation, community building, pool and deck, tot-lot, and outdoor open space areas.

The occupation of the currently vacant project site and the additional construction would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. The proposed project will be required to pay development impact fees to the City to mitigate the project's impact on fire prevention services. The proposed project will not create the need to expand or build new recreation facilities.

Therefore, by complying with all applicable Federal, State, and local codes and regulations, including the payment of development fees, the proposed project will have a less than significant impact and no mitigation measures would be required.

b. Construction or Expansion of Recreation Facilities: The proposed project does not include the construction of public recreational facilities or require the construction or expansion of recreational facilities.

Therefore, no impact would occur and no mitigation measures would be required.

Initial Study – Transportation/Traffic

No Impact or Less than Significant Impact

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*
- e. Result in inadequate emergency access?*
- f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

Facts in Support of Finding

c. Air Traffic Patterns: The nearest private airport is the Oceanside Municipal Airport, located approximately 2.4 miles north of the project site and the nearest public airport is McClellan Palomar Airport, located approximately 4.5 miles south of the project site. The proposed project would not generate traffic to and from these airports, as it would primarily serve residents and patrons from the adjacent, local area via existing vehicular, transit, bicycle, and pedestrian facilities. In addition, the proposed project would not change the existing air traffic patterns at those airports. Therefore, no impact on air traffic patterns would occur from development of the proposed project and no mitigation measures would be required.

e. Emergency Access: The proposed project would change the existing access locations on Nutmeg Street. This design has been reviewed and approved by the City. The proposed project will be required to design their access, drive aisles, parking layout, and loading areas in accordance to the City Design Standards. With the access driveways forecast to continue to operate with satisfactory levels of service, and the on-site circulation designed to the City's standards, emergency access would be adequately provided, and would not be significantly impacted.

Therefore, the proposed project would have a less than significant impact to emergency access and no mitigation measures would be required.

f. Conflict Non-Vehicular Transportations: The proposed project is currently served by the North County Transit District (NCTD). There are also existing bicycle and pedestrian facilities that serve the project site.

Bus

Transit service in the study area is provided by the North County Transit District (NCTD). The NCTD provides Breeze buses to the City. Breeze buses carry passengers in the north San Diego County area and stop wherever you see the blue and white NCTD bus stop signs. Stops are usually located every few blocks on city routes but may be several miles apart in rural areas. All Breeze buses can accommodate up to two bicycles and up to three wheelchairs and almost half the fleet have "kneeling" buses. Many Breeze bus routes connect with the Coaster and Sprinter trains. The nearest bus stops are located on Country Club Lane / Montego Avenue, Escondido, CA and County Club Lane / Village Road, Escondido, CA. Both bus stops are approximately 0.8 mile from the project site.

Rail

The NCTD also provides a Sprinter service to the City. The Sprinter runs 22 miles along Highway 78 corridor, making short trips to 15 stations, for a total travelling time of 53 minutes from end to end. Each European-style light rail vehicle has a maximum capacity of 226 passengers and travels at a maximum speed of 55 mph. There are two (2) Sprinter stations in the City. The Sprinter offers connections to the Coaster, Breeze, Amtrak, Metrolink, Greyhound, and a future Bus Rapid Transit project in Escondido. The Escondido Sprinter station nearest service to the project site is approximately 4.9 miles.

Bicycle

The Escondido Bicycle Master Plan provides an updated and broad vision for bicycle transportation, recreation, and quality of life in the City. The Bicycle Master Plan focuses on developing a feasible plan for an interconnected network of on- and off-street bicycle facilities that serves all of the City's neighborhoods, and provides connections to transit centers, shopping districts, parks and other local amenities. The bicycle network, projects, policies, and programs included in the Bicycle Master Plan provide the City with a strong long-range plan for improving bicycling through 2030 and beyond.

The Bicycle Master Plan provide a framework for the future development of the City's bicycle network and also makes the City eligible for certain local, State, and Federal funding for bicycle projects. The Bicycle Master Plan seeks to maximize the efficiencies offered by multi-modal connections between mass transit and bikeways, and to promote a viable alternative to automobile travel in a climate particularly conducive to bicycle transportation. The Bicycle Master Plan provides a more convenient bikeway system for cyclists who do not have ready access to motor vehicles or may choose to ride a bike.

The Inland-Rail Trail, which is Class I bike path and a regional link in the system parallels the Sprinter route. The 6.5-mile section from Escondido to San Marcos is the first section complete and connects to the City's east-west Escondido Creek Class I bike path and the north-south Centre City Parkway (Old Hwy 395) Class II bike lane, which are designated as regional links in the San Diego County Regional Bike Plan. These regional links provide the backbone for the Escondido bicycle system. There is an Existing Class II Bicycle Lane located on Center City Parkway and a Proposed Class III Route locate on Nutmeg Street. (Bicycle Master Plan, City of Escondido, October 2012, *Figure ES 1, Existing and Proposed Bicycle Facilities*)

The project site is presently vacant and does not appear to ever have been developed with structures. The proposed project includes the development of 137-unit single-family attached residential homes, off-street parking, on-site circulation, community building, pool and deck, tot-lot, and outdoor open space areas. The proposed project would provide access to the Class II Trail on Nutmeg Street and therefore to the Class I Trail on Center City Parkway. Both roadways (Nutmeg Street and Center City Parkway) adjacent to the project site would provide bicycle trails as required by the City's Bicycle Master Plan.

Pedestrian

The project site is presently vacant and does not appear to ever have been developed with structures. There are no existing pedestrian facilities on the project site. The proposed project includes the development of 137-unit single-family attached residential homes, off-street parking, on-site circulation, community building, pool and deck, tot-lot, and outdoor open space areas. The proposed project would implement street improvements including any required sidewalks on Nutmeg Street and Center City Parkway adjacent to the project site.

Therefore, the proposed project would have a less than significant impact to alternative transportation and no mitigation measures would be required.

Initial Study – Utilities and Service Systems

No Impact or Less than Significant Impact

- a. *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*
- b. *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*
- c. *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*
- d. *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*
- e. *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*
- f. *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*
- g. *Comply with federal, state, and local statutes and regulations related to solid waste?*

Facts in Support of Finding

a. Exceed Wastewater Requirements: Under Section 402 of the Federal Clean Water Act (CWA) the Regional Water Quality Control Board (RWQCD) issues National Pollutant Discharge Elimination System (NPDES) permits to regulate waste discharges to “waters of the U.S.,” which includes rivers, lakes, and their tributary waters. Waste discharges include discharges of stormwater and construction project discharges. Construction of a project resulting in the disturbance of more than one-acre requires an NPDES permit. Construction project proponents are also required to prepare a Storm Water Pollution Prevention Plan (SWPPP), which would ensure compliance with the RWQCB stormwater discharge requirements.

The proposed project has received a “Will-Serve” letter from the City related to wastewater. The proposed project would connect to the existing sewer line adjacent to the project site. Additionally, the “Will-Serve” letter states that there would be adequate capacity to serve the proposed project. Prior to the issuance of grading permits, the project applicant would be required to satisfy the City requirements related to the payment of fees.

The City Finds that the proposed project would comply with the waste discharge prohibitions and water quality objectives established by RWQCD, impacts would be less than significant and no mitigation measures would be required.

b. Construction New Wastewater Facilities or Expansion: The City's Water Utilities Department (WUD) is responsible for purchasing water from the San Diego County Water Authority (SDCWA) and delivering it throughout the City for domestic, residential, commercial, irrigation, and fire protection purposes.

The proposed project has received a "Will-Serve" letter from SDCWA. Additionally, the "Will-Serve" letter states that there would be adequate capacity to serve the proposed project. Prior to the issuance of grading permits, the project applicant would be required to satisfy the City requirements related to the payment of fees.

The City Finds that based on Impact 16a and the above information, the proposed project would have a less than significant impact related to construction of new water or wastewater treatment facilities or expansion of existing facilities, and no mitigation measures would be required.

c. Storm Water Drainage Facilities: Review and approval of the storm drain improvements would be completed during the City's public review and plan check process. As part of the process, all project-related drainage features would be required to comply with the City's General Plan and the Municipal Code for standards and specifications. The on-site drainage systems would be designed, installed, and maintained per City Standards.

The City Finds that less than significant off-site release of stormwater would occur, which precludes the need for new or expanded drainage facilities downstream. Impacts would be less than significant and no mitigation measures would be required.

d. Water Supplies: As explained in Impact 16b, the San Diego County Water Authority (SDCWA) has adequate capacity to serve the proposed project.

The City Finds that a less than significant impact would occur and no mitigation measures would be required.

e. Wastewater Capacity: As explained in Impact 16a, the City's Wastewater Treatment Plant has adequate capacity to serve the proposed project.

The City Finds that a less than significant impact would occur and no mitigation measures would be required.

f. Landfill Capacity: The proposed project would be consistent with the City of Escondido's solid waste and recycling requirements, which ensure compliance with the California Assembly Bill 939, requiring all cities to divert a minimum of 50 percent of trash from the disposal in landfills. This occurs through the implementation of numerous waste reduction and recycling programs, policies, and outreach projects.

The City's Recycling & Waste Reduction Division promotes recycling through presentations in area schools, offers workshops in backyard and worm composting, coordinates cleanups at Dixon Lake, manages the We Clean Escondido program, maintains the Household Hazardous Waste program, and contracts with Escondido Disposal, Inc. for trash collection services. The proposed project would be consistent with City polities and requirements.

The City Finds that the proposed project would comply with these requirements and would have a less than significant impact on the permitted capacity of local landfills and no mitigation measures would be required.

a. Regulations Solid Wastes: The proposed project would be required to comply with applicable elements of AB 1327 (California Solid Waste Reuse and Recycling Access Act of 1991), and other applicable local, State, and Federal solid waste disposal standards.

The City Finds that a less than significant impact would occur and no mitigation measures would be required.

FINAL EIR – Aesthetics

Less than Significant Impact

AES-A: *Would the proposed project have a substantial adverse effect on a scenic vista?*

Facts in Support of Findings

The proposed project includes the development of 135 unit attached residential homes, off-street parking, and on- and off-site circulation improvements. The proposed project would include open space, tot-lots, and outdoor space area centrally located within the complex. Pedestrian access would be provided from each building to these areas. The project site area will be landscaped. To the north of North Nutmeg Street, the proposed project would provide a small park, seating area with overhead cover, exercise station, and two (2) landscape detention basin areas. To the south of North Nutmeg Street, the proposed project would provide a park, seating area with overhead cover, barbeque, spa, tot lot, exercise stations, and four (4) landscape detention basin areas. The proposed project would provide landscaped setbacks, sidewalks, fences, and signage along North Centre City Parkway, North Nutmeg Street, and I-15. The project site will be fenced with tan split faced block wall along North Centre City Parkway and as needed for sound control. Tubular steel fencing would be provided for perimeter and basin security. The proposed project would realign North Nutmeg Street. This will increase safety and retain views from the intersection of North Nutmeg Street and North Centre City Parkway of the low hills to the east of I-15. The proposed project would retain views along I-15 north of the project site of the adjacent low hills. The proposed project would reform the Caltrans slope bank to achieve an improved edge for the community. The proposed project would include the introduction of a total of 222 trees to the project site.

The General Plan Visual Resources Policy 3.6 identifies the I-15 corridor within the City as scenically important, and requires a visual assessment for projects within this corridor. Therefore, the proposed project may have an aesthetic resource impact. This Draft EIR evaluates the potential significance of this potential impact to aesthetic resources. Views of the existing visual resources of the project site are as depicted on Figure 4.1-2. Figure 4.1-1 provides view simulations of the proposed project from multiple locations. One view indicates that looking to the west from the intersection the small hills across the I-15 Freeway would be visible. These small hills will serve as a reasonable backdrop for the project site. One view indicates that the ridge of the small hill to the north of the project site would remain substantially visible. The visibility of this ridge would be dependent on the location and speed of the viewer on I-15. One view indicates that the small hills to the west of the project site would be substantially visible. The visibility of these small hills would be dependent on the location and speed of the viewer traveling to the north on North Centre City Parkway. These potential effects of the proposed project related to visual resources/vistas would be reduced to a less than significant level with the compliance with existing Federal, state, and local regulations. Based on the proposed project development in accordance the review and approval of the City, the proposed project would result in less than significant impacts. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required. Therefore, based on the information provided above the proposed project would have a less than significant impact on existing visual resources.

The proposed project will not have an impact on any Federal, state or local designated scenic vista. There are no officially listed or eligible highways near or overlooking the project site. The nearest officially listed highway is State Route 78 (SR-78) approximately seven (7) miles from the project site. There are no officially designated or eligible highways within the City. The proposed project would not have an impact on any Federal or state scenic resources identified in existing regulations. There are no officially listed or eligible highways near or overlooking the project site. The nearest officially listed highway is State Route 78 (SR-78) approximately seven (7) miles from the project site. There are no officially designated or eligible highways within the City. Therefore, no impact will occur related to the Federal and state visual resource regulations.

The City Finds that the proposed project would have a less than significant impact related to the existing visual landscape and no mitigation measures would be required.

FINAL EIR – Air Quality

No Impact or Less than Significant Impact

- AIR-A* *Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?*

- AIR-B* *Would the proposed project violate an air quality standard or contribute to an existing or projected air quality violation?*

- AIR-C* *Would the proposed project 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)?

AIR-D Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Facts in Support of Findings

AIR-A. Air Quality Compliance: The proposed project would not conflict with or obstruct implementation of the SDAPCD's Regional Air Quality Strategy (RAQS) or the California State Implementation Plan (SIP). The following section discusses the proposed project's consistency with the SDAPCD's RAQS and SIP.

The California Clean Air Act requires areas that are designated nonattainment of state ambient air quality standards of any of the criteria pollutants to prepare and implement plans to attain the standards by the earliest practicable dates. The Air Basin is designated by the EPA for the national standards as a non-attainment area for ozone (O₃) and by CARB as nonattainment for ozone, PM₁₀, and PM_{2.5}. According the RAQS was developed to identify feasible emission control measures and provide expeditious progress toward attaining the state standard for ozone and particulate matter. The two pollutants in the RAQS are VOCs and NO_x, which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling and reducing air emissions. The RAQs, in conjunction with the Transportation Control Measures, were most recently revised in 2016 as part of the RAQS for San Diego County.

The SIP is the document that sets forth the State's strategies for attaining the NAAQS. The SDAPCD is the agency responsible for preparing the portion of the SIP applicable to the Air Basin. The RAQS outlines the plans and control measures designed to attain the NAAQS for ozone. The SDAPCD relies on information from CARB and SANDAG, including projected growth, mobile, area and all other source emissions in order to predict future emissions and develop appropriate strategies for the reduction of source air emissions through regulatory controls. The CARB mobile source emission projections and SANDAG growth projections are based on population and vehicle trends and land use plans developed by the incorporated cities and County of San Diego. As such, projects that propose development that is consistent with the growth anticipated by SANDAG would consistent with the RAQS and the SIP.

The Escondido General Plan Update Final EIR assessed whether development consistent with the General Plan would conflict or obstruct implementation of the RAQS and SIP. The Final EIR determined that the growth accommodated General Plan would be consistent with the growth accounted for in the RAQS and SIP. As such, such development consistent with the Escondido General Plan would be consistent with the RAQS and SIP.

The City General Plan designation for the project site is Office (O). The proposed project would require a General Plan Amendment (GPA) to change the General Plan designations to Urban III (U3). This would allow the project site to be developed as multi-family residential housing (18.0 DU/AC). This re-designation would

not have been accounted for in the City's General Plan. The emissions generated at the project site if developed under the City General Plan designation of Office (O) are greater than those of the proposed project. Therefore, the proposed project emissions are consistent with the growth anticipated by SANDAG for the project site.

The proposed project would be in substantial compliance with the Land Use Element goals and policies and the proposed development of a 135-unit townhouse complex would provide housing to meet the projected population growth in the County that is anticipated in SANDAG's 2050 Regional Growth Forecast. Therefore, the housing and population growth introduced by implementation of the proposed project would be consistent with SANDAG and RAQS growth forecasts. It should also be noted that the primary source of air emissions of a project is from project-generated vehicle emissions and the Traffic Impact Analysis prepared for the proposed project found that development of the project site under the current General Plan Designation would generate up to 2,298 daily vehicle trips, while the proposed project would generate 1,096 daily vehicle trips, which would result in the proposed project creating less than half of the mobile source emissions that would have been created with development under the current General Plan Designation. The proposed project's emissions have been accounted for in the RAQS, which was created to bring the Air Basin into attainment for ozone and particulate matter. The proposed project will not result in an inconsistency with the SDAPCD RAQS. Therefore, a less than significant impact will occur in relation to implementation of the SDAPCD's RAQS and SIP.

The City Finds that the proposed project would have less than significant impact related to air quality compliance and no mitigation measures would be required.

AIR-B. Air Quality Standard Violation: The proposed project would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. The Environmental Quality Regulations, as established in the City of Escondido Municipal Code Section 33-924(a)(6), establish criteria pollutant emissions thresholds to determine if a project's incremental contribution to air quality impacts would create a significant impact. The following section calculates the potential air emissions associated with the construction and operations of the proposed project and compares the emissions to the City's standards.

Construction Emissions

The construction activities for the proposed project are anticipated to include site preparation and grading of both the 7.66-acre project site and approximately 1.3-acres of adjacent Caltrans property, building construction of 135 residential townhome units, paving of onsite parking areas and driveways, and application of architectural coatings.

The CalEEMod model has been utilized to calculate the construction-related emissions from the proposed project. The worst-case summer or winter daily construction-related criteria pollutant emissions from the proposed project for each phase of construction activities are shown in EIR Table 4.2-7. Since it is possible that building construction, paving, and architectural coating activities may occur concurrently, Table 4.2-7

also shows the combined criteria pollutant emissions from building construction, paving, and architectural coating phases of construction.

EIR Table 4.2-7 shows that during site-preparation or grading or the combined building construction, paving, and architectural coatings phases that none of the analyzed criteria pollutants would exceed the City of Escondido emissions thresholds for construction activities as detailed in Section 33-924(a)(6) of the Municipal Code. Therefore, a less than significant air quality impact would occur from construction of the proposed project.

Table 4.2-7: Construction-Related Criteria Pollutant Emissions

Activity ⁴	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO ₂	PM10	PM2.5
Site Preparation	4.45	46.37	22.81	0.04	20.65	12.19
<i>Grading - CalEEMod</i>	<i>5.79</i>	<i>134.96</i>	<i>41.17</i>	<i>0.31</i>	<i>15.01</i>	<i>6.82</i>
<i>Grading - Blasting</i>	<i>0.00</i>	<i>31.80</i>	<i>62.40</i>	<i>0.60</i>	<i>7.28</i>	<i>0.42</i>
Grading Total	5.79	166.76	103.57	0.91	22.29	7.24
<i>Building Construction</i>	<i>3.25</i>	<i>26.28</i>	<i>23.30</i>	<i>0.05</i>	<i>2.90</i>	<i>1.67</i>
<i>Paving</i>	<i>1.68</i>	<i>14.11</i>	<i>15.08</i>	<i>0.02</i>	<i>0.87</i>	<i>0.72</i>
<i>Architectural Coatings</i>	<i>57.20</i>	<i>1.77</i>	<i>2.74</i>	<i>0.00</i>	<i>0.37</i>	<i>0.18</i>
Combined Building Construction, Paving, and Architectural Coatings	62.13	42.16	41.12	0.07	4.14	2.57
Maximum Daily Construction Emissions	62.13	166.76	103.57	0.91	22.29	12.19
City of Escondido Construction Thresholds ³	75	250	550	250	100	55
Exceeds Threshold?	No	No	No	No	No	No

Source: CalEEMod Version 2016.3.2

Notes:

¹ Onsite emissions from equipment not operated on public roads

² Offsite emissions from vehicles operating on public roads

³ City of Escondido Thresholds from Section 33-924(a)(6) of the Municipal Code

⁴ Construction equipment quantities are detailed on pages 36 to 38 of Appendix B, Air Quality Report

Operational Emissions

The on-going operation of the proposed project would result in a long-term increase in air quality emissions. This increase would be due to emissions from the project-generated vehicle trips and through operational emissions from the on-going use of the proposed project.

The operations-related criteria air quality impacts created by the proposed project have been analyzed through use of the CalEEMod model. The worst-case summer or winter VOC, NOx, CO, SO₂, PM10, and PM2.5 daily emissions created from the proposed project’s long-term operations have been calculated and are summarized below in EIR Table 4.2-8.

EIR Table 4.2-8 shows that during operation of the proposed project that none of the analyzed criteria pollutants would exceed the City of Escondido emissions thresholds for operational activities as detailed in Section 33-924(a)(6) of the Municipal Code. Therefore, a less than significant air quality impact would occur from operation of the proposed project.

Table 4.2-8: Operational Criteria Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO ₂	PM10	PM2.5
Area Sources ¹	5.71	0.13	11.34	0.00	0.06	0.06
Energy Usage ²	0.06	0.50	0.21	0.00	0.04	0.04
Mobile Sources ³	2.09	8.89	24.57	0.08	6.71	1.85
Total Emissions	7.86	9.52	36.12	0.08	6.81	1.95
City of Escondido Operational Thresholds⁴	55	250	550	250	100	55
Exceeds Threshold?	No	No	No	No	No	No

Source: Calculated from CalEEMod Version 2016.3.2

Notes:

¹ Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment

² Energy usage consist of emissions from natural gas usage (excluding hearths)

³ Mobile sources consist of emissions from vehicles and road dust

⁴ City of Escondido Thresholds from Section 33-924(a)(6) of the Municipal Code

The proposed project would have less than significant impact related to air quality standards/violations and no mitigation measures would be required.

AIR-C. Criteria Pollutant: The proposed project would not 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). Cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel throughout the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. Accordingly, the cumulative analysis for the project’s air quality must be generic by nature. The Air Basin has been designated by the EPA as nonattainment for ozone and by CARB as nonattainment for ozone, PM10, and PM2.5. Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the Air Basin.

Construction-Related Impacts

The Air Basin is currently designated by the EPA for federal standards as a non-attainment area for ozone and by CARB for the state standards as a non-attainment area for ozone, PM10, and PM2.5. The ozone, PM10, and PM2.5 emissions associated with construction of the proposed project have been calculated and found that development of the proposed project would result in less than significant emissions of VOC and NOx

(ozone precursors), PM10, and PM2.5 during construction of the proposed project. Therefore, a less than significant cumulative impact would occur from construction of the proposed project.

Operational-Related Impacts

The greatest cumulative operational impact on the air quality to the Air Basin will be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development. The City of Escondido adopted project-level thresholds for ozone and particulate matter, in order to ensure that no individual project would create a significant cumulative impact to air quality. The ozone, PM10, and PM2.5 emissions created from the on-going operations of the proposed project have been calculated and found that development of the proposed project would not exceed the City of Escondido’s thresholds of significance as detailed in Section 33-924(a)(6) of the Municipal Code for VOC and NOx (ozone precursors), PM10, and PM2.5 during operation of the proposed project. However, the analysis above in Section 8.3 only assessed if an air quality violation would occur and did not assess the cumulative health impacts that may be created from the air emissions created from the on-going operation of the proposed project.

Pursuant to the Sierra Club v. Friant Ranch Supreme Court Ruling (Case No. S219783, December 24, 2018), which found on page 6 of the ruling that EIRs need to “makes a reasonable effort to substantively connect a project’s air quality impacts to likely health consequences.” Also, on page 24 of the ruling it states “The Court of Appeal identified several ways in which the EIR could have framed the analysis so as to adequately inform the public and decision makers of possible adverse health effects. The County could have, for example, identified the Project’s impact on the days of nonattainment per year.”

Table 4.2-8 above shows that the primary source of operational air emissions would be created from mobile source emissions that would be generated throughout the Air Basin. As such, any adverse health impacts created from the proposed project should be assessed on a basin-wide level. As indicated above in Table 4.2-4, the Air Basin has been designated by EPA for the national standards as a non-attainment area for ozone. In addition, PM10 and PM2.5 have been designated by the State as non-attainment. It should be noted that VOC and NOx are ozone precursors, as such they have been considered as non-attainment pollutants.

According to The California Almanac of Emissions and Air Quality 2013 Edition, prepared by CARB, shows that for the County of San Diego in the year 2020 the total VOC emissions will be 114 tons per day, NOx emissions will be 68 tons per day, SOx emissions will be 1 ton per day, PM10 emissions will be 74 tons per day, and PM2.5 emissions will be 19 tons per day. The Report does not provide any data for CO emissions. The project contribution to each criteria pollutant in the Air Basin is shown in EIR Table 4.2-9

Table 4.2-9: Project’s Contribution to Criteria Pollutants in the Air Basin

Emissions Source	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO ₂	PM10	PM2.5
Project Emissions ¹	6.68	9.52	32.12	0.08	6.81	1.95

Section 5: Environmental Impact Findings

Total Emissions in Air Basin ²	228,000	136,000	--	2,000	148,000	38,000
Project's Percent of Air Emissions	0.0029%	0.007%	--	0.004%	0.0046%	0.0051%

Notes:

¹ From the project's total operational emissions shown above in

Table 4.2-8 shows that during operation of the proposed project that none of the analyzed criteria pollutants would exceed the City of Escondido emissions thresholds for operational activities as detailed in Section 33-924(a)(6) of the Municipal Code. Therefore, a less than significant air quality impact would occur from operation of the proposed project.

² California Almanac of Emissions and Air Quality 2013 Edition.

As shown in Table 4.2-9, the project would increase criteria pollutant emissions by as much as 0.007 percent for NOx in the Air Basin. Due to these nominal increases in the Air Basin-wide criteria pollutant emissions, no increases in days of non-attainment are anticipated to occur from operation of the proposed project. As such, operation of the project is not anticipated to result in a quantitative increase in premature deaths, asthma in children, days children will miss school, asthma-related emergency room visits, or an increase in acute bronchitis among children due to the criteria pollutants created by the proposed project. With respect to long-term emissions, the proposed project would create a less than significant cumulative impact.

The City Finds that the proposed project would have less than significant impact related to criteria pollutant and no mitigation measures would be required.

AIR-D. Sensitive Receptors: The proposed project would not expose sensitive receptors to substantial pollutant concentrations. The local concentrations of emissions produced in the nearby vicinity of the proposed project, which may expose sensitive receptors to substantial concentrations have been calculated for both construction and operations, which are discussed separately below. The discussion below also includes an analysis of the potential impacts from toxic air contaminant emissions. The nearest sensitive receptors to the project are residents at the single-family homes located as near as 610 feet west of the project site on the west side of Interstate 15. There are also single-family homes located as near as 725 feet to the east and 770 feet to the southeast of the project site.

Construction-Related Sensitive Receptor Impacts

Construction of the proposed project may expose sensitive receptors to substantial pollutant concentrations of localized criteria pollutant concentrations and from toxic air contaminant emissions created from onsite construction equipment, which are described below.

Construction-Related Fugitive Dust Emissions

Construction activities are a source of fugitive dust (PM10 and PM2.5) emissions that may have a substantial, although temporary, impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the immediate vicinity of the proposed construction activities. Fugitive dust emissions from the proposed project would be created during onsite earth moving activities. The anticipated onsite worst-case PM10 emissions for each phase of construction have been provided above in Table 4.2-7. However, it should be noted that fugitive dust emissions vary substantially from day to day, depending on the level and

type of activity and weather conditions. Additionally, most of the PM10 emissions from onsite construction activities are from inert silicates, rather than the complex organic particles released from combustion sources, which are more harmful to health.

Construction activities associated with the proposed project would be required to implement emissions control measures detailed in SDAPCD's Rule 55 – Fugitive Dust Control, which restricts construction activities from creating visible dust emissions at the property line that lasts more than three minutes in any hour and requires the removal of all track-out from the nearby roadways. With implementation of SDAPCD's Rule 55, the proposed project would not exceed the SDAPCD standards for fugitive dust. Local air quality impacts would be less than significant for construction activities.

Toxic Air Contaminants Impacts from Construction

The greatest potential for toxic air contaminant emissions would be related to diesel particulate matter (DPM) emissions associated with heavy equipment operations during construction of the proposed project. SDAPCD and CAPCOA methodology, health effects from carcinogenic air toxics are usually described in terms of "individual cancer risk". "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the relatively limited number of heavy-duty construction equipment and the short-term construction schedule, the proposed project would not result in a long-term (i.e., 70 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. In addition, California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449 regulates emissions from off-road diesel equipment in California. This regulation limits idling of equipment to no more than five minutes, requires equipment operators to label each piece of equipment and provide annual reports to CARB of their fleet's usage and emissions. This regulation also requires systematic upgrading of the emission Tier level of each fleet, and currently no commercial operator is allowed to purchase Tier 0 or Tier 1 equipment and by January 2023 no commercial operator is allowed to purchase Tier 2 equipment. In addition to the purchase restrictions, equipment operators need to meet fleet average emissions targets that become more stringent each year between years 2014 and 2023. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed project. As such, construction of the proposed project would result in a less than significant exposure of sensitive receptors to substantial pollutant concentrations.

Operations-Related Sensitive Receptor Impacts

The on-going operations of the proposed project may expose sensitive receptors to substantial pollutant concentrations of local CO emission impacts from the project-generated vehicular trips and from the potential operational toxic air contaminant impacts.

Local CO Hotspot Impacts from Project-Generated Vehicle Trips

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a

roadway network and are used as an indicator of potential impacts to sensitive receptors. The Transportation Project-Level Carbon Monoxide Protocol (CO Protocol), prepared for Caltrans, December 1997, provides a screening method to determine if the vehicle trips generated by a project has the potential to create a CO hotspot at any of the nearby intersections. According to the CO Protocol, projects may worsen air quality if they increase the percentage of vehicles in cold start mode by two percent or more; significantly increase the traffic volume by five percent or more over existing volumes, or worsen traffic flow at an intersection, which is defined as increasing average delay at signalized intersections operating at Level of Service (LOS) E or F, or causing an intersection that would operate at LOS D or better without the project to operate at LOS E or F.

Of the seven (7) study intersections analyzed in the Traffic Impact Analysis, two (2) are two-way stop controlled, one is all-way stop controlled, and four (4) are signalized. Of the signalized intersections analyzed Centre City Parkway/El Norte Parkway is the only intersection to operate at LOS E or worse for the existing conditions. The Traffic Impact Analysis also shows that for the existing with project conditions for Centre City Parkway/El Norte Parkway will remain at LOS E, however the change in delay will improve by 0.6 second with development of the proposed project. All other signalized intersections will operate at LOS D or better. As such, no local CO Hotspots are anticipated to be created at any nearby intersections from the vehicle traffic generated by the proposed project. CO hotspot impacts would be less than significant.

Operations-Related Toxic Air Contaminant Impacts

Particulate matter (PM) from diesel exhaust is the predominant TAC in most areas and according to The California Almanac of Emissions and Air Quality 2013 Edition, prepared by CARB, about 80 percent of the outdoor TAC cancer risk is from diesel exhaust. Some chemicals in diesel exhaust, such as benzene and formaldehyde have been listed as carcinogens by State Proposition 65 and the Federal Hazardous Air Pollutants program. Due to the nominal number of diesel truck trips generated by the proposed residential project, a less than significant TAC impact would occur during on-going operations of the proposed project and no mitigation would be required.

Therefore, operation of the proposed project would result in a less than significant exposure of sensitive receptors to substantial pollutant concentrations.

The City Finds that the proposed project would have less than significant impact related to sensitive receptors and no mitigation measures would be required.

FINAL EIR – Biological Resources

Less than Significant Impact or Less than Significant with Mitigation

BIO-A: *Would the proposed project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status*

species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

BIO-B: *Would the proposed project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (DFW) or U.S. Fish and Wildlife Service?*

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

BIO-D: *Would the proposed project 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?*

BIO-E: *Would the proposed project conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?*

BIO-F: *Would the proposed project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Facts in Support of Findings

The following mitigation measures will be incorporated into the proposed project:

MM BIO-1 Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that if initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird breeding season for migratory birds and raptors (January 15 and September 15), the Project Applicant shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than seven (7) days before the start of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.

The mitigation as proposed is deemed to be adequate to reduce the overall impacts of the proposed project to a level below significant. Therefore, the proposed project would have less than significant levels related to sensitive species with the incorporation of MM BIO-1.

The City Finds that the proposed project would have less than significant levels related to sensitive species with the incorporation of MM BIO-1.

BIO-B: Riparian Habitat & BIO-C: Wetlands:

U.S Army Corps of Engineers

The U.S. Army Corps of Engineers' (ACOE) requires that formal or informal wetland delineations be conducted under guidelines set forth in the 1987 Corps of Engineers Wetland Delineation Manual. The ACOE defines a wetland as:

“...an area... inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.”

ACOE wetlands are typically characterized by the presence of hydrophytic vegetation, hydric soils, and wetland hydrology. The absence of any one (1) of these three (3) characteristics precludes the presence of an ACOE wetland. Wetland Delineations are conducted only in locations where there is a level of doubt whether or not an area is under ACOE jurisdiction, or where the limits of jurisdictions are not clear.

The ACOE also has jurisdiction over “Waters of the United States”. A determination of whether or not “Waters” occur on a site is based on the Corp’s Final Summary Report: *Guidelines for Jurisdictional Determinations for Waters of the United States in the Arid Southwest*, June 2001. A variety of indicators are considered, including (but not limited to) the presence of an Ordinary High-Water Mark (OHWM); absence of vegetation; interruption of upland vegetation; presence of hydrophytic vegetation, and litter, debris; or, clay deposits. In the absence of these indicators, especially where upland vegetation dominates in a drainage feature, there are no “Waters of the United States”.

California Regional Water Quality Control Board

Jurisdiction of the Regional Water Quality Control Board (RWQCB) is most often concurrent with ACOE jurisdiction under the federal Clean Water Act (CWA). In cases where a wetland resource is determined to be isolated from navigable waters of the United States the RWQCB may assert jurisdiction under the Porter-Cologne Act.

California Department of Fish and Wildlife

The extent of CDFW wetlands typically is determined by the limits of riparian vegetation as it extends from a stream, creek, river, pond, lake, or other water feature.

A wetland survey was conducted on the project site. This was done to assess whether or not obvious wetlands were present or potential wetlands or waters that would require delineation. The project site contains no features that would suggest the presence of any jurisdictional wetlands or waters of the United States.

No riparian habitat exists on the project site. No jurisdictional wetlands will be impacted by project implementation. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The City Finds that the proposed project would have less than significant impacts related to jurisdictional wetlands and no mitigation measures would be required.

BIO-D: Wildlife Corridor: A wildlife corridor can be defined as a linear landscape feature allowing animal movement between two (2) larger patches of habitat. Connections between extensive areas of open space are integral to maintain regional biodiversity and population viability. In the absence of corridors, habitats become isolated islands surrounded by development. Fragmented habitats support significantly lower numbers of species and increase the likelihood of local extinction for select species when they are restricted to small isolated areas of habitat. Areas that serve as wildlife movement corridors are considered biologically sensitive.

Wildlife corridors can be defined in two (2) categories regional wildlife corridors and local corridors as defined below:

1. Regional corridors link large sections of undeveloped land and serve to maintain genetic diversity among wide-ranging populations; and,
2. Local corridors permit movement between smaller patches of habitat. These linkages effectively allow a series of small, connected patches to function as a larger block of habitat and perhaps result in the occurrence of higher species diversity or numbers of individuals than would otherwise occur in isolation.

Target species for wildlife corridor assessment typically include species such as bobcat, mountain lion, and mule deer.

It is necessary to determine what areas of larger habitats it connects and to examine the quality of the corridor as it passes through a variety of settings to assess the function and value of a particular site as a wildlife corridor. High quality corridors connect extensive areas of native habitat, and are not degraded to the point where free movement of wildlife is significantly constrained. High quality corridors typically consist of an unbroken stretch of undisturbed native habitat.

The project site is bordered on the east by the highly trafficked North Centre City Parkway and on the west by Interstate-15. Wildlife movement across these barriers would be extremely limited. Impacts to wildlife movement corridors by project implementation are not anticipated.

Large mammals, such as mule deer *Odocoileus hemionus* and mountain lion *Felis concolor* prefer large unfragmented natural areas that offer extensive adequate forage or hunting opportunities as well as the opportunity for movement across long distances. The project site is unsuitable for use by large mammal species because the project site is mostly disturbed and bordered on three (3) sides by high-volume roadways.

Based on the above data no wildlife corridor will be impacted by project implementation. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

Native Wildlife Nursery Sites

Native Wildlife Nursery Sites, which are considered sensitive resources that require protection, are defined as “sites where wildlife concentrates for hatching and/or raising young, such as rookeries, spawning areas, and bat colonies”. Features such as individual raptor or woodrat nests do not constitute places where wildlife concentrate, thus they do not meet this definition and are therefore not considered Native Wildlife Nursery Sites. There are no native wildlife nursery sites occur on or near the project site. No native wildlife nursery sites will be impacted by project implementation. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The City Finds that the proposed project would have less than significant impacts related to migration corridors and wildlife nurseries and no mitigation measures would be required.

BIO-E: Local Policies or Ordinances: *The proposed project meets the following City requirements:*

1. The proposed project will comply with the federal Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq.), provides for listing of endangered and threatened species of plants and animals and designation of critical habitat for listed animal species.
2. The proposed project will comply with Section 7 of the ESA requires that federal agencies, prior to project approval, consult the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service to ensure adequate protection of listed species that may be affected by the project.
3. The proposed project will comply with the federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004 (Senate Bill 2547). the MBTA is now used to place restrictions on disturbance of active bird nests during the nesting season (generally January 15 to September 15).
4. The proposed project will comply with the California ESA of 1970 that provides protection to species considered threatened or endangered by the State of California (California Fish and Game Code,

Section 2050 et seq.). The California ESA recognizes the importance of threatened and endangered fish, wildlife, and plant species and their habitats, and prohibits the taking of any endangered, threatened, or rare plant and/or animal species unless specifically permitted for education or management purposes.

5. The proposed project will comply with the California Fish and Game Code regulates the handling and management of the state's fish and wildlife.
6. The proposed project will comply with the California Fish and Game Code that provides specific protection and listing for several types of biological resources.
7. The proposed project will comply with the Sections 1600 et seq. of the California Fish and Game Code that requires notification and, if required, a Streambed Alteration Agreement for any activity that would alter the flow, change, or use any material from the bed, channel, or bank of any perennial, intermittent, or ephemeral river, stream, and/or lake.
8. The proposed project will comply with the Natural Community Conservation Planning Act of 1991.

Tree Preservation

The City Zoning Code Article 55, Section 33-1069 includes vegetation and replacement standards for impacts to mature and/or protected trees (e.g., oaks) and defines the characteristics of such trees for the propose of protection and/or requirements for replacement if removed.

The project site supports 0.25 acres of coastal live oak woodland, as well as 11 coast live oak trees, would be removed or otherwise impacted with project implementation. The project impacts to the oak trees would be potentially significant and would require migration measures to reduce impacts to a level below significance.

- MM BIO -2:** Prior to the issuance of any grading permit that would impact coastal California gnatcatcher (CAGN) protocol surveys in accordance with Wildlife Agency criteria shall be accomplished. If surveys document absence of CAGN no additional avoidance or minimization measures are required. If surveys document the presence of CAGN occupied coastal sage scrub shall be fenced and construction within 500 feet of occupied habitat shall occurs only between September 1 and February 15 to avoid indirect impacts to nesting CAGN. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with Resources Agencies. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of breeding habitat.
- No permit (i.e. grading, tree-trimming, or vegetation removal) that would impact Coastal Sage Scrub, Southern Mixed Chaparral, or Coast Live Oak Woodland habitat on the project site shall be issued until the Project Applicant shall demonstrates to the satisfaction of the City Community Development Director or City designee that they will/have purchased

off-site of suitable habitat within a City approved mitigation bank (such as the Daley Ranch Conservation Bank) at mitigation ratios noted in Table 4.3-2.

MM BIO -3: Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that the replacement of impacted mature trees will occur. Unless otherwise determined by the City mature trees will be replaced at a minimum 1:1 ratio. The Project Applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City’s Director of Community Development or City designee.

Mitigation Measures MM BIO-2 and MM BIO-3 would reduce these potential impacts to less than significant. The proposed project would not conflict with the City’s Municipal Code (Section 33-1069) or any local policies or ordinances protecting biological resources.

The City Finds that the proposed project would have less than significant impacts related to local policies and regulations related to Biological Resources with the inclusion of MM BIO-2 and MM BIO-3.

BIO-F: Habitat Conservation Plan or Natural Community Conservation Plan: The California Environmental Quality Act (CEQA), California Natural Communities Conservation Program (NCCP), and the Multiple Habitat Conservation Program Plan (MHCP) require that the potential impacts of the proposed projects be avoid or adequately mitigate for the loss of sensitive species and habitats. As indicated in the Table 4.3-2 the proposed project would impact sensitive habitats.

The proposed project would potentially conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Mitigation Measure BIO-2 would provide for acquisition of habitat as prescribed by the Multiple Habitat Conservation Program Plan (MHCP). This would include potential impacts to 1.10 acres of Diegan Coastal Sage Scrub (CSS), 1.11 acres of Southern Mixed Chaparral (SMC), and 0.25 acres of Coast Live Oak Woodland (CLOW). A total of 2.16 acres of mitigation credits would be obtained. Prior impacts to coastal sage scrub on the southern parcel were previously mitigated and approved through the US Fish and Wildlife Service and California Department of Fish and Wildlife. No further mitigation is required to the 4.27-acres identified in EIR Table 4.3-2 as that acreage is now impact neutral.

Table 4.3-2: Existing and Impacted Habitat on the Project Site

Plant community	Acreage On-site	Impacted Acreage	No or Previously Addressed	Acreage preserved on-site	Impacts Requiring mitigation	Mitigation required (ratio)***
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Southern Mixed Chaparral (SMC)	1.78	1.78	0	0	1.78	1.78 (1:1)
Diegan Coastal Sage Scrub (CSS)	3.56	3.56	0	0	3.56	7.12 (2:1)
Non-Native Grassland (NNG)	4.27	4.27	4.12**	0	0.15	0.08 (0.5:1)
Coast Live Oak Woodland (CLOW)	0.25	0.25	0	0	0.25	0.50 (2:1)
TOTAL	9.86	9.86	4.12	0	5.74	9.48

Source: Appendix C, *Biological Resources*, Appendix D, to this Draft EIR & Draft Escondido Subarea Plan

** Within area previously mitigated and approved through the US Fish and Wildlife Service and California Department of Fish and Wildlife

*** Mitigation ratio for impacts per Draft Escondido Subarea Plan, Table 5-2

During construction the proposed project could potentially conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan related to off-site resources. Mitigation Measure MM BIO-2 would provide for acquisition of habitat as prescribed by the Multiple Habitat Conservation Program Plan (MHCP).

The mitigation would be adequate to reduce the overall impacts of the proposed project to a level below significant. Therefore, the proposed project potentially significant impacts related to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would be mitigated to a less than significant level. The proposed project would have a less than

The City Finds that the proposed project would have less than significant impacts related to conservation habitat with the inclusion of MM BIO-1 through MM BIO-3.

FINAL EIR – Cultural Resources

Less than Significant Impact or Less than Significant with Mitigation

CR-A *Would the proposed project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of CEQA?*

CR-B *Would the proposed project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of CEQA?*

Facts in Support of Findings

CR-A. Historical Resources: The proposed project would potentially have a substantial adverse effect on cultural resources. The evaluation assumed that the proposed project will be implemented consistent with the project description.

An archaeological survey was conducted by Mr. Andrew R. Pigniolo, RPA on and June 4, 2018. Fieldwork included an intensive 10 to 15-meter interval transect survey throughout the project site. Please refer to Technical Appendix D, *Cultural Resources*, to this Draft EIR. The field survey was conducted to update previous survey efforts; identify any unrecorded resources within the project site; and assess the current condition of the previously identified cultural resources within the project site. The survey did not identify any new cultural resources within the project site. CA-SDI-4561 Locus A and a segment of the Vista Irrigation District Flume (P-37-030889) both remain within the project site.

Historical Resources

The Initial Study for the proposed project states that a historic designation may be given to a property by National, State, or local authorities. In order for a building to qualify for listing in the National Register of Historic Places, the California Register of Historical Resources, or as a locally significant property in the City, it must meet one (1) or more identified criteria of significance. The property must also retain sufficient architectural integrity to continue to evoke the sense of place and time with which it is historically associated. The Initial Study determined that the project site has a potentially historic site the Vista Irrigation District Flume. This Draft EIR evaluates the potentially impact to this historical resource.

Vista Flume (P-37-030889)

Surface evidence of the Vista Flume (P-37-030889) was not present in the field survey. This historic resource is completely underground within the project site and appears to be south of Nutmeg Street cutting through the northern portion of the southern portion of the project site. The Vista Irrigation District Flume (P-37-030889) is a previously recorded historic resource constructed in 1926. The bench flumes and siphons were previously recommended as eligible for nomination to the California Register under Criterion A (Giletti et al. 2009). The above-ground bench flumes were also eligible under Criterion C, due to unique design (Giletti et al. 2009).

The cultural resources survey provided in Technical Appendix D, *Cultural Resources* to this Draft EIR, determined that Vista Flume (P-37-030889) will not be directly or indirectly impacted by the proposed project. Therefore, no impact would occur and no mitigation measures are required.

The City Finds that the proposed project would have no impact related to historical resources and no mitigation measures would be required.

CR-B. Archaeological Resources: The proposed project would potentially have a substantial adverse effect on archaeological resources. The evaluation assumed that the proposed project will be implemented consistent with the project description.

The Initial Study for the proposed project states that a prehistoric archaeological resource potentially exists on the project site. This archaeological resource would be expected to be encountered during construction activities associated with the proposed project. Therefore, the proposed project could potentially impact an archaeological resource. This Draft EIR evaluates the potentially impact to archaeological resources.

Locus A of Prehistoric Site (CA-SDI-4561):

One (1) prehistoric and one (1) prehistoric cultural resource has been recorded on the project site. Locus A of a prehistoric site (CA-SDI-4561) was recorded within the southern portion of the project site in 1971. CA-SDI-4561 was recorded as two (2) loci and was surface collected in 1971 (Kearns 1971). Locus A of site CA-SDI-4561 was tested in 2006 (Smith and Lorenzen 2006). The surface collection and subsurface testing resulted in the recovery of 47 artifacts and the recordation of five (5) bedrock milling features. The testing collection has not yet been curated in an appropriate facility (Smith and Lorenzen 2006).

The survey resulted in the relocation of CA-SDI-4561 Locus A. Previous testing and evaluation indicated that Locus A of CA-SDI-4561 represented a small temporary camp site. The site was recommended as not eligible for nomination to the California Register because the resource did not meet the criteria for eligibility. The limited quantity and low diversity of cultural material recovered did not indicate further research potential (Smith and Lorenzen 2006). This resource was recommended as not significant under CEQA and City guidelines (Smith and Lorenzen 2006).

Locus A of CA-SDI-4561 would be directly impacted by the proposed project. This resource remains underground within the project area and within its own easement. The proposed project would place fill over this resource. Mitigation Measures MM CR -1 through MM CR-10 related to cultural resource monitoring by archaeological and Native American monitors during construction excavation and grading of native soils ensure that impacts to potentially buried features are reduced to less than significant levels.

MM CR-1 The City of Escondido Planning Division (“City”) recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”) prior to issuance of a grading permit. The Pauma tribe shall be consulted prior to contracting with the Native American Monitor. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary

objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

MM CR-2 Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is from a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

MM CR-3 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

MM CR-4 During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

MM CR-5 In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

MM CR- 6 If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's

treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

MM CR-7 The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

MM MCR-8 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

MM CR-9 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

MM CR-10 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

Native American Resources

The proposed project would potentially impact tribal cultural resource as defined in Public Resources Code Section 21074. Letters were sent to each tribal contact requesting that they evaluate impacts to Native American resources of the proposed project to evaluate the significance of this potential impact. Additionally, the Notice of Preparation (NOP) for this Draft EIR was transmitted to potentially impacted tribes. The City transmitted AB52 letters to 4 tribes, who had previously requested to be on the City's list for AB52 correspondence. Additionally, the City sent SB18 letters to 29 tribes, including the four (4) tribes listed for AB52 and 25 other tribes. This list was based on information provided to the City by Native American Heritage Commission (NAHC). As of January 2019, none of the tribes have identified any significant tribal resources on the proposed project site. Tribal consultation requirements in accordance with AB52 and SB18 have not been concluded, as of the preparation of this Draft EIR.

While no significant impacts on known tribal resources have been identified, there is potential for the proposed project to result in impacts on unknown subsurface tribal resources during grading. Project impacts would be potentially significant if unknown tribal resources were unearthed during grading activities. Mitigation Measures MM CR -1 through MM CR-10 would require monitoring by archaeological and Native

American monitors during construction, excavation, and grading of native soils to ensure that potentially impacts to tribal cultural resources would be reduced to less than significant levels.

The City Finds that the proposed project would have less than significant impacts to Native American and Archaeological resources with the inclusion of Mitigation Measures MM CR-1 through MM CR-10.

FINAL EIR – Geology and Soils

Less than Significant Impact or Less than Significant with Mitigation

- SG-A *Would the proposed project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- (i.) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?*
 - (ii.) strong seismic ground shaking?*
 - (iii.) seismic-related ground failure, including liquefaction?*
 - (iv.) landslides?*
- SG-C *Would the proposed project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*
- SG-D *Would the proposed project be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?*

Facts in Support of Findings

CR-A. Historical Resources: The proposed project would potentially have a substantial adverse effect on geology and soil. The evaluation assumed that the project will be implemented consistent with the project description.

The Geology and Soils Report (Appendix G) concluded the development of the project site appears feasible from a geotechnical viewpoint provided that the recommendations provided in the report are incorporated into the design and construction phases of proposed project. The proposed project site design measures would minimize geology and soils potential impacts. The site design measures include both grading and construction and are outline in the Geology and Soils Report (Appendix G).

The proposed project total disturbed area including the grading within Caltrans and Centre City Parkway rights-of-way would be 9.86 acres. The proposed project earthwork and grading would be performed in accordance with all applicable ordinances of the City; 2016 California Building Code (CBC); California Department of Transportation; and, recommendations in this Draft EIR. Specifically, grading will be

accomplished in accordance with Article 55, the Grading and Erosion Control article of the City's Zoning Ordinance. The City's Grading Ordinance assures that development occurs in a manner that protects the natural and topographic character and identity of the environment, the visual integrity of hillsides and ridgelines, sensitive species and unique geologic/geographic features, and the health, safety, and welfare of the general public by regulating grading on private and public property and providing standards and design thresholds.

Rough grading would remove all unsuitable materials and replace them with engineered compacted fill. The project site would be cleared of vegetation, roots, and debris. These materials would be properly disposed of off-site. Voids resulting from clearing would be replaced with engineered fill materials with expansion characteristics similar to the on-site soils. Undocumented fill, colluvium, and younger alluvial materials would be removed from the project site below proposed structural improvements. Core stones exposed during the grading of cut slopes would be removed or evaluated to be reasonably stable. Oversized materials would be placed in accordance the recommendations of the geology and soils report.

Grading would provide that undercut areas be brought to the final subgrade elevations with fill materials that are placed in lifts. Tall slopes (over 30-feet) stability would be evaluated once final grading plans for the project site are available. A minimum of 24 inches of engineered fill would be placed below asphaltic concrete pavement and Portland cement concrete hardscape areas. The horizontal extent of removals would extend at least two (2) feet beyond the edge, where possible. All temporary excavations for grading purposes and installation of underground utilities would be constructed in accordance with local and Cal-OSHA guidelines.

A moisture and vapor retarding system would be placed below slabs-on-grade, where moisture migration through the slab is undesirable. Foundation setbacks, general design criteria, cantilevered walls, and retaining walls would be designed in accordance with the criteria established in Geology and Soils Report (Appendix G). Additionally, pavement design, import of soils, and concrete flatwork would be designed in accordance with the criteria established in the Geology and Soils Report (Appendix G). Foundation designs would be in accordance with the design criteria established in the Geology and Soils Report (Appendix G).

The proposed project final selection of the appropriate seismic design coefficients would be made by the project structural engineer based upon the local practices and ordinances, expected building response and desired level of conservatism.

The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure including liquefaction, or landslides. The proposed project would not result in substantial soil erosion or the loss of topsoil; would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project; would not be located on expansive soil; and, would not involve the use of septic tanks or alternative wastewater disposal. Site design

measures would be used to minimize geology and soil impacts including but not limited to removal of all deleterious material and vegetation prior to construction, remedial grading, compacting fill slopes, landscaping, and use of properly compacted soils.

Implementation of the proposed project would allow the development of residential land uses occur in areas with seismically-related risks, such as seismically-induced ground shaking, liquefaction, and landslides. The Geology and Soils Report (Appendix G) concluded the project site is not underlain by active, potentially active, or inactive faults. The California Geological Survey defines an active fault as a fault showing evidence for activity within the last 11,000 years. The project site is not located within a State of California Earthquake Fault Zone. The proposed project would comply with federal, state and local regulations and building standards, which include the following:

- The proposed project will comply with all requirements of the Alquist-Priolo Earthquake Fault Zoning (AP) Act.
- The proposed project will comply with all requirements of the Seismic Hazards Mapping Act.
- The proposed project will comply with all requirements of the California Building Code (CBC).
- The proposed project will comply with all requirements of the goals and policies that address geology and soils issues in the City General Plan.
- The proposed project will comply with all requirements of Article 55 of the City Municipal Code establishes the grading and erosion control regulations for the City.
- The proposed project will comply with all requirements of Chapter 22 of the City of Escondido's Municipal Code establishes regulations related to storm water management and discharge control, harmful waters and wastes, sewer service charges, private sewage disposal systems, sewer connection fees, sewer-connection laterals, and industrial wastewaters.

Therefore, project impacts from seismically-induced ground shaking, liquefaction, and landslides would be less than significant and no mitigation would be required.

The land uses designated by the proposed project would have the potential to allow construction and operational activities associated with future development that would have the potential to expose topsoil to erosion from water or wind. However, the proposed project would comply with federal, state and local regulations and building standards. Therefore, project impacts from the exposure of topsoil to erosion from water or wind would be less than significant and no mitigation would be required.

The proposed project would have the potential to allow development to occur in areas susceptible to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. However, the proposed project

would comply with federal, state and local regulations and building standards. Therefore, project impacts from the exposure to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse would be less than significant and no mitigation would be required.

The proposed project would designate land uses that would allow for the development of structures on potentially expansive soils. However, the proposed project would comply with federal, state and local regulations and building standards. Therefore, project impacts from the exposure to potentially expansive soils would be less than significant and no mitigation would be required.

The City Finds that the proposed project would have a less than significant impact relating to geology and soils and no mitigation measures would be required.

FINAL EIR – Greenhouse Gas Emissions

Less than Significant Impact or Less than Significant with Mitigation

GHG-A *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*

GHG-B *Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs?*

Facts in Support of Findings

GHG-A. Greenhouse Gas: The proposed project would potentially have a substantial adverse effect on greenhouse gas impacts. This evaluation assumed that the project will be implemented consistent with the project description.

The proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The proposed project would consist of the development of a 135-unit residential townhouse complex. The proposed project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste disposal, water usage, and construction equipment. It should be noted that the 2,500 MT CO₂e threshold was prepared prior to the issuance of Executive Order B-30-15 on April 29, 2015 that provided a reduction goal of 40 percent below 1990 levels by 2030. This target was codified into statute through passage of AB 197 and SB 32 in September 2016. The Final Staff Report Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets, prepared by CARB October 2017, provides recommendations for the MPOs located within the State to meet the new SB 32 targets. For SANDAG, which is the MPO that represents San Diego County and includes the project site, this Report recommends that SANDAG increase its year 2035 efficiency target from an 18 percent reduction to a 21 percent reduction in order to account for AB 197 and SB 32. This equates to a 16.7 percent increase in SANDAG's GHG emissions reduction target for the year 2035. In order to provide a conservative analysis, the threshold of 2,500 MTCO₂e per year was reduced by 16.7 percent to account for AB 197 and SB 32, which

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results in a modified threshold of 2,083 MT CO₂e per year. Therefore, the proposed project would be considered to create a significant cumulative GHG emissions impact if the proposed project would exceed the annual threshold of 2,083 MT CO₂e.

The City of Escondido has established GHG emissions thresholds in both Section 33-924(a)(7) of the City’s Municipal Code and the *City of Escondido Adopted Climate Action Plan (E-CAP)*, adopted December 2013. Both the Municipal Code and E-CAP provide a threshold of 2,500 MT CO₂e per year that is to be utilized in the determination of significance for CEQA analyses.

In order to determine if the proposed project meets the GHG emissions threshold set forth in the E-CAP and Municipal Code, the proposed project’s GHG emissions have been calculated with the CalEEMod. A summary of the results is shown below in EIR Table 4.6-3.

Table 4.6-3 – Project Related Greenhouse Gas Annual Emissions

Category	Greenhouse Gas Emissions (Metric Tons per Year)			
	CO ₂	CH ₄	N ₂ O	CO ₂ e
Construction				
2019 Construction	1,165.57	0.14	0.00	1,169.00
2020 Construction	429.21	0.07	0.00	430.88
Operations (Opening Year 2020)				
Area Sources ¹	1.66	0.00	0.00	1.70
Energy Usage ²	22.86	0.00	0.00	23.19
Mobile Sources ³	1,292.51	0.07	0.00	1,294.27
Solid Waste ⁴	6.40	0.38	0.00	15.85
Water and Wastewater ⁵	51.84	0.23	0.01	59.47
Total Operational Emissions	1,375.27	0.68	0.01	1,394.48
City of Escondido Modified GHG Emissions Threshold⁶				2,083
Exceed Thresholds?				No

Source: CalEEMod Version 2016.3.2

Notes:

¹ Area sources consist of GHG emissions from consumer products, architectural coatings, and landscaping equipment

² Energy usage consists of GHG emissions from electricity and natural gas usage

³ Mobile sources consist of GHG emissions from vehicles

⁴ Waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills

⁵ Water includes GHG emissions from electricity used for transport of water and processing of wastewater

⁶ City of Escondido GHG Emissions Threshold of 2,500 MT CO₂e from both Section 33-924(a)(7) of the Municipal Code and the City of Escondido Greenhouse Gas Emissions – Adopted CEQA Thresholds and Screening Tables, December 2013. The 2,500 MT CO₂e threshold was reduced by 16.7 percent to account for AB 197 and SB 32.

The data provided in Table 4.6-3 above shows that construction activities from the proposed project would generate GHG emissions as high as 1,169.00 MT CO₂e per year in year 2019 and operational activities would

create 1,742.24 MT CO₂e per year for the worst-case project opening year 2020. The proposed project's calculated GHG emissions from both construction and operations would be within the City's GHG emissions threshold of 2,500 MT CO₂e per year as detailed in Section 33-924(a)(7) of the Municipal Code and the E-CAP. Therefore, a less than significant generation of GHG emissions would occur from development of the proposed project. Impacts would be less than significant.

The City Finds that the proposed project would have less than significant impact related to greenhouse gas and no mitigation measure would be required.

GHG-B: Greenhouse Gas: The proposed project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. Increases in concentrations of GHG emissions have the potential to result in global climate change. Common activities that generate GHG emissions include vehicular travel, electricity use, natural gas use, water use and waste generation.

The City of Escondido adopted the E-CAP and the E-CAP Thresholds with the target of reducing GHG emissions within Escondido by 15 percent below 2013 levels by 2020. The City's target was developed to be consistent with the GHG emission reductions targets provided in AB 32 and ensures that the City is providing GHG reductions locally that complement statewide efforts. The E-CAP Thresholds Report provides a 2,500 MT CO₂e per year threshold of significance for new development projects in the City. This threshold was developed by the City based on the GHG emissions amount allowed by a project such that 90 percent of emissions on average from all projects would exceed that level and be "captured" by the Screening Table or alternate emission analysis method. It should be noted that the 2,500 MT CO₂e threshold was prepared prior to the issuance of Executive Order B-30-15 on April 29, 2015 that provided a reduction goal of 40 percent below 1990 GHG emission levels by 2030. This target was codified into statute through passage of AB 197 and SB 32 in September 2016. The Final Staff Report Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets, prepared by CARB October 2017, provides recommendations for the MPOs located within the State to meet the new SB 32 targets. For SANDAG, which is the MPO that represents San Diego County and includes the project site, this Report recommends that SANDAG increase its year 2035 efficiency target from an 18 percent reduction to a 21 percent reduction in order to account for AB 197 and SB 32. This equates to a 16.7 percent increase in SANDAG's GHG emissions reduction target for the year 2035. In order to provide a conservative analysis, the threshold of 2,500 MT CO₂e per year was reduced by 16.7 percent to account for AB 197 and SB 32, which results in a modified threshold of 2,083 MT CO₂e per year. Therefore, the proposed project would be considered to create a significant cumulative GHG emissions impact if the proposed project would exceed the annual threshold of 2,083 MT CO₂e.

As detailed above in Section 4.2, *Air Quality*, construction activities from the proposed project would generate GHG emissions as high as 1,169.00 MT CO₂e per year in year 2019 and operational activities would create 1,394.48 MT CO₂e per year for the worst-case project opening year 2020. The proposed project's calculated GHG emissions from both construction and operations would be within the E-CAP's GHG emissions threshold of 2,500 MT CO₂e per year CAP and modified GHG emissions threshold of 2,083 that has been

modified to account for the more stringent GHG emissions reductions required by AB 197 and SB 32. Therefore, the proposed project would comply with the E-CAP reduction targets and would not conflict with the applicable plans for reducing GHG emissions. Impacts would be less than significant.

The City Finds that the proposed project would have less than significant impact to greenhouse gas plans and no mitigation measures would be required.

FINAL EIR – Hazards and Hazardous Materials

Less than Significant Impact or Less than Significant with Mitigation

HAZ-H Would the proposed project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Facts in Support of Findings

HAZ-H: Wildland Fires: The proposed project would potentially have a substantial adverse effect related to wildland fire impacts. The evaluation assumed that the project will be implemented consistent with the project description.

The proposed project would construct homes, off-street parking, on- and off-site circulation improvements, outdoor open space, and on-site water quality basins. The site plan, floor plans, and elevations for the proposed project were reviewed by the City Staff three (3) times prior to the release of the Draft EIR to evaluate compliance with applicable requirements to include: California Code of Regulations Titles 14 and 24; California Fire and Building Codes (2016); California Building Code (CBC), Chapter 7A; the latest edition of the CFC, Chapter 49, as adopted by City; Chapter 7A of the California Building Code; City Fire Code (Municipal Code Chapter 11, Article 6; Ordinance No. 2011-13); and, City Building Code (Municipal Code Chapter 6, Article 3). The proposed project would be accessible from public roadways. Project site access, including road widths and connectivity would be developed consistent with the City’s roadway standards and the 2016 CFC Section 503. The proposed project would not include automatic gates. The emergency access would be gated in a manor approved by the City’s Fire Department.

The proposed project would include the removal of all vegetation and re-landscaping areas within the Interstate 15 (I-15) right-of-way that runs alongside the project site. This would require discretionary review and approval from the State of California Department of Transportation, as well as issuance of an encroachment permit from that agency. The encroachment permit conditions would provide for continued landscape maintenance of disturbed areas. The proposed project would include the removal of all vegetation and grading on the east side of Centre City Parkway to bring it to the City’s Local Collector standards as shown on the Tentative Tract Map. The City would maintain these areas once grading was accomplished.

The grade for new interior roads and driveways would be less than 15%. Should any sections of a road or driveway exceed 15%, they would be provided heavy broom finish or equivalent surfacing to Escondido Fire Department (EFD) approval. Sections exceeding 15% grade would be constructed with Portland Concrete surface and capable of supporting the dynamic weight of a 75,000-pound fire apparatus. Access roads would provide EFD access and turnaround within an all-weather surface acceptable to the EFD prior to issuance of building permits and prior to combustible construction occurring. On-site roads would be constructed to current City Standards. All residential parking would be provided in off-street parking spaces. Parking would be restricted throughout development by posting of signs stating “No Parking- Fire Lane CVC (California Vehicle Code) 22500.1” to preserve the unobstructed width for emergency response. Signs that are legally enforceable would be posted at each entrance gate and throughout the property. Signs would be securely mounted facing the direction towards oncoming traffic entering the area and clearly visible indicating that “violating vehicles would be towed at owner’s expense.” Prior to a final fire inspection for the proposed development, a written agreement for services with a towing company per CVC 22658(a) would be in place. The proposed project provides looped roadways or turnarounds. For the majority of the proposed project, there would be no dead-end road lengths that are considered unacceptable by the EFD 800-foot limit. The exception would be the northeast corner where a hammerhead provides for the required turnaround.

Identification of roads and structures would comply with EFD Fire Code, Section 505.1. All structures would be identified by street address. Multiple structures located off common driveways would include posting structure identification on structures, on the entrance to individual driveways, and at the entrance to the common driveway. Structure identification would be located at the entrance to the driveway, if the structure is 100 feet from the roadway. Access roads to construction areas would be completed and paved prior to issuance of building permits and prior to combustible construction occurring. Illuminated directory maps would be installed at driveway entrances for the north and south residential parcels. Final location of directory maps and content would be approved by the EFD Fire Marshal.

The proposed project would be served by City Municipal Water District and would be consistent with EFD requirements. All project structures would be constructed to City Fire Code standards. Fire hydrants would be provided in accordance with City Standards shall be located along fire access roadways as determined by the EFD Fire Marshal to meet operational needs, at intersections, at the beginning radius of cul-de-sacs, and every 500 feet (on-center) of fire access roadways, regardless of parcel size. All structures would be protected by an automatic, interior fire sprinkler system. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems would be electronically supervised by a listed fire alarm system. All residential units would have electric-powered, hard-wired smoke detectors and fire alarm systems in compliance with EFD, 2016 CFC, and NFPA 72: National Fire Alarm and Signaling Code. Prior to bringing combustible materials onto the project site, utilities would be in place, fire hydrants operational, an approved all-weather roadway in place, and fuel modification zones cleared of vegetation.

The proposed project would include implementation of a Conceptual Landscape Plan and Wall and Fence Plan. The Conceptual Landscape Plan and Wall and Fence Plan includes fuel modification provided in accordance with a Fuel Modification Plan provided in the FPP. The Conceptual Landscape Concept Plan provides that: Plants used in the interior landscapes would include drought-tolerant, fire resistive trees, shrubs, and groundcovers; All landscaping would be maintained by the HOA or another approved entity; Trees and vegetation would be planted so that they do not impeded fire rescue window access; Palm trees would be planted and maintained no closer than 30 feet from the trees drip line to any combustible structure; and, Trees would be planted in accordance with the City's Fire Code, Section 4907.3.

The project fuel modification areas would be implemented and approved by the EFD prior to combustible materials being brought on site. The existing flammable vegetation would be reduced by 50% on the project site prior to the commencement of construction. Undesirable plants as shown in the Undesirable Plant List (Appendix X, Appendix D) would not be planted on the project site unless otherwise approved by the EFD's Fire Marshal. All fuel modification area vegetation management would be completed annually by May 15 of each year and more often as needed for fire safety, as determined by the EFD. The project HOA would be responsible for all vegetation management throughout the common areas of the project site, in compliance with the requirements detailed herein and EFD requirements.

The project homeowner's association (HOA) would be responsible for ensuring long-term funding and ongoing compliance with all provisions of the FPP. This would include common areas and off-site fuel management easements, including vegetation planting, fuel modification, vegetation management, and maintenance requirements throughout the project site.

According to the City's Fire Severity Zones Map, the proposed project is located in a Very High Danger Zone. The Fire Severity Zone is the degree to which an ecosystem is altered or disrupted by fires. Fire severity is also dependent upon the product of fire intensity and duration, and incorporates both active fire behavior and immediate post-fire effects on the environment.

The project site is presently vacant and does not appear to ever have been developed with structures. The majority of the project site over the past several years has been routinely disked for weed abatement in accordance with the requirements of the City. The project site is bounded to the north by vacant undeveloped lands. A Fire Protection Plan (FPP), Appendix E to this Draft EIR was prepared for the proposed project to evaluate the significance of the exposure of people or structures to significant risk of loss, injury or death involving wildland fires. The FPP assessed the potential impacts resulting from wildland fire hazards and identified the measures necessary to adequately mitigate those impacts. The findings of the FPP are provided below.

The FPP included the following components: Site Risk Analysis; Determination of Project Effects; Anticipated Fire Behavior; Emergency Response and Service; Buildings, Infrastructure and Defensible Space; Alternative

Materials and Methods for Non-Conforming Fuel Modification; Homeowner's Association Wildfire Education Program; and, Conclusion.

Site Risk Analysis

The FPP included Field Assessment a field assessment of the project site on September 29, 2018. The FPP defined Project Site Characteristics and Fire Environment. The three major components of fire environment are topography, vegetation (fuels), and climate. In addition, the FPP defined vegetation dynamics and the fire history of the project site and its vicinity.

Determination of Project Effects

The FPP provided an evaluation of the adverse environmental effects a proposed project may have from wildland fire. The FPP provided mitigation for identified impacts to ensure that development projects do not unnecessarily expose people or structures to a significant loss, injury or death involving wildland fires.

Exposure of People or Structures

The proposed project would potentially expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The Fire Protection Plan (FPP) evaluated the significance of this potential impact. According to the City's Fire Severity Zones Map, the proposed project is located in a Very High Danger Zone. The wildland fire risk in the vicinity of the project site has been analyzed and it has been determined that wildfires may occur in wildland or naturally vegetated areas off-site to the east, northwest and south of the project site, but would not be significantly increased in frequency, duration, or size with implementation of the proposed project. The closest off-site fuels that form large fuel beds are located to the north and east of the project site.

The project site currently includes a variety of potential vegetation that could serve as fuel sources. The types of potential ignition sources that currently exist in the area include vehicle and roadway, electrical transmission lines, machinery associated with agricultural operations and off-site residential neighborhoods. The project site would be converted from readily ignited fuels to ignition resistant structures and landscaped areas. The proposed project would be developed to meet all existing development codes and fire codes, including landscaping and vegetation requirements. The proposed project would include conversion of fuels to maintained urban development with designated landscaping and fuel modification areas. Fuel modification zones would be designed according to all applicable development codes and the City Fire Code.

The proposed project would reduce the receptiveness of the areas landscape to ignition. Fires from off-site areas would not have continuous fuels across the project site and would not be expected to burn around and/or over the project site via spotting. Burning vegetation embers may land on project structures, but are not likely to result in ignition based on ember decay rates and the types of non-combustible and ignition resistant materials that would be used on the project site. This would result in a proposed project that is less

susceptible to wildfire than surrounding landscapes and that would facilitate fire fighter and medical aid response. Structure ignition depends on a variety of factors and can be prevented through a layered system of protective features including fire resistive landscapes directly adjacent the structure(s), application of known ignition resistive materials and methods, and suitable infrastructure for firefighting purposes.

Mitigation Measures MM HAZ -1 through MM HAZ-4 related to the potential impacts from the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands would be reduced to less than significant levels.

Emergency Access

The proposed project would result in the development of a currently undeveloped area, including the development of project site access. The construction of new structures, roadways, and intersections and would generate new trips to and from the project site. The project site would be accessible from public roadways and access into the project site would be provided via two entrances on Nutmeg Street for vehicles and pedestrians. The proposed project would be required to comply with the City's development review process, including review for compliance with the City's Development Code and Fire Code as well as compliance with applicable emergency access standards that would facilitate emergency vehicle access during project construction and operation. Additionally, an adequate water supply and an approved paved access roadway would be installed prior to any combustibles on site.

The Project Applicant would be required to design, construct, and maintain structures, roadways, and facilities to comply with applicable local, regional, state, and federal requirements related to emergency access. Drive aisles, turning radii, and both access points would be designed with adequate emergency access. The proposed project would be required to provide fire apparatus turnarounds on all access roadways over 150 feet in length, and provide a 28 foot inside turning radius on all corners. All access roadways would have a minimum of 24 feet in width throughout the project site, with no parking on either side. Driveways between structures would have widths of 24 feet. In addition, all access roadways would have a vertical clearance of at least 13'6" to allow access for fire apparatus. The project site plan is subject to approval by the City and the City's Fire Department. The proposed project would be required to provide walking access to the rear of buildings, and ladder access for any windows facing the rear of the buildings.

Emergency response procedures would be coordinated through the City in coordination with the police and fire departments. Adherence to these requirements would ensure that that the proposed project would not result in inadequate emergency access. Mitigation Measures MM HAZ -1 through MM HAZ-4 potential impacts related to inadequate emergency access would be reduced to less than significant levels.

Facilities

The proposed project would potentially result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for fire protection. Fire protection would be provided to the proposed project via the Escondido Fire Department (EFD). The EFD provides fire protection and emergency medical services to the City and, through a contractual arrangement established in 1984, the Rincon Del Diablo Fire Protection District. A staff of 93 full-time safety (including Chief Officers), 18 full-time non-safety, 10 full-time administration, 3 part-time administration, and 27 senior volunteers provides services to a population of approximately 153,614 in an area covering 50 square miles.

The proposed project is projected to add an estimated maximum of 36 calls per year to the EFD's existing call load. This estimate is a conservative estimate in that it uses San Diego County wide data, which incorporates call volumes from typically higher volume areas than would be expected from this site. The primary response (first in) would be provided by Station 3, located at 1808 Nutmeg Street, Escondido, CA 92026, approximately 0.8 miles south of the project site. The station houses one E133 Type I engine, one B133 Type II engine and one RA133 ambulance. The proposed project is projected to add an estimated 44 calls per year (0.12 calls per day) for a Station that currently responds to an existing call load of approximately 5.7 calls per day (2,100 calls per year in 2017). The addition of approximately 1 call per week is considered insignificant based on that increase alone. This level of impact is not expected to require the construction of additional Fire Station facilities based on that increase alone. Station 3 can respond to the proposed project within the City's target response time standard (7.5 minutes) for first arriving. No additional facilities would be needed for response coverage. A portion of the parcel tax revenue from the proposed project would be allocated to fire protection, which can be used to maintain current levels of protection without impacting existing citizens.

Therefore, a less than significant impact would occur related to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for fire protection.

Water Supplies

The proposed project would potentially result in less than sufficient water supplies available to serve existing entitlements and resources, or require new or expanded entitlements. Rincon delivers water throughout the City for domestic, residential, commercial, irrigation, and fire protection purposes.

The proposed project has received a "Will-Serve" letter from Rincon. The "Will-Server" letter states that there would be adequate capacity to serve the proposed project. Prior to the issuance of a grading permits, the Project Applicant would be required to satisfy the City requirements related to the payment of fees. The

proposed project would have sufficient water supplies available to serve the project from existing entitlements and resources.

Therefore, a less than significant impact would occur related to the sufficient water supplies available to serve the proposed project from existing entitlements and resources, or are new or expanded entitlements.

Anticipated Fire Behavior

Mitigation Measures MM HAZ -1, MM HAZ -2, and MM HAZ-4 related to the potential impacts from the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands would be reduced to less than significant levels.

The FPP included an analysis of anticipated fire behavior at the project site. This analysis included fire behavior modeling was conducted to document the type and intensity of fire that would be expected adjacent to the project site given characteristic site features such as topography, vegetation, and weather. The modeling evaluated fire behavior variables and to objectively predict flame lengths, intensities, and spread rates for four modeling scenarios. The anticipated fire behavior was then summarized in the FPP.

The FPP states that the project site has never burned, wildfires have occurred within 5 miles of the project site. the propose project would be expected to be vulnerable to recurring wildfire ignition and spread and may be subject to nearby wildfire that could, under worst case conditions, spread through the chaparral-covered hillsides to the north and east and burn along the periphery of the propose project s developed areas. However, the project site, once developed, would not facilitate wildfire spread, especially given the ignition resistance of the structures and planned landscape.

Emergency Response and Service

The FPP included a discussion of emergency response and service to the project site.

Emergency Response

The project site is located within the Escondido Fire Department (EFD) jurisdictional response area of approximately 50 square miles with a population of approximately 153,614 residents. EFD currently operates seven (7) Fire Stations. Within the area's emergency services system, fire and emergency medical services are provided by Fire Departments (Escondido Fire Department, San Marcos Fire Department) or Fire Protection Districts (Rancho Santa Fe Fire Protection District), County Service Areas (CSA) and CAL FIRE. Generally, each agency is responsible for structural fire protection and wildland fire protection within their area of responsibility. Mutual aid agreements enable non-lead fire agencies to respond to fire emergencies outside their district boundaries.

Fire agencies cooperate on a statewide master mutual aid agreement for wildland fires. There are mutual aid agreements in place with neighboring fire agencies for structural and medical responses. These agreements are voluntary. The FPP concluded that the proposed project complies with the City's response time standards.

Emergency Service Level

Responses would be provided by EFD Stations 3 located at 1808 Nutmeg Street, Escondido, CA 92026. Fire Station No. 3 is located approximately 0.8 miles from the project site. Fire Station No. 3 houses one (1) paramedic fire engine and one (1) wildland brush engine. The FPP analysis indicates that the proposed project would not be expected to cause a decline in EFD's emergency response times.

Buildings, Infrastructure and Defensible Space

The City's Municipal Building and Fire Codes govern the building, infrastructure, and defensible space requirements detailed in this FPP. These standards will provide a high level of protection to structures in the proposed project. There is no guarantee that compliance with City Standards will prevent damage or destruction of structures by fire in all cases.

Impacted Areas

It is not feasible to achieve the standard FMZ width on the north side of the proposed project. This is a potential project specific impact related to wildland fire hazards. The specific areas that are affected by this analysis are those that cannot provide at least 100 feet of structural setback from off-site fuel beds. A 12- to 68-foot setback is less than typically required from wildland fuels including coastal sage scrub, chaparral and other high fire prone vegetation communities.

Fire behavior modeling conducted for this project indicates that fires in the oak woodlands would result in roughly 15-foot flame lengths under summer conditions. Extreme conditions may result in crown fire, where tree crowns burn and create more intense fire and longer flame lengths. Fire during extreme conditions would be less likely to affect residents of this community because it is anticipated that they would be evacuated well before wildland fire from the east or north encroached upon this semi-rural area of Escondido.

Fuel Modification Zones (FMZs) and additional fire protection measures proposed for the north side of the development provide equivalent wildfire buffer, but are not standard zones. The Mitigation Measures MM HAZ -1, MM HAZ -2, and MM HAZ-4 are provided below to further reduce this potential impact.

- MM HAZ-1** Prior to the issuance of any building permit, the project applicant shall demonstrate to the satisfaction of the City Building Department that all windows adjacent to preserved vegetation are dual paned with both panes tempered.

MM HAZ-2 Prior to the approval of the Final Landscape Plan, the wall and fence component shall provide a noncombustible, 8-foot wall at the rear or side yard that would function as a heat-deflecting landscape wall ~~above the~~ as shown on Figure 4.7-1 to the satisfaction of the City Community Development Department.

MM HAZ-4 Prior to the issuance of the first Certificate of Occupancy the project applicant shall provide CC&R's that demonstrate to the satisfaction of the City's Community Development Department and City Attorney that the annual review of landscape maintenance plans includes a third party evaluation of Fuel Modification Zones (FMZ) area that meet the requirements of the FMZ and City's Fire Department (EFD).

The proposed development and landscape will be significantly improved in terms of ignition resistance; however, the proposed project should not be considered a shelter-in-place community. The homeowners or other occupants who may reside within the proposed project should adopt a conservative approach to fire safety. This approach should include maintaining the landscape and structural components according to the appropriate standards and embracing a "Ready, Set, Go" stance on evacuation. Fire is a dynamic and somewhat unpredictable occurrence and it is important for residents to educate themselves on practices that will improve their home survivability and their personal safety.

The City Finds that the proposed project with the incorporation of Mitigation Measures MM HAZ -1, MM HAZ -2, and MM HAZ-4 would reduce the potential wildland fire hazard to a less than significant level.

FINAL EIR – Hydrology and Water Quality

Less than Significant Impact or Less than Significant with Mitigation

- HWQ-A* Would the proposed project violate any water quality standards or waste discharge requirements??
- HWQ-C* Would the proposed project substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off- site?
- HWQ-D* Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
- HWQ-E* Would the proposed project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- HWQ-F* Would the proposed project otherwise substantially degrade water quality?

Facts in Support of Findings

HWQ-A & HWQ-F: Water Quality Standards and Discharge Requirements/Otherwise Degrade Water Quality: The proposed project would potentially have a substantial adverse effect on hydrology and water quality resources. The evaluation assumed that the project will be implemented consistent with the project description.

The proposed project could potentially result in impacts related to hydrology and water quality.

Discharge peak 100-year flows would be expected to be at less than the existing project site conditions. The proposed project would not exceed pre-project conditions for storm water discharge. Peak storm water discharge that would be decreased by the incorporation of the landscaping (higher pervious footprint) and several confluences of lines. The infrastructure has been designed to detain and treat stormwater on-site and discharge it to the storm drain system at rates that would not exceed the capacity of the receiving flood control channel. Runoff would be captured and treated using Low Impact Development Best Management Practices (LID BMP's). Several small drainage areas would be established. Stormwater runoff would be captured via yard inlets and catch basins, then routed to the infiltration basins with natural infiltrating capacity.

Runoff from the project site would be infiltrated so as to treat the first flush. Project parking areas runoff would be diverted to LID areas via curb openings. The LID areas would contain catch basins to convey stormwater toward infiltration basins. Roof runoff would drain into landscaped areas before entering the drain system. The proposed project would as a pre-treatment, provide catch basins with filter inserts. The infiltration basins would provide the infiltration properties in order to reduce quantity and velocity.

The project landscape would include native and/or non-native drought-tolerant species. Several landscaped areas are designed to be below the finish grade to assist in treating and retaining some of the runoff before it continues to flow into the proposed infiltration basin.

These are potentially significant impacts of the proposed project. Short-term adverse construction could potentially impact surface water quality and violate a water quality standard or waste discharge requirement. Grading and construction would expose ground surfaces and increase the potential for erosion and the off-site transport of sediment in stormwater runoff. The use of construction equipment and other materials could result in water quality impacts, if spills come into contact with stormwater and polluted runoff enters downstream receiving waters. Long-term the operation of the project site could potentially result in adverse impacts to surface water quality. The significance of each is discussed below.

Short-Term Construction

Construction grading, excavation, and other construction activities associated with the proposed project could impact water quality due to sheet erosion resulting from exposed soils and subsequent deposition of particles and pollutants in drainage areas. Construction has the potential to produce typical pollutants such

as nutrients, heavy metals, pesticides/herbicides, toxic chemicals, oils and fuels, lubricants, and solvents. Waste materials such as wash water, paints, wood, paper, concrete, food containers, and sanitary wastes may be transported from the project site to nearby drainages, watersheds, and groundwater in storm water runoff, wash water, and dust control water. The significance of these water quality impacts would vary depending on the level of construction activity, weather conditions, soil conditions, and increased sedimentation of drainage systems in the area.

Construction controls to minimize water quality impacts are not necessarily the same measures used for long-term water quality management, as construction-related water quality control measures are temporary in nature and specific to the type of construction. Development would be subject to compliance with NPDES permit requirements and with Chapter 22, Wastewaters, Storm Waters, and Related Matters, of the City's Municipal Code, which regulates the management of storm water. The purpose of Chapter 22 is to prevent non-storm water discharges into the City's storm water drainage system and to maintain existing water quality over the long term.

Prior grading or construction of the proposed project the City requires preparation of a storm water pollution prevention plan (SWPPP). The SWPPP would include a series of specific best management practices to be implemented during construction in order to address erosion, accidental spills, and the quality of storm water runoff. Best management practices must be implemented as part of the SWPPP.

Construction sites with one (1) acre or greater of soil disturbance or less than one (1) acre, but part of a greater common plan of development, are required to apply for coverage of discharges under the General Construction Permit. As part of proposed project compliance, a Notice of Intent would need to be prepared and submitted to the San Diego RWQCB providing notification and intent to comply with the General Permit. The Construction General Permit also requires that construction sites be inspected before and after storm events and every 24 hours during extended storm events.

Project Operation

The proposed project would have the potential to result in long-term effects on runoff once development is complete. Runoff from disturbed areas would likely contain silt and debris, resulting in a long-term increase in the sediment load of the storm drain system serving the City. Substances such as oils, fuels, paints, and solvents may also be transported to nearby drainages, watersheds, and groundwater in storm water runoff and wash water. The significance of the effect on water quality would vary depending on weather conditions (e.g., amount of rainfall), soil type and characteristics, and increased sedimentation of drainage systems that may affect or restrict storm water flows in the area.

Consistent with requirements of the City and the County HMPs, the proposed project, as a priority development project, would be required to identify and incorporate measures for hydromodification to ensure that storm water runoff rates and durations do not exceed predevelopment conditions or result in adverse erosion or sedimentation effects. All priority development projects are required to implement

structural BMPs for storm water pollutant control. The proposed project would be subject to hydromodification management requirements must implement structural BMPs for flow control. Structural BMPs have been incorporated into the project design.

The pre- and post-development conditions for the proposed project were evaluated to determine if the proposed project would have sufficient footprint to meet the current Hydromodification Management Plan requirements of the RWQCB. The proposed facilities have been designed to properly manage and retain on-site flows before such flows are transported off-site.

Based on the SWQMP (Excel Engineering, *Preliminary City of Escondido, Priority Development Project (PDP) SWQMP*, June 15, 2018), storm water runoff upon completion of the proposed project would remain the same as under existing conditions and would drain to the same points of discharge. The SWQMP identifies a number of project site design BMPs to ensure that water quality is maintained over the long-term. The SWQMP also identifies a series of specific non-structural and structural source control BMPs (or treatment control BMPs) would be incorporated into the project design to meet San Diego RWQCB requirements.

However, the potential for substantial erosion or siltation effects of the proposed project would be reduced to a less than significant level with the preparation of and confluence with a SWPPP, implementation of best management practices identified in the SWQMP, and compliance with existing Federal, state, and local regulations as discussed above would protect water quality and ensure that the proposed project would be in compliance with applicable water quality standards and the implementation of project specific drainage improvements. Based on the data provided in Appendix G, *Hydrology Study* and Appendix J, *Priority Development Project (PDP) SWQMP* the proposed project development in accordance with the City policies and requirements (CPRs) would result in less than significant impacts and would not violate any water quality standards or waste discharge requirements. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The City Finds that the proposed project would have a less than significant impact relating to hydrology and water quality and no mitigation measures would be required.

HWQ-C, HWQ-D, & HWQ-E: Water Quality Standards and Discharge Requirements/Otherwise Degrade Water Quality:

Existing Drainage

The project site is vacant. Portions of the project site are improved with existing North Nutmeg Street and North Centre City Parkway. The existing drainage pattern for the project site has two (2) drainage areas. The existing drainage pattern for the project site and the area tributary to the project site has two (2) drainage areas as shown on Figure 4.8-1. Drainage Area #1 is depicted on as shown on Figure 4.8-1. This area includes a portion of the North Nutmeg Street and North Centre City Parkway, and Caltrans right-of-way, and the project site located generally to the south of North Nutmeg Street. Drainage Area #2 is depicted on as shown

on Figure 4.8-1. This area generally includes the project site to the north of North Nutmeg Street. Drainage from the existing project site drainage flows in two (2) directions to the north where the water circles back on itself and travels through the Escondido Sub Hydrologic Area southward to Escondido Creek. Once in Escondido Creek the drainage flows continue until they reach the Pacific Ocean at San Elijo Lagoon. The second flow travels south-westerly to travel to San Marcos Creek, which flows to the Pacific Ocean and discharges at Batiquitos Lagoon.

Proposed Project Drainage

The proposed development would create several small drainage areas (refer to Figure 4.8-2). The runoff from the proposed drainage areas would be captured and treated using Low Impact Development Best Management Practices (LID BMP's). The proposed project would capture these runoffs using catch basins and inlets and discharge into proposed storm drain system. The proposed storm drain pipes, in each drainage areas, are designed to flow to the proposed infiltration basins. The infiltration basins would provide the same runoff flow and volume reducing benefits as natural drainages.

The project site would capture all site stormwater runoff via yard inlets and catch basins, and then routed to the infiltration basins with natural infiltrating capacity. As a pre-treatment for the proposed project, catch basins would be installed with filter inserts. The infiltration basins would provide infiltration properties in order to reduce the quantity and velocity of drainage from the proposed project.

The proposed project would be fully developed and landscaped with native and/or non-native drought-tolerant species. Runoff from the parking areas would be diverted to LID areas via curb openings. LID areas will contain catch basins to convey stormwater toward the infiltration basins. Runoff from the proposed project would be infiltrated so as to treat the first flush. The roof runoff would drain into landscaped areas before entering the area drain system. Several landscaped areas are designed to be below the finish grade to help in treating and retaining some of the runoff before it continues to flow into the proposed infiltration basin. Some drainage areas would disperse the runoff flow to the proposed filter catch basins.

The south flows would enter a water quality treatment system. The stormwater would infiltrate through the treatment medium into underdrains that route the flows to the private on-site storm drainage system. This system would use new piping to direct the flows to the existing Caltrans pipe that travels under the I-15 Freeway. The north flow would enter a water quality treatment basin then travel to an infiltration basin before being released back the natural channel going off-site. The proposed project would be expected to discharge peak 100-year flows at less than the existing project site conditions. The resultant peak storm water discharge would be decreased by the incorporation of the landscaping (higher pervious footprint) and several confluences of lines.

The proposed project as designed would not substantially alter the existing drainage pattern of the project site or area in a manner that would result in substantial or increased erosion or siltation on- or off-site. The proposed detention basins for both Drainage Areas 1 and 2 would mitigate peak flow rates such that at the

downstream comparison locations, the proposed 100- year, 24-hour discharge rates would be below the existing conditions flow rates. There are no existing storm drain features on-site. The proposed project includes improvements to allow connection to the City's existing storm water infrastructure system. Proposed improvements would ensure that storm water flows are properly maintained and treated on-site so that runoff volumes and/or velocities do not exceed that which currently occur under existing conditions. As described under Threshold A, the proposed project would be subject to NPDES requirements and other Federal, state, and local regulations pertaining to maintaining water quality and minimizing potential adverse effects on downstream water bodies. The City's existing storm water system would be adequate to accommodate additional flows generated by the project.

Therefore, the proposed project would not alter the existing drainage pattern of the project site and not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off the project site. The proposed project would alter the existing drainage pattern through the project site. The modifications to the existing drainage patterns would have a less than significant impact related to exceeding the capacity of stormwater drainage systems or provide substantial additional sources of polluted runoff.

With the preparation of and confluence with a SWPPP, implementation of best management practices identified in the SWQMP, and compliance with existing Federal, state, and local regulations the proposed project would have a less than significant impact. Based on the data provided in Appendix G, *Hydrology Study* and Appendix J, *Priority Development Project (PDP) SWQMP* the proposed project development in accordance with the CPRs and compliance would result in less than significant impacts. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The City Finds that the proposed project would have a less than significant impact relating to hydrology and water quality and no mitigation measures would be required.

FINAL EIR – Land Use and Planning

Less than Significant Impact or Less than Significant with Mitigation

- LU-B *Would the proposed project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*
- LU-C *Would the proposed project conflict with any applicable habitat conservation plan or natural community conservation plan?*

Facts in Support of Findings

LU-B: Conflict with Applicable Land Use Plans, Policies, or Regulations: The proposed project would potentially have a substantial adverse effect on land use and planning. This evaluation assumes that the project will be implemented consistent with the project description.

The proposed project would amend the City's General Plan. The proposed project would establish new designations for the project site on the City's General Plan. Additionally, the requested actions include City approval of the following: Zone Change; Tentative Tract Map; Planned Development Permit; Master and Precise Development Plan; Grading Permit; and, Encroachment Permit. Approval by other agencies would include, but not be limited to: Caltrans approval of an Encroachment Permit that would include landscape maintenance; and Vista Irrigation District (VID) approval of the vacation of an easement. These City and other agency actions would eliminate potential conflicts with applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect

The proposed project has been designed so as to not impact habitat regulated under the NCCP/HCP. Please refer to Section 4.4, *Biological Resources* for specific project actions and mitigation measures associated with conservations plans. Trees on the project site would be replaced at a minimum 1 to 1 ratio.

The proposed project is within the City and is subject to the City's land use plans, policies, and regulations. The discretionary actions and approvals required to implement the proposed project, as well as all subsequent construction and operational activities would be:

1. Certification of the Environmental Documentation;
2. Approval of General Plan Amendment (GPA);
3. Approval of Zone Change (ZC);
4. Approval of a Tentative Tract Map for condominium purposes, vacation of Centre City Parkway right-of-way, and realignment of Nutmeg Street);
5. Approval of a Master and Precise Development Plan (Site Plan, Floor Plans, Elevations, and Landscape Plan);
6. Approval of Grading Permit that Includes an Exemption;
7. Approval of Specific Alignment Plan; and,
8. Approval of Encroachment Permit from State of California Department of Transportation and City of Escondido.

Therefore, the proposed project could potentially conflict with a land use plan or policy of the City that may have a potentially significant impact on the environment. This is a potentially significant impact that addressed below.

Federal

There are no specific Federal regulations associated with the land use and planning topical environmental issue area. Therefore, the proposed project would not have an impact related to Federal regulations associated with the land use plans, policies, and regulations, and no mitigation measures would be required.

State

There are specific state regulations associated with the land use and planning topical environmental issue area. The proposed project would not have a land use and planning impact relate to State regulatory compliance with the California Office of Planning and Research; California Planning and Zoning Law; and, Natural Community Conservation Planning Act of 1991 (please refer to Section 4.3, *Biological Resources* of this Draft EIR). Therefore, the proposed project would not a have impact related to state regulations associated with the land use plans, policies, and regulations, and no mitigation measures would be required.

Regional

There are specific regional regulations associated with the land use and planning topical environmental issue area. The proposed project would not have a land use and planning impact relate to regional regulatory compliance with the plans and programs of the San Diego Association of Governments (SANDAG). This would include the Regional Transportation Plan and the Congestion Management Project discussed in Section 4.10, *Traffic and Transportation* of this Draft EIR; Regional Comprehensive Plan; and, the Multiple Habitat Conservation Program (please refer to Section 4.3, *Biological Resources* of this Draft EIR). The proposed project would not have a land use and planning impact relate to an Airport Land Use Compatibility Plans. The project site is not within an airport land use compatibility area. Therefore, the proposed project would not have an impact related to regional land use plans, policies, and regulations, and no mitigation measures would be required.

County of San Diego Plans, Programs, Policies, and Regulations

The proposed project would not have a land use and planning impact relate to County of San Diego (County) plans, programs, policies, and regulations. This would include the: County of San Diego General Plan; Community and Sub-regional Plans; and, San Diego County Multiple Species Conservation Program. The proposed project is total within the jurisdiction of the City. Therefore, the proposed project would not have an impact related to County land use plans, programs, policies, and regulations, and no mitigation measures would be required.

City of Escondido

General Plan

The proposed project is inconsistent with the existing City General Plan land use designation for the project site. The proposed project would be in substantial compliance with the Land Use Element Goals and Policies. Appendix L provides a comparison of the proposed project with each goal and policy of the City General Plan. Additionally, the land use designation would be consistent after approval by the City of the proposed General Plan Amendment. The amendment would change the Land Use Element Map to designate the proposed project site Urban III (U3). Based on the information provided in Appendix L, the proposed project would be generally consistent with the City's General Plan applicable goals and policies. Therefore, the proposed project would have a less than significant impact related to conflicting with City General Plan and no mitigation measures would be required.

Zoning

The proposed project is inconsistent with the existing zoning designation for the project site. The proposed change of zone would designate the site as Medium Multiple Residential (R-3) Planned Residential Development (PR-D). The project site would be subject to the Medium Multiple Residential (R-3) district standards except as modified by the PR-D. The R-3 zone is established to provide a multi-family setting for family life in low-height, medium density dwelling units in close proximity to other multi-family neighborhoods. Appendix M provides a comparison of the proposed project with the development standards of the R-3 District. The proposed project is generally consistent with the development standards of the Medium Multiple Residential (R-3) District. The PR-D designation enables the City the ability to modify the development standards within the R-3 zone. Therefore, the proposed project would have a less than significant impact related to City zoning, and no mitigation measures would be required. Therefore, the proposed project would have a less than significant impact related to zoning and no mitigation measures would be required.

The City Finds that the proposed project would have a less than significant impact related to applicable land use plans, policies, or regulations and no mitigation measures would be required.

LU-C: Conflict with Conservation Plans: The proposed project would potentially have a substantial adverse effect on conservation plans. The evaluation assumed that the project will be implemented consistent with the project description.

The Initial Study for the proposed project states that the proposed project is within a natural community conservation subarea. The City is one of seven cities in northwestern San Diego County which together comprise a Natural Community Conservation Planning (NCCP) sub region. The City has been involved in the sub regional Multiple Habitat Conservation Program (MHCP) from its inception in 1991. This subarea plan represents the City's contribution to the MHCP and to regional NCCP conservation goals. The Escondido Subarea Plan addresses how the City will conserve natural biotic communities and sensitive plant and wildlife

species pursuant to the California Natural Community Conservation Planning (NCCP) Act of 1991 and the California and U.S. Endangered Species Acts (CESA and ESA). This plan is an NCCP and a Habitat Conservation Plan (HCP) pursuant to Section 10(a) of the U.S. Endangered Species Act (as amended in 1982).

The City's Focused Planning Area (FPA) is the area within which the permanent Escondido preserve will be assembled and managed for its biological resources. The proposed project may conflict with an applicable habitat conservation plan or natural community conservation plan that may have a potentially significant impact on the environment. This Draft EIR evaluates this potential impact.

Biological resources are located within the project site that require conservation planning consideration due to their significant habitat value, restoration potential, and/or importance to the assemblage of a regional preserve system. The proposed project would be required to be developed consistent with all applicable provisions of the Escondido Subarea Plan and Biological Mitigation Measures (MMs) included in this Draft EIR. For detailed information refer to Section 4.3 *Biological Resources*.

The information provided in Technical Appendix C, *Biological Resource Letter Report* of this Draft EIR indicates that with the incorporation of biological Resource MM's the proposed project impacts would be less than significant related to conflicts to biological resources and conservation plans. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The City Finds that the proposed project would have a less than significant impact relating to conflicting with a conservation plan and no mitigation measures would be required.

FINAL EIR – Noise

- NOI-A *Would the proposed project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- NOI-C *Would the proposed project result in a substantial permanent increase in ambient noise levels in the proposed project vicinity above levels existing without the proposed project?*

Facts in Support of Findings

NOI-A: Temporary or Periodic Ambient Noise Levels: The proposed project would potentially have a substantial adverse effect on noise impacts. The evaluation assumed that the project will be implemented consistent with the project description.

The proposed project would not expose persons to or generate noise levels in excess of standards established in the General Plan or Noise Ordinance or applicable standards of other agencies. The following section calculates the potential noise emissions associated with the construction and operations of the proposed project and compares the noise levels to the City standards.

Construction-Related Noise

The construction activities for the proposed project are anticipated to include site preparation and grading of the project site, building construction of 135 residential townhome units, paving of the onsite roads and parking areas, and application of architectural coatings. Noise impacts from construction activities associated with the proposed project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. The nearest sensitive receptors to the project site are residents at the single-family homes located as near as 610 feet west of the project site on the west side of Interstate 15. There are also single-family homes located as near as 725 feet to the east and 770 feet to the southeast.

Section 17-234(a) of the City’s Municipal Code restricts construction activities from occurring between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or between the hours of 5:00 p.m. and 9:00 a.m. on Saturdays. Section 17-234(b) prohibits construction activities at any time on Sundays and public holidays. Additionally, Section 17-234(c) limits construction noise that occurs during the allowable times to 75 dB.

Construction noise impacts to the nearby sensitive receptors have been calculated through use of the RCNM and the parameters and assumptions detailed in Appendix H of this report. The results are shown below in EIR Table 4.10-7.

EIR Table 4.10-7 shows that the greatest noise impacts would occur during the site preparation, grading, and building construction phases of construction, with a noise level as high as 64 dBA at the single-family homes to the west of the project site. EIR Table 4.10-7 also shows that none of the construction phases would exceed the City’s construction noise threshold of 75 dB. Therefore, the proposed project would not generate noise levels in excess of standards established in the General Plan or Noise Ordinance from construction of the proposed project. Impacts would be less than significant.

Table 4.10-7: Worst Case Construction Noise Levels at Nearest Receptors

Construction Phase	Single-Family Homes to the West		Single-Family Homes to the East		Single-Family Homes to the Southeast	
	Distance (feet)	Noise Level (dBA Leq)1	Distance (feet)	Noise Level (dBA Leq)1	Distance (feet)	Noise Level (dBA Leq)1
Site Preparation ²	610	64	725	63	770	62
Grading ^{2,3}	610	64	725	63	770	62
Building Construction	660	64	745	63	820	62
Paving	660	58	725	57	800	57
Painting	660	51	745	50	820	49
City’s Construction Noise Threshold¹		75		75		75
Exceed Threshold?		No		No		No

Source: RCNM, Federal Highway Administration, 2006

Notes:

¹ City construction noise threshold from Section 17-234 Construction Equipment of the Municipal Code² Site preparation and grading activities would occur both onsite and offsite on approximately 1.3-acres of Caltrans property. The distances to the nearby homes for site preparation and grading activities are based on the nearest of onsite or offsite activities.

³ Grading noise levels includes possible blasting activities that may occur (Geotek, 2018)

Operational-Related Noise

The proposed project would consist of the development of 135 residential townhome units. The proposed development would be adjacent to Interstate 15 and Centre City Parkway and is transected by Nutmeg Street. As part of the proposed project, a sound barrier on the portion of the site that is located on the south side of Nutmeg Street. The sound barrier shall run along the entire west property line that is south of Nutmeg Street. The southern end of the barrier shall extend an additional 20 feet along the southern property line and the northern end of the barrier shall extend an additional 20 feet, in a northeasterly direction (approximately parallel to Nutmeg Street). The sound barrier shall be 8 feet high, except for the southernmost 180 feet of the sound barrier located on the west property line that shall be 9 feet high. The sound barrier shall be constructed with concrete masonry block or a combination of a berm and concrete masonry block. The location of the proposed noise barrier is shown in Figure 4.10-5. Traffic noise may create noise levels in excess of City's exterior and interior noise standards at the proposed residential townhomes.

Exterior Noise Impacts

The City's General Plan Policy 5.2 requires that noise levels do not exceed 65 dBA CNEL at the common recreation areas of the proposed multi-family development. It should be noted that General Policy 5.2 references Figure VI-13 of the General Plan that states that "The outdoor standard should not normally be applied to balconies or patios associated with residential uses." As such, the exterior noise impact analysis has been limited to analyzing the noise level at the two proposed recreation areas.

In order to determine compliance with the 65 dBA CNEL exterior noise standard from the nearby roadway noise sources, the SoundPlan model was utilized to calculate the General Plan Buildout year 2035 conditions exterior noise levels at the two proposed common recreation areas. The parameters utilized in the SoundPlan model are detailed in Appendix H, which analyzed the noise impacts to the project site from Interstate 15, Centre City Parkway and Nutmeg Street. EIR Table 4.10-8 provides a summary of the calculate outdoor common recreation areas noise levels, EIR Figure 4.10-3 shows the General Plan Buildout year 2035 with project noise contours prior to mitigation.

Table 4.10-8: Proposed Outdoor Common Recreation Areas Noise Levels Prior to Mitigation

Recreation Area	Recreation Area Location	Calculated Noise Level (dBA CNEL)	City Noise Standard (dBA CNEL)	Exceed City Standard?
1	North Side of Nutmeg Street – West	62.9	65	No
2	North Side of Nutmeg Street - East	66.8	65	Yes
3	South Side of Nutmeg Street – North	64.0	65	No
4	South Side of Nutmeg Street - South	67.8	65	Yes

Source: SoundPlan Model Version 8.0

EIR Table 4.10-8 shows that the noise level at both the eastern portion of the outdoor recreation area located on the north side of Nutmeg Street and the southern portion of the outdoor common recreation area located on the south side of Nutmeg Street would exceed the City’s 65 dBA CNEL noise standards. This would be considered a significant impact.

MM NOI-1: In order to reduce the noise levels at the two proposed outdoor recreation areas, the project applicant shall construct two 8-foot sound walls, with one located on the south side of the outdoor recreation area that is located on the north side of Nutmeg Street and the other wall located southwest of the outdoor recreation area that is located on the south side of Nutmeg Street. The sound walls and any doors placed in the sound walls shall be constructed of a solid material (e.g., glass, wood, concrete block, or plaster). The locations of the proposed outdoor recreation area sound walls are shown in Figure 4.10-5.

Mitigation Measure MM NOI- 1 is provided that would require the construction of two 8-foot sound walls, with one located on the south side of the outdoor recreation area that is located on the north side of Nutmeg Street and the other wall located southwest of the outdoor recreation area that is located on the south side of Nutmeg Street. The locations of the proposed outdoor recreation area sound walls are shown in Figure 4.10-5. The SoundPlan model was re-run with the two proposed sound walls as depicted in Mitigation Measure MM NOI - 1 and EIR Table 4.10-9 provides a summary of the calculated mitigated outdoor common recreation areas noise levels, EIR Figure 4.10-4 shows the Mitigated General Plan Buildout year 2035 with project noise contours. EIR Table 4.10-9 shows that with implementation of the Mitigation Measure MM NOI-1, the noise levels at the outdoor recreation areas would be reduced to within the City’s 65 dBA CNEL exterior noise standard. Therefore, with implementation of Mitigation Measure MM NOI-1, the outdoor recreation area exterior noise levels would be reduced to less than significant.

Table 4.10-9: Mitigated Proposed Outdoor Common Recreation Areas Noise Levels

Recreation Area	Recreation Area Location	Calculated Noise Level (dBA CNEL)	City Noise Standard (dBA CNEL)	Exceed City Standard?
1	North Side of Nutmeg Street – West	59.3	65	No
2	North Side of Nutmeg Street - East	60.8	65	No
3	South Side of Nutmeg Street – North	63.3	65	No
4	South Side of Nutmeg Street - South	63.5	65	No

Source: SoundPlan Model Version 8.0

Interior Noise Impacts

The City’s General Plan Policy 5.4 requires noise attenuation for new residential uses if the projected interior noise standard of 45 dBA CNEL is exceeded. In order to determine compliance with the City’s 45 dBA CNEL interior noise standard from the nearby roadways, the SoundPlan model was utilized to calculate the exterior noise levels at the facades of each of the proposed townhome structures. The exterior noise levels were then subtracted from the calculated exterior to interior attenuation rates in order to determine the anticipated interior noise levels of the proposed residential townhomes. The parameters utilized in the SoundPlan model are detailed in Appendix H, which analyzed the noise impacts to the project site Nutmeg Street, Centre City Parkway, and Interstate 15.

In order to calculate the interior noise levels of the proposed townhomes, first, second and third floor receivers were placed in the SoundPlan model at representative locations on the façades of each of the proposed townhome structures and the interior noise levels were calculated by subtracting the attenuation rates for each window/door type scenario from the exterior noise levels. This analysis was based on implementation of the following project design features that are either already depicted on the proposed project site plan and architectural plans or are required from City and State Regulations, including Mitigation Measure MM NOI-2.

MM NOI-2: The project applicant will provide a “windows closed” condition for each proposed residential townhome. A “window closed” condition is a term that means that a home is capable of providing adequate ventilation and temperature control without opening the windows. A “windows closed” condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system with a filtered outside air intake vent for each residential unit.

Due to the large amount of data provided, the interior noise level calculations have been segmented into three tables, with the interior noise levels for the P1-Villas are shown in Table 4.10-10, the interior noise

levels for the P2-Villas are shown in Table 4.10-11, and the interior noise levels for the P3-Row Homes are shown in EIR Table 4.10-12.

Table 4.10-10 shows that for the P1-Villas (north side of Nutmeg Street), only the rooms on the southeast and southwest sides of Building 1 (closest building to I-15) would exceed the 45 dBA CNEL interior noise standard from General Plan Policy 5.4 with standard 26 STC windows and exterior doors. This would be considered a significant impact.

MM NOI-3: For the P1-Villas, the project applicant shall require all windows and exterior doors on the northwest, southwest, and southeast sides of Building 1 to have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors are shown on Figure 4.10-5.

Mitigation Measure MM NOI-3 is provided for the P1-Villas that require all windows and exterior doors on the northwest, southwest, and southeast sides of Building 1 to have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors are shown on Figure 4.10-5. Table 4.10-10 shows that with implementation of Mitigation Measure MM NOI-3, the interior noise levels of all P1-Villas townhomes would be reduced to within the 45 dBA CNEL interior noise standard. Therefore, with implementation of Mitigation Measure MM NOI-3, the P1-Villas interior noise levels would be reduced to less than significant.

EIR Table 4.10-11 shows that for the P2-Villas (western portion, south side of Nutmeg Street), that interior noise levels in Buildings 12 to 20 would exceed the 45 dBA CNEL interior noise standard from General Plan Policy 5.4 with standard 26 STC windows and exterior doors. This would be considered a significant impact.

MM NOI-4: For the P2-Villas, the project applicant shall require all windows and exterior doors on the southwest side of Buildings 12 to 18, the northwest side of Building 18, and the northwest side of the westernmost unit of Buildings 16 and 17 to have a minimum STC rating of 35 STC. In addition, all windows and exterior doors on the northwest side of Buildings 19 and 20 and southwest side of Building 19 and the southeast and northwest sides of Buildings 12 to 18 that were not covered by the 35 STC requirement shall have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors is shown on Figure 4.10-5.

Mitigation Measure MM NOI-1 4 is provided for the P2-Villas that require all windows and exterior doors on the southwest side of Buildings 12 to 18, the northwest side of Building 18, and the northwest side of the westernmost unit of Buildings 16 and 17 to have a minimum STC rating of 35 STC. In addition, Mitigation Measure 2 requires that all windows and exterior doors on the northwest and southwest sides of Building 19 and the southeast and northwest sides of Buildings 12 to 18 that were not covered by the 35 STC requirement to have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors are shown on EIR Figure 4.10-5. EIR Table 4.10-11 shows that with implementation of Mitigation Measure MM NOI-3, the

interior noise levels of all P2-Villas townhomes would be reduced to within the 45 dBA CNEL interior noise standard. Therefore, with implementation of Mitigation Measure MM NOI-4, the P2-Villas interior noise levels would be reduced to less than significant.

EIR Table 4.10-12 shows that for the P3-Row Homes, the highest interior noise level would occur in the rooms on the third floor of the west side of Building 29 with a noise level of 44.3 dBA CNEL. Table 4.10-12 shows that the interior noise level at all P3-Row Homes would be within the 45 dBA CNEL interior noise standard from General Plan Policy 5.4 with standard 26 STC windows and exterior doors. The P3-Row Homes interior noise impacts would be less than significant.

The City Finds that the proposed project would have less than significant impact related to temporary or periodic ambient Noise levels with the inclusion of Mitigation Measure MM NOI-1 through MM NOI-4.

Table 4.10-10 Proposed P1-Villas Interior Noise Levels

Receiver Location	Floor	Exterior Noise Level at Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)	
			26 STC Windows & Exterior Doors ¹	30 STC Windows & Exterior Doors ²
Building 1 – P1 Villas Southeast Side	1	71.9	43.9	39.9
	2	74.4	46.4	42.4
	3	74.8	46.8	42.8
Building 1 – P1 Villas Southwest Side	1	69.2	41.2	37.2
	2	74.8	46.8	42.8
	3	76.9	48.9	44.9
Building 2 – P1 Villas Southeast Side	1	69.9	41.9	37.9
	2	71.7	43.7	39.7
	3	72.1	44.1	40.1
Building 3 – P1 Villas Southwest Side	1	69.5	41.5	37.5
	2	71.4	43.4	39.4
	3	71.7	43.7	39.7
Building 4 – P1 Villas West Side	1	67.1	39.1	35.1
	2	69.3	41.3	37.3
	3	69.2	41.2	37.2
Building 8 – P1 Villas East Side	1	70.2	42.2	38.2
	2	70.3	42.3	38.3
	3	70.1	42.1	38.1
Building 8 – P1 Villas South Side	1	68.6	40.6	36.6
	2	69.4	41.4	37.4

Table 4.10-10 Proposed P1-Villas Interior Noise Levels

Receiver Location	Floor	Exterior Noise Level at Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)	
			26 STC Windows & Exterior Doors ¹	30 STC Windows & Exterior Doors ²
	3	69.8	41.8	37.8
Building 9 – P1 Villas South Side	1	67.0	39.0	35.0
	2	68.6	40.6	36.6
	3	69.1	41.1	37.1
Building 10 – P1 Villas South Side	1	68.7	40.7	36.7
	2	70.5	42.5	38.5
	3	70.9	42.9	38.9
Building 11 – P1 Villas West Side	1	69.2	41.2	37.2
	2	71.5	43.5	39.5
	3	72.4	44.4	40.4
City Interior Noise Standard			45	45
Exceed City Standards?			Yes	No

Source: SoundPlan Model Version 8.0

Notes:

¹ A minimum 28 dBA noise reduction has been calculated for standard 26 STC windows

² A minimum 32 dBA noise reduction has been calculated for upgraded 30 STC windows

Exceedance of City 45 dBA CNEL noise standard shown in **bold and underline**

Table 4.10-11: Proposed P2-Villas Interior Noise Levels

Receiver Location	Floor	Exterior Noise Level at Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)		
			26 STC Windows & Exterior Doors ¹	30 STC Windows & Exterior Doors ²	35 STC Windows & Exterior Doors ³
Building 12 – P2 Villas Southwest Side	1	73.4	<u>45.4</u>	41.4	37.4
	2	78.9	<u>50.9</u>	<u>46.9</u>	42.9
	3	79.1	<u>51.1</u>	<u>47.1</u>	43.1
Building 12 – P2 Villas Southeast Side	1	70.2	42.2	38.2	34.2
	2	74.2	<u>46.2</u>	42.2	38.2
	3	74.5	<u>46.5</u>	42.5	38.5
Building 13 – P2 Villas Southwest Side	1	74.6	<u>46.6</u>	42.6	38.6
	2	79.1	<u>51.1</u>	<u>47.1</u>	43.1
	3	79.2	<u>51.2</u>	<u>47.2</u>	43.2
	1	68.5	40.5	36.5	32.5

Table 4.10-11: Proposed P2-Villas Interior Noise Levels

Receiver Location	Floor	Exterior Noise Level at Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)		
			26 STC Windows & Exterior Doors ¹	30 STC Windows & Exterior Doors ²	35 STC Windows & Exterior Doors ³
Building 13 – P2 Villas Southeast Side	2	75.2	<u>47.2</u>	43.2	39.2
	3	75.5	<u>47.5</u>	43.5	39.5
Building 14 – P2 Villas Northwest Side	1	76.2	<u>48.2</u>	44.2	40.2
	2	76.5	<u>48.5</u>	44.5	40.5
	3	76.6	<u>48.6</u>	44.6	40.6
Building 14 – P2 Villas Southwest Side	1	77.3	<u>49.3</u>	<u>45.3</u>	41.3
	2	78.9	<u>50.9</u>	<u>46.9</u>	42.9
	3	79.1	<u>51.1</u>	<u>47.1</u>	43.1
Building 15 – P2 Villas Southwest Side	1	75.3	<u>47.3</u>	<u>43.3</u>	39.3
	2	79.0	<u>51.0</u>	<u>47.0</u>	43.0
	3	79.1	<u>51.1</u>	<u>47.1</u>	43.1
Building 16 – P2 Villas Southwest Side	1	74.5	<u>46.5</u>	42.5	38.5
	2	80.0	<u>52.0</u>	<u>48.0</u>	44.0
	3	80.2	<u>52.2</u>	<u>48.2</u>	44.2
Building 17 – P2 Villas Southwest Side	1	74.5	<u>46.5</u>	42.5	38.5
	2	80.5	<u>52.5</u>	<u>48.5</u>	44.5
	3	80.6	<u>52.6</u>	<u>48.6</u>	44.6
Building 18 – P2 Villas Northwest Side	1	69.9	41.9	37.9	33.9
	2	78.6	<u>50.6</u>	<u>46.6</u>	42.6
	3	78.6	<u>50.6</u>	<u>46.6</u>	42.6
Building 18 – P2 Villas Southwest Side	1	72.9	44.9	40.9	36.9
	2	80.9	<u>52.9</u>	<u>48.9</u>	44.9
	3	81.0	<u>53.0</u>	<u>49.0</u>	45.0
Building 19 – P2 Villas Southwest Side	1	72.6	44.6	40.6	36.6
	2	75.4	<u>47.4</u>	43.4	39.4
	3	75.9	<u>47.9</u>	43.9	39.9
Building 20 – P2 Villas Northwest Side	1	70.0	42.0	38.0	34.0
	2	72.3	44.3	40.3	36.3
	3	72.9	44.9	40.9	36.9
	1	68.7	40.7	36.7	32.7

Table 4.10-11: Proposed P2-Villas Interior Noise Levels

Receiver Location	Floor	Exterior Noise Level at Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)		
			26 STC Windows & Exterior Doors ¹	30 STC Windows & Exterior Doors ²	35 STC Windows & Exterior Doors ³
Building 21 – P2 Villas Northwest Side	2	72.0	44.0	40.0	36.0
	3	72.5	44.5	40.5	36.5
Building 22 – P2 Villas Southwest Side	1	70.4	42.4	38.4	34.4
	2	72.4	44.4	40.4	36.4
	3	72.3	44.3	40.3	36.3
City Interior Noise Standard			45	45	45
Exceed City Standards?			Yes	Yes	No

Source: SoundPlan Model Version 8.0

Notes:

¹ A minimum 28 dBA noise reduction has been calculated for standard 26 STC windows² A minimum 32 dBA noise reduction has been calculated for upgraded 30 STC windows³ A minimum 36 dBA noise reduction has been calculated for acoustic performance 35 STC windowsExceedance of City 45 dBA CNEL noise standard shown in **bold and underline**

Table 4.10-12: Proposed Residential P3-Row Homes Interior Noise Levels

Receiver Location	Floor	Exterior Noise Level at Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)
			26 STC Windows ¹
Building 23 – P3 Row Homes West Side	1	67.0	38.0
	2	68.8	39.8
	3	69.5	40.5
Building 24 – P3 Row Homes North Side	1	66.6	37.6
	2	67.8	38.8
	3	68.0	39.0
Building 25 – P3 Row Homes North Side	1	68.7	39.7
	2	70.1	41.1
	3	69.9	40.9
Building 26 – P3 Row Homes East Side	1	71.8	42.8
	2	71.8	42.8
	3	71.6	42.6
Building 27 – P3 Row Homes East Side	1	67.8	38.8
	2	71.9	42.9
	3	71.5	42.5

Table 4.10-12: Proposed Residential P3-Row Homes Interior Noise Levels

Receiver Location	Floor	Exterior Noise Level at Façade (dBA CNEL)	Interior Noise Levels (dBA CNEL)
			26 STC Windows ¹
Building 28 – P3 Row Homes East Side	1	67.8	38.8
	2	71.9	42.9
	3	71.6	42.6
Building 29 – P3 Row Homes East Side	1	68.0	39.0
	2	71.5	42.5
	3	71.3	42.3
Building 30 – P3 Row Homes East Side	1	65.8	36.8
	2	71.1	42.1
	3	71.2	42.2
Building 31 – P3 Row Homes East Side	1	68.9	39.9
	2	70.8	41.8
	3	70.7	41.7
Building 32 – P3 Row Homes West Side	1	72.4	43.4
	2	73.4	44.4
	3	73.6	44.6
Building 33 – P3 Row Homes West Side	1	66.8	37.8
	2	72.1	43.1
	3	72.2	43.2
Building 34 – P3 Row Homes West Side	1	62.8	33.8
	2	66.3	37.3
	3	67.0	38.0
City Interior Noise Standard			45
Exceed City Standards?			No

Source: SoundPlan Model Version 8.0

Notes:

¹ A minimum 28 dBA noise reduction has been calculated for standard 26 STC windows
Exceedance of City 45 dBA CNEL noise standard shown in **bold and underline**

NOI-B: Ambient Noise Levels: The ongoing operation of the proposed project may result in a potential substantial permanent increase in ambient noise levels in the project vicinity above existing levels without the proposed project. Potential noise impacts associated with the operations of the proposed project would be from project-generated vehicular traffic on the project vicinity roadways.

Vehicle noise is a combination of the noise produced by the engine, exhaust and tires. The level of traffic noise depends on three primary factors (1) the volume of traffic, (2) the speed of traffic, and (3) the number of trucks in the flow of traffic. The proposed project does not propose any uses that would require a substantial number of truck trips and the proposed project would not alter the speed limit on any existing roadway so the proposed project’s potential offsite noise impacts have been focused on the noise impacts associated with the change of volume of traffic that would occur with development of the proposed project.

General Plan Noise Policy 5.3 requires noise attenuation for the nearby residential uses, where projected incremental increases in exterior noise exceeds: Plus 5 dB where the existing noise level is 50 dBA CNEL or less; Plus 3 dB where the existing noise level is 55 dBA CNEL or less, Plus 2 dB where the existing noise level is 60 dB CNEL or less; Plus 1 dB where the existing noise level is 70 dB CNEL or less; or any increase where the existing noise level is 75 dB CNEL or higher.

The potential offsite traffic noise impacts created by the on-going operations of the proposed project have been analyzed through utilization of the FHWA model and parameters described above in Section 6.2 and the FHWA model noise calculation spreadsheets are provided in Appendix G. The proposed project’s offsite traffic noise impacts have been analyzed for the existing and existing plus cumulative projects conditions that are discussed below.

Existing Conditions

The proposed project’s potential offsite noise impacts have been calculated through a comparison of the Existing scenario to the Existing With Project Scenario. The results of this comparison are shown in EIR Table 4.10-13.

EIR Table 4.10-13 shows that for the existing conditions, the proposed project’s permanent noise increases to the nearby homes from the generation of additional vehicular traffic would not exceed the noise increase thresholds provide in General Plan Noise Policy 5.3. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels for the existing conditions. Impacts would be less than significant.

Table 4.10-13: Existing Project Traffic Noise Contributions

5 line	M	1.2			Increase Threshold ²
		Existing	Existing With Project	Project Contribution	
Nutmeg Street	West of Project Access	59.7	60.2	0.5	+2 dBA
Centre City Parkway	South of Nutmeg Street	61.1	61.6	0.5	+1 dBA
Centre City Parkway	South of Country Club Lane	64.5	64.7	0.2	+1 dBA
Centre City Parkway	South of Iris Lane	67.5	67.5	0.0	+1 dBA
Iris Lane	West of Centre City Parkway	59.7	59.9	0.2	+2 dBA
El Norte Parkway	West of Iris Lane	70.7	70.7	0.0	+0 dBA

Table 4.10-13: Existing Project Traffic Noise Contributions

5 line	M	1.2			Increase Threshold ²
		Existing	Existing With Project	Project Contribution	

Source: FHWA Traffic Noise Prediction Model FHWA-RD-77-108

Notes:

¹ Noise levels do not take into account existing noise barriers

² Increase Threshold obtained from General Plan Policy 5.3

Existing Plus Cumulative Projects Conditions

The proposed project’s potential offsite noise impacts have been calculated through a comparison of the existing plus cumulative projects without project scenario to the existing plus cumulative projects with project scenario. The results of this comparison are shown in EIR Table 4.10-14.

Table 4.10-14: Existing Plus Cumulative Projects Traffic Noise Contributions

Roadway	Segment	dBA CNEL at Nearest Receptor ¹			Increase Threshold ²
		Cumulative No Project	Cumulative With Project	Project Contribution	
Nutmeg Street	West of Project Access	59.7	60.2	0.5	+2 dBA
Centre City Parkway	South of Nutmeg Street	61.4	61.8	0.4	+1 dBA
Centre City Parkway	South of Country Club Lane	64.7	64.9	0.2	+1 dBA
Centre City Parkway	South of Iris Lane	67.7	67.8	0.1	+1 dBA
Iris Lane	West of Centre City Parkway	60.1	60.3	0.2	+1 dBA
El Norte Parkway	West of Iris Lane	71.1	71.1	0.0	+0 dBA

Source: FHWA Traffic Noise Prediction Model FHWA-RD-77-108

Notes:

¹ Noise levels do not take into account existing noise barriers

² Increase Threshold obtained from General Plan Policy 5.3

EIR Table 4.10-14 shows that for the existing plus cumulative projects conditions, the proposed project’s permanent noise increases to the nearby sensitive receptors from the generation of additional vehicular traffic would not exceed the noise increase thresholds provide in General Plan Noise Policy 5.3. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels for the existing plus cumulative projects conditions. Impacts would be less than significant.

The City Finds that the proposed project would have less than significant impact related to permanent ambient noise levels and no mitigation measures would be required.

FINAL EIR – Transportation/Traffic

Less than Significant Impact or Less than Significant with Mitigation

Section 5: Environmental Impact Findings

- TRA-A* Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- TRA-B* Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- TRA-D* Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Facts in Support of Findings

TRA-A, TRA-B, & TRA-C: The proposed project would potentially have a substantial adverse effect on traffic and transportation impacts. The evaluation assumed that the project will be implemented consistent with the project description.

The proposed project includes the development of 135 unit attached residential homes, off-street parking, and on- and off-site circulation improvements. All development would be in accordance with the City's General Plan Mobility Element. Improvement to North Centre City Parkway would include development to its ultimate width as a Collector along the project frontage. North Nutmeg Street would include realignment and improvement to its ultimate width as a Local Collector along the project frontage. Improvements to Interstate-15 right-of-way adjacent to the project site would occur. These improvements would be as shown on the tentative tract map. Bicycle lane improvements on North Nutmeg Street and on North Centre City Parkway adjacent to the project site would occur. These improvements would be as shown on the tentative tract map

The proposed project would improve existing sight distances to include the corner sight distance; the locations of the existing objects obstructing line of sight that are removed; and, the minimum corner sight distance approved by the City would be achieved. The proposed project would assist the City in posting North Nutmeg Street for a design speed of 35 mph adjacent to the project site.

Project site access, including road widths and connectivity would be developed consistent with the City's roadway standards and the 2016 CFC Section 503. The proposed project would not include automatic gates. On-site roads would be constructed to current City Standards. All residential parking would be off-street parking spaces designed to meet City Zoning requirements. The proposed project would include implementation of the Conceptual Landscape Plan and Wall and Fence Plan. The Conceptual Landscape Plan and Wall and Fence Plan includes fuel modification provided in accordance with a Fuel Modification Plan provided in the FPP reviewed.

Construction

The proposed project includes the import of approximately 180,000 cubic yards (cy) of dirt. The air quality analysis found that the worst-case (most) construction trips would occur during the import of dirt and grading activities, that would require 352 haul truck trips per day, 15 worker trips per day and 6 vendor truck trips per day. Although the haul trucks would most likely be three axle haul trucks that have a passenger car equivalent (PCE) conversion rate of 2.0 autos per truck, in order to provide a worst-case assessment, it has been assumed that all haul trucks would be 4+ axle trucks that have a PCE conversion rate of 3.0 autos per truck. This results in the following worst-case daily truck trips:

- 352 Haul Truck Trips = 1,056 PCE daily trips
- 15 Worker Trips = 15 PCE daily trips
- 6 Vendor Trips = 18 PCE daily trips
- Total Worst-Case Construction Trips = 1,089 PCE daily trips

The Traffic Impact Analysis found that the operation of the proposed 137 Townhomes would generate 1,096 daily trips. As such the worst-case construction trips would be less than what was analyzed in the Traffic Impact Analysis.

Consistency Plans

The proposed project could potentially result in impacts related to transportation/traffic related to consistency an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. This potential impact is discussed below related to congestion management.

Congestion Management

The proposed project has the potential to increase vehicular traffic along (surrounding) area roads and therefore congestion. A comprehensive traffic impact analysis (*Nutmeg Residential Condominiums Project, Traffic Impact Analysis Report*, David Mizell, AICP in March 2019, as provided in Technical Appendix K to this Draft EIR) to examine trip generation and distribution associated with the proposed projects construction and operation. The project trip distribution is provided in EIR Figure 5.11-1.

The proposed project will take access from North Nutmeg Street from two (2) driveways that will be aligned as a four-way intersection, with one (1) driveway provided for the north and south parcels, respectively. The driveway approaches of the project access intersection will be stop-controlled, while the eastbound and westbound approaches on North Nutmeg Street will be uncontrolled.

The proposed project would generate approximately 1,096 average weekday trips, including 88 AM peak hour trips and 110 PM peak hour trips. The significance of these additional trips is discussed below related to roadways and intersections.

Roadways

All roadway segments are currently operating at acceptable Levels of Service (LOS) based on daily traffic volumes and roadway capacity.

Project Specific Roadways

The proposed project would have project specific impacts on roadway. A roadway segment analysis under Existing Plus Project conditions showed that all roadway segments are forecast to continue operating at acceptable LOS (LOS D) with and without implementation of the proposed project. The analysis indicates an increase in volume to capacity (v/c) ratio associated with the addition of project traffic to existing traffic volumes on the segment of North Nutmeg Street between Country Club Lane and Via Alexandra would exceed the City's significance threshold of 0.02. This results in a traffic impact.

Cumulative Roadways

Cumulative projects within the City are forecast to generate approximately 10,312 trips per day. Cumulative projects include approximately 978 AM peak hour trips and approximately 1,010 PM peak hour trips. The proposed project and cumulative projects would have a cumulative impact on roadways.

A roadway segment analysis under Existing Plus Cumulative conditions showed that the roadway segment on North Nutmeg Street between County Club Land and Via Alexandra would exceed the significance threshold of 0.02. This results in a cumulative traffic impact.

Intersections

All intersections operate at acceptable Level of Service (LOS) except for the following intersections that operate at a deficient LOS E or F during the peak hours:

- North Centre City Parkway/North Nutmeg Street (AM: LOS E);
- West Country Club Lane/North Nutmeg Street (PM: LOS E); and,
- North Centre City Parkway/West El Norte Parkway (AM/PM: LOS E).

Project Specific Intersections

The proposed project would impact intersections. In the Existing Plus Project condition, the following intersections would not be operating at acceptable LOS:

- North Centre City Parkway/ North Nutmeg Street (AM: LOS F);
- West Country Club Lane/ North Nutmeg Street (PM: LOS E); and
- North Centre City Parkway/ West El Norte Parkway (AM/PM: LOS E).

The City has established a traffic impact significance threshold of 2.0 seconds for an intersection operating at LOS D, E, or F. The proposed project would increase in delay at two (2) intersections forecast to operate at LOS D, E or F. This increase would exceed the significance threshold:

- North Centre City Parkway/ North Nutmeg Street (AM and PM); and,
- West Country Club Lane/North Nutmeg Street (AM and PM).

Therefore, the proposed project would result in an impact to the North Centre City Parkway/North Nutmeg Street and West Country Club Lane/North Nutmeg Street intersections.

Cumulative Intersections

Cumulative projects within the City are forecast to generate approximately 10,312 trips per day, which includes approximately 978 AM peak hour trips and approximately 1,010 PM peak hour trips. The proposed project and cumulative projects would have cumulative impacts on intersections. The Existing Plus Cumulative conditions analysis showed that the following intersections would operate at a deficient LOS E or F during the peak hours without the proposed project:

- North Centre City Parkway/North Nutmeg Street (AM: LOS E);
- West Country Club Lane/North Nutmeg Street (AM: LOS E; PM: LOS F); and,
- North Centre City Parkway/West El Norte Parkway (AM/PM: LOS E).

The following intersections would operate at a deficient LOS E or F during the peak hours with the addition of project-related traffic to Existing Plus Cumulative conditions traffic volumes:

- North Centre City Parkway/North Nutmeg Street (AM: LOS F; PM: LOS E);
- West Country Club Lane/North Nutmeg Street (AM: LOS E; PM: LOS F); and,
- North Centre City Parkway/West El Norte Parkway (AM/PM: LOS E).

The project would result in a cumulative significant impact at the West Country Club Lane/ North Nutmeg Street intersection. The forecast increase in delay to the following two intersections forecast to operate at LOS D, E or F would exceed the significance threshold of 2.0 seconds:

- North Centre City Parkway/North Nutmeg Street (AM and PM); and,
- West Country Club Lane/ North Nutmeg Street (AM and PM).

Based on the information provided in the Appendix K, the City Staff has determined that a project is fully responsible for mitigating an impact to restore the deficient intersection or roadway segment to an acceptable LOS, when a direct impact is identified (page 36). State planning law, including CEQA and the CEQA Guidelines, provide that a local government (i.e., City) must establish that the mitigation is an essential nexus and roughly proportional to the impact. Therefore, the proposed project will be responsible for their “fair-share” of these improvements as determined by the City. These improvements moreover will be accomplished to the satisfaction of the City.

Additionally, cumulative projects within the City are forecast to generate approximately 10,312 trips per day, which includes approximately 978 AM peak hour trips and approximately 1,010 PM peak hour trips. This environmental document has taken a conservative approach, as directed by the City, that all trips from cumulative projects would be included; however, not all improvements required of these cumulative projects would be included. For example, the cumulative project The Villages at Escondido Country Club is required to install a traffic signal at the intersection of West Country Club Lane and North Nutmeg Street. However, the Existing Plus Cumulative analysis assumed that The Villages at Escondido Country Club project was developed and the traffic signal at West Country Club Lane and North Nutmeg Street was not installed. The Villages at Escondido Country Club cumulative project is required to install roadway improvements to North Nutmeg Street between County Club Land and Via Alexandra the analysis did not include these cumulative project improvements.

The City’s requirement is that the “first” project to develop is responsible for installation of improvements. Costs that exceed “fair-share” would be reimbursed in a manner prescribed by the City. Mitigation Measure MM TRA-1, MM TRA-2, and MM TRA-3 have been provided to address project specific and cumulative traffic congestion impacts. The proposed project would have less than significant project specific and cumulative impact related to consistency with applicable plans and traffic congestion with the implementation of Mitigation Measure MM TRA-1, MM TRA-2, and MM TRA-3.

MM TRA-1: Prior to the occupancy of the proposed project the intersection of North Centre City Parkway/North Nutmeg Street will be improved to the satisfaction of the City as noted below:

- Installation of a traffic signal;
- Restripe the southbound approach to provide a dedicated left-turn lane; and,
- Construct a dedicated right-turn lane on the southbound approach of the intersection.

MM TRA-2: The proposed project at the intersection of West Country Club Lane/ North Nutmeg Street will provide the following:

- Installation of a traffic signal at the intersection; and,
- Restripe the southbound approach to provide a shared left-turn/through lane and a dedicated right-turn lane.

MM TRA-3: The proposed project in the existing right-of-way on North Nutmeg Street from West Country Club Lane to Via Alexandra will provide the following:

- Wider travel lane; and,
- Curb, gutter, and sidewalk.

Therefore, the proposed project would have less than significant impact related to consistency with applicable plans and traffic congestion with the implementation of Mitigation Measure MM TRA-1 through MM TRA-3.

Queuing

The proposed project would have the potential for congestion queuing impacts. A queuing analysis was performed at the following locations:

- North Centre City Parkway/North Nutmeg Street intersection under Existing Plus Cumulative Plus Project conditions;
- Nutmeg Street/Project Access intersection; and,
- Project access intersection on Nutmeg Street.

Based on the analysis the proposed project would have a potential impact at the North Centre City Parkway/ North Nutmeg Street intersection under Existing Plus Cumulative Plus Project conditions; and the Nutmeg Street/Project Access intersection. Site access evaluation showed that no impacts are anticipated at the project access intersection on Nutmeg Street.

Mitigation Measure MM TRA-4 and MM TRA-5 have been provided provide minimum storage lengths. Therefore, the proposed project would have less than significant impact related to storage lengths with the implementation of Mitigation Measure MM TRA-4 and MM TRA-5.

MM TRA-4: The proposed project at the intersection of North Centre City Parkway/North Nutmeg Street intersection will provide the following minimum storage lengths for left turn and right-turn lanes:

- Eastbound Left-Turn Lane: 100 feet; and,
- Southbound Right-Turn Lane: 125 feet.

MM TRA-5: The proposed project at the intersection of Nutmeg Street/Project Access will provide 50-foot left-turn pockets for the eastbound and westbound left-turn lanes.

Design Hazard

The proposed project has the potential to increase traffic hazards due to design features. The *Nutmeg Residential Condominiums Project, Traffic Impact Analysis Report*, David Mizell, AICP in March 2019 as provided in Technical Appendix K to this Draft EIR evaluated the existing on-site design of the proposed project.

Farm Equipment

No farm equipment would be utilized on the project site. Therefore, the proposed project would have no impact related to design hazards from farm equipment. No mitigation is required.

Intersection Sight Distance

North Centre City Parkway/Nutmeg Street

A sight distance assessment from both project driveway approaches at North Centre City Parkway at the intersection with North Nutmeg Street. The sight distance assessment indicates that the available sight distance looking east from both project driveway approaches would be clear and unobstructed to the North Centre City Parkway/Nutmeg Street intersection. The proposed project would have no impact related to the creation of dangerous intersections at this location. No mitigation would be required.

Driveway Approaches to the West

A sight distance assessment from both project driveway approaches to the west was accomplished. The available sight distance looking west from both the proposed driveway approaches would currently be obstructed by existing fencing, shrubs, and rocks near the project site boundary with Caltrans right-of-way. The proposed project would remove all existing fence along the Caltrans right-of-way in this location and install fencing as depicted on Figure 3-7: Landscape Plan. New fencing and landscaping would be implemented that provides for unobstructed sight distances looking to the west from the proposed driveway approaches. The proposed project would have no impact related to the creation of dangerous intersections at this location. No mitigation would be required.

Therefore, the proposed project would have a less than significant impact related to design hazards. No mitigation measures would be required.

The City Finds that the proposed project would have less than significant impacts related to transportation and traffic with the inclusion of MM TRA-1 through MM TRA-5.

FINAL EIR – Cumulative Impacts: Aesthetics

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Existing Visual Resources

The potential effects of the proposed project related to visual resources/vistas would be reduced to a less than significant level with the compliance with existing Federal, state, and local regulations. Based on the proposed project development in accordance the review and approval of the City the proposed project would result in less than significant impacts related to existing visual resources.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site.

The development of the proposed project and cumulative projects would be anticipated to create a sense of change in the existing visual resources of the community. However, as noted above compliance with existing Federal, state, and local regulations would be required. Therefore, no significant cumulative impact on existing visual resources would be anticipated to occur. No cumulative mitigation measures related to existing visual resources would be required.

Visual Landscape

The proposed project will not have an impact on any Federal, state or local designated scenic vista. There are no officially listed or eligible highways near or overlooking the project site. The nearest officially listed highway is State Route 78 (SR-78) approximately seven (7) miles from the project site. There are no officially designated or eligible highways within the City.

As noted above, the cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site.

The development of the proposed project will not have an impact on the visual landscape. Therefore, the proposed project would not have a significant cumulative impact on the visual landscape. No cumulative mitigation measures related to the visual landscape would be required.

Regulatory Setting

The proposed project will not have an impact on any Federal or state scenic resources identified in existing regulations. There are no officially listed or eligible highways near or overlooking the project site. The nearest officially listed highway is State Route 78 (SR-78) approximately seven (7) miles from the project site. There are no officially designated or eligible highways within the City. Therefore, no impact will occur related to the Federal and state visual resource regulations.

As noted above, the cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site.

The development of the proposed project will not have an impact on the regulatory setting. Therefore, the proposed project would not have a significant cumulative impact on the regulatory setting. No cumulative mitigation measures related to the regulatory setting would be required.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to aesthetics potential cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Air Quality

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Air Quality Compliance / Air Quality Standard Violation / Criteria Pollutant / Sensitive Receptors

As discussed in Section 4.2 in analyzing cumulative air quality impacts from the proposed project, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the San Diego Air Basin (SDAB) is designated as nonattainment for selected air pollutants under the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). If the proposed project does not exceed thresholds and is determined to have less than significant project-specific impacts, it may still contribute to a significant cumulative impact on air quality, if the emissions from the proposed project, in combination with the emissions from other proposed or reasonably foreseeable future projects, are in excess of established thresholds. However, the proposed project would only be considered to have a significant cumulative impact, if the project's contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact).

The proposed project would not conflict with or obstruct implementation of the SDAPCD's Regional Air Quality Strategy (RAQS) or the California State Implementation Plan (SIP). Section 4.2 of this Draft EIR discusses the proposed project's consistency with the SDAPCD's RAQS and SIP. The proposed project would have less than significant impact related to air quality compliance and no mitigation measures would be required.

The proposed project would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. The Environmental Quality Regulations, as established in the City of Escondido Municipal Code Section 33-924(a)(6), establish criteria pollutant emissions thresholds to determine if a

project's incremental contribution to air quality impacts would create a significant impact. Section 4.2 of this Draft EIR calculates the potential air emissions associated with the construction and operations of the proposed project and compares the emissions to the City's standards. The proposed project would have less than significant impact related to air quality standards/violations and no mitigation measures would be required.

The proposed project would not 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).

Cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel throughout the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. Accordingly, the cumulative analysis for the project's air quality must be generic by nature. The Air Basin has been designated by the EPA as nonattainment for ozone and by CARB as nonattainment for ozone, PM10, and PM2.5. Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the Air Basin. The proposed project would have less than significant impact related to criteria pollutant and no

The City Finds that the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to air quality potential cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Biological Resources

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Sensitive Species

The proposed project would have a potential substantial project specific adverse effect on a sensitive species. Mitigation measures (MM BIO-1 and MM BIO-2) have been proposed that would reduce the overall impacts of the proposed project to sensitive species to a level below significant. Therefore, the proposed project would have a less than significant impact related to sensitive species with the incorporation of MM BIO-1 and MM BIO-2.

Cumulative Projects would be anticipated to be developed in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. A detailed review and analysis of the potential project specific and cumulative impacts of each Cumulative Project related to

this topic was not accomplished. However, the City's General Plan EIR on Page 4.4-39 states related to sensitive species that,

"...Implementation of the proposed General Plan Update would result in less than significant direct and indirect impacts to special status species. However, the proposed project [General Plan Update] would result in a cumulatively considerable contribution to a significant cumulative impact associated with special status species and their habitats until the City's MHCP Subarea Plan is adopted. Impacts would be cumulatively considerable and unavoidable until the plan is adopted."

The proposed project would have a less than significant impact related to sensitive species with the incorporation of MM BIO-1 and MM BIO-2. Cumulative Projects would have a cumulative impact related to sensitive species. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant related to sensitive species. No cumulative mitigation measures are proposed.

Jurisdictional Wetlands

A wetland survey was conducted on the project site. This was done to assess whether or not obvious wetlands were present or potential wetlands or waters that would require delineation. The project site contains no features that would suggest the presence of any jurisdictional wetlands or waters of the United States. No riparian habitat exists on the project site. No jurisdictional wetlands will be impacted by project implementation. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-39 states related to wetlands that,

"...Implementation of the proposed General Plan Update would result in less than significant direct and indirect impacts to riparian habitat

Existing regulations and General Plan Update policies would ensure that significant impacts to federally protected wetlands would not occur. Therefore, impacts would be less than significant. Additionally, the proposed project would not contribute to a significant cumulative impact.

Therefore, the proposed project combined with cumulative projects would not have cumulative impacts related to jurisdictional wetlands. No cumulative mitigation measures are required.

Migratory Corridors / Wildlife Nurseries

The project site is unsuitable for use by large mammal species because the project site is mostly disturbed and bordered on three (3) sides by high-volume roadways. Based on the data provided Section 4.3 of this

Draft EIR no wildlife corridor will be impacted by project implementation. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-39 states related to migratory corridors / wildlife nurseries that,

"Implementation of the proposed General Plan Update would result in less than significant direct and indirect impacts to wildlife movement corridors and nursery sites. The proposed project would result in a cumulatively considerable contribution to a significant cumulative impact associated with wildlife movement corridors and nursery sites until the City's MHCP Subarea Plan is adopted. Impacts would be cumulatively considerable and unavoidable until the plan is adopted."

Therefore, while cumulative projects would potentially have a cumulative impact, the proposed project would have a less than significant impact related to migratory corridors / wildlife nurseries. No cumulative mitigation measures are required.

Local Policies or Ordinances

There are no native wildlife nursery sites occur on or near the project site. No native wildlife nursery sites will be impacted by project implementation. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-39 states related to local policies and ordinances that,

"Implementation of the proposed General Plan Update would not result in significant direct and indirect impacts to local policies and ordinances. Additionally, the proposed project would not contribute to a significant cumulative impact. "

Therefore, the proposed project and cumulative projects would not have a cumulative impact, related to local policies and ordinances. No cumulative mitigation measures are required.

Habitat Conservation Plan or Natural Community Conservation Plan

During construction the proposed project could order potentially conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan related to off-site resources. Mitigation Measures MM BIO-1 and MM BIO-2 would provide for Best Management Practices during construction to prevent runoff from entering adjacent parcels.

Therefore, the proposed project potentially significant impacts related to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would be mitigated to a less than significant level. The proposed project would have a less than significant impact and with the incorporation of MM BIO-1 and MM BIO-2.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-39 states related to habitat conservation plans or natural community conservation plans that,

"Implementation of the proposed General Plan Update would not conflict with any applicable habitat conservation plan or NCCP. Therefore, the proposed project would not result in a significant impact. Additionally, the proposed project would not contribute to a significant cumulative impact."

The proposed project would have a less than significant impact and with the incorporation of MM BIO-1 and MM BIO-2 related to habitat conservation plans or natural community conservation plans. Cumulative projects would not have a cumulative impact related to habitat conservation plans or natural community conservation plans.

Therefore, the proposed project and cumulative projects would not have a cumulative impact, related to habitat conservation plans or natural community conservation plans. No cumulative mitigation measures are required.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to biological resources potential cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Cultural Resources

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Historical Resources

The proposed project would have no impact related to historical resources and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the

Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-46 & 47 states related to historical resources that,

"Implementation of the proposed project would result in new development that would have the potential to result in substantial adverse changes to the significance of historical resources. Therefore, the proposed project would result in a potentially significant impact to historical resources. Additionally, the proposed project would result in a potentially significant cumulative impact prior to mitigation. However, implementation of the mitigation measures identified in Section 4.5.6, Mitigation, Escondido General Plan, Downtown Specific Plan and Climate Action Plan EIR Page 4.5-47 April 23, 2012 would mitigate potentially significant direct and cumulative impacts identified for the proposed project to a less than significant level."

The proposed project would no impact related to historical resources. Cumulative projects would be anticipated to incorporate mitigation measures as outlined in the City's General Plan EIR.

Therefore, the proposed project and cumulative projects would not have a cumulative impact, related to historical resources. No cumulative mitigation measures are required.

Archaeological Resources

The proposed project could potentially impact an archaeological resource. Based on the Native American Consultation process mitigation measures (revision of the Section needed) were provided to reduce potential impacts to a less than significant level.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-46 & 47 states related to archaeological resources that,

"Implementation of the proposed project would result in new development that would have the potential to cause a substantial adverse change in the significance of an archaeological resource, including the destruction or disturbance of an archaeological site that contains or has the potential to contain information important to history or prehistory. Therefore, the proposed project would result in a potentially significant impact to archaeological resources. Additionally, the proposed project would result in a potentially significant cumulative impact prior to mitigation. However, implementation of the mitigation measures identified in Section 4.5.6, Mitigation, would mitigate the proposed project's potentially significant direct and cumulative impacts related to archaeological resources to a less than significant level."

The proposed project would have less than significant impacts to Native American and Archaeological resources with the inclusion of Mitigation Measures MM CR-1 through MM CR-10. Cumulative projects would be anticipated to incorporate mitigation measures as outlined in the City's General Plan EIR.

Therefore, the proposed project and cumulative projects would not have a cumulative impact, related to historical resources. No cumulative mitigation measures are required.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to cultural resource potential cumulative impacts are the proposed project combined with cumulative projects would potentially have cumulative impacts related to cultural resources. No cumulative mitigation measures are proposed.

FINAL EIR – Cumulative Impacts: Geology and Soils

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Exposure to Seismic-Related Hazards

The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure including liquefaction, or landslides. The proposed project would not result in substantial soil erosion or the loss of topsoil; would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project; would not be located on expansive soil; and, would not involve the use of septic tanks or alternative wastewater disposal. Site design measures would be used to minimize geology and soil impacts including but not limited to removal of all deleterious material and vegetation prior to construction, remedial grading, compacting fill slopes, landscaping, and use of properly compacted soils.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-36 & 37 states related to exposure to seismic-related hazards that,

“Implementation of the proposed project would designate residential, commercial and industrial land uses that have the potential to allow development to occur in areas with seismically-related risks, such as seismically-induced ground shaking, liquefaction, and landslides. However, future development would be required to comply with all relevant proposed General Plan Update policies and federal, state and local regulations and building standards, including the CBC. Therefore, direct impacts from seismically-induced ground shaking, liquefaction, and landslides would be less than significant. In addition, the proposed project would not contribute to a significant cumulative impact associated with seismically-related hazards.”

The proposed project would have a less than significant related to exposure to seismic-related hazards. Based on the information above cumulative projects would have a less than significant cumulative impact related to exposure to seismic-related hazards.

Therefore, the proposed project and cumulative projects would have a less than significant cumulative impact, related to exposure to seismic-related hazards. No cumulative mitigation measures are required.

Soil Stability

Implementation of the proposed project would allow the development of residential land uses occur in areas with seismically-related risks, such as seismically-induced ground shaking, liquefaction, and landslides. The Geology and Soils Report (Appendix G) concluded the project site is not underlain by active, potentially active, or inactive faults. The California Geological Survey defines an active fault as a fault showing evidence for activity within the last 11,000 years. The project site is not located within a State of California Earthquake Fault Zone. The proposed project would comply with federal, state and local regulations and building standards, which include the following:

- The proposed project will comply with all requirements of the Alquist-Priolo Earthquake Fault Zoning (AP) Act.
- The proposed project will comply with all requirements of the Seismic Hazards Mapping Act.
- The proposed project will comply with all requirements of the California Building Code (CBC).
- The proposed project will comply with all requirements of the goals and policies that address geology and soils issues in the City General Plan.
- The proposed project will comply with all requirements of Article 55 of the City Municipal Code establishes the grading and erosion control regulations for the City.
- The proposed project will comply with all requirements of Chapter 22 of the City of Escondido's Municipal Code establishes regulations related to storm water management and discharge control, harmful waters and wastes, sewer service charges, private sewage disposal systems, sewer connection fees, sewer-connection laterals, and industrial wastewaters.

Therefore, project impacts from seismically-induced ground shaking, liquefaction, and landslides would be less than significant and no mitigation would be required.

The land uses designated by the proposed project would have the potential to allow construction and operational activities associated with future development that would have the potential to expose topsoil to erosion from water or wind. However, the proposed project would comply with federal, state and local

regulations and building standards. Therefore, project impacts from the exposure of topsoil to erosion from water or wind would be less than significant and no mitigation would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-36 & 37 states related to soils stability that,

“The proposed project would have the potential to allow development to occur in areas susceptible to on or offsite landslides, lateral spreading, subsidence, liquefaction, or collapse. However, future development associated with the land uses designated in the proposed General Plan Update would be required to comply with all applicable proposed General Plan Update policies and state and local building standards and regulations, including the CBC. Compliance with such policies and regulations would reduce direct impacts associated with on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse to a less than significant level. Additionally, the proposed project would not contribute to a potentially significant cumulative impact associated with soil stability.”

The proposed project would have a less than significant impact related to soils stability. Cumulative projects would have a less than significant impact related to soils stability.

Therefore, the proposed project and cumulative projects would have a less than significant cumulative impact, related to soils stability. No cumulative mitigation measures are required.

Expansive Soils

The proposed project would have the potential to allow development to occur in areas susceptible to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. However, the proposed project would comply with federal, state and local regulations and building standards. Therefore, project impacts from the exposure to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse would be less than significant and no mitigation would be required.

The proposed project would designate land uses that would allow for the development of structures on potentially expansive soils. However, the proposed project would comply with federal, state and local regulations and building standards. Therefore, project impacts from the exposure to potentially expansive soils would be less than significant and no mitigation would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.4-36 & 37 states related to expansive soils that,

“The proposed project would designate land uses that would allow for the development of structures on potentially expansive soils. Future projects located in areas with expansive soils would be required to comply with all applicable proposed General Plan Update policies and state and local regulations, including the CBC. Compliance with such regulations would reduce direct impacts to below a level of significance. Therefore, the proposed General Plan Update would not create substantial risks to life or property due to expansive soils. Additionally, the proposed project would not contribute to a potentially significant cumulative impact associated with expansive soils.”

Cumulative projects would have a less than significant impact related to expansive soils.

Therefore, the proposed project with the incorporation of GS MM-1 to GS MM-6 and compliance with federal, state and local regulations and building standards and cumulative projects would have a less than significant cumulative impact, related to expansive soils. No cumulative mitigation measures are required.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to geology and soils potential cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Greenhouse Gas Emissions

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

As discussed in Section 4.6 of this Draft EIR, Greenhouse Gas emissions and their contribution to climate change are widely recognized as a global problem, and the State of California has acknowledged this phenomenon as a state concern. The analysis provided in Section 4.6 is a cumulative analysis by nature, as climate change is a cumulative impact resulting from past, present, and future projects, including the proposed project and the cumulative projects listed in Table 5-1. Due to the large scale and global nature of climate change, a cumulative impact would occur if a project would result in a substantial increase in greenhouse gas emissions.

Based on the information provide in Section 4.5 the proposed project’s calculated GHG emissions from both construction and operations would be within the City’s GHG emissions threshold of 2,500 MT CO₂e per year as detailed in Section 33-924(a)(7) of the Municipal Code and the E-CAP. Therefore, a less than significant generation of GHG emissions would occur from development of the proposed project. Impacts would be less than significant.

The proposed project’s calculated GHG emissions (Section 4.5) from both construction and operations would be within the E-CAP’s GHG emissions threshold of 2,500 MT CO₂e per year CAP. Therefore, the proposed

project would comply with the E-CAP reduction targets and would not conflict with the applicable plans for reducing GHG emissions. Impacts would be less than significant.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to greenhouse gas emissions potential cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Hazards

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Wildland Fires

The proposed project could potentially expose people or structures to a significant risk of loss, injury or death involving wildland fires. The proposed project with the incorporation of P MM HAZ-1 though MM HAZ-4 would reduce the potential wildland fire hazard to a less than significant level.

The nature of the analysis of wildland fires provides for the cumulative analysis. The information provided in Section 4.7 of this Draft EIR and n Technical Appendix E of this Draft EIR.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to hazards potential cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Hydrology and Water Quality

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Water Quality Standards and Discharge Requirements/ Otherwise Degrade Water Quality

The potential for substantial erosion or siltation effects of the proposed project would be reduced to a less than significant level with the preparation of and confluence with a SWPPP, implementation of best management practices identified in the SWQMP, and compliance with existing Federal, state, and local regulations as discussed above would protect water quality and ensure that the proposed project would be in compliance with applicable water quality standards and the implementation of project specific drainage improvements.

Based on the data provided in Appendix G, *Hydrology Study* and Appendix J, *Priority Development Project (PDP) SWQMP* the proposed project development in accordance with the CPRs would result in less than significant impacts and would not violate any water quality standards or waste discharge requirements. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.9-47 & 48 states related to water quality standards and discharge requirements / otherwise degrade water quality that,

Water Quality Standards and Discharge Requirements

"Implementation of the proposed General Plan Update, Downtown Specific Plan Update and E-CAP would contribute to surface water and ground water quality contaminants, which would result in potentially significant impacts to water quality standards and requirements. However, implementation of the proposed General Plan Update policies, in addition to compliance with applicable regulations, would reduce direct and indirect project impacts to a less than significant level. Additionally, the proposed project's cumulative impact would be less than significant."

Otherwise Degrade Water Quality

"Implementation of the General Plan Update, Downtown Specific Plan Update and E-CAP would result in increased runoff that has the potential to cause new erosion and siltation impacts or worsen existing erosion and siltation problems. However, implementation of the proposed General Plan Update policies, in addition to compliance with applicable regulations, would reduce the proposed project's direct and indirect impacts to below a level of significance. Additionally, the proposed project's cumulative impact would be less than significant."

The proposed project development in accordance with the CPRs would result in less than significant impacts and would not violate any water quality standards or waste discharge requirements. The proposed project would have a less than significant impact and no mitigation measures would be required. Cumulative projects would not have a cumulative impact related to soils stability.

Therefore, the proposed project developed in accordance with the CPRs, the proposed project would not have a cumulative impact, related to soils stability. No cumulative mitigation measures are required.

Alter Drainage/ Increased Runoff/ Exceed Capacity

The proposed project potential impacts would be reduced to a less than significant level with the preparation of and confluence with a SWPPP, implementation of best management practices identified in the SWQMP,

and compliance with existing Federal, state, and local regulations and the implementation of project specific drainage improvements.

Based on the data provided in Appendix G, *Hydrology Study* and Appendix J, *Priority Development Project (PDP) SWQMP* the proposed project development in accordance with the CPRs would result in less than significant impacts. Therefore, the proposed project would have a less than significant impact and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.9-47 & 48 states related to alter drainage / increased runoff / exceed capacity, the following:

"Implementation of the General Plan Update, Downtown Specific Plan Update and E-CAP would convert permeable surfaces to impermeable surfaces, which would have the potential to result in flooding on or offsite. However, implementation of the proposed General Plan Update policies, in addition to compliance with applicable regulations, would reduce the proposed project's direct and indirect impacts to below a level of significance. Additionally, the proposed project's cumulative impact would be less than significant."

Exceed Capacity of Stormwater Systems

"Implementation of the proposed General Plan Update, Downtown Specific Plan Update and E-CAP has the potential to exceed the capacity of existing stormwater drainage facilities. However, implementation of the proposed General Plan Update policies, in addition to compliance with applicable regulations, would reduce the proposed project's direct and indirect impacts to below a level of significance. Additionally, the proposed project's cumulative impact would be less than significant."

The proposed project potential impacts would be reduced to a less than significant level related to alter drainage / increased runoff / exceed capacity with the preparation of and confluence with a SWPPP, implementation of best management practices identified in the SWQMP; compliance with existing Federal, state, and local regulations; and, the implementation of project specific drainage improvements. Cumulative projects would not have a cumulative impact related to alter drainage / increased runoff / exceed capacity.

Therefore, the proposed project and, cumulative projects would not have a cumulative impact, related to alter drainage / increased runoff / exceed capacity. No cumulative mitigation measures are required.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not

cumulatively significant. No cumulative mitigation measures related to hydrology and water quality potential cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Land Use and Planning

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Land Use Plans, Policies, or Regulations

The proposed project would have a less than significant impact related to applicable land use plans, policies, or regulations and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.10-37 & 38 states related to land use plans, policies, or regulations that,

“Implementation of the proposed project would not conflict with applicable land use plans, policies, and regulations. Therefore, a potentially significant impact would not occur. In addition, the proposed project would not contribute to a significant cumulative impact associated with conflicts with land use plans, policies or regulations.

Cumulative projects would not have a cumulative impact related to land use plans, policies, or regulations.

Therefore, the proposed project and cumulative projects would not have a cumulative impact, related to land use plans, policies, or regulations. No cumulative mitigation measures are required.

Conservation Plans

The proposed project would have a less than significant impact relating to conflicting with conservation plans and no mitigation measures would be required.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.10-37 & 38 states related conservation plans that,

“Implementation of the proposed project would conflict with any applicable HCP or NCCP. Therefore, a potentially significant impact would not occur. Additionally, the proposed project would not contribute to a significant cumulative impact associated with conflicts with HCPs or NCCPs.”

Cumulative projects would not have a cumulative impact related to conservation plans. Therefore, the proposed project and cumulative projects would not have a cumulative impact, related to conservation plans. No cumulative mitigation measures are required.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related to land use and planning cumulative impacts are proposed.

FINAL EIR – Cumulative Impacts: Noise

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

Temporary or Periodic Ambient Noise Levels / Permanent Ambient Noise Levels

The proposed project would not generate noise levels in excess of standards established in the General Plan or Noise Ordinance from construction of the proposed project. Impacts would be less than significant. The proposed project would expose persons to on-site noise levels in excess of City standards. Mitigation Measure MM NOI-1 through MM NOI-4 would reduce potential on-site interior noise impact to a less than significant level.

The cumulative projects would be anticipated to be development in compliance with existing Federal, state, and local regulations. The nearest project on the Cumulative Project List to the proposed project is the Meadowbrook project located approximately 6.4 miles to the south of the project site. The City's General Plan EIR on Page 4.12-52 & 53 states related noise that,

Excessive Noise Levels

“Implementation of the proposed General Plan Update would have the potential to expose land uses to noise levels in excess of noise compatibility guidelines. However, compliance with existing regulations and implementation of the proposed General Plan Update policies would reduce this impact to a level below significant. Therefore, the proposed project would result in a less than significant direct impact. In addition, the proposed project would not contribute to a potentially significant cumulative impact associated with excessive noise levels.”

Permanent Increase in Ambient Noise Levels

“Implementation of the General Plan Update would permanently increase ambient noise along roadways. Therefore, the proposed project would result in a potentially significant impact. Additionally, General Plan Update would result in a cumulatively considerable contribution to a potentially significant cumulative impact. Although implementation of the proposed General Plan

Update policies would reduce the project's direct impact to a less than significant level, the project's contribution to a regional cumulative impact would remain significant and unavoidable. No feasible mitigation measures are available to reduce the project's cumulative impact related to regional increases in roadway noise to a less than significant level. Alternatives that would further reduce this noise impact as compared to the proposed project are discussed in Chapter 6, Project Alternatives."

Temporary Increase in Ambient Noise Levels

"Implementation of the General Plan Update would have the potential to temporarily increase ambient noise from construction activity. Therefore, the proposed project would result in a potentially significant impact. However, implementation of the proposed General Plan Update policies, in addition to compliance with applicable regulations, would reduce the proposed project's direct impacts to a less than significant level. In addition, the proposed project would not contribute to a potentially significant cumulative impact associated with a temporary increase in ambient noise levels."

Based on the information above, cumulative projects would not have a cumulative impact related to excessive noise levels or temporary increases in ambient noise levels. However, cumulative project would have a cumulatively considerable contribution to a potentially significant cumulative impact to ambient noise levels. This cumulative impact would be significant and unavoidable

Therefore, the proposed project and cumulative projects would have a cumulative impact, related to ambient noise levels. No feasible cumulative mitigation measures are available.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. The proposed project and cumulative projects would have a cumulative impact, related to ambient noise levels. No feasible cumulative mitigation measures are available.

FINAL EIR – Cumulative Impacts: Transportation/Traffic

No Impact Less than Significant Impact, or Less than Significant with Mitigation

Facts in Support of Findings

As discussed in Section 4.11 of this Draft EIR the proposed project the would have less than significant impact related to consistency with applicable plans and traffic congestion with the implementation of Mitigation Measure MM TRA-1 and MM TRA-5. Cumulative projects within the City are forecast to generate approximately 10,312 trips per day, which includes approximately 978 AM peak hour trips and approximately 1,010 PM peak hour trips. The proposed project and cumulative projects would have potential cumulative impacts on roadway sections and intersections.

Roadways

Proposed Project

The proposed project would have project specific impacts on roadway. A roadway segment analysis under Existing Plus Project conditions showed that all roadway segments are forecast to continue operating at acceptable LOS (LOS D) with and without implementation of the proposed project. The analysis indicates an increase in volume to capacity (v/c) ratio associated with the addition of project traffic to existing traffic volumes on the segment of North Nutmeg Street between Country Club Lane and Via Alexandra would exceed the City's significance threshold of 0.02. This results in a traffic impact.

Cumulative Roadways

The proposed project and cumulative projects would have a cumulative impact on roadways. A roadway segment analysis under Existing Plus Cumulative conditions showed that the roadway segment on North Nutmeg Street between County Club Land and Via Alexandra would exceed the significance threshold of 0.02. This results in a cumulative traffic impact.

Intersections

The Existing Plus Cumulative conditions analysis showed that the following intersections would operate at a deficient LOS E or F during the peak hours without the proposed project:

- North Centre City Parkway/North Nutmeg Street (AM: LOS E);
- West Country Club Lane/North Nutmeg Street (AM: LOS E; PM: LOS F); and,
- North Centre City Parkway/West El Norte Parkway (AM/PM: LOS E).

The following intersections would operate at a deficient LOS E or F during the peak hours with the addition of project-related traffic to Existing Plus Cumulative conditions traffic volumes:

- North Centre City Parkway/North Nutmeg Street (AM: LOS F; PM: LOS E);
- West Country Club Lane/North Nutmeg Street (AM: LOS E; PM: LOS F); and,
- North Centre City Parkway/West El Norte Parkway (AM/PM: LOS E).

The proposed project and projects on the cumulative projects would have a cumulative significant impact at the North Centre City Parkway/North Nutmeg Street and West Country Club Lane/ North Nutmeg Street intersections.

- North Centre City Parkway/North Nutmeg Street (AM and PM); and,

- West Country Club Lane/ North Nutmeg Street (AM and PM).

Based on the information provided in the Appendix K, the City Staff has determined that a project is fully responsible for mitigating an impact to restore the deficient intersection or roadway segment to an acceptable LOS, when a direct impact is identified (page 36). State planning law, including CEQA and the CEQA Guidelines, provide that a local government (i.e., City) must establish that the mitigation is an essential nexus and roughly proportional to the impact. Therefore, the proposed project will be responsible for their “fair-share” of these improvements as determined by the City. These improvements moreover will be accomplished to the satisfaction of the City.

Additionally, cumulative projects within the City are forecast to generate approximately 10,312 trips per day, which includes approximately 978 AM peak hour trips and approximately 1,010 PM peak hour trips. This environmental document has taken a conservative approach, as directed by the City, that all trips from cumulative projects would be included; however, not all improvements required of these cumulative projects would be included. For example, the cumulative project The Villages at Escondido Country Club is required to install a traffic signal at the intersection of West Country Club Lane and North Nutmeg Street. However, the Existing Plus Cumulative analysis assumed that The Villages at Escondido Country Club project was developed and the traffic signal at West Country Club Lane and North Nutmeg Street was not installed. The Villages at Escondido Country Club cumulative project is required to install roadway improvements to North Nutmeg Street between County Club Land and Via Alexandra the analysis did not include these cumulative project improvements.

The City’s requirement is that the “first” project to develop is responsible for installation of improvements. Costs that exceed “fair-share” would be reimbursed in a manner prescribed by the City. Mitigation Measure MM TRA-1, MM TRA-2, and MM TRA-3 provided in Section 4.11 of this Draft EIR have been provided to address project specific and cumulative traffic congestion impacts. The proposed project would have less than significant project specific and cumulative impact related to consistency with applicable plans and traffic congestion with the implementation of Mitigation Measure MM TRA-1, MM TRA-2, and MM TRA-3.

Queuing

The proposed project would have the potential for a congestion queuing impacts. A queuing analysis was performed at the following locations:

- North Centre City Parkway/North Nutmeg Street intersection under Existing Plus Cumulative Plus Project conditions;
- Nutmeg Street/Project Access intersection; and,
- Project access intersection on Nutmeg Street.

Based on the information provide in Technical Appendix X, the project site access evaluation showed that no impacts are anticipated at the project access intersection on Nutmeg Street. Mitigation Measure MM TRA-4 and MM TRA-5 provided in Section 4.11 have been provided address minimum storage lengths.

Therefore, the proposed project and cumulative projects would have less than significant cumulative impact related to storage lengths with Mitigation Measure MM TRA-3 and MM TRA-4.

Design Hazard

The proposed project has the potential to increase traffic hazards due to design features. The *Nutmeg Residential Condominiums Project, Traffic Impact Analysis Report*, David Mizell, AICP in March 1, 2019, as provided in Technical Appendix K to this Draft EIR evaluated the existing on-site design of the proposed project.

Farm Equipment

No farm equipment would be utilized on the project site. Therefore, the proposed project would have no impact related to design hazards from farm equipment. No mitigation is required.

Intersection Sight Distance

North Centre City Parkway/Nutmeg Street

A sight distance assessment from both project driveway approaches at North Centre City Parkway at the intersection with North Nutmeg Street. The sight distance assessment indicates that the available sight distance looking east from both project driveway approaches would be clear and unobstructed to the North Centre City Parkway/Nutmeg Street intersection. The proposed project would have no impact related to the creation of dangerous intersections at this location. No mitigation would be required.

Driveway Approaches to the West

A sight distance assessment from both project driveway approaches to the west was accomplished. The available sight distance looking west from both the proposed driveway approaches would currently be obstructed by existing fencing, shrubs, and rocks near the project site boundary with Caltrans right-of-way. The proposed project would remove all existing fence along the Caltrans right-of-way in this location and install fencing as depicted on Figure 3-7. New fencing and landscaping would be implemented that provides for unobstructed sight distances looking to the west from the proposed driveway approaches. The proposed project would have no impact related to the creation of dangerous intersections at this location. No mitigation would be required.

It is unknown, if any of the cumulative projects would create design hazards on their specific sites; however, the proposed project would not incrementally add to any cumulative traffic hazard related to design hazards.

The City Finds that the potential impacts of the proposed project would be mitigated to a less than significant level. Therefore, the combined effects of the proposed project and Cumulative Projects are not cumulatively significant. No cumulative mitigation measures related transportation/traffic potential cumulative impacts are proposed.

6.0 Findings Regarding Project Alternatives

Overall Alternative Findings

The City makes the following overall Findings related to Project Alternatives:

1. The City Finds that the Final EIR meets the requirements of Section 15126.6(a) of the California Environmental Quality Act (CEQA) Guidelines requires that an EIR “describe a range of reasonable alternatives to the Project, or to the location of the Project, that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the Project, and evaluate the comparative merits of the alternatives” (14 CCR Section 15126.6a).
2. The City Finds that the Final EIR meets the requirements of Section 15126.6(a) that provides that an EIR need not consider every conceivable alternative to a project. Instead, the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation, but is not required to consider alternatives that are infeasible. There is no ironclad rule governing the nature or scope of the alternatives to be discussed in an EIR, other than the “rule of reason.” The “rule of reason” governing the range of alternatives specifies that an EIR should only discuss those alternatives necessary to foster meaningful public participation and informed decision making.
3. The City Finds that the Final EIR meets the requirements of CEQA that require consideration of a “No Project” alternative to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project (14 CCR Section 15126.6(e)).
4. The City Finds that the Final EIR meets the requirements to identify ways to mitigate or avoid the significant effects that a project may have on the environment (California Public Resources Code, Section 21002.1), the purpose of an EIR’s alternatives discussion is to focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if the alternatives would impede to some degree the attainment of the project’s objectives or be more costly.
5. The City Finds that the Final EIR meets the requirements of CEQA that require that an EIR identify the environmentally superior alternative from among the alternatives.
6. The City Finds that the Final EIR compares each of the alternatives to the proposed project, and includes an analysis of each alternative with respect to each of the environmental issues evaluated for the proposed project.
7. The City Finds that the Final EIR analysis of alternatives includes the assumption that all applicable mitigation measures associated with the proposed project would be implemented with an alternative, where applicable. However, applicable mitigation measures may be scaled to reduce or

avoid the potential impacts of the alternative under consideration, and may not precisely match those identified for the proposed project.

8. The City Finds that the Final EIR meets the requirements of CEQA Guidelines provide that a project cannot be approved, if there are feasible alternatives that would substantially lessen its environmental effects. The City may reject alternatives as infeasible, if based on substantial evidence in the record; the decision-makers find the alternatives are impractical or undesirable from a policy standpoint. [*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal. App. 4th 957]
9. The City Finds that the Final EIR meets the requirements for the selection and analysis of alternatives are provided in CEQA Guidelines, Section 15126.6(c). The alternatives must:
 - Meet most of the Project objectives;
 - Be feasible; and,
 - Avoid or substantially lessen any significant impacts of the project.
10. The City Finds that the Final EIR meets the requirements of Section 15126.6(b) that the alternatives analysis should focus on those alternatives that, if implemented, could eliminate or reduce any of the significant environmental impacts of the proposed project.
11. The City Finds that the Final EIR meets the requirements be evaluated to determine if, as anticipated when selected as alternatives, they actually eliminate any significant environmental effects or reduce them to a less-than-significant level.
12. The potential impacts of the proposed project are considered to be those that are identified prior to the incorporation or implementation of any mitigation measures.
13. The City Finds that the Final EIR meets the requirements of the potential impacts of the alternative relative to the proposed project where be evaluated to determine the “comparative merits of the alternatives.” (CEQA Guidelines section 15126.6(a).) This analysis will be based, in part, on a comparison to the potential impacts of the proposed project. The analysis includes a discussion of the relative feasibility of each alternative.
14. The City Finds that the Final EIR meets the requirements of CEQA Guidelines Section 15126.6(f)(1) identifies the factors to be taken into account to determine the feasibility of alternatives. The factors include: 1. Site suitability; economic viability; availability of infrastructure; general plan consistency; 2. Other plans or regulatory limitations; 3. Jurisdictional boundaries; and, 4. Whether the applicant can reasonably acquire, control, or otherwise have access to the alternative site. No one of these factors establishes a fixed limit on the scope of reasonable alternatives. An alternative does not need

to be considered, if its environmental effects cannot be reasonably ascertained and if implementation of such an alternative is remote or speculative.

15. The City Finds that the Final EIR meets the requirements related to the doctrine of “feasibility.” As defined by CEQA and the CEQA Guidelines “feasible” means “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Public Resources Code Section 21061.1; see also 14 CCR Section 15364 [same definition but with the addition of “legal” factors].)
16. The City Finds that the Final EIR meets the requirements of the concept of feasibility under CEQA and the CEQA Guidelines that encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, social, technological, and other factors.
17. The City Finds that the Notice of Preparation (NOP) and scoping process were used to select alternatives to the proposed project.
18. The City Finds that the “No Project” alternative was evaluated along with any impacts (14 CCR §15126.6(e)(1)). If the environmentally superior alternative is the “No Project” alternative, the EIR must identify an environmentally superior alternative among the other alternatives (14 CCR Section 15126(e)(2)).
19. The City Finds that the Final EIR identify alternatives that were considered but rejected by the lead agency, and briefly explain the reasons behind the lead agency’s rejection determination.
20. The proposed project has been refined since the circulation of the draft EIR. As a result of the public review process for the draft EIR, the City of Escondido, acting as lead agency, concluded that new project revisions are necessary and thus are added in response to written or verbal comments. This in turn makes insignificant modifications to an adequate EIR and will create no more adverse effect of its own than what would have otherwise, as previously studied.
21. The proposed project as analyzed in the Draft EIR consisted of the development of 135 attached townhome units on a 7.66-acre site straddling Nutmeg Street. The portion of the site to the north of Nutmeg Street would be developed with 37 homes, and the portion to the south of Nutmeg Street would be developed with 98 homes. The Draft EIR identified the potential impacts that would result with implementation of the proposed project, and included corresponding mitigation where necessary.
22. In response to comments received during the public review process, including, but not limited to, comments made by responsible agencies, the City concluded that the proposed project would be modified from that proposed in the Draft EIR in order to reduce the total disturbed area of the project site including the grading within the State Department of Transportation’s (Caltrans) right-of-way and Centre City Parkway right-of-way. The proposed project in response to Caltrans was modified to eliminate grading

within the Caltrans right-of-way and reduce the amount of site preparation and grading to accommodate the development project. These modifications would reduce the size of the project and lessen the amount of site work and potential environmental impacts. The revised Draft EIR is included in the Final EIR, Revised Draft EIR.

23. A design option to avoid Caltrans right-of-way along the western and southern edge of the project site was discussed with City Staff. The design option would incorporate a geogrid wall, set back four feet (4') from the Caltrans right-of-way property line on the western and southern edge of the project site. The design option would include three or more eight-foot-tall sections of geogrid wall separated by five-foot (5') wide benches. A diagram illustrating this design option has been included in Part IV: Revised Draft EIR (Errata).
24. The City concludes that these new project revisions are necessary and thus were added in response to Caltrans comments. These revisions made insignificant modifications to an adequate EIR and will create no more adverse effect of its own that would have otherwise, as previously studied. These modifications would reduce the size of the project and lessen the amount of site work and potential environmental impacts. The revised Draft EIR have been included in the Final EIR, Revised Draft EIR.

Alternative Findings

The City makes the following Findings related to each Project Alternative.

Alternative Project Location

Summary

An alternative site location in the City of the size of the project site, location, the General Plan land use designation, and availability of infrastructure.

Finding

1. The City Finds that the potential significant effects of the proposed project would not be avoided or substantially lessened by putting the proposed project in another location. Therefore, based on the facts provide below this alternative has been rejected.

Facts in Support of Finding

1. The selection of another alternative location may avoid impacts to biological resources, cultural resources, hazards, and noise. These potential impacts are site-specific. These impacts of the proposed project were found to be less than significant with mitigation.
2. Another alternate site location is not likely to substantially reduce potential significant environmental effects of the proposed project related to these resources when compared to the project site.
3. The Project Applicant has stated that it cannot reasonably acquire, control, or otherwise have access to an alternative site with the same or similar attributes as the project site.
4. The Project Applicant targeted this specific site to create an opportunity for positive change. Therefore, for the reasons stated above this alternative was rejected from further consideration.

Alternative 1: No Project/No Development

Summary

The CEQA Guidelines provide that the No Project Alternative must include the assumption that conditions at the time of the Notice of Preparation (i.e., baseline environmental conditions) would not be changed since the proposed project would not be implemented.

Finding

1. The City Finds that potential project impacts to 11 topical environmental issue categories would be avoided or substantially lessened by the alternative.
2. The City Finds that this alternative will not meet eight of the eight project objectives.
3. The City Finds based on the Facts provide below this alternative has been rejected.

Facts in Support of Findings

Scenic Vistas

Because no new development or construction would occur under this alternative, no change to the existing visual setting would result. The proposed project would result in less than significant impacts to scenic vistas. Therefore, this aesthetics impact would be avoided or reduced under this alternative.

Air Quality Compliance

Because no new development or construction would occur under this alternative, no change to the existing air quality compliance would result. The proposed project would result in less than significant impacts to air quality compliance. Therefore, this air impact would be avoided or reduced under this alternative.

Air Quality Standards/Violations

Because no new development or construction would occur under this alternative, no change to the existing air quality standards/violations would result. The proposed project would result in less than significant impacts to air quality standards/violations. Therefore, no change to the existing air quality standards/violations would occur and impacts would be same or similar under this alternative.

Criteria Pollutant

Because no new development or construction would occur under this alternative, no change to the existing criteria pollutant would result. The proposed project would result in less than significant impacts to criteria pollutant. Therefore, this air impact would be avoided or reduced under this alternative.

Sensitive Receptors

Because no new development or construction would occur under this alternative, no change to sensitive receptors would result. The proposed project would result in less than significant impacts to sensitive receptors. Therefore, this air impact would be avoided or reduced under this alternative.

Sensitive Species

Because no new development or construction would occur under this alternative, no change to sensitive species would result. The proposed project would result in less than significant impacts to sensitive species. Therefore, these biological resources impact would be avoided or reduced under this alternative.

Jurisdictional Wetlands

There are no jurisdictional wetlands on the project site. Therefore, any alternative would have the same or similar impact as the proposed project.

Migratory Corridors/Wildlife Nurseries

Because no new development or construction would occur under this alternative, no change to migratory corridors and wildlife nurseries would result. The proposed project would result in less than significant impacts to migratory corridors and wildlife nurseries. Therefore, this impact would be avoided or reduced under this alternative.

Local Policies or Ordinances

Because no new development or construction would occur under this alternative, no change to sensitive species would result. The proposed project would result in less than significant impacts to local policies and regulations related to biological resources. Therefore, this impact would be avoided or reduced under this alternative.

Historical Resources

Because no new development or construction would occur under this alternative, no change to historical resources would result. The proposed project would result in less than significant impacts to historical resources. Therefore, these cultural resources impact would be avoided or reduced under this alternative.

Archaeological Resources

Because no new development or construction would occur under this alternative, no change to archaeological resources would result. The proposed project would result in less than significant impacts to archaeological resources. Therefore, this impact would be avoided or reduced under this alternative.

Geology and Soils

Because no new development or construction would occur under this alternative, no change to geology and soils would result. The proposed project would result in less than significant impacts to geology and soils. Therefore, this impact would be avoided or reduced under this alternative.

Greenhouse Gas

Because no new development or construction would occur under this alternative, no change to greenhouse gas would result. The proposed project would result in less than significant impacts to greenhouse gas. Therefore, this impact would be avoided or reduced under this alternative.

Greenhouse Gas Plans

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Because no new development or construction would occur under this alternative, no change to greenhouse gas plans would result. The proposed project would result in less than significant impacts to greenhouse gas plans. Therefore, this impact would be avoided or reduced under this alternative.

Wildland Fires

Because no new development or construction would occur under this alternative, no change to wildland fires would result. The proposed project would result in less than significant impacts to wildland fires. Therefore, this impact would be avoided or reduced under this alternative.

Hydrology and Water Quality

Because no new development or construction would occur under this alternative, no change to hydrology and water quality would result. The proposed project would result in less than significant impacts to hydrology and water quality. Therefore, hydrology and water quality impacts would be avoided or reduced under this alternative.

Alter Drainage/Increased Runoff/Exceed Capacity

Because no new development or construction would occur under this alternative, no change to alter drainage/increased runoff/exceed capacity would result. The proposed project would result in less than significant impacts to alter drainage/increased runoff/exceed capacity. Therefore, hydrology and water quality impacts would be avoided or reduced under this alternative.

Conflict with Applicable Land Use Plans, Policies, or Regulations

Because no new development or construction would occur under this alternative, no change to the existing land use plans, policies or regulations would result. The proposed project would result in less than significant impacts to the existing land use plans, policies or regulations. This alternative would retain the inconsistency between the City's General Plan and Zoning. Therefore, this impact would be increased under this alternative.

Conflict with Conservation Plans

Because no new development or construction would occur under this alternative, no change to conservation plans would result. The proposed project would result in less than significant impacts to conservations plans. Therefore, this impact would be avoided or reduced under this alternative.

Temporary or Periodic Ambient Noise Levels

Because no new development or construction would occur under this alternative, no change to temporary or periodic noise levels would result. The proposed project would result in less than significant impacts to temporary or periodic noise levels. Therefore, this impact would be avoided or reduced under this alternative.

Permanent Ambient Noise Levels

Because no new development would occur under this alternative, no change to permanent noise levels would result. The proposed project would result in less than significant impacts related to permanent ambient noise levels. Therefore, this impact would be avoided or reduced under this alternative.

Traffic

Because no new development or construction would occur under this alternative, no change to permanent traffic would result. No improvements to North Nutmeg Street, North Centre City Parkway, and “fair-share” contributions to circulation system improvements would occur. The proposed project would result in a less than significant impact with mitigation related to traffic. Therefore, this impact would be avoided or reduced under this alternative.

Alternative 2: No Project – Development Under Existing General Plan

Summary

This alternative provides for the development of the project site for uses permitted under the City’s existing General Plan. The project site is currently designated on the Land Use Map of the City General Plan as “Office” (O). The Office designation provides for the development of a variety of activities in an office environment, such as administrative and professional offices; business support services; financial, insurance, and real estate services; and some supportive commercial uses. Prior to the 2012 Comprehensive General Plan Update, the project site was designated as “Estate” (E). The Estate designation permits a wide range of single-family based housing types, at a maximum density of one (1) to two (2) dwelling units per acre.

Any development under the alternative would require approval of a change of zone. The project site zoning is Residential Estate-20 (RE-20). The project site zoning is not consistent with the City General Plan as required by California Government Code Article 2 Section 65860.

Finding

1. The City Finds that potential project impacts to 5 topical environmental issue categories would be increased or greater under this alternative.
2. The City Finds that potential project impacts to 6 topical environmental issue categories would be the same or similar under this alternative.
3. The City Finds that this alternative will not meet five of the eight project objectives.
4. The City Finds based on the Facts provide below this alternative has been rejected.

Facts in Support of Findings

General Facts

1. The zoning of the project site has not been updated since the adoption of the 2012 Comprehensive General Plan Update.
2. The RE-20 Zone classification is inconsistent with the City General Plan designation.
3. Any development on the project site would need to be rezoned prior to development to allow development consistent with the existing General Plan.
4. A commercial use of the project site would require City approval of a change of zone.

Scenic Vistas

The alternative would place office buildings on the project site. This would cause an increased building intensity and a significant change to the existing visual setting. The proposed project would result in a greater significant impact to scenic vistas. Therefore, this impact would be increased or greater under this alternative.

Air Quality Compliance

The alternative would place office buildings on the project site. The proposed project and this alternative would be required to meet the air quality standards of existing air quality plans. Therefore, this impact would be same or similar under this alternative.

Air Quality Standards/Violations

The alternative would place office buildings on the project site. Office uses would result in an increase in traffic. An increase in in traffic would increase air quality impacts. This alterative would result in a greater impact related to air quality standards/violations. Therefore, this impact would be increased or greater under this alternative.

Criteria Pollutant

The alternative would place office buildings on the project site. Office uses would result in an increase in traffic. An increase in in traffic would increase air quality impacts. This alterative would result in a greater impact related to criteria pollutant. Therefore, this impact would be increased or greater under this alternative.

Sensitive Receptors

The alternative would place office buildings on the project site. Office uses would result in an increase in traffic. An increase in in traffic would increase air quality impacts. This alterative would result in a greater impact related to sensitive receptors. Therefore, this impact would be increased or greater under this alternative.

Sensitive Species

The alternative would place office buildings on the project site. This use would result in grading of the project site. This alternative would result in a similar impact related to sensitive species. Therefore, this impact would be same or similar under this alternative.

Jurisdictional Wetlands

There are no jurisdictional wetlands on the project site. Therefore, any alternative would have the same or similar impact as the proposed project.

Migratory Corridors/Wildlife Nurseries

The alternative would place office buildings on the project site. This use would result in grading of the project site. This alternative would result in a similar impact related to migration corridors and wildlife nurseries. Therefore, this impact would be same or similar under this alternative.

Local Policies or Ordinances

The alternative would place office buildings on the project site. This use would result in grading of the project site. This alternative would result in a similar impact related to local policies and regulations related to biological resources. Therefore, this impact would be same or similar under this alternative.

Historical Resources

Because development would occur this alternative would have similar impacts and mitigation measures as the proposed project. The alternative would have less than significant impacts related to historical resources. Therefore, this impact would be same or similar under this alternative.

Archaeological Resources

Because development would occur this alternative would have similar impacts and mitigation measures as the proposed project. The alternative would have less than significant impacts related to archaeological resources. Therefore, this impact would be same or similar under this alternative.

Geology and Soils

Because development would occur this alternative would have similar impacts as the proposed project. The alternative would have less than significant impacts related to geology and soils. Therefore, this impact would be same or similar under this alternative.

Greenhouse Gas

This alternative would result in the construction and operational GHG emissions. GHG emissions would likely be increased. Office uses would generate GHG emissions during the day, when the structures are in use. The Alternative would likely result in GHG emissions that exceed the City's screening threshold; however, the

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alternative would include features that would reduce GHG emissions to less than significant levels. Therefore, this impact would be increased or greater under this alternative.

Greenhouse Gas Plans

This alternative would have an increase in GHG emissions. However, the alternative would likely include GHG features that would reduce emissions and would result in less than significant levels. Therefore, this impact would be increased or greater under this alternative.

Wildland Fires

This alternative would not place home owners near wildland fire areas, however it would place office. Therefore, mitigation measures would occur similar to the project to protect from wildland fires. Therefore, this impact would be same or similar under this alternative.

Hydrology and Water Quality

Similar to the proposed project, this alternative, would necessitate development of the site, and would include BMPs during construction and BMP and LID features to reduce operational water impacts consistent with current standards. It also would comply with existing water quality regulations of the City or RWQCB. The alternative would result in less than significant water quality impacts. Therefore, this impact would be same or similar under this alternative.

Alter Drainage/Increased Runoff/Exceed Capacity

Similar to the proposed project, this alternative would result in a decrease in runoff rates. The alternative would not exceed capacity and would be required to meet City or RWQCB standards. The alternative would result in less than significant water quality impacts. Therefore, this impact would be same or similar under this alternative.

Conflict with Applicable Land Use Plans, Policies, or Regulations

This alternative would be consistent with the General Plan Land Use Designations for the project site. This alternative would require a zone change. Impacts from this alternative would be same or similar to the proposed project. Therefore, this impact would be same or similar under this alternative

Conflict with Conservation Plans

This alternative would be consistent with the General Plan Land Use Designations for the project site. This alternative would require a zone change. Impacts from this alternative related to conflicting with a conservation plan would be same or similar to the proposed project. Therefore, this impact would be same or similar under this alternative.

Temporary or Periodic Ambient Noise Levels

The alternative would place office buildings on the project site. This use would result in grading of the project site. Additionally, this alternative would increase traffic and noise in the community. As there would be no future on-site residents, they would not be exposed to noise. However, those using the offices would be exposed to noise levels. This alternative would result in a similar impact related to temporary or periodic ambient noise levels. Therefore, this impact would be same or similar under this alternative.

Permanent Ambient Noise Levels

The alternative would place office buildings on the project site. This alternative would increase traffic and noise in the community. Those using the project site would be exposed to permanent ambient noise levels. This alternative would result in a similar impact related to permanent ambient noise levels. Therefore, this impact would be same or similar under this alternative.

Traffic

The alternative would place office buildings on the project site. This would cause an increased building intensity and an increase in traffic impacts. The proposed project proposed project would have less than significant impacts related to transportation and traffic with the inclusion of MM TRA-1 through MM TRA-4. This alternative would be required to make similar improvements to the circulation system proportional to the alternatives traffic impact. The overall increase in traffic would increase cumulative traffic impacts as a result of the development of this alternative. Therefore, this impact would be increased or greater under this alternative.

Alternative 3: Reduced Project Alternative

Summary

This alternative provides for the development of the project site for a reduce number of dwelling units. This alternative would require approval by the City of entitlements similar to those requested by the proposed project to include a General Plan Amendment, Zone Change, Tentative Tract Map, and other related entitlements.

This alternate would not provide for the grading of the rights-of-way of Interstate-15 Freeway and North Centre City Parkway; North Nutmeg Street alignment would not be improved; and, grading on the east side of North Centre City Parkway would not occur. Under this alternative the following permits would not be required:

1. An Encroachment Permit from Caltrans; and,
2. A Specific Alignment Plan for North Nutmeg Street.

This alternate would provide for the development of a total of 67 small-lot single-family detached homes. This would be a 51 percent (51%) reduction in the number on homes constructed on the project site. It is anticipated that home sizes would remain constant and sales price would increase.

Finding

1. The City Finds that potential project impacts to 7 topical environmental issue categories would be the same or similar under this alternative.
2. The City Finds that potential project impacts to 4 topical environmental issue categories would be reduced or avoided under this alternative.
3. The City Finds that this alternative will not meet two of the eight project objectives.
4. The City Finds based on the Facts provide below this alternative has been rejected.

Facts in Support of Findings

Scenic Vistas

This alternative would have a similar visual landscape as the proposed project. This alternative would not provide for the grading and any improvements in the rights-of-way of Interstate-15 Freeway and North Centre City Parkway; North Nutmeg Street alignment would not be improved; and, grading on the east side of North Centre City Parkway would not occur. A visual change to these areas would not occur with this alternative. A visual change would occur with development of 67 small-lot single family detached homes. The overall perception of the project site under this alternative would be as an urban developed site. Therefore, this aesthetics impact would be same or similar under this alternative.

Air Quality Compliance

The alternative would place small lot single-family homes on the project site. The proposed project and this alternative would be required to meet the air quality standards of existing air quality plans. Therefore, this air impact would be same or similar under this alternative.

Air Quality Standards/Violations

The alternative would place small lot single-family homes on the project site. The proposed project and this alternative would have a less than significant impact related to air quality standards/violations and no mitigation measures would be required. Therefore, this impact would be same or similar under this alternative.

Criteria Pollutant

The alternative would place small lot single-family homes on the project site. The proposed project and this alternative would have a less than significant impact related to criteria pollutant and no mitigation measures would be required. Therefore, this impact would be same or similar under this alternative.

Sensitive Receptors

The alternative would place small lot single-family homes on the project site. The proposed project and this alternative would have a less than significant impact related to sensitive receptors and no mitigation measures would be required. Therefore, this impact would be same or similar under this alternative.

Sensitive Species

The alternative would place small lot single-family homes on the project site. This use would result in grading of the project site. This alternative would result in a similar impact related to sensitive species. Therefore, this impact would be same or similar under this alternative.

Jurisdictional Wetlands

There are no jurisdictional wetlands on the project site. Therefore, any alternative would have the same or similar impact as the proposed project.

Migratory Corridors/Wildlife Nurseries

The alternative would place small lot single-family homes on the project site. This use would result in grading of the project site. This alternative would result in a similar impact related to migration corridors and wildlife nurseries. Therefore, this impact would be same or similar under this alternative.

Local Policies or Ordinances

The alternative would place small lot single-family homes on the project site. This use would result in grading of the project site. This alternative would result in a similar impact related to local policies and regulations related to biological resources. Therefore, this impact would be same or similar under this alternative.

Historical Resources

Because development would occur this alternative would have similar impacts and mitigation measures as the proposed project. The alternative would have less than significant impacts related to historical resources. Therefore, this impact would be same or similar under this alternative.

Archaeological Resources

Because development would occur this alternative would have similar impacts and mitigation measures as the proposed project. The alternative would have less than significant impacts related to archaeological resources. Therefore, this impact would be same or similar under this alternative.

Geology and Soils

Because development would occur this alternative would have similar impacts as the proposed. The alternative would have less than significant impacts related to geology and soils. Therefore, this impact would be same or similar under this alternative.

Greenhouse Gas

This alternative would result in similar construction emissions. This alternative would reduce operational GHG Like the proposed project the construction and operational emissions from this alternative would not be anticipated to exceed the City's screening threshold. This alternative would have a less than significant impacts. Therefore, this impact would avoid or reduced under this alternative.

Greenhouse Gas Plans

This alternative would result in similar construction GHG emissions as the proposed project and fewer operation emissions. This alternative and would be consistent with greenhouse gas plans. Impacts to greenhouse gas plans would be less than significant. Therefore, this impact would be avoided or reduce under this alternative.

Wildland Fires

This alternative would be put residential units near wildland fire areas. It would require same or similar mitigation measures and fire prevention implementation. Therefore, this alternative would result in less than significant levels. Therefore, this impact would be same or similar under this alternative.

Hydrology and Water Quality

Similar to the proposed project, this alternative, would necessitate development of the site, and would include BMPs during construction and BMP and LID features to reduce operational water impacts consistent with current standards. It also would comply with existing water quality regulations of the City of RWQCB. The alternative would result in less than significant water quality impacts. Therefore, this impact would be same or similar under this alternative.

Alter Drainage/Increased Runoff/Exceed Capacity

Similar to the proposed project, this alternative would result in a decrease in runoff rates. The alternative would not exceed capacity and would be required to meet City or RWQCB standards. The alternative would result in less than significant water quality impacts. Therefore, this impact would be same or similar under this alternative.

Conflict with Applicable Land Use Plans, Policies, or Regulations

This alternative would require and General Plan Amendment and Zone Change similar to the proposed project. This alternative would require an amendment to the City's General Plan and zone change. Impacts

from this alternative would be same or similar to the proposed project. Therefore, this impact would be same or similar under this alternative.

Conflict with Conservation Plans

This alternative would require and General Plan Amendment and Zone Change similar to the proposed project. This alternative would require an amendment to the City's General Plan and zone change. Impacts from this alternative related to conflicting with a conservation plan would be same or similar to the proposed project.

Therefore, this impact would be same or similar under this alternative.

Temporary or Periodic Ambient Noise Levels

The alternative would place small lot single-family homes on the project site. This use would result in grading of the project site. This alternative would result in a similar impact related to temporary or periodic ambient noise levels. Therefore, this impact would be same or similar under this alternative.

Permanent Ambient Noise Levels

The alternative would place small lot single-family homes on the project site. This alternative would result in a similar impact related to permanent ambient noise levels. Additional mitigation measures and walls would be needed to reduce permanent noise levels within City Standards. Therefore, this impact would be same or similar under this alternative.

Traffic

This alternative would have a reduce traffic impact from the proposed project. The traffic generation of small lot single family homes is higher than that of the proposed project. The number of homes on the project site would be reduced. The reduction in number of homes would be anticipated to reduce traffic impact below that of the proposed project. However, not to less that significant levels without mitigation. Therefore, this impact would be avoided or reduced under this alternative.

7.0 Growth-Inducing Impacts

Legal Requirements Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines mandates that the growth inducing nature of the proposed project be discussed. This CEQA Guideline states the growth inducing analysis is intended to address the potential for the project to “foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Further, the CEQA Guidelines Appendix G Checklist (Population and Housing) also mandates that a CEQA document speak to the project’s likelihood to induce substantial population growth in an area, either directly (i.e., by proposing new homes or businesses) or indirectly (i.e., through extension of roads or other infrastructure).

A project may be distinguished as either facilitating planned growth or inducing unplanned growth. Facilitating growth is relating to the establishment of direct employment, population or housing growth that would occur within a project site. Inducing growth is related to lowering or removing barriers to growth or by creating an amenity or facility that attracts new population/economic activity. For purposes of this Environmental Impact Report (EIR) analysis, a significant growth inducement impact would occur if the project, and all associated infrastructure improvements, directly or indirectly removes obstacles to growth such that the induced growth would significantly burden existing community services, the environment or cause a demand for General Plan Amendments. This section contains a discussion of the growth inducing factors related to the proposed project and as defined under CEQA Guidelines Section 15126.2(d). A project is defined as growth inducing when it directly or indirectly:

1. Fosters population growth;
2. Fosters economic growth;
3. Includes the construction of additional housing in the surrounding environment;
4. Removes obstacles to population growth;
5. Taxes existing community services facilities, requiring construction of new facilities that could cause significant environmental effects; and/or
6. Encourages or facilitates other activities that could significantly affect the environments, either individually or cumulatively.

An EIR does not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Finding Related to Growth-Inducing Impact

1. **The City Finds that the proposed project would not remove an impediment to growth to the surrounding area by removing infrastructure limitations.**
2. **The City Finds that the proposed project would not create substantial new permanent employment opportunities.**
3. **The City Finds that the proposed project would not indirectly induce growth by stimulating the need for additional housing and services to support the new employment demand.**

Facts in Support of Findings: Initial Study – Population and Housing

No Impact or Less than Significant Impact

- a. *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses or indirectly (for example, through extension of roads or other infrastructure)?*
- b. *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c. *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Facts in Support of Finding

a. Population Growth: According to the 2010 Census data summary provided by the San Diego Association of Governments (SANDAG) the total population of the City is 143,911. Since the 2010 Census, the City has experienced a population increase. The City population is estimated at 151,613 and a total of 48,557 housing units (2016). As indicated in EIR Table 7: *Local and Regional Population, Housing, and Employment Projections* SANDAG estimates the population of the City to continue to grow to 165,812 persons by the year 2030 and 177,559 persons by the year 2050.

Table 7: Local and Regional Population, Housing, and Employment Projections

JURISDICTION	2000	2020	2030	2040	2050
Population					
City of Escondido	133,559	154,635	165,812	172,490	177,559
SANDAG Region	2,813,833	3,535,000	3,870,000	4,163,688	4,384,867
Housing					
City of Escondido	49,716	50,370	52,954	53,738	54,596
SANDAG Region	1,040,149	1,262,488	1,369,807	1,457,545	1,529,090

JURISDICTION	2000	2020	2030	2040	2050
Employment					
City of Escondido	49,716	66,803	71,331	73,451	74,915
SANDAG Region	1,384,676	1,619,615	1,752,630	1,877,668	2,003,038

Source: SANDAG 2018.

Population and Housing

The proposed project will consist of the revitalization of 137 homes, off-street parking, on-site circulation, tot-lot, and outdoor open space areas.

The construction activities associated with the proposed project could indirectly influence population growth. The proposed project related construction jobs (i.e. grading, and building of new structure) are considered short-term in nature. The positions would likely be filled by workers who reside in the general project area, and are not presumed to contribute to a permanent increase in population. Existing local area residents would likely fill many of these future employment opportunities.

The additional 137 homes would directly influence population growth. Based on 3.12 persons per household (City) the proposed project would add approximately 427 persons to the City’s existing population. This would be a less than 0.003% increase in population and a less than significant increase. The proposed project would not substantially induce population growth beyond what has been forecasted for the City or the region.

The additional 137 homes would directly increase the number of housing units. The 137 homes would be less than 0.003% increase in housing units in the City and a less than significant increase.

The proposed project would not indirectly through extension of roads or other infrastructure induce substantial population growth in the area. Developed roads and real estate development, including infrastructure, surround the project site.

Employment

The proposed project related construction jobs (i.e. grading, and building of new structures) are considered short-term in nature. The positions would likely be filled by workers who reside in the general project area, and are not presumed to contribute to a permanent increase in population. Existing local area residents would likely fill many of these future employment opportunities. The proposed project would not create a significant number of long-term jobs.

Therefore, the temporary increase in employment during construction is a less than significant impact and no mitigation measures would be required. No long-term jobs would be created no impact would occur and no mitigation measures would be required.

Therefore, the any increase in employment is considered a less than significant impact and no mitigation measures would be required.

Therefore, the proposed project would have less than significant impacts related to inducing substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), and no mitigation measures would be required.

b. Displace Housing: There are no existing residential dwelling units on the project site. The development of the proposed project would not displace existing housing, necessitating the construction of replacement housing elsewhere.

Therefore, related to displacement of substantial numbers of existing housing necessitating the construction of replacement housing elsewhere, no impact would occur and no mitigation measures would be required.

c. Displace People: There are no existing residential dwelling units on the project site. The development of the proposed project would not displace existing housing, necessitating the construction of replacement housing elsewhere.

Therefore, related to the displacement of substantial numbers of people necessitating the construction of replacement housing elsewhere, no impact would occur and no mitigation measures would be required.

Facts in Support of Findings: EIR Growth Inducing Impacts

Direct Growth-Inducing Effects

The propose project would create a total of 135 new homes. The new residential uses leading to additional population growth would occur. Creation of new jobs is also a potential direct growth-inducing effect. The extent to which new jobs created by a project are filled by existing residents tends to reduce any growth-inducing effect of a project.

Population

As described in the Initial Study for the proposed project, according to the 2010 Census data summary provided by the San Diego Association of Governments (SANDAG) the total population of the City is 143,911. Since the 2010 Census, the City has experienced a population increase. The City population is estimated at 151,613 and a total of 48,557 housing units (2016). As indicated in Table 7-1, SANDAG estimates the

population of the City to continue to grow to 165,812 persons by the year 2030 and 177,559 persons by the year 2050.

Table 7-1: Local and Regional Population, Housing, and Employment Projections

Jurisdiction	2000	2020	2030	2040	2050
Population					
City of Escondido	133,559	154,635	165,812	172,490	177,559
SANDAG Region	2,813,833	3,535,000	3,870,000	4,163,688	4,384,867
Housing					
City of Escondido	49,716	50,370	52,954	53,738	54,596
SANDAG Region	1,040,149	1,262,488	1,369,807	1,457,545	1,529,090
Employment					
City of Escondido	49,716	66,803	71,331	73,451	74,915
SANDAG Region	1,384,676	1,619,615	1,752,630	1,877,668	2,003,038

Source: SANDAG 2018

The construction activities associated with the proposed project could indirectly influence population growth. The proposed project related construction jobs (i.e. grading, and building of new structure) are considered short-term in nature. The positions would likely be filled by workers who reside in the general project area, and are not presumed to contribute to a permanent increase in population. Existing local area residents would likely fill many of these future employment opportunities.

Therefore, based on the information provided above the increase in population is a less than significant impact and no mitigation measures would be required.

Housing

The additional 135 homes would directly influence population growth. Based on 3.12 persons per household (City) the proposed project would add approximately 427 persons to the City’s existing population. This would be a less than 0.3% increase in population and a less than significant increase. The proposed project

would not substantially induce population growth beyond what has been forecasted for the City or the region.

The additional 135 homes would directly increase the number of housing units. The 135 homes would be less than 0.3% increase in housing units in the City and a less than significant increase. The proposed project would not indirectly through extension of roads or other infrastructure induce substantial population growth in the area. Developed roads and real estate development, including infrastructure, surround the project site.

Therefore, based on the information provided about the increase in housing is a less than significant impact and no mitigation measures would be required.

Employment

The proposed project related construction jobs (i.e. grading, and building of new structures) are considered short-term in nature. The positions would likely be filled by workers who reside in the general project area, and are not presumed to contribute to a permanent increase in population. The proposed project would not create a significant number of long-term jobs.

The temporary increase in employment during construction is a less than significant impact and no mitigation measures would be required. No long-term jobs would be created no impact would occur and no mitigation measures would be required.

Therefore, the any increase in employment is considered a less than significant impact and no mitigation measures would be required.

Therefore, the proposed project would have less than significant impacts related to inducing substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), and no mitigation measures would be required.

Indirect Growth-Inducing Effects

Investment in the proposed project would have local and regional economic impacts which may result in indirect growth-inducing effects. The proposed project's potential economic benefits could indirectly result in short-term employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. The project site is located within the City and is served by urban infrastructure (e.g., potable water, wastewater, storm drainage, and

electricity), and the development of the proposed project would not require the extension or expansion of such services. Therefore, the development of the proposed project would not remove an obstacle to growth.

The City Finds that the proposed project would not directly or indirectly result in any significant population growth, and would not result in population growth for the City beyond that reflected in the adopted growth projections. Employment growth that would result from the proposed project is anticipated and accounted for under the City General Plan. The proposed project, in combination with other planned or anticipated projects in the area, would contribute to cumulative future growth projected for the region.

8.0 Reference / Sources

City of Escondido. *Application Materials and Project Files Related to City Case Numbers: ENV 18-005 SUB 18: -005.*

City of Escondido. *City Council and Planning Commission: Public Meeting Notices, Agendas, Staff Reports, and Minutes related to City Case Numbers: ENV 18-005 SUB 18: -005.*

City of Escondido. *General Plan, May 2012.*

City of Escondido. *Municipal Code, September 2018*

City of Escondido. *Final Environmental Impact Report, Nutmeg Homes.* Prepared by Vista Community Planners, Inc. June 2019.

Nutmeg Homes Project, Fire Protection Plan. Prepared by Dudek, May 2019. (Appendix E) and Nutmeg Homes Fire Protection Memo, prepared by Dudek, July 2019 (Appendix E-1).

Phase I Environmental Site Assessment. Prepared by EEI Engineering Solutions, September 2017. (Appendix I)

Biological Resources Letter Report. Prepared by Everett & Associates Environmental Consultants, February 2019. (Appendix C) and *Biological Resources updated Memo,* by Evert and Associates, Environmental Consultants, July 20, 2019 (Appendix C-1)

Preliminary Priority Project Hydrology Study for Nutmeg Homes. Prepared by Excel Engineering, June 2019. (Appendix G)

Priority Development Project (PDP) SWQMP for Nutmeg Homes. Prepared by Excel Engineering, June 2019, 2018 (Appendix J)

Geotechnical Evaluation for Proposed Multi-Family Residential Development, Prepared by GeoTek, Inc., June 2018. (Appendix F)

Cultural Resource Survey Report for the Nutmeg Homes Project. Prepared by Laguna Mountain Environmental, Inc, June 2018. (Appendix D)

U.S. Department of Homeland Security

Flood Insurance Rate Map, San Diego County, Community Panel No. 06073C0762G, dated May 16, 2012.

Traffic Impact Study Nutmeg Homes. Prepared by Rick Engineering. April 2019. (Appendix K)

Air Quality and Greenhouse Gas Emissions Impact Analysis Nutmeg Residential Townhomes Project. Prepared by Vista Environmental, March 2019. (Appendix B)

Section 8: References/Sources

Noise Impact Analysis Nutmeg Residential Townhomes Project. Prepared by Vista Environmental, March 2019. (Appendix H)

9.0 Mitigation Monitoring and Reporting Program

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
Biological Resources						
<p>MM BIO-1</p> <p>Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that if initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird breeding season for migratory birds and raptors (January 15 and September 15), the Project Applicant shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California</p>	<p>Prior to issuance of Grading Permit</p> <p>Prior to construction</p> <p>On-going during construction</p>	<p>General Contractor to consult with qualified biologist to verify compliance with requirements</p> <p>Qualified biologist to submit report documenting compliance with requirements</p>	<p>Verification by City of Escondido</p>			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>Fish and Game Code. The pre-construction survey shall be performed no more than seven (7) days before the start of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.</p>						
<p>MM BIO-2</p> <p>Prior to the issuance of any grading permit that would impact coastal California gnatcatcher (CAGN) protocol surveys in accordance with Wildlife Agency criteria shall be accomplished. (This includes: from March 15 to June</p>	<p>Prior to issuance of Grading Permit</p> <p>Prior to construction</p> <p>On-going during construction</p>	<p>General Contractor to consult with qualified biologist to verify compliance with requirements</p> <p>Qualified biologist to submit report documenting</p>	<p>Verification by City of Escondido</p>			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>30, a minimum of six (6) surveys shall be conducted at least one week apart; or, between July 1 and March 14, nine (9) surveys are required, to be conducted at minimum two (2) week intervals.) If surveys document absence of CAGN no additional avoidance or minimization measures are required. If surveys document the presence of CAGN occupied coastal sage scrub shall be fenced and construction within 500 feet of occupied habitat shall occur only between September 1 and February 15 to avoid indirect impacts to nesting CAGN. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with Resources Agencies. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of breeding habitat.</p> <p>No permit (i.e. grading, tree-trimming, or vegetation removal) that would</p>		compliance with requirements				

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>impact Coastal Sage Scrub, Southern Mixed Chaparral, or Coast Live Oak Woodland habitat on the project site shall be issued until the Project Applicant shall demonstrates to the satisfaction of the City Community Development Director or City designee that they will/have purchased off-site of suitable habitat within a City approved mitigation bank (such as the Daley Ranch Conservation Bank) at mitigation ratios noted in Table 4.3-2.</p>						
<p>MM BIO-3 Prior to the issuance of any permit (i.e. grading, tree-trimming, or vegetation removal) by the City the Project Applicant shall demonstrate to the satisfaction of the City Community Development Director or City designee that the replacement of impacted mature trees will occur. Unless otherwise determined by the City mature trees will be replaced at a</p>	<p>Prior to issuance of Grading Permit Prior to construction On-going during construction</p>	<p>General Contractor to consult with qualified biologist to verify compliance with requirements Qualified biologist to submit report documenting compliance with requirements</p>	<p>Verification by City of Escondido</p>			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>minimum 1:1 ratio. The Project Applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development or City designee.</p>						
Cultural Resources						
<p>MM CR-1</p> <p>The City of Escondido Planning Division ("City") recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The Pauma tribe shall be consulted prior to contracting with the Native American Monitor. The purposes of the agreement are (1) to provide the applicant with clear</p>	<p>Prior to issuance of Grading Permit</p>	<p>Grading plan must include this measure as a note</p> <p>Agreement must be completed prior to issuance of grading permit</p>	<p>Verification by City of Escondido</p>			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.</p>						
<p>MM CR-2</p> <p>Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American</p>	<p>Prior to issuance of Grading Permit</p> <p>The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.</p>	<p>Grading plan must include this measure as a note</p> <p>Project Applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been</p>	<p>Verification by City of Escondido</p>			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is from a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.		retained to implement the monitoring program				
MM CR-3 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.	On-going during construction	Grading plan must include this measure as a note Native American monitor shall attend the pre-grading meeting Grading contractor shall explain and coordinate the requirements of the monitoring program	Verification by City of Escondido			
MM CR-4 During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the	During the initial grubbing, site grading, excavation or disturbance of the ground surface. The qualified archaeologist, in consultation with the Native American	Grading plan must include this measure as a note During the initial grubbing, site grading, excavation or disturbance of the	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.	monitor, shall be responsible for determining the duration and frequency of monitoring.	ground surface, the Project Applicants qualified archaeologist and the Native American monitor shall be on site full-time Any resources shall be addressed in accordance with CEQA Any resources shall be addressed as defined in California Public Resources Code Section 21074				
MM CR-5 In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources.	On-going during construction	Grading plan must include this measure as a note Any resources shall be addressed in accordance with CEQA	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.						
<p>MM CR-6</p> <p>If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource’s treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.</p>	On-going during construction	<p>Grading plan must include this measure as a note</p> <p>Any resources shall be addressed in accordance with CEQA</p>	Verification by City of Escondido			
<p>MM CR-7</p> <p>The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by</p>	On-going during construction	Grading plan must include this measure as a note	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.		Any resources shall be addressed in accordance with CEQA				
MM CR-8 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during	On-going during construction	Grading plan must include this measure as a note	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner’s office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native</p>		<p>If human remains are found on the project site they shall be address as specified by California Health and Safety Code Section 7050.5 and with California Public Resources Code section 5097.98.</p>				

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.						
<p>MM CR-9</p> <p>If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe’s cultural and spiritual traditions. Any tribal</p>	On-going during construction	<p>Grading plan must include this measure as a note</p> <p>Native American monitor must be present during any testing or cataloging of those resources</p> <p>Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe</p>	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.		Any tribal cultural resources not accepted by the TCA Tribe shall be curated at the San Diego Archaeological Center				
<p>MM CR-10</p> <p>Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks</p>	Prior to the release of the grading bond	<p>Grading plan must include this measure as a note</p> <p>Project Applicant's cultural resource qualified archaeologist shall prepare report</p> <p>Native American monitor shall provide opportunity to include notes or comments</p> <p>The report will include CA Department of Park</p>	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
and Recreation Primary and Archaeological Site Forms for any newly discovered resources		and Recreation Forms if needed City Staff must approve all persons involved prior to pre-construction meeting				
Hazards and Hazardous Materials						
MM HAZ-1 Prior to the issuance of any building permit, the project applicant shall demonstrate to the satisfaction of the City Building Department that all windows adjacent to preserved vegetation are dual paned with both panes tempered.	Prior to the issuance of any building permit.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido			
MM HAZ-2 2 Prior to the approval of the Final Landscape Plan, the wall and fence component shall provide a noncombustible, 8-foot wall at the rear or side yard that would function as a heat-deflecting landscape wall as	Prior to the approval of the Final Landscape Plan.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
shown on Figure 4.7-1 to the satisfaction of the City Community Development Department.						
<p>MM HAZ-4</p> <p>Prior to the issuance of the first Certificate of Occupancy the project applicant shall provide CC&R's that demonstrate to the satisfaction of the City's Community Development Department and City Attorney that the annual review of landscape maintenance plans includes a third party evaluation of Fuel Modification Zones (FMZ) area that meet the requirements of the FMZ and City's Fire Department (EFD).</p>	Prior to the issuance of the first Certificate of Occupancy.	Project Applicant shall demonstrate compliance to City Attorney and Community Development Director	Verification by City of Escondido			
Noise						
<p>MM NOI-1</p> <p>In order to reduce the noise levels at the two proposed outdoor recreation</p>	Prior to the issuance of the first building permit.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>areas, the project applicant shall construct two 8-foot sound walls, with one located on the south side of the outdoor recreation area that is located on the north side of Nutmeg Street and the other wall located southwest of the outdoor recreation area that is located on the south side of Nutmeg Street. The sound walls shall be constructed of a solid material (e.g., glass, concrete block, or plaster). The locations of the proposed outdoor recreation area sound walls are shown in Figure 4.10-5.</p>						
<p>MM NOI-2</p> <p>The project applicant will provide a “windows closed” condition for each proposed residential townhome. A “window closed” condition is a term that means that a home is capable of providing adequate ventilation and temperature control without opening the windows. A “windows closed” condition requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform</p>	<p>Prior to the issuance of the first building permit.</p>	<p>Project Applicant shall demonstrate compliance to City Staff</p>	<p>Verification by City of Escondido</p>			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
Building Code. This shall be achieved with a standard forced air conditioning and heating system with a filtered outside air intake vent for each residential unit.						
MM NOI-3 For the P1-Villas, the project applicant shall require all windows and exterior doors on the northwest, southwest, and southeast sides of Building 1 to have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors are shown on Figure 4.10-5.	Prior to the issuance of the first building permit for the P1-Villas.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido Staff			
MM NOI-4 For the P2-Villas, the project applicant shall require all windows and exterior doors on the southwest side of Buildings 12 to 18, the northwest side of Building 18, and the northwest side of the westernmost unit of Buildings 16 and 17 to have a minimum STC rating of 35 STC. In addition, all windows and exterior doors on the northwest side of Buildings 19 and 20 and southwest side of Building 19 and the southeast and	Prior to the issuance of the first building permit for the P2-Villas.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido Staff			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
northwest sides of Buildings 12 to 18 that were not covered by the 35 STC requirement shall have a minimum STC rating of 30 STC. The locations of the mitigated windows and doors is shown on Figure 4.10-5.						
Traffic and Transportation						
<p>MM TRA-1</p> <p>Prior to the occupancy of the proposed project the intersection of North Centre City Parkway/North Nutmeg Street will be improved to the satisfaction of the City as noted below:</p> <ul style="list-style-type: none"> • Installation of a traffic signal; • Restripe the southbound approach to provide a dedicated left-turn lane; and, <p>Construct a dedicated right-turn lane on the southbound approach of the intersection</p>	Prior to the occupancy of the project.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>MM TRA-2</p> <p>The proposed project at the intersection of West Country Club Lane/ North Nutmeg Street will provide the following:</p> <ul style="list-style-type: none"> • Installation of a traffic signal at the intersection; and, • Restripe the southbound approach to provide a shared left-turn/through lane and a dedicated right-turn lane. 	Prior to the occupancy of the project.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido			
<p>MM TRA-3</p> <p>Prior to the occupancy of the proposed project the existing right-of-way on North Nutmeg Street from West Country Club Lane to Via Alexandra will be widen to provide for a 14' wide southbound lane with curb, gutter, and sidewalk designed as a green streets facility. Improvements shall include removal and reconstructions of existing</p>	Prior to the occupancy of the project.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
driveways to private driveway standards and a parking restriction along the improved section of Nutmeg Street to the satisfaction of the City Engineer.						
<p>MM TRA-4</p> <p>The proposed project at the intersection of North Centre City Parkway/North Nutmeg Street intersection will provide the following minimum storage lengths for left turn and right-turn lanes:</p> <ul style="list-style-type: none"> • Eastbound Left-Turn Lane: 100 feet; and, • Southbound Right-Turn Lane: 125 feet 	Prior to the occupancy of the project.	Project Applicant shall demonstrate compliance to City Staff	Verification by City of Escondido			

Table II-1: Mitigation Monitoring and Compliance Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>MM TRA-5</p> <p>The proposed project at the intersection of Nutmeg Street/Project Access will provide 50-foot left-turn pockets for the eastbound and westbound left-turn lanes.</p>	<p>Prior to the occupancy of the project.</p>	<p>Project Applicant shall demonstrate compliance to City Staff</p>	<p>Verification by City of Escondido</p>			