

**FINAL**

**Escondido Assisted Living  
1802 N. Centre City Parkway**

**Initial Study/Mitigated Negative Declaration  
Project No. ENV17-0007 and PHG17-0025  
SCH No. 2019011009**

Prepared by  
Blue Consulting  
P.O. Box 501115  
San Diego, CA 92150

Prepared for  
City of Escondido

March 2019

# FINAL

## MITIGATED NEGATIVE DECLARATION

### FOR THE ESCONDIDO ASSISTED LIVING PROJECT

(City File Nos. ENV17-0007 and PHG17-0025)

SCH NO. 2019011009

### ENVIRONMENTAL CHECKLIST

### SUPPLEMENTAL COMMENTS

An Initial Study Environmental Checklist was prepared for this project and is included with this Draft Negative Declaration (IS/MND). The information contained in the Initial Study and the MND Supplemental Comments will be used by the City of Escondido to determine potential impacts associated with the proposed project.

#### INTRODUCTION

This Final Initial Study/Mitigated Negative Declaration assesses the environmental effects of the proposed Escondido Assisted Living Project generally located southeast of the intersection of Centre City Parkway and south of Iris Lane, addressed as 1802 N. Centre City Parkway. All revisions have been incorporated into this Final IS/MND. The revisions provided utilize a **bold/underline** for additional text and ~~strikeout~~ for deleted text that was originally in the Draft IS/MND. The corrections and clarifications represent additional information or revisions that do not significantly alter the proposed project, change the significance conclusions, or result in significantly more severe environmental impacts associated with the proposed project.

As mandated by CEQA Guidelines Section 15105, affected public agencies and the interested public may submit comments on the Initial Study/Mitigated Negative Declaration in writing before the end of the 30-day public review period starting on January 11, 2019, and ending on February 11, 2019. Written comments on the IS/MND should be submitted to the following address by 5:00 p.m., February 11, 2019.

City of Escondido  
Planning Division  
201 North Broadway  
Escondido, CA 92025-2798

Contact: Jay Paul, Senior Planner  
Telephone: (760) 839-4537  
Fax: (760) 839-4671  
Email: [jpaul@escondido.org](mailto:jpaul@escondido.org)

All comments received will be considered with the Final IS/MND in determining whether to approve the project. A printed copy of this document and any associated plans and/or documents are available for review during normal operation hours for the duration of the public review period at the City of Escondido Planning Division at the address shown above, and also available on the City's Website at:

<https://www.escondido.org/planning.aspx>.

**Click on the Development Project Information button and go to**

**"Escondido Assisted Living 1802 N. CCP" ENV17-0007**

According to Section 15150 of the CEQA Guidelines, an MND may incorporate by reference all or portions of another document which is a matter of public record. The incorporated language shall be considered to be set forth in full as part of the text of the MND. All documents incorporated by reference are available for review at, or can be obtained through, the City of Escondido Planning Division located at the address provided above, or on the City of Escondido Web Site.

- City of Escondido, 2012a. City of Escondido General Plan.
- City of Escondido, 2012b. Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report, Volume I – Final Environmental Impact Report

#### California Environmental Quality Act Compliance

The California Environmental Quality Act (CEQA) applies to proposed projects initiated by, funded by, or requiring discretionary approvals from state or local government agencies. CEQA Guidelines Section 15367 states that the “lead agency,” the City, has the principal responsibility for carrying out or approving a project and is responsible for compliance with CEQA. As lead agency, the City must complete an environmental review to determine if implementation of the proposed project would result in significant adverse environmental impacts. In compliance with CEQA, an Initial Study (IS) has been prepared to assist in making that determination. Based on the nature and scope of the proposed project and the evaluation contained in the IS environmental checklist (contained herein), the City has concluded that a Mitigated Negative Declaration (MND) is the appropriate level of analysis for this project. The MND shows that impacts of the proposed project are either less than significant or significant but mitigable with the incorporation of appropriate mitigation measures.

As provided in CEQA Statute Section 21064.5, and stated in CEQA Guidelines Section 15070, a MND can be prepared when “(a) the initial study shows that there is not substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or (b) the initial study identifies potentially significant effects, but (1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.”

#### Anticipated Public Hearings

The City Council and Planning Commission will consider the IS/MND and the comments received during the public review period in determining whether to approve the proposed project. A public hearing for this project has not been scheduled, but public notice in conformance with the Escondido Municipal Code will be provided when the project is scheduled for Planning Commission and City Council consideration.

#### Public Comments:

There were no public comments received during the 30-day public review period. During the public review period, the applicant conducted a neighborhood meeting on January 30, 2019 in the City Hall Mitchell Room. City staff also was present to answer questions. Six members of the public attended the meeting. There were no significant issues raised by the public during the meeting.

## PROJECT DESCRIPTION

The primary objective of the proposed residential development is to provide a residential project that preserves the on-site riparian corridor and is consistent with the City's General Plan. This Initial Study provides a preliminary assessment of the environmental impacts of the proposed new 3-story (median height of 34'5"), approximately 71,316 sf, assisted living/senior care facility to include 22 memory care and ~~66~~ **74** assisted living units (totaling 96 beds, ~~88 units rooms~~) **and up to 43** ~~45~~ parking spaces, including one van and one accessible space. Room sizes include studio, one-bed and two-bedroom units. The building will consist of three stories and would be type III construction with an automatic fire sprinkler system. The project requires discretionary approval of a Conditional Use Permit to allow a residential care facility within a single-family residential zone; Grading Exemption(s) for retaining walls and combination fill slope/retaining walls in excess of 10 feet in height; and a General Plan Amendment to allow structures up to three stories in height within the R-1-10 zone (Single-Family Residential, up to 10,000 sf min. lot size). Access to the project would be provided by a single driveway fronting onto Centre City Parkway on the west. Centre City Parkway is proposed to be widened across the project frontage to provide a transition lane for ingress and egress into the site.

## BACKGROUND

Several Conditional Use Permits (CUP) were approved by the City for the development of the site with a residential care facility. The size and design of the proposed facility varied with each CUP. A CUP originally was approved in 1993 (City File No. 93-19-CUP) for the development of a 28,658 SF, 50 room, split-level, residential-care facility on the site to serve up to 75 clients. A modification of the original CUP was approved (City File No. 97-07-CUP/GE) for the development of a 23,426 SF, single-story, residential-care facility, along with grading exemptions for slopes and retaining walls up to 14 feet in height. Grading Plans were approved for the project site and rough grading and retaining walls were constructed. The building was never constructed and the project expired. In 2003 CUP was approved (City File No. 2003-26-CUP) to provide a two and three story, 110 room, approximately 74,903 SF residential-care facility to serve up to 165 residents. The permit was modified in 2004 (Case No. 2004-61-CUP) to construct a separate 900 SF (36' x 25'), seven to nine-foot-high mechanical enclosure area to accommodate a variety of mechanical equipment, trash bins, and a 132 kW emergency standby generator. The permit was modified again in 2007 (Case No. 2007-33-CUP) to revise the enclosure design and construct a 2,478 SF, two-story central plant building. This previously approved project was not implemented and the Conditional Use Permit subsequently expired.

## PROJECT LOCATION AND ENVIRONMENTAL SETTING

The triangular, approximately 3.48-acre property is located in the County of San Diego, City of Escondido, southeast of the intersection of North Centre City Parkway and North Iris Lane, addressed as 1802 N. Centre City Parkway (APN 226-190-22). The site is Zoned R-1-10 (Single-Family Residential, 10,000 SF min. lot size) and has a General Plan Designation of Suburban 'S'. The property is generally vacant and severely disturbed due to previous grading and large amounts of material (dirt, etc.) being stockpiled on the property. Soil has been built up in multiple areas and a retaining wall up to 14 feet in height was constructed with a fence on top to stabilize the soil onsite. The property is bordered by Reidy Creek and the Escondido High School's agricultural operations to the east, and limited single-family residential development and the Rincon del Diablo Municipal Water District offices and corporate yard on the north. Centre City Parkway borders the property along the western and southwestern boundary. The Quail Creek Apartment complex (active senior living) is located further to the west across Centre City Parkway.

The site fronts onto and takes access from Centre City Parkway, which is classified as a Major Road (102' ultimate R-O-W) on the City's Mobility and Infrastructure Element. Centre City Parkway in the immediate vicinity of the

project site operates as a four-lane major road (two lanes traveling north and two traveling south, with a landscape raised center median) with Class II bike lanes. Parking is restricted on both sides of the roadway. Full width street improvements have been installed along the northern section of the project frontage (curbs and gutters) but not further south of the project site. CCP does not contain sidewalks on either side.

The western section of the property gently slopes in a southeasterly direction due to previous grading on the site. The southern area of the parcel is separated from the graded area by a steep, approximately six-foot-high artificial escarpment. The lower southern area generally slopes and drains in a southerly direction and is comprised primarily of loose fill materials deposited in 1997 and undisturbed areas. The eastern area of the site is separated from the rest of the property by an existing 14-foot-high retaining wall. This lower section of the property generally slopes and drains in a southerly direction. Elevations on the property range from approximately 725' within the northwestern corner of the site, 690' towards the southern corner of the site, 705' along the existing retaining wall, and 690' along the Reidy Creek drainage.

The project site is separated by two distinct areas, which includes disturbed upland vegetation and wetlands. The eastern area of the site is bisected by the Reidy Creek drainage, a tributary of Escondido Creek. Reidy Creek is separated from the disturbed western portion of the property by a 14-foot-high, masonry block retaining wall that was constructed at the western edge of the 100-year creek floodplain by a previous property owner in conformance with Conditional Use Permit 97-07. This wall corresponds to the top of the earthen fill material to the west that was added during the rough grading of the site in 1997. The adjacent creek vegetation consists primarily of Southern Willow Riparian Forest, which is composed of native willows, a few small coast live oaks, and a mixture of non-native trees, shrubs and herbaceous plant species. The southwestern area of the site supports a stand of Eucalyptus trees adjacent to Centre City Parkway. One California pepper tree is located within the extreme northwest corner of the site.

Adjacent land uses and zoning include the following:

- North: R-1-10 zoning (Single-Family Residential, 10,000 SF min. lot size) / Rincon Del Diablo Municipal Water District offices and public works yard are located on the north. Single-Family homes also are located north of the project site on approximately 41,000 SF lots. Reidy Creek natural drainage channel and a two-story, multi-family residential development are located northeast of the project site.
- South: R-1-10 (Single-Family Residential, 10,000 SF min. lot size) / Escondido Union High School and Centre City Parkway are located south and southwest of the project site. The high school agricultural operations and several sheds are located immediately south of the project site across the Reidy Creek natural drainage channel. Centre City Parkway is classified as a Major Road (102' R-O-W) on the City's Mobility and Infrastructure Element.
- East: R-1-10 (Single-Family Residential, 10,000 SF min. lot size) / Escondido Union High School is located east of the project site. The high school's agricultural fields and baseball fields are located immediately east of the project site. Reidy Creek acts as a physical and visual buffer from the school district property and the proposed development area for the project.
- West: R-1-10 and R-1-7 zoning (Single-Family Residential, 10,000 SF and 7,000 SF min. lot size) / Centre City Parkway is located immediately west of the project site. Centre City Parkway is classified as a Major Road (102' ultimate R-O-W) with a current right-of-way width of approximately 190' to 200' adjacent to the project site. A religious facility is located northwest of the project site. Single- and multi-family residential development is located west and southwest of the project site across Centre City Parkway.

Discretionary Actions

Approval of the project would require the approval of a number of discretionary actions. According to Sections 15050 and 15367 of the CEQA Guidelines, the City of Escondido is designated as the Lead Agency for the project. Responsible agencies are those agencies that have discretionary approval authority over one or more actions involved with the development of a proposed project. The San Diego RWQCB, is a responsible agency for the project. Trustee agencies are state agencies having jurisdiction by law over natural resources affected by a proposed project that are held in trust of the people of the State of California. The California Department of Fish and Wildlife has been identified for the proposed project. The following list indicates the various discretionary actions that would be required to implement the proposed project and the agencies that would grant discretionary approval for these actions.

- Conditional Use Permit Plan by the City of Escondido
- Grading exemptions by the City of Escondido
- General Plan Amendment
- NPDES Construction Activities Storm Water General Permit by the San Diego RWQCB

If it is determined that the proposed project cannot avoid the jurisdictional features on the project site and would result in significant impacts to jurisdictional waters, regulatory permits will be required to be obtained prior to project construction. To comply with the state and federal regulations for impacts on jurisdictional wetland features/resources, the following permits will be required to be obtained, or verified that they are not required: USACE 401 Permit, RWQCB 404 Permit (in accordance with Section 404 and 401 of the Clean Water Act [CWA]), and a CDFW Streambed Alteration Agreement under Section 1600 of California Fish and Game Code (CFGC). Mitigation to offset the impacts to Waters of the U.S. and State will be implemented in accordance with these regulatory permit conditions.

## ISSUES:

### I. AESTHETICS

*Would the project:*

- a. Have a substantial adverse effect on a scenic vista?*
- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state 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?*

- a. Have a substantial adverse effect on a scenic vista?*

**Less Than Significant Impact.** Scenic resources in the City of Escondido include views to and from hillsides and prominent ridgelines and other prominent natural landforms. The project site is primarily undeveloped and located within an urban/suburban neighborhood where vegetation and topography limit views to the site from many of the surrounding areas. As discussed under the environmental setting, a portion of the site previously was graded, including fill material and the construction of a masonry retaining wall along the Reidy Creek drainage channel. The topography of the proposed development area of the site is relatively flat due to the previous grading/fill, and the site generally is situated at a lower elevation than the adjacent Centre City Parkway on the west. Any potential scenic vistas in the proposed project viewshed would consist of distant views of mountains and ridgelines generally located towards the northern and eastern areas of the City. Views of the proposed project primarily would be from travelers along Centre City Parkway and from existing limited development on the north, which includes the Rincon Del Diablo Municipal Yard. The proposed development has the potential to impact some views through the site. However, the current views, to distant hillsides from Centre City Parkway are partially obstructed by existing landscaping, including mature trees. No adverse impacts to scenic vistas or scenic resources would occur from the development of the proposed care facility because the project would not significantly obstruct views from surrounding roadways or developed properties of any scenic resources that are identified as significant in the General Plan (2012), such as “ridgelines, unique landforms, visual gateways and edges of the community.” No development within the adjacent drainage feature is proposed and would be avoided, and the drainage feature retained as a natural open space amenity. Therefore, the project would have a less than significant any valuable scenic vista.

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

**Less Than Significant Impact.** State scenic highways are those highways that are either officially designated as State Scenic Highways by the California Department of Transportation (Caltrans) or are eligible for such designation. There are no officially designated or eligible highways within the project area. There are no designated scenic resources on the site. Therefore, the proposed project would not affect any scenic resources. Within a state scenic highway. There are no historic buildings or resources located on the site and proposed impact to historic buildings/resources is evaluated in Section V. Cultural Resources. No development within the adjacent drainage feature is proposed and would be avoided, and the drainage feature retained as a natural open space amenity.

As identified in the Biological section, the project site contains non-native trees (typically eucalyptus species). These trees generally are located along the Centre City Parkway frontage, with a larger stand located within the southern corner of the site. The grading plan has been designed to retain as many of the trees as possible. The loss of any mature trees would be required to be replaced in conformance with the City’s Grading Ordinance and

Landscape Ordinance. These minimal impacts are considered less than significant.

*c. Substantially degrade the existing visual character or quality of the site and its surroundings?*

**Less than Significant Impact.** The site is located in the urban/suburban area of the City and situated along a commercial corridor developed with a mix of residential, commercial and institutional type uses. Residential use in the area includes a mix of multi-level and single-story residences. The proposed project would change the undeveloped/disturbed character of the site with a new building, paved parking and driveways, grading, lighting and landscaping. The request includes an amendment to the General Plan to allow structures up to three stories where the current General Plan limits structures to two stories in height. Although the proposed project would introduce a three-story institution/residential type structure up to 38 feet in height (34.5 median height), the architecture of the new building has incorporated a design to be compatible with the mix of single- and multi-family development located throughout the surrounding area. The proposed building incorporates appropriate articulation, design elements, setbacks and perimeter landscaping to further reduce the overall mass and scale of the building. The proposed development also would not be out of character with the surrounding area that includes other nearby multi-story mixed-use developments, commercial/industrial and large non-residential development. While the development of a residential-care facility on the site would result in an increased urban feel, this change would be less than significant considering the existing urbanized character of the area and project design features employed to lessen potential visual impacts. The proposed project also would preserve the adjacent drainage/riparian area as a natural open space feature. Therefore, the proposed project would not significantly degrade the existing visual character or quality of the site or its surroundings and impacts would be less than significant.

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

**Less than Significant Impact.** Existing lighting sources on the site and surrounding area generally consist of street lights; security lights, parking lot lights, and vehicle headlights. The proposed lighting for the project generally would consist of new or relocated parking lot lighting, new area lighting around the buildings and walkways, and building security lighting, which would be compatible with existing lighting throughout the project vicinity. All new lighting would be required to be in compliance with the City's Outdoor Lighting Ordinance (Zone Code Article 35). The City's Lighting Ordinance is intended to minimize unnecessary nighttime lighting and glare for the benefit of the citizens of the City and astronomical research at Palomar Mountain Observatory. All proposed street lights and parking lot lights would have dark sky compliance certification and be consistent with City requirements, to include appropriate shielding and automatic timing devices. Therefore, new nighttime lighting as a result of the proposed project would be compatible with existing development and would not adversely affect nighttime views in the area. The proposed project's light or glare impacts would be less than significant.

## **II. AGRICULTURE AND FORESTRY RESOURCES**

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*

*a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California 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 or conversion of forest land to non-forest use?*

Based on the reviewed historical topographic maps and aerial photographs, the project site and surrounding area were generally rural agricultural land from 1939 to 1963, when extensive residential and commercial development appeared in the area. Currently, the immediate project area is predominantly developed for a variety of uses, including single- and multi-family residential, high school, Rincon Del Diablo Water District offices and yard, and limited agricultural associated with the adjacent high school agricultural program.

**No Impact.** The project site does not include any active agricultural uses or agricultural resources. The site is not zoned for agricultural uses and is not adjacent to areas zoned for agricultural use. No farmland, forest land, timberland, or other agricultural uses occur on the project site or surrounding area, except for the small demonstration areas on the Escondido High School grounds. No agricultural land would be converted to non-agricultural uses as a result of project implementation. There are no Williamson Act Contract lands or agricultural zones on or near the site. The property is not listed as agricultural or prime farmland by the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program. The project site and surrounding area is not listed as prime Agricultural Lands in the General Plan Final EIR, which was prepared for the most recent General Plan Update in 2012 (Escondido 2012). The proposed project will not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use, or result in the conversion of forest land to non-forest use. Therefore, the project would have no direct or indirect impact to agricultural resources (San Diego County Important Farmland 2014).

### III. AIR QUALITY

*Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

- a. Conflict with or obstruct implementation of the applicable air quality plan?*
- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*
- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*
- d. Expose sensitive receptors to substantial pollutant concentrations?*
- e. Create objectionable odors affecting a substantial number of people?*

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

**Less than Significant Impact.** The California Clean Air Act requires areas that are designated nonattainment of state ambient air quality standards for ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide to prepare and implement plans to attain the standards by the earliest practicable date. The San Diego Air Basin (SDAB) is designated nonattainment for ozone. Accordingly, the Regional Air Quality Strategy (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 addressed in the RAQS are reactive organic gases and oxides of nitrogen, which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling emissions to maintain and further improve air quality. The

RAQS, in conjunction with the Transportation Control Measures, were most recently adopted in 2009 as the air quality plan for the region.

The California State Implementation Plan (SIP) is the document that sets forth the state's strategies for attaining the National Ambient Air Quality Standards (NAAQS). The San Diego Air Pollution Control District (SDAPCD) is the agency responsible for preparing and implementing the portion of the California SIP applicable to the San Diego Air Basin (SDAB). Since the SDAB is designated as in basic non-attainment of the NAAQS and in serious non-attainment of the more stringent California State Ambient Air Quality Standards (AAQS) for ozone, the SDAPCD's Regional Air Quality Strategy (RAQS) outlines the plans and control measures designed to attain the AAQS for ozone. The California SIP and the SDAPCD's RAQS were developed in conjunction with each other to reduce regional ozone emissions. 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 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 the County of San Diego. As such, projects that propose development that is consistent with the growth anticipated by SANDAG would be consistent with the RAQS and the SIP. The Escondido General Plan Update FEIR assessed whether development consistent with the General Plan would conflict with or obstruct implementation of the RAQS and SIP. The FEIR determined that the growth accommodated by the General Plan would be consistent with the growth accounted for in the RAQS and SIP. As such, development consistent with the Escondido General Plan would be consistent with the RAQS and SIP. Therefore, the proposed project would be consistent with the General Plan growth assumptions and would not conflict with or obstruct implementation of the applicable air quality plan. Impacts would be less than significant.

The project site is located within a residential area and the site currently is undeveloped. The proposed project includes a residential use that is conditionally permitted within the underlying residential zone, and would be consistent with the growth anticipated by the City General Plan. Although the project would require a Conditional Use Permit, this would not affect the growth anticipated by the City General Plan. Additionally, as discussed below in Section III. b), project emissions would not exceed the project-level significance thresholds from the City Municipal Code. These thresholds are intended to both define quality of life standards and implement the Growth Management Element of the City General Plan. The project would therefore not result in an increase in emissions that are not already accounted for in the RAQS. Therefore, the project would not obstruct or conflict with implementation of the RAQS or applicable portions of the SIP. Therefore, project impacts would be less than significant.

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

**Less than Significant Impact.** Air quality impacts can result from the construction and operation activities. Construction impacts are temporary and result from fugitive dust, equipment exhaust and indirect effects associated with construction workers and deliveries. Operational impacts can occur on two levels: regional impacts resulting from development or local effects stemming from sensitive receivers being placed close to roadways or stationary sources. One of the pollutants of concern during construction is particulate matter, because PM10 is emitted as windblown (fugitive) dust during surface disturbance, and as exhaust of diesel-fired construction equipment (particularly as PM2.5). Other emissions of concern include architectural coating products off-gassing (VOCs), and other sources of mobile source (on-road and off-road) combustion (NOx, SOx, CO, PM10, PM2.5, and VOCs) associated with the project.

Operational emissions are those which occur after project construction activities have been completed, and the project becomes operational. These emissions are a result of increased average daily vehicle trips by the new occupants of a facility, as well as any proposed stationary sources associated with the subject facility or development. Depending on the characteristics of the individual project, operational activities have the

potential to generate emissions of criteria pollutants. Operational impacts from land development activities are predominantly the result of vehicular traffic associated with projects with combustion emissions (NO<sub>x</sub>, SO<sub>x</sub>, CO, PM<sub>10</sub>, PM<sub>2.5</sub>, and VOCs). The CEQA Guidelines state that, where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the determinations of environmental impact. The San Diego APCD does not provide quantitative thresholds for determining the significance of construction or mobile source-related impacts. However, the district does specify Air Quality Impact Analysis (AQIA) trigger levels for new or modified stationary sources (APCD Rules 20.2 and 20.3). If these incremental levels for stationary sources are exceeded, an AQIA must be performed for the proposed new or modified source.

**Pounds per Day Thresholds**

Respiratory Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )	Oxides of Nitrogen (NO <sub>x</sub> )	Oxides of Sulfur (SO <sub>x</sub> )	Carbon Monoxide (CO)	Lead and Lead Compounds	Volatile Organic Compounds (VOCs)
100	55	250	250	550	3.2	55/75

Article 47 of the Escondido Zoning Code has similarly adopted these trigger levels to establish Escondido's thresholds of significance. Projects that would not exceed the screening level criteria are considered not to have a significant impact related to air quality violations. The following air quality analysis is based on the Air Quality Conformity Assessment and Green House Gas (GHG) Assessment completed by Investigative Science and Engineering, Inc. (ISE) on June 29, 2018. Based upon the findings in the chart below, no significant construction or operational air quality impacts are expected.

**Aggregate Project Emission Summary**

SCENARIO EXAMINED	Aggregate Emissions for Criteria Pollutants					
	CO	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	ROG
<b>Construction Grading Operations (pounds per day)</b>						
Construction Grading Vehicle Emissions	20.9	50.5	6.6	1.2	1.1	7.3
Surface Grading Dust Generation	--	--	--	3.3	0.7	--
Powered Haulage Dust Generation	0.0	0.0	0.0	4.6	1.0	0.0
<b>Total (Σ)</b>	<b>20.9</b>	<b>50.5</b>	<b>6.6</b>	<b>9.2</b>	<b>2.8</b>	<b>7.3</b>
<b>Construction Building Operations (pounds per day)</b>						
Architectural Coating Application	--	--	--	--	--	71.2
<b>Unmitigated Total (Σ)</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>71.2</b>
With Low VOC Paint Application (Σ)	--	--	--	--	--	25.6
<b>Project Operations (pounds per day)</b>						
Vehicular Traffic Generation	13.7	4.6	0.0	0.1	0.1	0.4
Fixed Source #1 (Small Engines - MF)	26.5	0.5	0.0	0.0	--	3.0
Fixed Source #2 (Small Engines - CM)	2.8	0.1	0.0	0.0	--	0.3
Fixed Source #3 (Natural Gas - MF)	0.5	1.2	--	0.0	--	0.1
Fixed Source #4 (Natural Gas - CM)	0.0	0.0	--	0.0	--	0.0
<b>Total (Σ)</b>	<b>43.5</b>	<b>6.4</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>3.9</b>
<b>SDAPCD Significance Threshold:</b>	<b>550</b>	<b>250</b>	<b>250</b>	<b>100</b>	<b>55</b>	<b>75</b>

Fugitive Dust: In order to ensure that fugitive dust emissions during construction would not be significant, the General Plan Update FEIR requires future projects to implement construction dust control measures. As part of the project's Grading Plan and Permit, and storm water requirements the project would be required to implement

appropriate dust control measures that would reduce the proposed project's potential impact related to air quality violations.

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

**Less than Significant Impact.** As described above in III(b), mobile source emissions associated with the project would be minimal. Project construction would result in emissions, as described above; however, all construction related emissions would be less than established significance thresholds for each criteria pollutant. Emissions would be less than significant, and therefore, the project would not result in a cumulatively considerable increase in any criteria pollutant for which the region is non-attainment.

*d. Expose sensitive receptors to substantial pollutant concentrations?*

**Less than Significant Impact.** A sensitive receptor is a person in the population who is more susceptible to health effects due to exposure to an air contaminant than is the population at large. Examples include residences, schools, playgrounds, child care centers, churches, athletic facilities, retirement homes, and long term health care facilities. As described above in III(b), mobile source emissions associated with the project would be minimal. Project construction would result in some construction-related emissions; however, these emissions would be short term and temporary in nature and not exceed established thresholds for criteria pollutants. Sensitive receptors near the project site include adjacent residential uses; however, exposure would be short term and temporary in nature and not exceed established thresholds for criteria pollutants. Impacts would be less than significant.

**Toxic Air Contaminants.** The Escondido General Plan Update FEIR relies on the CARB's Air Quality and Land Use Handbook to determine whether potential impacts related to TACs, including diesel particulate matter, would occur (Atkins 2012b). CARB lists several potential sources of substantial TAC emissions that currently exist or may be developed under the General Plan Update including: 1) freeways or urban roads with 100,000 vehicles per day; 2) commercial facilities that require heavy-truck deliveries or include drive-through facilities; 3) extraction operations or cement manufacturing; 4) power plants; 5) recycling and garbage transfer stations; 6) industrial land uses; 7) farming operations; 8) dry cleaning facilities, gas stations, and automotive repair facilities; and 9) major medical facilities. If the project would result in these emission sources, then a detailed health risk assessment may be required. The proposed project would result in the development of new residential housing/care facility which are not a typical source of TACs. Therefore, implementation of the proposed project would not result in the exposure of off-site sensitive receptors to substantial TAC concentrations.

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

**Less than Significant Impact.** The project does not include any land uses typically associated with odor complaints. During construction, diesel equipment may generate some nuisance odors. Sensitive receptors near the project site include adjacent residential uses; however, exposure to odors associated with project construction would be short term and temporary in nature. Impacts would be less than significant.

#### **IV. BIOLOGICAL RESOURCES**

*Would the project:*

- a. 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 Game or U.S. Fish and Wildlife Service?*
- b. 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 Game or U.S. Fish and Wildlife Service?*

- c. 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?*
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?*
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**Less than Significant with Mitigation.** A Preliminary Biological Reassessment of the project site was prepared by John C. Lovio (dated April 4, 2018) to identify any current biological constraints to modification and development of the largely undeveloped site. A field visit to the property by JCL and botanist Brant Primrose was conducted on February 4, 2018 to assess current general conditions. A Supplemental Biology Study was prepared for the project by John C. Lovio, dated July 2018, to evaluate onsite habitat and sensitive species. A protocol survey also was prepared for two species of federally endangered riparian birds, the Least Bell's Vireo and the Southwestern Willow Flycatcher. The study concluded that no other federally or state listed species were of potential occurrence. No Least Bell's Vireos or Southwestern Willow Flycatchers were detected in more than 12 hours of survey over eight focused visits for these species on the site. Additionally, the riparian channel is densely vegetated with some exposed bedrock and lacks open, sandy pools required for reproduction of the federally endangered Arroyo Toad (*Bufo californica*).

The approximately 3.48-acre property is triangular-shaped and the approximate western 66% of the property comprises disturbed, partially filled uplands consisting of a higher western terrace and a lower eastern terrace separated by a five-foot high embankment. The remaining eastern third of the property includes a 280-foot section of the Reidy Creek (tributary of Escondido Creek) channel and 100-year floodplain that is below and abruptly separated from the uplands by a 14-foot high retaining wall that was constructed in 1997 by the previous property owner under a valid building permit. The southwestern edge of the uplands supports a stand of large, non-native Eucalyptus trees along the northeastern edge of North Centre City Parkway. All development on the site would be limited to the upland/disturbed section of the parcel, which is entirely west of the retaining wall. All vegetation currently on the upland/disturbed section of the project site appears to represent colonizing growth since 1997. The higher pad area is sparsely vegetated by ruderal herbaceous vegetation and supports several hundred eucalyptus saplings and mature eucalyptus trees. The lower, more undisturbed southern pad area contains mostly ruderal, non-native herbaceous growth, including grasses, ragweed, tumbleweed, and an unidentified species of creeping legume. Approximately 15 individuals each of goldenbrush and broom baccharis also grow on the lower pad. Furthermore, the lower, eastern terrace of non-native grassland (NNG) was mowed in mid-July of 2018 in compliance with local fuel management codes.

Non-Native Grassland. The approximately 0.66-acre NNG within the development area of the site would be directly impacted as part of the project. Any loss of NNG would be subject to mitigation requirements pursuant to the City's draft Subarea Plan, which requires impacts to NNG to be mitigated at a ratio of 0.5:1 through the acquisition of NNG credits from the Daley Ranch Bank or other approved mitigation bank. Thus, impacts to NNG would be reduced to below significance with the implementation of Mitigation Measure BIO-1.

## Mitigation Measures

**BIO-1.** Prior to the issuance of grading permits, impacts to non-native grassland shall be mitigated at a ratio of 0.5:1 and shall consist of 0.33 acres. Mitigation shall be provided by either (1) preservation of equivalent or better habitat at an off-site location via a covenant of easement or other method approved by the City to preserve the habitat in perpetuity, or (2) purchase of non-native grassland or equivalent habitat credits at an approved.

Raptors/Nesting Birds. The mature trees on- and off-site have potential biological value, as they may provide nesting opportunities for songbirds or raptors. No raptors were observed nesting on site during the 2018 field visits. Raptor breeding is protected by the California Department of Fish and Wildlife Code, and migratory bird nesting is protected by the Migratory Bird Treaty Act. Compliance with the California Department of Fish and Wildlife Code and Migratory Bird Treaty Act ensures avoidance of nesting raptor and migratory bird impacts. In accordance with these regulations, the following mitigation measures would reduce the potential direct impacts to nesting birds to a less than significant level and would be required and project condition would be placed on any construction permits issued by the City for this project:

**BIO-2.** No clearing, grubbing, grading, or other construction activities shall occur between February 15 and September 15, the raptor and migratory bird nesting season, unless a qualified biologist completes a pre-construction survey to determine if active nests are present or absent. If no active nests are present, then construction activities may proceed. If active raptor nests are present, no grading or removal of habitat shall take place within 300 feet of active nesting sites during the nesting/breeding season (February 15 through September 15).

The pre-construction survey must be conducted within 10 calendar days prior to the start of construction activities (including the removal of vegetation). The applicant shall submit the results of the preconstruction survey to the City for review and approval prior to initiating any construction activities.

**BIO.** Vegetation clearing or brushing shall occur outside of the typical breeding season for raptors and migratory birds (February 15 to September 15). If this is not possible, then a qualified biologist shall conduct a survey for nesting birds no more than five calendar days prior to construction to determine the presence or absence of nests on the project site. The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. No construction activities shall occur within 300 feet of tree dwelling raptor nests, or within 800 feet of ground dwelling raptor nests, until a qualified biologist has determined that they are no longer active or that noise levels will not exceed 60 dB(A) Equivalent Energy Level (Leq) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) Leq, which will reduce the impact to below a level of significance.

Riparian/Wetland Habitat. A north-south, 280-foot section of Reidy Creek flows through the eastern, wetland section of the parcel is continuous with stream flow and riparian (streamside) vegetation both upstream and downstream. It supports approximately 0.7 acre of predominantly native riparian and marsh vegetation, including native willows (*Salix* spp.) and several small Coast Live Oaks (*Quercus agrifolia*). The creek vegetation consists primarily of southern Willow Riparian Forest, which is composed of native willows, a few small coast live oaks, and a mixture of non-native trees, shrubs and herbaceous plant species. The creek also supports diverse, semi-native understory and year-round water flow owing in part to suburban runoff. The Southern Willow Riparian Forest vegetation on the site supports native trees up to about 60 feet tall, with average tree canopy about 40 feet in height. The project has been designed to avoid any direct impacts to the existing riparian/wetland habitat areas. The biological study concluded that with the exception of a few native, early

successional shrubs, no native upland vegetation occurs within the proposed development area of the project, and the upland portion of the site does not likely function in the landscape linkage for wildlife species. No plant or animal species recognized as threatened or endangered by the U.S. Fish and Wildlife Service, or California Department of Fish and Game are located or anticipated to be present on the project site. The site is not listed as an open space corridor or animal migration corridor because much of the property is disturbed and surrounded by development and fencing.

Although the adjacent Riparian Habitat related to Reidy Creek is proposed to be preserved and impacts to the creek avoided with the project design, in order to ensure the project grading/improvements will not encroach into the habitat, a biological monitor is required during the placement of the onsite fencing and grading operations. If the project cannot avoid the jurisdictional feature(s) on the site and would result in significant impacts, then the appropriate regulatory permits will be required to be obtained. The following Mitigation Measures Bio 4 and Bio 5 would ensure that potential impacts would be less than significant:

**BIO-4.** During construction activities, the construction contractor shall ensure that the limits of grading are flagged or marked with silt fencing prior to grading to prevent indirect impacts to the adjacent Reidy Creek and sensitive riparian habitat. Prior to grading, a qualified biologist shall review the flagging and silt fencing and during grading the qualified biologist shall monitor the limits of clear and grub and grading activities. Monitoring shall be conducted on an as needed basis as determined by the qualified biologist.

**BIO-5.** If it is determined that the proposed project cannot avoid the jurisdictional features on the project site and would result in significant impacts to jurisdictional waters, regulatory permits will be required to be obtained prior to project construction. To comply with the state and federal regulations for impacts on jurisdictional wetland features/resources, the following permits will be required to be obtained, or verified that they are not required: USACE 401 Permit, RWQCB 404 Permit (in accordance with Section 404 and 401 of the Clean Water Act [CWA]), and a CDFW Streambed Alteration Agreement under Section 1600 of California Fish and Game Code (CFGC). Mitigation to offset the impacts to Waters of the U.S. and State will be implemented in accordance with these regulatory permit conditions.

Mature Trees - The project site contains approximately 0.45 acres of non-native trees (typically Eucalyptus species). These trees generally are located along the Centre City Parkway frontage, with a larger stand located within the southwestern corner of the site. The grading plan has been designed to retain as many of the trees as possible. The loss of any mature trees would be required to be replaced in conformance with the City's Grading Ordinance and Landscape Ordinance at a minimum 1:1 ratio. There are no protected trees (i.e., oak trees [Quercus sp.]) located on-site within the development area of the project. The concept landscape plan includes the replacement of trees with specimen sized trees. Therefore, impacts would be less than significant.

Lighting or Glare - Development of the subject site would create a new source of light and glare within the area. The primary source of light would be from new street lights and outdoor residential lighting. All proposed street lighting near adjacent residential properties and the Reidy Creek drainage area would be designed to minimize the overflow of light onto these properties. The majority of the riparian forest on the site will be partially shielded by the higher building pad and the height of the proposed building (up to 35 feet in height). Compliance with the City's Outdoor Lighting Ordinance would ensure that impacts related to light and glare, resulting from development of the site, are less than significant.

Conflict with any applicable habitat conservation plan or natural community conservation plan?

**Less Than Significant Impact with Mitigation:** Based on CEQA Guidelines and existing City policies and regulations, the proposed project would result in a significant impact if it would conflict with the provisions of an

adopted habitat conservation plan, NCCP, other approved local, regional, or state habitat conservation plan. The City of Escondido is one of seven jurisdictional areas within the northern subregion of San Diego County covered by the Multiple Habitat Conservation Plan (MHCP) (SANDAG 2003). The MHCP is intended to protect viable populations of native plant and animal species and their habitats, and each of the participating jurisdictions in the program is required to prepare a subarea plan in order to implement the MHCP within its jurisdictional boundaries. The City of Escondido has prepared a Draft Subarea Plan (City of Escondido 2001), but the Plan has not been adopted. Avoidance of impacts to biologically sensitive resources, which include wetlands and other sensitive vegetation communities, is emphasized, and projects, which would directly or indirectly impact sensitive resources, are required to minimize or mitigate any impacts that cannot be avoided.

The City's Draft Subarea Plan identifies the project site as Developed and Disturbed Land and does not identify it for preservation. The eastern portion of the site (Reidy Creek) is identified as Natural Habitat, and thus be considered Constrained Land, but outside of the proposed Focused Planning Area. The project site is not identified as a core biological resource area targeted for conservation, and is not identified as a local or regional wildlife corridor in the MHCP. The adjacent on-site riparian area would be preserved as part of the project design. Implementation of mitigation measures MM-BIO-1, MM-BIO- 2, and MM-BIO-3 MM Bio-4 and MM BIO-5 would ensure compliance with the MHCP and City's General Plan Resource Conservation Element and policies. Therefore, the proposed project's development activities impact would be less than significant to habitat conservation plans or natural community conservation plans.

## V. CULTURAL RESOURCES

*Would the project:*

- a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 (or conflict with applicable historic thresholds specified in City of Escondido Zoning Code Article 47)?*
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*
- 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 dedicated cemeteries?*

### Historical Resources, Archaeological Resources, and Human Remains

**Less Than Significant Impact.** A Cultural Resources Survey and Evaluation of Built Environment was prepared by Spindrift Archaeological Consulting, LLC (June 2018) for the proposed development site. This report included records searches, sacred lands searches with local tribes, archaeological survey results, and historian survey results. The area is underlain by the Undifferentiated Cretaceous Granitic Rocks geologic formation which has a low cultural resource sensitivity. An archaeological survey was conducted as part of this study. No potentially significant cultural/paleontological impact has been identified for the project site and no prehistoric resources have been previously recorded on the project site. The site does not appear to contain any indicators of significant cultural resources or geologic features and no cultural resources have been previously documented within the Project APE. The site also does not contain any resources listed on the City's Historic Sites Survey. Therefore, the project would not result in a significant impact to these resources and no mitigation is required.

Field work was conducted by Spindrift Archaeologist/Paleoanthropologist, Paul Howard, on 11 May 2018 during which the 3.48 acres of the Project APE were subjected to an intensive systematic pedestrian survey. Survey began at the center middle west side of the APE, using north-south oriented transects. The survey transects were later re-oriented to east-west due to the terrain. The ground visibility was low at 20%. Grass, and soil that had been stockpiled within the APE, inhibited the ground visibility significantly. Vegetation was occasionally dense throughout the survey, with Eucalypts dominating the APE with new shoots, mature gums and juveniles present; pepper trees, thistles, grasses, Jasmine tree, and mustard were also observed within the Project area. The APE

has sandy clay, with some sandy loam areas in the southern part of the Project area. Project area is severely disturbed due to large amounts of soil being dumped in area. Soil has been stockpiled in multiple areas and a wall has been built with a fence on top to stabilize the soil within the APE. Off road vehicles have also impacted the property and have created tracks throughout the north eastern section of the APE. There was no cultural material observed on the ground surface during the survey. Only modern refuse and cattle bones including fragments of ribs, femurs, and tibias were seen throughout the survey.

Due to the low sensitivity of the Project APE for buried prehistoric and historic-period resources in the APE, as well as the absence of cultural materials across the APE on the ground surface, Spindrift does not recommend monitoring for the Project.

No human remains are known to exist within or adjacent to the Project Area, and it is unlikely that the Project would disturb unknown human remains. In the event of any unanticipated discoveries during construction, a less than significant impact to buried resources, if present, would occur with implementation of the **Mitigation Measures C-1 and C-2**, which also is a design feature and would be included in the project conditions of approval.

#### **Mitigation Measures:**

**CUL-1.** If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 50-foot radius of the discovery. An on-site archaeological monitor or Principal Investigator, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained and afforded a reasonable amount of time to evaluate the significance of the find. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR. If a potentially- eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA/NEPA for managing unanticipated discoveries have been met.

**CUL-2.** In the event that evidence of human remains is discovered, construction activities within 50 feet of the discovery will be halted or diverted, and the requirements above will be implemented. Depending on the occurrence, a larger radius may be necessary and will be required at the discretion of the on-site archaeologist. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641). If the Coroner determines the remains are Native American, the Coroner notifies the Native American Heritage Commission, which then designates a Native American Most Likely Descendant (MLD) for the project (Section 5097.98 of the Public Resources Code). The MLD may not be the same person as the tribal monitor. The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains in situ, or in a secure location in close proximity to where they were found, where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB

2641).

### Paleontological Resources

**Less Than Significant Impact.** The area is underlain by the Undifferentiated Cretaceous Granitic Rocks geologic formation which has a low paleontological sensitivity. No potentially significant paleontological impact has been identified for the project site and no prehistoric resources have been previously recorded on the project site. The site does not appear to contain any indicators of significant cultural resources or geologic features. The site also does not contain any resources listed on the City's Historic Sites Survey. Therefore, the project would not result in a significant impact to these resources and no mitigation is required.

## **VI. GEOLOGY AND SOILS**

*Would the project:*

- a. *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 Division of Mines and Geology Special Publication 42.*
    - ii. *Strong seismic ground shaking?*
    - iii. *Seismic-related ground failure, including liquefaction?*
    - iv. *Landslides?*
  - b. *Result in substantial soil erosion or the loss of topsoil?*
  - c. *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-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*
  - d. *Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property?*
  - e. *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*
- 
- a. *Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:*
    - i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

**Less Than Significant Impact.** The majority of the development area has been graded in conformance with a previously approved grading/building permits. A Geotechnical Report was prepared for the project site by Leighton Consulting, Inc. in 2004. An updated report was prepared by Leighton Consulting, Inc., dated November 20, 2007 and a follow up report dated May 18, 2018. The majority of the site is characterized by relatively shallow to moderate depths of colluvium and fill soils, blanketing weathered granite, with relatively fresh unweathered granite at depth. Expansive soils were exposed on the site, and recommendations are included in the report to be incorporated into the final grading design and foundation plans to remove and/or accommodate these soils. Blasting is not anticipated for the site because extensive cut slopes are not proposed. However, any necessary blasting is subject to the provisions of the City's Blasting Ordinance (Ord. No. 95-06). No California Department of Water Resources wells are located on the site or its adjacent properties. Groundwater was not observed within any of the explorations. Groundwater depth and flow direction beneath the site may vary due to land surface elevation, fracture systems in underlying bedrock units, perched groundwater conditions, local irrigation practices, and seasonal rainfall.

According to the Escondido General Plan, the Alquist-Priolo Earthquake Fault Zoning Act does not identify any active faults or fault zones within Escondido; consequently, the risk of surface rupture is low (City of Escondido 2012). Although Escondido is within a Seismic Zone 4, the closest known active fault is the Rose Canyon Fault, located offshore approximately 15 miles southwest of Escondido, the Elsinore Fault located approximately 16 miles east of the site; and the Rose Canyon and Newport-Inglewood (offshore) fault zones approximately 16 and 21 miles southwest and northwest of the site, respectively. Due to the distance from the project site to the closest known active fault, the potential for the proposed project to expose people or structures to substantial adverse effects from fault rupture is low. All new development is required to conform to current seismic building code requirements designated for the specific area. Other potential geologic hazards such as tsunamis, seiches, liquefaction or should be considered to be negligible or nonexistent.

*ii. Strong seismic ground shaking?*

**Less than Significant Impact.** The site is located in a seismically active area, as is the majority of southern California. The most significant seismic hazard at the site is considered to be shaking caused by an earthquake occurring on a nearby or distant active fault. Pursuant to the Uniform Building Code (UBC) and the California Building Code (CBC), design and construction of the proposed project would be engineered to withstand the expected ground acceleration that may occur at the project site from regional active faults. Proper engineering and adherence to the UBC and CBC guidelines would minimize the risk to life and property from potential ground motion at the project site. Therefore, impacts associated with strong seismic ground shaking would be less than significant.

*iii. Seismic-related ground failure, including liquefaction?*

**No Impact.** The site is underlain predominantly by dense natural deposits (Quaternary alluvial deposits and granitic rocks) which are not considered to be susceptible to liquefaction. Therefore, the potential for liquefaction and the associated ground deformation occurring beneath the structural site areas is considered low, and the project would have no impact related to liquefaction.

*iv. Landslides?*

**No Impact.** There are no known landslides on or near the project site, and the site is not located in the path of any known landslides; the site is on relatively level terrain. The Geotechnical Investigation found the potential damage to the proposed project due to landslides or slope instability is considered very low. In addition, the on-site materials are not known to be prone to slope instability in properly engineered slopes.

*b. Result in substantial soil erosion or the loss of topsoil?*

**Less than Significant Impact.** The proposed project would involve site grading, which would result in disturbed soils and temporary stockpiles of excavated materials that would be exposed to erosion. However, as indicated in Section IX, Hydrology and Water Quality, compliance with the National Pollution Discharge Elimination System (NPDES) Construction General Permit, which requires the development of a Storm Water Pollution Prevention Plan (SWPPP) for the project site, would minimize the potential for soil erosion and loss of top soil through the implementation of best management practices (BMPs). Once construction is completed, no stockpiles would remain on the project site. The site would be paved, developed, or vegetated. Therefore, with implementation of construction BMPs, impacts associated with soil erosion and loss of topsoil would be less than significant.

*c. 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-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

**Less than Significant Impact.** The site is not located in an area of known ground subsidence due to the withdrawal of subsurface fluids. The potential for subsidence occurring at the site due to the withdrawal of oil, gas, or water is considered remote. There are no known landslides on or near the project site, and the site is not located in

the path of any known landslides. The potential damage to the proposed project due to landslides or slope instability is considered very low. In addition, the on-site materials are not known to be prone to slope instability in properly engineered slopes. The site is underlain by dense natural materials which are not considered susceptible to failure due to lateral spreading; the potential for lateral spreading causing a catastrophic collapse of the proposed structures is considered low. Due to the absence of shallow groundwater table, presence of drains behind the existing and planned retaining walls, and relatively dense nature of the existing compacted fill and underlying bedrock materials, the potential for liquefaction is considered to be low. Therefore, Impacts related to geology and soils would be less than significant

*d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property?*

**Less than Significant Impact.** The near-surface materials and underlying geologic formations generally have very low to low expansion potential. The project would include excavation and re-compaction of soils consistent with the Geotechnical Investigation recommendations. Thus, the project would have a less than significant impact related to expansive soils.

*e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

**No Impact.** The project would connect with the existing City wastewater system and would not use septic tanks or an alternative wastewater disposal system.

## **VII. GREENHOUSE GAS EMISSIONS AND ENERGY**

*Would the project:*

*a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

*b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?*

*c. Result in the use of excessive energy?*

*d. Affect energy supplies that would serve the project, including peak demand?*

### GHG Emissions and Plan Consistency

**Less than Significant.** The City of Escondido prepared a Climate Action Plan (E-CAP) in 2013 that demonstrated how the City will reduce greenhouse gas (GHG) emissions pursuant to Assembly Bill 32 (AB 32). The E-CAP includes CEQA Thresholds and Screening Tables to be used for development projects in order to ensure that the specific reduction strategies in the E-CAP are implemented as part of the CEQA process. The E-CAP establishes a threshold level of 2,500 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>E) per year for identifying projects that require the use of screening tables or a project-specific technical analysis to quantify and mitigate project emissions. The project-specific analysis may consist of calculating the MTCO<sub>2</sub>E for the project or evaluating project features to obtain 100 points minimum per the Screening Tables.

For this project, a GHG Assessment was completed to determine the amount of MTCO<sub>2</sub>E generated by the project (Investigative Science and Engineering, 2018). The following analysis is based on those project-specific reports and the City's E-CAP.

The GHG Assessment calculation for the proposed residential development includes emissions from diesel vehicles and water use during construction, operational vehicle emissions, operational landscaping equipment use, operational natural gas use, operational electricity use, solid waste disposal, and water use/wastewater generation. The construction emissions were amortized over the course of a 20-year period in order to evaluate

the average yearly contribution to the cumulative GHG conditions. Refer to the GHG Assessment for additional details regarding methodology and assumptions. As shown in Table 6, the project would generate 2,056.0 MTCO<sub>2</sub>E per year, which is below the City's E-CAP screening level of 2,500 MTCO<sub>2</sub>E per year. Thus, the project would have a less than significant GHG emission impact and would be consistent with the City's E-CAP.

### Energy Use

**Less than Significant.** In accordance with Section II(F) of Appendix F of the CEQA Guidelines, a project would be considered to have a significant energy conservation impact if it would result in wasteful, inefficient, or unnecessary consumption of energy during construction or operation. CEQA Guidelines Appendix F also guides environmental studies to include an analysis of the energy supplies that would serve the project and the potential effects on capacity and peak demand. The following is based on the estimated energy use during construction and operation of the residential development in the Greenhouse Gas Emissions Assessment (ISE 2016b), as well as the technical memorandum prepared for the SAP improvements (Harris & Associates 2016a).

The construction phase would use energy related to the use of demolition and grading equipment on-site, employee vehicular travel, transport of construction materials, and application of water for dust control. Typical equipment would be used for grading and construction activities (e.g., dozers, scrapers, graders, excavators), and is not anticipated to result in the use of excessive energy. Due to the site's proximity to existing urban areas, worker and transport trip distances are not anticipated to be unusually long or excessive relative to average trip lengths in the County. Overall, construction-related energy use would not be excessive.

During operation, the senior residential development would use energy primarily through vehicular travel, home electricity use, and home natural gas use. Solid waste disposal, water consumption, wastewater processing, and maintenance activities (e.g., landscaping) would account for project energy use to a lesser extent. The SAP improvements are not expected to result in a substantial change in operation of Bear Valley Parkway.

The vehicle trips generated by the proposed residential development would be 250 ADT (LOS Engineering, 2018). The daily trips generated by the proposed project would be typical for a residential project and would not be excessive. While the amount of emissions per vehicle are out of the control of the applicant, it is noted that the federal Corporate Average Fuel Economy (CAFE) standards are anticipated to reduce energy consumed by vehicles over time.

The GHG Assessment (ISE, 2018) for the proposed Escondido Assisted Living Facility states the Project would consume on average approximately 480,000 kWh/year. Similarly, natural gas consumption (typically due to usage of water heaters, stoves, and central heating units for this type of proposed use) would produce the following approximate total pounds of combustion emissions. The N<sub>2</sub>O equivalent CO<sub>2</sub>e level for the above activity would be 109.2 pounds per day (< 0.1 MT per day). Thus, the final equivalent CO<sub>2</sub>e GHG load would be roughly 1,636.3 pounds per day (roughly 0.7 MT per day). This total equates to 270.9 MT per year CO<sub>2</sub>e for this activity.

It is noted that these average consumption rates include all housing types and an average unit size of 1,583 sf. Ultimately, the residential development would comply with existing home energy efficiency standards, including Title 24, Part 6 of the California Code of Regulations. Known as the Building Energy Efficiency Standards, Part 6 of Title 24 establishes energy efficiency standards for residential and non-residential buildings in order to reduce California's energy consumption. The current version became effective July 1, 2014 and requires new construction to reduce energy consumption at a minimum of 25 percent for lighting, heating, cooling, ventilation, and water heating compared to the 2008 Title 24 standards (CEC 2016). In conclusion, the proposed project would not use an unnecessary or wasteful amount of electricity or natural gas.

San Diego Gas and Electric (SDG&E) is responsible for the transmission of energy supplies to the San Diego region. Electricity supplies come from local facilities and the statewide utility grid (SDG&E 2014). Similarly, natural gas

comes from a number of major supply basins located across western North America (CPUC 2016). This diverse mix of power insures the local energy transmission system runs smoothly. The proposed project is consistent with the vision for development under the City's General Plan (City 2012b) and is therefore not expected to overburden local energy supplies, including during times of peak demand.

Finally, the Escondido Assisted Living Facility project site would have an onsite solid trash waste storage capacity of 50 cubic yards (cu-yd.), with an average weight of 200 pounds per cubic-yard. Assuming four (4) trash removals per week, in accordance with proposed site requirements, the aggregate total solid waste removed from the site would be 2,080,000.0 lbs/year (or 1,040.0 short tons per year). According to the IPCC, landfill CO<sub>2</sub>e generation due to trash is approximately 0.3196 pounds per pound of trash per year. Thus, the direct landfill CO<sub>2</sub>e contribution level would be 301.6 MT/yr.. The proposed project would not generate an excessive level of solid waste.

The proposed project would generate a typical level of water consumption and wastewater processing needs. The development associated with the proposed project would comply with current water conservation laws, including the 2015 Updated Model Water Efficient Landscape Ordinance. The Model Ordinance promotes efficient landscapes in new developments by increasing water efficiency standards for irrigation systems, greywater systems, onsite storm water capture, and by limiting the proportion of landscapes that can be covered in turf. The Model Ordinance requires reporting on local implementation and enforcement (DWR 2016). Furthermore, new development in California is subject to stringent requirements regarding water-efficient house hold fixtures. For example, as of 2016, new toilets are required to use no more than 1.28 gallons per flush and new bathroom faucets no more than 1.2 gallons per minute (Reuters 2015). Compliance with existing regulations would prevent the proposed project from consuming a wasteful amount of water or producing an unnecessary amount of wastewater.

The baseline emissions due to the proposed project action (i.e., traffic generation, onsite uses including maintenance, natural gas and electricity consumption, waste generation and water usage, and the aforementioned pseudo-operational construction emissions) would equate to 2,056.0 MT of CO<sub>2</sub>e per year. This corresponds to approximately 82.2% percent of the City's recommended screening level of 2,500 MT.

### **VIII. HAZARDS AND HAZARDOUS MATERIALS**

*Would the project:*

- 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?*

*h. 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?*

#### Hazardous Materials

**Less Than Significant Impact.** Project construction activities may involve the use of lubricating oils, paints, solvents, and other materials. Operation and maintenance of the project may involve other regulated common hazardous materials (such as cleaning supplies), although acutely hazardous materials would not be used. Project activities during construction and operation would be undertaken in compliance with applicable federal, state, and local regulations pertaining to the proper use, transport, and disposal of hazardous materials, and impacts would be less than significant. Due to the residential nature of the project, operations would not result in the upset and accidental conditions that would lead to the release of hazardous materials.

#### Hazardous Materials Near a School

**No Impact.** Escondido High School is located adjacent to the site on the south and east. However, due to the nature of the project and operational characteristics of a residential-care facility, the project would have no impact related to the emission of a hazardous material within one-quarter mile of an existing or proposed school.

#### Hazardous Site Listing

**No Impact.** According to the City's General Plan EIR (City 2012a), the project site does not contain any Hazardous Waste and Substances sites, Leaking Underground Storage Tank sites, Active Cease and Desist Orders or Cleanup and Abatement Orders sites, solid waste disposal sites, contaminated sites as identified by the County of San Diego, or Resource Conservation and Recovery Act facilities. This project would not create a significant hazard to the public or environment as a result of being included on the California Department of Toxic Substances Control Hazardous Waste and Substances Site List - Site Cleanup (Cortese List) created in accordance with Government Code Section 65962.5. A review of said list shows that this site does not appear on that list. Further, the site-specific environmental site assessments for the historically approved Projects did not identify the project site on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur.

#### Airport Hazards

**No Impact.** The closest airports to the project site are the Ramona and McClellan-Palomar Airports, both of which are located more than two miles away. The project site is not located within the Airport Influence Area of these airports (San Diego Regional Airport Authority 2011a and 2011b). Due to the distance and relatively low height of the proposed structures, the project would not result in a safety issue related airport hazards. Thus, the project would have no impact related to private or public airports.

#### Adopted Emergency Response Plan or Emergency Evacuation Plan

**No Impact.** The project site is covered by the Multi-Jurisdictional Hazard Mitigation Plan which was developed by the Unified Disaster Council which is chaired by a member of the San Diego County Board of Supervisors and comprised of representatives from all 18 incorporated cities in San Diego County, including Escondido. The proposed project site also falls within the San Diego County Operational Area Emergency Plan (OAEP) and the City Emergency Response Team program. The closest emergency evacuation route identified in the City's General Plan is Centre City Parkway. All roads would remain passable to emergency vehicles during construction of the proposed project and during operation of the facility. This project does not include any design features or operational components that would impair implementation of, or physically interfere with, any adopted emergency response plan or emergency evacuation plan. Therefore, the project would not have an impact to an adopted emergency response plan or emergency evacuation plan.

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

**Less Than Significant.** Figure VI-6 of the City General Plan Community Protection Element identifies the project site as having a high wildfire risk. The project site is located within a suburban/semi-rural type environment and is adjacent to existing development and/or roads to the north and west. Reidy Creek and the associated riparian vegetation and disturbed habitat located along the eastern boundary of the site are to be avoided and preserved onsite. Preserved riparian vegetation east and southeast of the site typically is well hydrated, and the types of plants/trees are more resistant to ignition, but can ignite and burn during extreme conditions. The project has been designed to comply with applicable City Fire Department and Building Code standards. Inclusion of specific fire prevention measures as may be required by the Fire Department would result in a residential development that is less susceptible to wildfire than surrounding landscapes and that would facilitate fire fighter and medical aid response. Therefore, there impacts related to wildland fires would be less than significant.

## **IX. HYDROLOGY AND WATER QUALITY**

*Would the project:*

- a. Violate any water quality standards or waste discharge requirements?*
- 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)?*
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on-or off-site?*
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?*
- e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*
- f. Otherwise substantially degrade water quality?*
- 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?*
- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*
- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*
- j. Inundation by seiche, tsunami, or mudflow?*

A Drainage Study and a Project Storm Water Quality Management Plan (SWQMP) were completed by Spear & Associates, Inc. Civil Engineering & Land Surveying for the proposed residential development on April 24, 2018. The following analysis is based on those reports.

### Water Quality

**Less than Significant Impact.** The existing site drainage is natural with topographic elevations ranging from approximately 728' to 688', sloping in a westerly direction. The drainage flows west towards Reidy Canyon Creek, located adjacent to the site, then approximately 2.6 miles towards the Escondido Creek then 13.8 miles to San Elijo Lagoon and the Pacific Ocean. The project will maintain the existing drainage characteristics of the site. The runoff will be directed to various on-site bioretention basins/features for stormwater treatment and continue west towards Reidy Canyon Creek, located adjacent to the site, through a new storm drain system, then approximately 2.6 miles towards the Escondido Creek then 13.8 miles to San Elijo Lagoon and the Pacific Ocean. The Water Quality Control Plan for the San Diego Basin (San Diego Basin Plan; RWQCB 2016) identifies the beneficial uses of these water bodies to include municipal supply, agricultural supply, industrial supply, processing

supply, contact and non-contact water recreation, biological preserve, warm water habitat, cold water habitat, wildlife habitat, and rare species habitat.

To address the potential pollutants of concern, the proposed residential development would implement construction and post-construction Best Management Practices (BMPs) in compliance with the City and Regional Water Quality Control Board regulations. Construction BMPs are anticipated to include measures such as silt fencing, gravel bag barriers, street sweeping, solid waste management, stabilized construction entrance/exits, water conservation practices, and spill prevention and control. Operational BMPs would include source control, site design, and structural BMPs. Source Control BMPs would include (1) Prevention of Illicit Discharges into the MS4, (2) Storm Drain Stenciling or Signage, and (3) Protect Trash Storage Areas from Rainfall, Run-On, Runoff, and Wind Dispersal. Site design BMPs would include (1) Maintain Natural Drainage Pathways and Hydrologic Features, (2) Conserve Natural Areas, Soils, and Vegetation, (3) Minimize Impervious Area, (4) Minimize Soil Compaction, (5) Impervious Area Dispersion, (6) Runoff Collection, (7) Landscaping with Native or Drought Tolerant Species, and (8) Harvesting and Using Precipitation. Structural BMPs would include two bioretention basins which would both provide biofiltration.

Bioretention was selected as the most efficient BMP to treat the project's anticipated and expected pollutants. Bioretention is used for treatment and hydromodification. The Bioretention basins were designed and sized in accordance with design criteria and considerations listed in the BMP design manual BF-1 Bioretention fact sheets. Runoff factors were adjusted to account for the site design BMPs and the DCV was calculated. Harvest and use of stormwater within the project was found unfeasible because there will be no significant demand with the proposed drought tolerant landscaping and development type, also due to limited space. Infiltration is unfeasible according to Form I-5 determination. 1.25 acres of the site will be self-mitigating.

Ultimately, all components of the project would be required to comply with the drainage and water quality regulations in place at the time of construction. These regulations include the State Water Resources Control Board General Construction Permit Water Quality Order 2009-0009-DWQ, the Municipal Permit Order No. R9-2013-0001 (as amended), the Standard Urban Stormwater Mitigation Plan (SUSMP), and the City of Escondido Grading and Erosion Control Ordinance (Article 55 of the Escondido Municipal Code). Compliance with regulations and the inclusion of BMPs would reduce potential water quality impacts to below a level of significance.

#### Groundwater Recharge

**Less than Significant Impact.** The Rincon Del Diablo Municipal Water District (RDDMWD) provides water to the project site from Centre City Parkway. The proposed project would use water supplied by the RDDMWD and would not include the use of on-site groundwater. Implementation of the project would include payment of required connection fees to the RDDMWD to fund any related infrastructure upgrades to meet fire requirements. While the proposed project would not directly use groundwater, the project may incrementally reduce groundwater recharge through the proposed increase in impermeable surfaces. The effect of the increase in impermeable surfaces would be partially offset by the proposed irrigated landscaped areas, bioretention basins that would result in increased infiltration in those areas. As the area is serviced by a municipal water system, and not dependent upon groundwater, the proposed project is not anticipated to result in a groundwater impact that would affect permitted, actively used wells. Thus, groundwater recharge impacts would be less than significant.

#### Drainage

**Less than Significant Impact.** As identified in the County of San Diego Hydrology Manual for this report to calculate the 100-year flow generated from the site, using the Rational method. Based on the soil hydrologic group map in Appendix A of the County Hydrology Manual, the northern 2/3 of the site consists of soil type B and the southern 1/3 consists of soil type A. Runoff Coefficient for Undeveloped Areas figure 819.2A, from the Caltrans Storm Water

Handbook, was used to evaluate the existing runoff coefficient because the site was previously graded, is mostly bare and does not conform to the typical undisturbed natural areas. Detention basin calculations were performed with the use of HydroCad and Rathydro.

The existing site drainage is natural with topographic elevations ranging from approximately 728 to 688, sloping in a westerly direction. The drainage flows west towards Reidy Canyon Creek, located adjacent to the site, then approximately 2.6 miles towards the Escondido Creek then 13.8 miles to San Elijo Lagoon and the Pacific Ocean. The project will maintain the existing drainage characteristics of the site. The runoff will be directed to a biofiltration basin for stormwater treatment and continue west towards Reidy Canyon Creek, through a new storm drain system then continue west with the same flow path as in pre-development. This project will maintain existing drainage patterns along the site and will not alter the course of a stream or river and therefore will not contribute to substantial erosion or siltation onsite or offsite. Post development peak flows, flow volumes and velocities will not be increased from predevelopment rates by maximizing pervious surfaces and onsite detention basins (Hydraulic/Hydrology Study; Spear & Associates, Inc. Civil Engineering and Land Surveying, April 2018).

### Summary of Flow Rates

<i>100-yr Storm Event</i>	<i>(cfs)</i>
Onsite Pre-Dev.	12.8
Onsite Post-Dev.	9.3
Offsite Pre & Post Dev.	3.6

In addition, the project would be required to comply with the drainage and water quality regulations in place at the time of construction. These regulations include the State Water Resources Control Board General Construction Permit Water Quality Order 2009-0009-DWQ, the Municipal Permit Order No. R9-2013-0001 (as amended), the SUSMP, and the City of Escondido Grading and Erosion Control Ordinance (Article 55 of the Escondido Municipal Code). These regulations are intended to protect drainage conditions and preclude significant impacts.

Overall, the project would have a less than significant impact related to changes to the drainage pattern of the site, as the reduction in the runoff rate would reduce the potential for erosion, siltation, flooding, and storm drain capacity issues.

#### Flood Hazard, Seiche, Tsunami, Mudflow

**No Impact.** The proposed development area of the project is within Zone X per the Federal Emergency Management Agency (FEMA). Zone X is outside of the 500-year floodplain (FIRM Panel 1081 of 2375; Map Number 06073C1081G). As such, the project would not place any structures or alter areas within a flood hazard. Also, the project would reduce drainage discharge rates and would not exacerbate any downstream flooding issue. Overall, the project would have no impact related to flood zone hazards. The eastern portion of the site (drainage feature) is located within the 100-year floodplain and floodway. The project has been designed to avoid development/encroachments into this area.

The site is located over four miles from the Dixon Lake Dam, over five miles from Lake Wohlford Dam, and upstream from the Lake Hodges Dam. According to the General Plan (City 2012a) Figure VI-8, the site is outside of the dam failure inundation area for Lake Wolford and Dixon Lake. Thus, no impact related to inundation from a dam failure would occur.

The site is not located near any levee and is located about 15 miles from the ocean. The project is located on a

hillside, but soils are stable, and the risk of mudflow is not significant (Nightingale Soils Report; Leighton Consulting, Inc., September 2004). Thus, the project would have no impacts related to inundation from a levee, seiche, tsunami, or mudflow.

## **X. LAND USE PLANNING**

*Would the project:*

- a. Physically divide an established community?*
- b. 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?*
- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?*

### Divide Established Community

**No Impact.** The proposed project is located on a vacant parcel of land and the project would be considered infill development. The construction of the proposed residential development would not physically divide an established community nor preclude the development of surrounding parcels because it is surrounded by existing development on all sides, and as it is located along a Circulation Element Roadway (Centre City Parkway). Access to the site would be provided by a single driveway from Centre City Parkway. All project roadways and improvements would be within existing right-of-ways, and the project would not block existing connections with an established community. No new roads would be required. Access to the site and the surrounding neighborhoods and roadways would be maintained during and after the implementation of the proposed project. Further, the proposed project is consistent with the General Plan land use designation for the site and the General Plan Mobility and Infrastructure Element. The project is residential in nature and would be compatible with the mix of surrounding land uses and therefore would not disrupt the physical arrangement of the area. Therefore, no impact would occur.

### Conflict with Applicable Plan, Policy or Regulation/Habitat Conservation Plan

**Less Than Significant Impact.** The General Plan designates the site as Suburban, which allows for single-family residential development. The underlying zoning is R-1-10, which allows for residential-care facilities subject to the approval of a Conditional Use Permit. The project is requesting an amendment to the General Plan to allow structures up to three stories in height where two stories currently is allowed. Approval of the requested Conditional Use Permit and amending the General Plan would address this issue. The proposed residential development is consistent with existing planning, policy, regulation and zoning designations. Therefore, impacts would be less than significant. Further analysis is provided in Section IV (Biological Resources) regarding conformance Habitat Conservation Planning) and mitigation measures to address potential impacts.

## **XI. MINERAL RESOURCES**

*Would the project:*

- 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?*

### **No Impact.**

The City's General Plan EIR (City 2012b) does not identify existing and past extraction facilities at the project site. The project site is unsuitable for mining due to the adjacent residential properties and the General Plan

designation. Thus, implementation of the proposed project would result in a less than significant impact related to the loss of mineral resources.

## **XII. NOISE**

*Would the project result in:*

- a. 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?*
- b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?*
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*
- 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?*

### Construction Noise

**Less Than Significant Impact with Mitigation.** An Acoustical Site Assessment / CCR Title 24 Interior Noise Survey was completed by Investigative Science and Engineering, Inc. in June 2018 (ISE, 2018). The Acoustical Site Assessment evaluated the existing noise conditions at the project site, noise generated during construction of the residential development, and changes in roadway noise levels resulting from the senior residential development.

Measurements collected reflect the ambient daytime community sound levels in the vicinity of the proposed project site. The hourly average sound level (or Leq-h) recorded over the monitoring period was 63.4 dBA at ML 1 and 54.1 dBA at ML. These levels would be deemed consistent with the observed community setting of the project site, and the relative proximity of the site to Center City Parkway. No unusual existing noise sources were observed.

Construction within the proposed project area would typically occur between the hours of 7:00 a.m. and 3:00 p.m. Monday through Friday. The closest residential receptor (with direct line of sight) would be located approximately 180-feet to the west of the project boundary along Center City Parkway. Additionally, a closer residential receptor is located approximately 60 feet from the northern property of the site. This receptor is located approximately 10 to 15 feet below grade and as such would not have a direct line-of-sight to any construction activities with the exception of those activities occurring directly adjacent to the project property boundary. The predicted worst-case construction noise levels could be as high as 78.4 dBA Leq-h at 50-feet. In order to reduce the potential noise impact to the adjacent residential structures on the north, a temporary noise barrier is proposed to reduce impacts to less than a significant level.

### **Mitigation Measure**

**NOI. 1 Temporary Construction Barrier.** In order to reduce the temporary noise impact from construction along the northern property boundary adjacent to residential development, a temporary noise barrier is required (as detailed in Figure 9b, page 24 of the acoustical assessment, dated October 9, 2018 revised). The barrier would be constructed out of min. 5/8-inch plywood with no gaps, that would span the length of the adjacent property boundary, and would have a minimum height of six feet above the project grade. The barrier shall be installed prior to grading operations on the site. The barrier shall be installed prior to grading operations on the site.

### Future Roadway Segment Noise Impacts

The results showing the effect of traffic noise increases on the various servicing roadway segments associated with the proposed Escondido Assisted Living Facility are presented in Tables 5a through f. For each roadway segment examined, the worst case average daily traffic volume (ADT) and observed/predicted speeds are shown, along with the corresponding reference noise level at 50-feet (in dBA). Additionally, the line-of-sight distance from the roadway centerline to the 60, 65, and 75 dBA CNEL contours are provided as an indication of the worst-case unobstructed theoretical traffic noise contour placement. As shown, the worst-case traffic noise condition is expected to occur on Center City Parkway in the vicinity of Iris Lane and El Norte Parkway by a worst case 0.1 dBA CNEL under the existing condition scenario. This would not be deemed a significant impact to the surrounding land uses under City of Escondido Municipal Code Chapter 33, Article 47, Environmental Quality Regulations.

### Future Traffic Noise Impacts to Proposed Development

Traffic noise predominately affecting the proposed Escondido Assisted Living Facility is currently, and would continue to be, the aggregation of surface street traffic along Center City Parkway. This roadway has a maximum travel speed of 65 MPH and a future Year 2030 predicted average daily traffic (ADT) volume of 22,822 ADT.15 To a lesser extent, Iris Lane is projected as having a future traffic volume of 7,464 ADT with a maximum travel speed of 35 MPH. The complete model runs are provided as an attachment to this report. Based upon the findings, no proposed exterior use areas would exceed the City's 65 dBA CNEL noise abatement threshold and require mitigation. All façade areas examined were found to exceed the CCR Title 24 noise abatement threshold of 60 dBA CNEL and would require enhanced architectural treatments to ensure interior (closed window) mitigation to 45 dBA CNEL.

### CCR Title 24 Interior Noise Compliance of Proposed Development

The ISE Architectural Acoustical Model (AAM) was used to calculate the relative sound insulation characteristics of each construction assembly comprising the finished structure. The following general construction assumptions were applied to each structural façade to determine its sound insulation characteristics:

- The roof/ceiling construction should have a minimum STC rating of 48.
- All living spaces were assumed to have carpet and pad (i.e., Floor Multiplication Parameter or FMP = 0.75), for the purposes of STC calculation.
- Bathrooms, kitchen and dining areas, entry/foyer areas, laundry rooms, hallways, stairways, utility rooms (electrical, mechanical, etc.), storage, and closet areas are considered non-sensitive uses, and were not examined; thus, these have no construction limitations.

The surface areas and materials for the proposed project were obtained from architectural drawings prepared by Irwin Partners Architects, dated 6/18. When the interior noise level was found to be greater than 45 dBA CNEL, the value was recalculated for a closed window condition. Further recalculation was done to determine the minimum window-glazing requirement.

The results of the AAM model are provided as an attachment to this report. The minimum required acoustical treatments (STC ratings) for the proposed development are summarized in Table 7 on the following page. Based upon the model results, the estimated interior noise levels would be as high as 64.9 dBA CNEL (in the third floor Activity Room), when the windows/doors are open, and would require a closed window condition to comply with the CCR Title 24 requirements. Mechanical ventilation would be required per CCR Title 24 and should meet specific City of Escondido building department requirements.

Pursuant with City of Escondido building department practices, the indicated minimum required STC ratings should be incorporated into the architectural door and window schedule of the project plans and submitted with

a copy of this report. These measures would reduce interior noise to final maximum closed-window levels of 44.8 to 45.0 dBA CNEL (in the MC-1a Studios, and the third floor Activity Room, respectively). As-built architectural assemblies with a higher STC rating than those indicated, would also be acceptable from a building compliance standpoint.

**Ground-Borne Vibration:**

The City’s General Plan Community Protection Element Noise Policy 5.5 requires construction projects and new development to ensure acceptable vibration levels at nearby noise-sensitive uses based on Federal Transit Administration (FTA) criteria. The FTA Transit Noise Impact and Vibration Assessment (2006) stipulates an impact criterion for groundborne vibration at residences or buildings where people normally sleep of 80 velocity in decibels (VdB) for infrequent events and 75 VdB for occasional events. It also stipulates an impact criterion for groundborne vibration of 0.3 inches per second peak particle velocity (in/sec PPV) at engineered concrete and masonry structures and 0.2 in/sec PPV at non-engineered timber and masonry buildings. Consistent with the methodology of the Noise Technical Report prepared for the Escondido General Plan EIR (Atkins 2011), construction vibration is subject to infrequent event criteria.

The project residential nature of the project would not propose any type of operation uses that would generate ground-borne vibration or noise (such as equipment that would blast or pile drive). Therefore, operation of the project would not have any adverse impacts. Construction activities would be site preparation and building of the structures. Therefore, impacts would be less than significant.

Normal construction activities would use standard equipment such as loaders, backhoes, graders, scrapers, forklift, and rollers that would generate temporary groundborne vibration and groundborne noise. While construction activities would occur during the daytime and would not disturb sleep, residences may be occupied during daytime construction, resulting in nuisance to daily activities. Construction activities are characterized by infrequent (fewer than 30 per day) vibration events, according to the City’s General Plan EIR. Therefore, for the purposes of this analysis, an impact would occur if construction would generate vibration levels greater than the threshold described in the City’s General Plan Community Protection Element Noise Policy 5.5 (80 VdB or 0.2 in/sec PPV at the nearest residential receptor). An impact would also occur if construction activities were to occur outside of the hours specified in the City’s Noise Ordinance.

**Table 1: Vibration Levels for Typical Construction Equipment**

Equipment	PPV at 25 ft. (in/sec)	PPV at 40 ft. (in/sec) <sup>1</sup>	VdB at 25 ft. (1 μ-in/sec)	VdB at 40 ft. (1 μ-in/sec) <sup>2</sup>	VdB at 75 ft. (1 μ-in/sec) <sup>2</sup>
Vibratory Roller	0.210	0.104	94	88	80
Hoe Ram	0.089	0.044	87	81	73
Large bulldozer	0.089	0.044	87	81	73
Loaded trucks	0.076	0.038	86	80	72
Jackhammer	0.035	0.017	79	73	65
Small bulldozer	0.003	0.001	58	52	44
<p><u>Notes:</u>            1. Based on the propagation adjustment formula <math>PPV = PPV_{25\text{ feet}} \times (25/\text{distance from the equipment to the receptor})^{1.5}</math>            2. Based on the propagation adjustment formula <math>VdB = VdB_{25\text{ feet}} - 30\log(\text{distance from the equipment to the receptor}/25)</math>  <u>Source:</u>            FTA Transit Noise and Vibration Impact Assessment, May 2006</p>					

The nearest residences would be located approximately 60 feet from the construction activity along the northern boundary of the project site. As shown in Table 1 above, construction equipment would not exceed the 0.2 in/sec PPV vibration significance criteria for building damage effects at a distance of 60 feet. Therefore, no structural damage impacts to nearby residences are anticipated to result from implementation of the project.

However, as shown in Table 1, at 60 feet from the proposed construction activities, construction equipment including large dozers and rollers would have the potential to generate vibration which exceeds the 80 VdB vibration significance criteria for human annoyance. A distance of 75 feet between the heaviest piece of equipment (vibratory roller) and sensitive receptor would be required before groundborne vibration would fall below the significance criteria. During project construction, equipment would likely be distributed throughout the construction site and would not be used simultaneously such that groundborne vibration in one location would not be constant. Therefore, Implementation of **Mitigation Measures NOI-1 and NOI-2** would minimize temporary groundborne vibration impacts from construction activities at adjacent residences.

**NOI-2 Construction Notification.** The construction contractor shall provide written notification to all residences located within 75 feet of the proposed construction activities at least three weeks prior to the start of construction activities, informing them of the estimated start date and duration of daytime vibration-generating construction activities. This notification shall include information about the potential for nuisance vibration. The City shall provide a phone number for the affected residences to call if they have concerns about construction-related vibration.

**NOI-3 Vibration Best Management Practices.** For construction activities within 75 feet of residences along the northern project boundary, the construction contractor shall implement the following measures during construction:

1. Stationary sources, such as temporary generators, shall be located as far from nearby vibration-sensitive receptors as possible.
2. Trucks shall be prohibited from idling along streets serving the construction site where vibration-sensitive receptors are located.
3. Demolition, earthmoving, and ground-impacting operations shall be phased so as not to occur in the same time period.

#### Airport Noise

**No Impact.** The closest airports to the project site are the Ramona and McClellan-Palomar Airports, both of which are located more than two miles away. The project site is not located within the Airport Influence Area of these airports (San Diego Regional Airport Authority 2011). Thus, the project would have no impact related to airport noise.

### **XIII. POPULATION AND HOUSING**

*Would the project:*

- 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?*

#### **Less than Significant Impact**

The City's General Plan anticipates senior housing/residential uses on this site. The proposed project would provide a total of up to 96 beds and the proposed residential development would not be considered growth inducing because the project site is located within an established community, can be considered in-fill, and provides services typically found in residential communities. The site is vacant and would not remove any existing housing units/structures. Therefore, the project would not displace existing housing or people.

Public facilities are readily available within the area to serve the project and expansion of the public facilities would not be necessary. The project would provide assisted living housing for the increasing population in the area. Because of all the aforementioned reasons the project would not result in a significant impact to population and housing.

#### **XIV. PUBLIC SERVICES**

*Would the project:*

*a. 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 objectives for any of the public services:*

*i. Fire protection?*

*ii. Police protection?*

*iii. Schools?*

*iv. Parks?*

*v. Other public facilities?*

As indicated above, the proposed senior residential development project would, in a worst case possible scenario in which all residences come in from outside the City, increase the population in the city by approximately 96 people by providing new senior residential housing. This increase in population would incrementally increase the demand for fire protection, police protection, schools, parks, and other public facilities such as libraries. As described below, the proposed residential development project would not result in a need for physical improvements to existing public service facilities or new public service facilities. Impacts related to public services would be less than significant.

##### Fire Protection

**Less than Significant Impact.** The proposed project site would be serviced through the Escondido Fire District Service. The site is served by Fire Station No.3, which is located at 2165 Village Road. Development of the site would contribute incremental increases in demand for Fire Services. The Escondido Fire Department indicated their ability to adequately serve the proposed project and no significant impacts to fire services are anticipated. The project would be conditioned to provide appropriate on-site safety measures. The net increase in demand for fire protection services from development of the proposed project would be offset through payment of the Escondido Public Facility Development Fee (Article 18B of Chapter 6 of the Escondido Municipal Code). Impacts would be less than significant.

##### Police Protection

**Less than Significant Impact.** Police service would be provided to the proposed project site through the City of Escondido Police Department. According to the General Plan EIR (City 2012b), the existing Escondido Police Headquarters at 1163 North Centre City Parkway is anticipated to provide adequate service for the next 40 years. As the proposed project would be consistent with General Plan anticipated growth, the proposed project demand for police service would be adequately met by the existing facilities. Thus, no new police facility improvements or new police facilities would be required to provide adequate police service. Project impacts to police protection service would be less than significant.

##### Schools

**Less than Significant Impact.** The proposed project site is located in the Escondido Union Elementary School District (kindergarten to 8th grade) and the Escondido Union High School District (grades 9 to 12). As required by

Senate Bill 50 and Article 21 of Chapter 6 of the Escondido Municipal Code, the project would be required to provide payment of school fees to offset the demand for school capacity generated by the project. Conformance with statutory requirements for the payment of school fees would ensure that project impacts to school facilities remain below a level of significance (Government Code §65995(b)).

#### Parks

**Less than Significant Impact.** Regarding park facilities, the Escondido General Plan Quality of Life Standard #6 establishes criteria that the City must meet to provide adequate park facilities to the residents of Escondido. The Escondido Master Plan for Parks, Trails, and Open Spaces serves as the guide for the City is developing a comprehensive and integrated recreational and open space system. The Master Plan identifies acquisition, development, and joint use arrangements for existing and future parks within the City. Implementation of the Master Plan serves as the governing plan to achieve the Escondido General Plan Quality of Life Standard #6 goal. The proposed project is consistent with the Escondido General Plan which allow for the development of residential and residential care facilities in residential zones subject to a Conditional Use Permit authorization. Therefore, the use of park facilities by the future residents of the project site was accounted for in the Escondido General Plan and the future residents of the proposed project would not result in the substantial deterioration of existing park facilities. Furthermore, the proposed project provides for the preservation of open space associated with the Reidy Creek and its riparian habitat. The project also provides for on-site open space and recreational amenities for the residents. The net increase in demand for recreational services from development of the proposed project would be offset through payment of the Escondido Public Facility Development Fee. Therefore, impacts would be less than significant.

#### Library

**Less than Significant Impact.** Library service in the city, including the project site, is provided by the Escondido Public Library Department through the Main Library and the Escondido Pioneer Room. The Main Library provides residents with a source for over 300,000 books, videos, books on tap and compact discs. The Escondido Pioneer Room offers the community a research room for non-circulating reference material. Performance objectives for library service are identified in the General Plan Update Quality of Life Standard #7. At present, the library does not comply with adopted service standards. To achieve quality of life standards, the Escondido Public Library system would need to be physically altered. Future expansions to the library system would be subject to the California Environmental Quality Act. The type of residential development proposed, which conform to the General Plan, will not cause a need to expand the library system or result in deterioration of existing facilities. The net increase in demand for library services from development of the proposed project would be offset through payment of the Escondido Public Facility Development Fee. Therefore, impacts are considered to be less than significant.

#### Other Public Facilities

**Less Than Significant Impact.** See Section XVIII Water Services.

### **XV.RECREATION**

*Would the project:*

- a. 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. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

### **Less than Significant Impact.**

The project would result in an incremental increase in demand on the City's recreational facilities. However, the development fees paid by this project would offset the anticipated impact on the existing facilities. The project would not affect existing recreational opportunities because the site is not used for recreational activities and is not listed as a potential park site in the City's Master Plan of Parks, Trails and Open Space. The project will provide on-site recreational and open space facilities for the residents.

## **XVI. TRANSPORTATION/TRAFFIC**

*Would the project:*

- 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 (or conflict with applicable traffic thresholds specified in City of Escondido Zoning Code Article 47)?*
- 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?*
- 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?*
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
- 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?*

### Circulation System Operations

**Less Than Significant Impact.** The project site fronts onto Centre City Parkway, which is classified as a Major Road (102' ultimate R-O-W). Full width street improvements have been installed along the northern section of the project frontage but has not been installed along the southern area of the project's frontage. Centre City Parkway in the immediate vicinity of the project site operates as a four-lane major road (two lanes traveling north and two traveling south, with a landscape raised center median) with Class II bike lanes. Parking is restricted on both sides of the roadway. The project would be required to improve Centre City Parkway across the project frontage, and all proposed streets would be constructed to City standards. A Transportation Impact Analysis was prepared for the project by LOS Engineering, Inc. (dated June 6, 2018). Based on San Diego Association of Governments' (SANDAG) traffic generation rates for the San Diego region, the proposed care facility would generate approximately 2.6 trips per bed or up to approximately 250 ADT (based on 96 residents) with 19 AM peak hour trips (12 inbound and 7 outbound) and 25 PM peak hour trips (10 inbound and 15 outbound). Centre City Parkway (between Country Club Lane and El Norte Parkway currently operates at a Level-of-Service "C" or better under existing improvement conditions. The intersection of Centre City Parkway/Iris Lane is signalized.

Operation of the circulation network is described in terms of Level of Service (LOS). Level of service (LOS) values range from LOS A to LOS F. LOS A indicates excellent operating conditions with little delay to motorists, whereas LOS F represents congested conditions with excessive vehicle delay. The analysis of whether project-generated trips would result in a significant impact is evaluated based on the following City of Escondido LOS significance criteria:

1. A significant impact is determined on an LOS mid-D or worse operating roadway segment or intersection if the addition of project traffic:
  - a. Exceeds a two percent Volume / Capacity (V/C) ratio increase on a street segment, and/or
  - b. Exceeds a two second delay increase at an intersection.
2. Mitigation measures are required when a roadway segment or an intersection is operating at a LOS mid-D or worse and the project has a significant impact.
3. The Quality of Life Standards set out under the Escondido General Plan indicate that any project that adds 200 ADT or more to a roadway segment or intersection that operates at a LOS mid-D, E or F should mitigate the impact or prepare an EIR for the City Council to approve overriding findings.

The Engineering Department indicated that an increase of 250 trips would not significantly impact the existing Levels of Service on the adjacent streets or intersections because a stable flow of traffic is maintained along adjacent streets and ability to maneuver within the vicinity of the project and along the street segment is not significantly restricted. The study concluded the project would not have a direct impact to the study area street segments and intersections because all street segments and intersections would continue to operate at LOS D or better, and the project would not exceed two-percent VC ratio increase on a street segment or exceed a two-second delay increase at a study area intersection. The Engineering Department indicated that based on the traffic impact analysis, the proposed project is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections. Therefore, the project would have less than a significant impact and no mitigation is required.

Alternative Transportation. There are no existing alternative transportation facilities on the project site. A bicycle lane is provided on Centre City Parkway. The proposed project would include improvements to existing Centre City Parkway and the project site access would conform to published local, regional and State standards with respect to signing, striping and corner and stopping sight-distance, to the satisfaction of the City Engineer so that use of Centre City Parkway to serve project traffic would not interfere with safe and effective use of the bicycle lane on Centre City Parkway. Implementation of the proposed project would not result in a significant impact on the performance of the vehicular circulation system, as defined by the City's established significant thresholds. Therefore, impacts would be less than significant.

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?

**Less Than Significant Impact.** Centre City Parkway is identified as a CMP arterial on the Final 2008 Congestion Management Program Update (SANDAG 2008). SANTEC guidelines, a CMP analysis is required for all large projects, which are defined as generating 2,400 or more average daily trips or 200 or more peak-hour trips. As discussed in the sections above, the proposed project would not adversely affect traffic conditions on the surrounding local circulation system. The project does will improve Centre City Parkway along its frontage and would not result in a substantial number of new trips. Therefore, the proposed project would not conflict with an applicable CMP.

#### Air Traffic

**No Impact.** The nearest airports to the project site are McClellan-Palomar Airport and Ramona Airport. The project site is not located within the 60 dBA CNEL noise contour of the McClellan-Palomar and Ramona Airport. The proposed project is not located within an Airport Influence Area and would not affect air traffic patterns. No impact would occur.

### Traffic Hazards and Emergency Access

**No Impact.** Access to the proposed project would be from Center City Parkway. The senior residential development would include appropriate internal circulation and fire truck access lanes. As discussed above, the proposed project site would not result in any significant traffic impacts and would be designed in compliance with all applicable guidelines and regulations. Additionally, project site access would conform to published local, regional and State standards with respect to signing, striping and corner and stopping sight-distance, to the satisfaction of the City Engineer. The project would not include any hazardous design features or accommodate incompatible uses. The proposed project would be compatible with the residential uses surrounding the project site. Therefore, the proposed project would not substantially increase hazards due to a design feature or incompatible uses.

### Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**No Impact.** Centre City Parkway contains Class II bike lanes in both directions on the City's Mobility and Infrastructure Element. There are no North County Transit District Bus/Rail Routes along Centre City Parkway (NCTS 2013). The proposed project would not impact existing bicycle lanes along the project frontage. No sidewalks or off-street paths are located along Centre City Parkway or are planned. Therefore, the proposed project would not decrease the performance or safety of any alternative transportation facility. Impacts would be less than significant.

## **XVII. TRIBAL CULTURAL RESOURCES**

*Would the project:*

a. *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

*i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*

*ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

**Less Than Significant with Mitigation.** As described under Section V, Cultural Resources, cultural resources report (Spindrift, 2018) was prepared for the proposed senior residential development. The report concluded that no mitigation and/or monitoring would be necessary. The City initiated consultation with the Native American Tribes pursuant to Public Resources Code Section 21080.3.1 consistent with Assembly Bill 52 (AB 52). The City sent out AB 52 notification by mail to the four tribes, and email to three tribes who are traditionally and culturally affiliated with the geographic area of the project. The City also initiated consultation with Native American Tribes based on the recommended Tribal Consultation List provided by the Native American Heritage Commission, pursuant to Senate Bill 18. The Viejas Band of Kumeyaay Indians sent a letter (dated April 9, 2018) noting potential cultural significance or ties to the Kumeyaay Nation, and recommended the San Pasqual Band of Mission Indians be notified of the project. The San Pasqual Band of Mission Indians was sent notification in accordance with Senate Bill 18 requirements. Staff received formal requests from the Rincon Band of Luiseno Indians (Luiseno) and the San Luis Rey Band of Mission Indians (Luiseno) requesting formal consultation. Staff conducted a conference call with Destiny Colochio representing the Rincon Tribe on December 21, 2017 to discuss the project and also met with Ms. Colochio on July 24, 2018. Staff also met with representatives (Cami Mojado and PJ

Stoneburner) of the San Luis Rey Tribe on February 22, 2018 and May 25, 2018. The representative of both tribes acknowledged the previous site disturbance (grading and fill), and that no tribal cultural resources have been identified within the proposed project site. However, there is potential for buried unknown archaeological resources that may qualify as tribal cultural resources. Therefore, implementation of the following **mitigation measures TCUL-1 through TCUL-9** and would reduce impacts to tribal cultural resources to less than a significant level.

**TCUL-1.** It is recommended the City of Escondido Planning Division (“City”) enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a preexcavation agreement) with a tribe(s) that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”) prior to issuance of a grading permit. 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 City 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.

**TCUL-2.** Prior to issuance of a grading permit, the City shall retain a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (U.S. Department of the Interior, 2008), and a Native American monitor(s) associated with a TCA Tribe(s) to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor(s). This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor(s) is associated with a TCA Tribe(s). The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

**TCUL-3.** The qualified archaeologist and a Native American monitor(s) shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

**TCUL-4.** During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist, or an archaeological monitor working under the direct supervisor of the qualified archaeologist, and the Native American monitor(s) shall be on site full-time. If imported fill materials, or fill used from other areas of the project site, are to be incorporated at the project site, those fill materials shall be absent of any tribal cultural resources. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of cultural resources that qualify as historical, unique archaeological, and/or tribal cultural resources. 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(s), shall be responsible for determining the duration and frequency of monitoring. ~~In addition, all ground disturbance within 100 feet of resources CA-SDI-011048 and CA-SDI-015818 shall be monitored full time regardless of depth of excavation or soil observations.~~

**TCUL-5.** In the event that previously unidentified cultural resources that qualify as historical, unique archaeological, and/or tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor(s) 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.

**TCUL- 6.** If a cultural resource is discovered that may qualify as a historical, unique archaeological, and/or tribal cultural resource, the qualified archaeologist shall notify the City of said discovery, and shall conduct consultation

with TCA tribe(s) to determine the most appropriate mitigation. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor(s), shall determine the significance of the discovered resource. Recommendations for the resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor(s) and be submitted to the City for review and approval.

**TCUL-7.** The avoidance and/or preservation of significant cultural resources that qualify as historical, unique archaeological, and/or tribal cultural resources must first be considered and evaluated as required by CEQA. Where any significant 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(s), and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor(s), 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.

**TCUL-8.** If the qualified archaeologist elects to collect any archaeological materials that qualify as tribal cultural resources, the Native American monitor(s) must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the archaeological materials that qualify as tribal cultural resources that are unearthed during the ground disturbing activities, the Native American monitor(s), 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. The project archaeologist shall document evidence that all cultural materials have been curated and/or repatriated as follows:

**1.)** It is the preference of the City that all tribal cultural resources be repatriated to the TCA Tribe as such preference would be the most culturally sensitive, appropriate, and dignified. Therefore, any tribal cultural resources collected by the qualified archaeologist shall be provided to the TCA Tribe. Evidence that all cultural materials collected have been repatriated shall be in the form of a letter from the TCA Tribe to whom the tribal cultural resources have been repatriated identifying that the archaeological materials have been received.

**OR**

**2.)** Any tribal cultural resources collected by the qualified archaeologist shall be curated with its associated records at a San Diego curation facility or a culturally-affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collection and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence that all cultural materials collected have been curated shall be in the form of a letter from the curation facility stating the prehistoric archaeological materials have been received and that all fees have been paid.

~~TCUL-8: If the qualified archaeologist elects to collect any archaeological materials that qualify as tribal cultural resources, the Native American monitor(s) must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the archaeological materials that qualify as tribal cultural resources that are unearthed during the ground disturbing activities, the Native American monitor(s), 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. The project archaeologist shall document evidence that all cultural materials have been curated and/or repatriated as follows:~~

**TCUL-9:** 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(s) 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.

## **XVIII. UTILITIES AND SERVICE SYSTEMS**

*Would the project:*

- 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?*

### Wastewater Facilities and Capacity

**Less than Significant Impact.** The proposed on-site sewer system for the residential development would include sewer lines within the proposed internal roadways. The internal system would connect to a line in Centre City Parkway. The project's incremental increase in demand for wastewater treatment would not exceed current City wastewater capacity based on the consistency of the proposed use with planned land uses that are considered in the City's wastewater capacity planning. The project is consistent with the General Plan; therefore, no additional wastewater treatment facilities are required. Impacts would be less than significant.

This project will be required to comply with the requirements of the City of Escondido Engineering Design Standards, waste water discharge regulations and the California Plumbing Code as a condition of project approval. All wastewater would be treated consistent with applicable RWQCB treatment requirements at the Hale Avenue Resource Recovery Facility. Because the City of Escondido regulations regarding wastewater discharge are compliant with the Regional Water Quality Control Board waste water treatment requirements, this project will not have any significant impact.

### Stormwater Facilities

**Less than Significant Impact.** As described under Section IX, Hydrology and Water Quality, after project development, onsite runoff from the residential development would be directed towards the bioretention areas. Drainage patterns would remain generally the same as existing conditions, and proposed runoff would drain to the existing culvert under Centre City Parkway. Thus, the proposed project would not result in a need for additional stormwater capacity improvements off-site. Impacts related to stormwater would be less than significant.

### Water Facilities and Supplies

**Less than Significant Impact.** The project would result in an increase demand for water service. Water service would be provided to the proposed project by the Rincon Del Diablo Municipal Water District (RDDMWD) which has water service in the area to serve the project. The total average estimated water demand for the residential

development is 44,000 gallons per day (gpd), with a maximum daily demand of 79,200 gpd. Because the proposed development is consistent with the General Plan, no additional entitlements or resources would be needed to service the project. The proposed project would include construction of on-site water lines and sewer lines to connect the proposed project site to the existing water distribution system and sanitary sewer system. Therefore, the proposed project would have a less than significant impact related to water supply and the construction of new water treatment facilities.

#### Solid Waste Capacity and Compliance

**Less than Significant Impact.** The proposed project would result in an increased demand for solid waste disposal. The project would generate solid waste during demolition and construction phases, as well as, during operation of the residential development (the SAP improvements are not expected to generate any solid waste). Construction and demolition waste would be disposed of at regional landfills, green waste centers, and recycling centers, as appropriate. Any contaminated soils or other hazardous materials would be disposed of in accordance with regulations. Operational waste would be collected by the Escondido Disposal, Inc. and disposed of at regional landfills. More specifically, the solid waste would be taken to the Escondido Disposal Transfer Station, and then to the Otay Landfill or Sycamore Landfill. The Otay Landfill has a remaining capacity of 25,514,904 cubic yards (cy), and is expected to be operational until 2028 (CalRecycle 2016b). The Sycamore Landfill has a remaining capacity of 71,233,171 cy and an anticipated closure date of 2042 (CalRecycle 2016b). Considering the size of the project and the project consistency with the General Plan, the remaining capacity at these landfills would be sufficient to serve the project and the project would not result in a need for new or expanded landfill facilities. Thus, project impacts related to solid waste would be less than significant.

#### Comply with federal, state, and local statutes and regulations related to solid waste Numerous federal, state, and local regulations exist that are related to solid waste.

**No Impact.** These include (1) California Integrated Waste Management Agency, which regulates the management of solid waste within the state; (2) Non-Exclusive Solid Waste Management Agreement, which regulates waste collection in a market-driven business; and (3) the San Diego Integrated Waste Management Plan, which presents strategies to recycle, as well as assist with the siting of solid waste disposal facilities. The project would comply with all regulations related to solid waste such as the California Integrated Waste Management Act and City recycling programs. No impact would occur. No unusual wastes are anticipated from this site or the proposed uses. The project will include trash receptacles and enclosures in accordance with regulations.

## **XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

*Would the project:*

- a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*
- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*
- c. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?*
- d. Where deficiencies exist relative to the City's General Plan Quality of Life Standards, does the project result in deficiencies that exceed the levels identified in the Environmental Quality Regulations {Zoning Code Section 33-924 (a)}?*

***Less Than Significant Impact with Mitigation Incorporated***

Potentially significant impacts to the environment resulting from the proposed project have been identified for the areas of biological resources, cultural and tribal cultural resources, and noise. With implementation of identified project mitigation measures, the project is not expected to have any significant impacts, either long-term or short-term, or result in any substantial adverse effects on human beings, either directly or indirectly. Specifically, the project would not degrade the quality of the environment for plant or animal communities, substantially reduce the habitat of a fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of endangered plants or animals. The project would also not eliminate important examples of the major periods of California history or prehistory. The project would not result in deficiencies that exceed the levels identified in the City's Environmental Quality Regulations relative to the City's General Plan Quality of Life Standards. As described, project-related effects either would be avoided by incorporation of project design measures, or mitigated to levels below significance, and no cumulatively considerable impacts would occur. Therefore, the proposed project would not have a significant individual or cumulatively considerable impact on the environment.

## **Materials Use in Preparation of this Analysis**

**Appendices (due to the size of the documents, the specific project specific studies and letters use in preparation of this report are provided in electronic form on and also may be viewed on the City’s web site at: <https://www.escondido.org/planning.aspx> Click on the Development Project Information button at the bottom of the page and go to “Escondido Assisted Living 1802 N. CCP” ENV17-0007**

Escondido General Plan Update 2012

City of Escondido, 2012b. Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report, Volume I – Final Environmental Impact Report

Escondido Zoning Code and Land Use Maps

SANDAG Summary of Trip Generation Rates

Escondido Historic Sites Survey

City of Escondido

- Public Works Department
- Engineering Division
- Traffic Division
- Building Division
- Fire Department
- Police Department
- Planning Division

FIRM maps (Flood Insurance Rate Maps)

Draft MHCP maps (Multiple Habitat Conservation Program)

County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List

Escondido Drainage Master Plan (1995)

Biology Reports, John Lovio, dated: 9-15-03, 10-23-03, 4-19-07 and 6-6-07

Preliminary Biological Reassessment, John Lovio, April 4, 2018.

Supplemental Biology Report, John Lovio, August 24, 2018

Investigative Science And Engineering, Inc., Air Quality Conformity Assessment Escondido Assisted Living Facility Escondido, Ca; June 29, 2018

Investigative Science and Engineering, Inc., Exterior Acoustical Site Assessment CCR Title 24 Interior Noise Survey Escondido Assisted Living Facility Escondido, Ca; October 29, 2018

Investigative Science And Engineering, Inc., Greenhouse Gas Emissions Assessment Escondido Assisted Living Facility Escondido, Ca; June 29, 2018

Leighton Consulting, Inc., Geotechnical Update Report, May 18, 2018

Leighton Consulting, Inc., Geotechnical Investigation, Proposed Nightingale Assisted Living Project; September 20, 204 and November 20, 2007

LOS Engineering, Draft Transportation Impact Analysis - Escondido Assisted Living (96 Beds) City of Escondido (GPA); June 6, 2018

Materia Landscape Architecture, Escondido Assisted Living Landscape Plan(s), June 21, 2018

Spear & Associates, Inc. Priority Development Project (PDP) SWQMP Escondido Assisted Living Phg17-0025 and Env17-0007, April 4, 2018

Spear & Associates, Inc. Hydrology/Hydraulic Study Escondido Assisted Living Phg17-0025 And Env17-0007, April 4, 2018

Spindrift Archaeological. 1802 N Centre City Parkway Survey; June 2018

## Summary of Mitigation Measures:

BIO. 1 Prior to the issuance of grading permits, impacts to non-native grassland shall be mitigated at a ratio of 0.5:1 and shall consist of 0.33 acres. Mitigation shall be provided by either (1) preservation of equivalent or better habitat at an off-site location via a covenant of easement or other method approved by the City to preserve the habitat in perpetuity, or (2) purchase of non-native grassland or equivalent habitat credits at an approved.

BIO. 2: No clearing, grubbing, grading, or other construction activities shall occur between February 15 and September 15, the raptor and migratory bird nesting season, unless a qualified biologist completes a pre-construction survey to determine if active nests are present or absent. If no active nests are present, then construction activities may proceed. If active raptor nests are present, no grading or removal of habitat shall take place within 300 feet of active nesting sites during the nesting/breeding season (February 15 through September 15). The pre-construction survey must be conducted within 10 calendar days prior to the start of construction activities (including the removal of vegetation). The applicant shall submit the results of the preconstruction survey to the City for review and approval prior to initiating any construction activities.

BIO-3 Vegetation clearing or brushing shall occur outside of the typical breeding season for raptors and migratory birds (February 15 to September 15). If this is not possible, then a qualified biologist shall conduct a survey for nesting birds no more than five calendar days prior to construction to determine the presence or absence of nests on the project site. The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. No construction activities shall occur within 300 feet of tree dwelling raptor nests, or within 800 feet of ground dwelling raptor nests, until a qualified biologist has determined that they are no longer active or that noise levels will not exceed 60 dB(A) Equivalent Energy Level (Leq) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) Leq, which will reduce the impact to below a level of significance.

BIO 4. During construction activities, the construction contractor shall ensure that the limits of grading are flagged or marked with silt fencing prior to grading to prevent indirect impacts to the adjacent Reidy Creek and sensitive riparian habitat. Prior to grading, a qualified biologist shall review the flagging and silt fencing and during grading the qualified biologist shall monitor the limits of clear and grub and grading activities. Monitoring shall be conducted on an as needed basis as determined by the qualified biologist.

BIO 5 - If it is determined that the proposed project cannot avoid the jurisdictional features on the project site and would result in significant impacts to jurisdictional waters, regulatory permits will be required to be obtained prior to project construction. To comply with the state and federal regulations for impacts on jurisdictional wetland features/resources, the following permits will be required to be obtained, or verified that they are not required: USACE 401 Permit, RWQCB 404 Permit (in accordance with Section 404 and 401 of the Clean Water Act [CWA]), and a CDFW Streambed Alteration Agreement under Section 1600 of California Fish and Game Code (CFG). Mitigation to offset the impacts to Waters of the U.S. and State will be implemented in accordance with these regulatory permit conditions.

CUL-1. If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 50-foot radius of the discovery. An on-site archaeological monitor or Principal Investigator, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained and afforded a reasonable amount of time to evaluate the significance of the find. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR. If a potentially-eligible resource is encountered, then the archaeologist,

lead agency, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA/NEPA for managing unanticipated discoveries have been met.

CUL-2. In the event that evidence of human remains is discovered, construction activities within 50 feet of the discovery will be halted or diverted, and the requirements above will be implemented. Depending on the occurrence, a larger radius may be necessary and will be required at the discretion of the on-site archaeologist. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641). If the Coroner determines the remains are Native American, the Coroner notifies the Native American Heritage Commission, which then designates a Native American Most Likely Descendant (MLD) for the project (Section 5097.98 of the Public Resources Code). The MLD may not be the same person as the tribal monitor. The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains in situ, or in a secure location in close proximity to where they were found, where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB 2641).

NOI-1. Temporary Construction Barrier. In order to reduce the temporary noise impact from construction along the northern property boundary adjacent to residential development, a temporary noise barrier is required (as detailed in Figure 9b, page 24 of the acoustical assessment dated October 9, 2018 revised). The barrier would be constructed out of min. 5/8-inch plywood with no gaps, that would span the length of the adjacent property boundary, and would have a minimum height of six feet above the project grade. The barrier shall be installed prior to grading operations on the site.

NOI-2 Construction Notification. The construction contractor shall provide written notification to all residences located within 75 feet of the proposed construction activities at least three weeks prior to the start of construction activities, informing them of the estimated start date and duration of daytime vibration-generating construction activities. This notification shall include information about the potential for nuisance vibration. The City shall provide a phone number for the affected residences to call if they have concerns about construction-related vibration.

NOI-3 Vibration Best Management Practices. For construction activities within 75 feet of residences along the northern project boundary, the construction contractor shall implement the following measures during construction:

1. Stationary sources, such as temporary generators, shall be located as far from nearby vibration-sensitive receptors as possible.
2. Trucks shall be prohibited from idling along streets serving the construction site where vibration-sensitive receptors are located.
3. Demolition, earthmoving, and ground-impacting operations shall be phased so as not to occur in the same time period.

TCUL-1: It is recommended the City of Escondido Planning Division (“City”) enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a preexcavation agreement) with a tribe(s) that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”) prior to issuance of a grading permit. 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 City 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.

TCUL-2: Prior to issuance of a grading permit, the City shall retain a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (U.S. Department of the Interior, 2008), and a Native American monitor(s) associated with a TCA Tribe(s) to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor(s). This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor(s) is associated with a TCA Tribe(s). The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

TCUL-3: The qualified archaeologist and a Native American monitor(s) shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

TCUL-4: During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist, or an archaeological monitor working under the direct supervisor of the qualified archaeologist, and the Native American monitor(s) shall be on site full-time. If imported fill materials, or fill used from other areas of the project site, are to be incorporated at the project site, those fill materials shall be absent of any tribal cultural resources. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of cultural resources that qualify as historical, unique archaeological, and/or tribal cultural resources. 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(s), shall be responsible for determining the duration and frequency of monitoring. In addition, all ground disturbance within 100 feet of resources CA-SDI- 011048 and CA-SDI-015818 shall be monitored full time regardless of depth of excavation or soil observations.

TCUL-5: In the event that previously unidentified cultural resources that qualify as historical, unique archaeological, and/or tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor(s) 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.

TCUL- 6: If a cultural resource is discovered that may qualify as a historical, unique archaeological, and/or tribal cultural resource, the qualified archaeologist shall notify the City of said discovery, and shall conduct consultation with TCA tribe(s) to determine the most appropriate mitigation. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor(s), shall determine the significance of the discovered resource. Recommendations for the resource’s treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor(s) and be submitted to the City for review and approval.

TCUL-7: The avoidance and/or preservation of significant cultural resources that qualify as historical, unique archaeological, and/or tribal cultural resources must first be considered and evaluated as required by CEQA. Where any significant 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(s), and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor(s), 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.

TCUL-8: If the qualified archaeologist elects to collect any archaeological materials that qualify as tribal cultural resources, the Native American monitor(s) must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the archaeological materials that qualify as tribal cultural resources that are unearthed during the ground disturbing activities, the Native American monitor(s), 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. The project archaeologist shall document evidence that all cultural materials have been curated and/or repatriated as follows:

1.) It is the preference of the City that all tribal cultural resources be repatriated to the TCA Tribe as such preference would be the most culturally sensitive, appropriate, and dignified. Therefore, any tribal cultural resources collected by the qualified archaeologist shall be provided to the TCA Tribe. Evidence that all cultural materials collected have been repatriated shall be in the form of a letter from the TCA Tribe to whom the tribal cultural resources have been repatriated identifying that the archaeological materials have been received.

OR

2.) Any tribal cultural resources collected by the qualified archaeologist shall be curated with its associated records at a San Diego curation facility or a culturally-affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/ researchers for further study. The collection and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence that all cultural materials collected have been curated shall be in the form of a letter from the curation facility stating the prehistoric archaeological materials have been received and that all fees have been paid.

TCUL-9: 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(s) 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.