

661 Bear Valley Parkway

Environmental Impact Report

SCH #2016111060

City Project #SUB 15-0002

Volume I

March 2017

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Shaping the future, One project at a timeSM

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Acronyms

AB	Assembly Bill
AHSC	Affordable Housing and Sustainability Program
AMSL	above mean sea level
APCD	Air Pollution Control Board
APE	area of potential effects
APN	Assessor's Parcel Number
AST	aboveground storage tanks
ASTM	American Society for Testing and Materials
bgs	below ground surface
BMPs	Best Management Practices
CalEMA	California Emergency Management Agency
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CBSC	California Building Standards Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CHHSLs	California Human Health Screening Levels
CHRIS	California Historical Resources Information System
City	City of Escondido
CWA	Clean Water Act
cm	centimeters
CMP	Congestion Management Program
CNEL	community noise equivalent level
County	San Diego County
CRHR	California Register of Historic Places
dB	decibels
dBA	A-weighted decibels
DBH	diameter at breast height
DEH	Department of Environmental Health
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
ESA	Environmental Site Assessment
Federal ESA	Federal Endangered Species Act
FHSZ	Fire Hazard Severity Zone



FMMP	California Department of Conservation Farmland Mapping and Monitoring Program
FPA	Focused Planning Area
FPPA	Farmland Protection Policy Act
FRPP	Farm and Ranch Lands Protection Program
FTA	Federal Transit Administration
General Plan	2012 City of Escondido General Plan
General Plan EIR	Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report
GHG	greenhouse gas
HAPs	Hazardous Air Pollutants
HARRF	Hale Avenue Resource Recovery Facility
HCM 2000	Highway Capacity Manual 2000
HCPs	habitat conservation plans
HMBP	Hazardous Materials Business Plan
HMMD	Hazardous Materials Management Division
HOA	homeowner's association
HRO	Hillside and Ridgeline Overlay
I-15	Interstate 15
IFC	International Fire Code
in/sec	inch per second
Ldn	day-night average noise level
Leq	equivalent energy level
Leq-h	hourly average sound level
LESA	Land Evaluation Site Assessment
LOS	level of service
MBTA	Migratory Bird Treaty Act
mg/kg	milligrams per kilogram
MHCP	Multiple Habitat Conservation Plan
mph	miles per hours
MSCP	Multiple Species Conservation Plan
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Planning
NCTD	North County Transit District
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NHPA	National Historic Preservation Act
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
OAEP	Operational Area Emergency Plan
OCPs	organochlorine pesticides



OPR	Office of Planning and Research
OSHA	Occupational Health and Safety Administration
OWSC	one-way, stop-controlled intersection
P-D	Proposed Development
PPV	peak particle velocity
PRC	Public Resources Code
RCRA	Resource Conservation and Recovery Act
RE	Residential Estates
ROW	right-of-way
RTIP	Regional Transportation Improvement Plan
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAM	Site Assessment and Mitigation
SANDAG	San Diego Association of Governments
SAP	Specific Alignment Plan
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SCIC	South Coastal Information Center
SCS	Sustainable Communities Strategy
sf	square foot
SOI	Secretary of the Interior
SR	State Route
SSC	Species of Special Concern
SSURGO	Soil Survey Geographic Database
STPs	standard test pits
Subarea Plan	Public Review Draft Escondido Subarea Plan
TCA Tribe	tribe that is traditionally and culturally affiliated with the project location
ug/kg	micrograms per kilogram
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
V/C	volume to capacity



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Chapter 1. Introduction

1.1 Intended Use and Purpose of the EIR

This Environmental Impact Report (EIR) has been prepared by the City of Escondido (City) for the 661 Bear Valley Parkway Residential Project and the Bear Valley Parkway Specific Alignment Plan (collectively the proposed project) to satisfy the requirements of the California Environmental Quality Act (CEQA) (California Code of Regulations, Section 15000, et seq.). Pursuant to CEQA, this EIR assesses the environmental effects of the proposed project, identifies feasible mitigation measures as appropriate, and evaluates a reasonable range of alternatives to reduce significant environmental impacts. This document is intended to disclose the environmental consequences of the project decision makers as well as other agencies with discretionary authority. As this EIR is intended to cover a single development project, a project-level EIR was prepared. This EIR complies with all criteria, standards, and procedures of CEQA (1970), as amended (Public Resources Code [PRC] 21000 et seq.), and CEQA Guidelines (California Administrative Code 15000 et seq.).

1.2 Scope of the EIR

A Notice of Preparation (NOP), prepared in compliance with Section 15082 of the CEQA Guidelines, was distributed for the project on November 28, 2016. The NOP included an Initial Study in order to supply the necessary information to determine the probable environmental effects of the project and the scope of the EIR. The NOP, Initial Study, and comments received during the 30-day NOP review period are included in Appendix A of this document. It is noted that the Initial Study analysis relied on Sewer Service Analysis (Dexter Wilson Engineering, Inc. 2016), a water system analysis (Dexter Wilson Engineering 2015), Drainage Study (Hunsaker & Associates, 2016a), Storm Water Quality Management Plan (Hunsaker & Associates, 2016b), and numerous other technical reports in addition to the project-specific technical reports included in the EIR Appendix. All comments received in response to the NOP are addressed in appropriate sections of this EIR.

The NOP identified that the EIR would address environmental impacts related to:

- Aesthetics
- Agricultural Resources
- Biological Resources
- Cultural Resources (including Tribal Cultural Resources)
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Transportation and Traffic



Based on the preliminary analysis completed as a part of the Initial Study, impacts related to the following issues were determined to be less than significant and are not addressed in the EIR:

- Forestry Resources
- Air Quality
- Energy and Greenhouse Gas
- Hydrology/Water Quality
- Mineral Resources
- Paleontological Resources
- Population/Housing
- Public Services
- Recreation
- Utilities/Service Systems

For each issue included in EIR Chapter 3, the EIR contains a discussion of the existing conditions, regulatory framework, thresholds of significance, project impacts, cumulative impacts, significance of impact prior to mitigation, mitigation, and conclusion. A Mitigation Monitoring and Reporting Program (MMRP) will be prepared incorporating the mitigation identified in the EIR in accordance with CEQA Section 21081.06.

Significant environmental effects that could not be avoided if the project were to be implemented as proposed are identified in Chapter 4. In accordance with Section 15126 of the CEQA Guidelines, Chapter 5 of the EIR includes an alternatives analysis. The considered alternatives are the No Project Alternative and the Reduced Project Alternative. The Alternate Land Use Alternative and the Alternate Location Alternative were considered, but rejected.

1.3 Lead, Responsible, and Trustee Agencies

In accordance with Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the CEQA Guidelines, the City of Escondido is the Lead Agency for this project because it would be constructed within the jurisdiction of the City. As the decision makers for the Lead Agency, the City Council will consider the information included in the EIR along with any other relevant information included in the public record to make their decision on the proposed project.

In addition to the Lead Agency, Responsible Agencies or Trustee Agencies may be involved in the CEQA process. A *Trustee Agency* is defined in Section 15386 of the CEQA Guidelines as a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. Per Section 15381 of the CEQA Guidelines, the term *Responsible Agency* includes all public agencies other than the Lead Agency with discretionary approval power over the project. For the proposed project, the California Department of Fish and Wildlife is a Trustee Agency. Responsible Agencies that may have an interest in the project include the U.S. Army Corps of Engineers and San Diego Regional Water Quality Control Board. State law requires that all EIRs be reviewed by Trustee and Responsible Agencies.



1.4 Environmental Review Process

The City of Escondido, as Lead Agency, is responsible for preparation of this EIR. The preparation process involves two stages; the Draft EIR and the Final EIR. As described further below, the Draft EIR will be circulated for public review and comment for 45 days. The public review comments will be incorporated and addressed in the Final EIR, which is the final document that the City Council will review to decide whether to approve or deny the proposed project.

1.4.1 Draft EIR

The Draft EIR is distributed for review to the Responsible Agencies and Trustee Agencies with resources affected by the project, state agencies, federal agencies, and interested parties and individuals. The Draft EIR review period is typically 45 days. The purpose of the review period is to obtain comments “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided and mitigated” (CEQA Guidelines Section 15204). In accordance with CEQA Guidelines Sections 15085 and 15087(a)(1), upon completion of the Draft EIR, a Notice of Completion is filed with the State Office of Planning and Research, and a Notice of Availability of the Draft EIR is issued in a newspaper of general circulation in the area.

The Draft EIR and all related technical studies are available online for review during the public review period at: <https://www.escondido.org/bear-valley-parkway--residential-project.aspx>, at City Hall (see address below), and at the Escondido Public Library at 239 S. Kalmia Street, Escondido, CA 92025.

Comment letters on the Draft EIR may be submitted in writing and addressed to:

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1.4.2 Final EIR

The City of Escondido will provide written responses to comments regarding the adequacy of the Draft EIR per CEQA Guidelines Section 15088, and will consider all comments in making its decision whether to certify the Final EIR. While not included in the Final EIR, an MMRP; Findings of Fact; and Statement of Overriding Considerations for impacts identified in the Draft EIR as significant and unmitigable will be prepared as part of the EIR process, as appropriate. The



culmination of this process is a public hearing where the City Council will determine whether to certify the Final EIR as being complete and in accordance with CEQA.

1.5 Document Organization

The EIR includes two volumes; Volume I includes Chapters 1.0 to Chapter 7.0, and Volume II includes the technical appendices.

1.5.1 Volume I

The following is a description of each chapter of Volume I:

Executive Summary: Provides a summary of the project, environmental impacts, mitigation measures, significance of impacts after mitigation, and project alternatives.

Chapter 1 – Introduction: Describes the purpose and intended use of the EIR, scope of the EIR, environmental review process, and organizational format of the EIR.

Chapter 2 – Project Description: Includes a detailed description of the project components, project objectives, and discretionary actions, as well as a basic description of the project location, environmental setting, and site history.

Chapter 3 – Environmental Analysis: Provides a discussion of each environmental topic to be addressed in detail in the EIR, including existing conditions; regulatory framework; thresholds of significance; assessment of potential direct, indirect, and cumulative environmental impacts; significance of impacts; and a recommendation of reasonable and feasible mitigation measures, if necessary.

Chapter 4 – Other CEQA Considerations: Covers effects found not to be significant, significant and unavoidable effects, significant irreversible changes, and growth-inducing impacts.

Chapter 5 – Alternatives: Addresses alternatives to the proposed project.

Chapter 6 – References: Includes a list of reference documents and other sources of information.

Chapter 7 – Preparers and Persons Contacted: Provides a list of City staff and consultants involved in preparation of the EIR.

1.5.2 Volume II

The following technical and supporting materials discussed and cited in the text are either bound separately or included as electronic files in the appendices.

- A: Notice of Preparation and Responses
- B: Biological Resources Technical Report
- C: Specific Alignment Plan Biological Technical Report
- D: Arborist Report
- E: Specific Alignment Plan Arborist Report
- F: Cultural Resources Survey and Evaluation of Built Environment



- G: Cultural Resources Evaluation of Prehistoric Archaeological Site CA-SDI-21808
- H: Additional Cultural Resources Survey
- I-1: Geotechnical Investigation
- I-2: Geotechnical Update Report
- J: Geotechnical Investigation for Specific Alignment Plan
- K: Fire Protection Plan
- L-1: Phase I Environmental Site Assessment (ESA) (2013)
- L-2: Addendum to Phase I ESA
- L-3: Phase I ESA Update (2016)
- M-1: Limited Phase II ESA
- M-2: Addendum to Limited Phase II ESA
- N: Report of Soil Removal Action
- O: Acoustical Site Assessment
- P: Noise – Specific Alignment Plan Assessment Memo
- Q: Construction Vibration Assessment
- R: Traffic Impact Analysis
- S: Specific Alignment Plan Traffic Supplemental Memo
- T: Traffic Impact Analysis – Reduced Project Alternative



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Chapter 2. Project Description

2.1 Introduction

The following section provides detailed information on the 661 Bear Valley Parkway Residential Project and the Bear Valley Parkway Specific Alignment Plan (collectively the proposed project), which proposes development of a 55-unit residential development with Bear Valley Parkway frontage improvements, private streets, dedicated open space, and recreation lots, as well as the phased improvement of a section of Bear Valley Parkway to 4-lane major road standards, as described below. For purposes of the California Environmental Quality Act (CEQA), a complete project description must contain the following information: (a) the precise location and boundaries of the proposed project, shown on a detailed map, along with a regional map of the project's location (refer to Section 2.2, "Project Location and Environmental Setting"); (b) a statement of the objectives sought by the proposed project that should include the underlying purpose of the project (refer to Section 2.4, "Statement of Project Objectives"); (c) a general description of the project's technical, economic, and environmental characteristics (refer to Section 2.5, "Project Components"); and (d) a statement briefly describing the intended uses of the EIR (refer to Section 1.1, Intended Use and Purpose of the Environmental Impact Report [EIR]). An adequate project description need not be exhaustive, but should supply the information necessary for evaluation and review of the proposed project's significant effects on the environment.

2.2 Project Location and Environmental Setting

The proposed project consists of two areas: the residential development project site and the Bear Valley Parkway Specific Alignment Plan (SAP) area. Both of these project areas are located in the eastern part of the City of Escondido, adjacent to the County of San Diego (Figures 2-1 and 2-2). Regional access to the site is provided by Interstate 15 (I-15), State Route 78 (SR 78), and Bear Valley Parkway. The character of the area is generally rural residential, with a mix of tract homes, larger lot residential, open space, and small agricultural areas.

2.2.1 Residential Development Site

The 40.62-acre tear-shaped residential development site is located at 661 Bear Valley Parkway. The development site is generally bound by Bear Valley Parkway, single-family residential uses, and vacant parcels to the north (zoned RR and A70); Choya Canyon Road, single-family residential uses, and vacant land to the east (zoned A70); single-family residential uses and vacant parcels to the south (zoned RE-40 and RE-20); and Bear Valley Parkway, single-family residential uses (zoned RR, RS, and RE-20), and a church to the west.

The site is currently undeveloped with the exception of a single-family home and associated driveway located in the northern portion of the site. Most of the site consists of bare soils with

sparse weeds. A southern coast live oak riparian corridor with a perennial drainage is located along the southwest edge of the site, and an incised ephemeral drainage is located in the southeastern portion of the site. A bee colony is currently housed in the southwestern area of the site. The site also has a dilapidated irrigation system, propane tank, and filled mine shafts associated with the site's former uses as an orchard and for exploratory mining, which are discussed further below. The highpoint of the residential development site is 678 feet above mean sea level (AMSL) and is located just north of the existing residence (Figure 2-3). The lowest area of the site is along the southern edge where the riparian corridor exists.

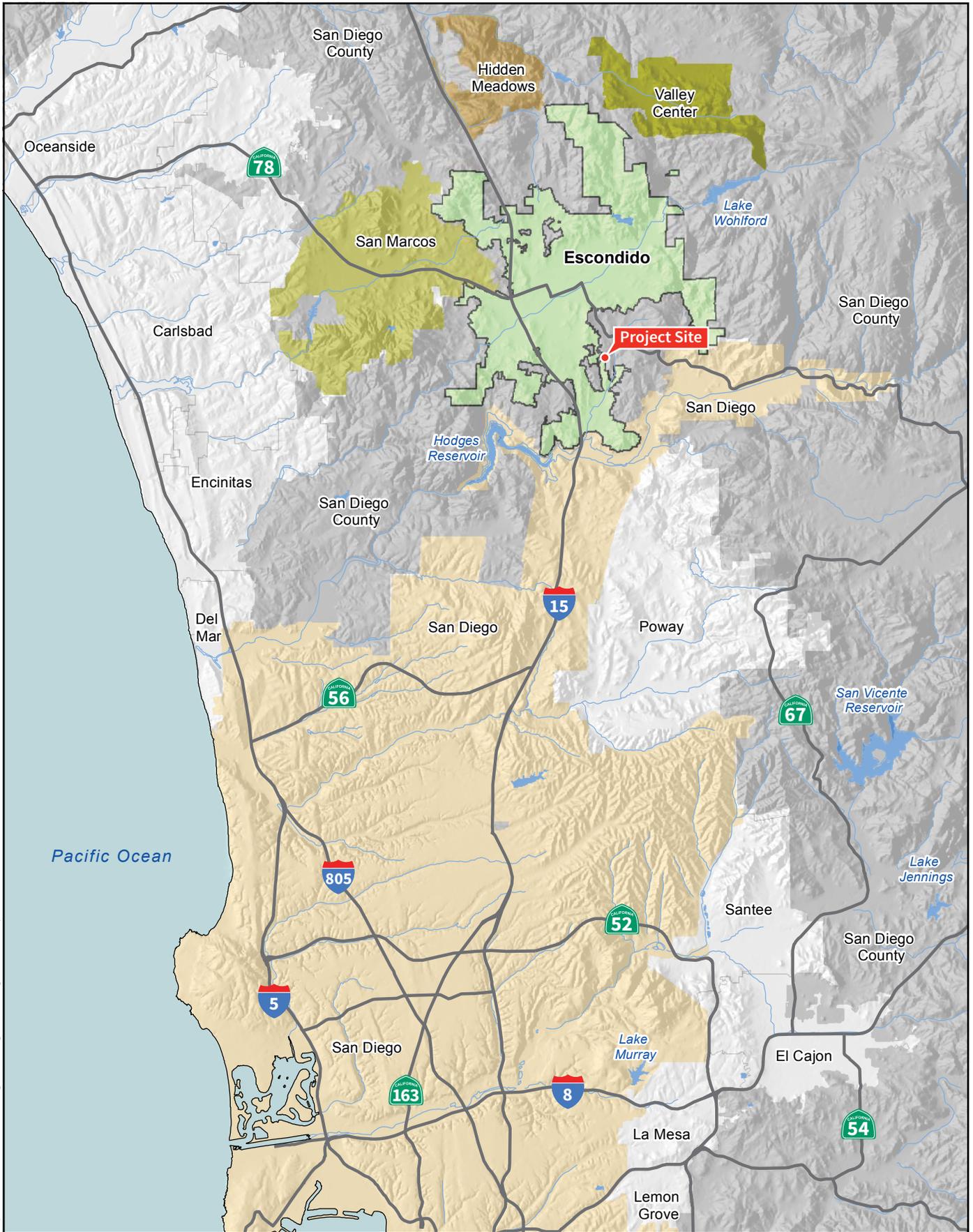
The *City of Escondido General Plan* (General Plan) (City of Escondido 2012a) designates the residential development site as Estate II, and the site is zoned as Residential Estate (RE). The area to the south is zoned as RE-20 and RE-40 by the City. The County has zoned the areas to the southwest as Residential-Single (RS) and Rural Residential (RR); the area to the northwest as Rural Residential (RR); and the area to the north and east as Agricultural (A70).

2.2.2 Bear Valley Parkway SAP Improvements

The Bear Valley Parkway SAP improvements site is located along approximately 3,560 linear feet of Bear Valley Parkway alignment between the City boundary on the north (near the intersection with Choya Canyon Road) and the intersection of Bear Valley Parkway with Sunset Drive/Ranchito Drive to the south. This area includes the Encino Drive and Bear Valley Parkway intersection. The SAP improvements site includes three sections, based on anticipated phasing: the 2,937 linear feet of northbound Bear Valley Parkway along the residential development frontage; the 623 linear feet of northbound Bear Valley Parkway from the southern residential development area boundary to Sunset Drive/Ranchito Drive; and 3,560 linear feet of southbound Bear Valley Parkway from the City boundary on the north to Sunset Drive/Ranchito Drive on the south, including the intersection with Encino Drive. Phasing is discussed further in Section 2.5.2.1 below.

Surrounding areas include the residential development site area, a riparian corridor and residential development (zoned RE-20) to the east; and a riparian corridor, a church, and residential development (zoned RR, RS, and RE-20) to the west. An area to the north/northwest of the site is zoned by the County as Agricultural (A70).

In this area, Bear Valley Parkway is currently a two-lane roadway. The majority of the existing roadway does not include full curb, gutter or sidewalk improvements. A guardrail is located on the east and west side of the roadway near the riparian corridor and the Encino Drive intersection. The General Plan identifies the ultimate buildout classification of this roadway to be Major Road.



Source: City of Escondido 2012



Harris & Associates

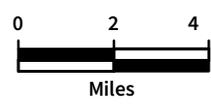


Figure 2-1
Regional Location

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Path: MarCom_COMMS EXTERNAL GRAPHICS/BD Proposals/ Bear Valley EIR Figures

Source: Google 2016

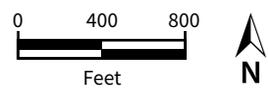
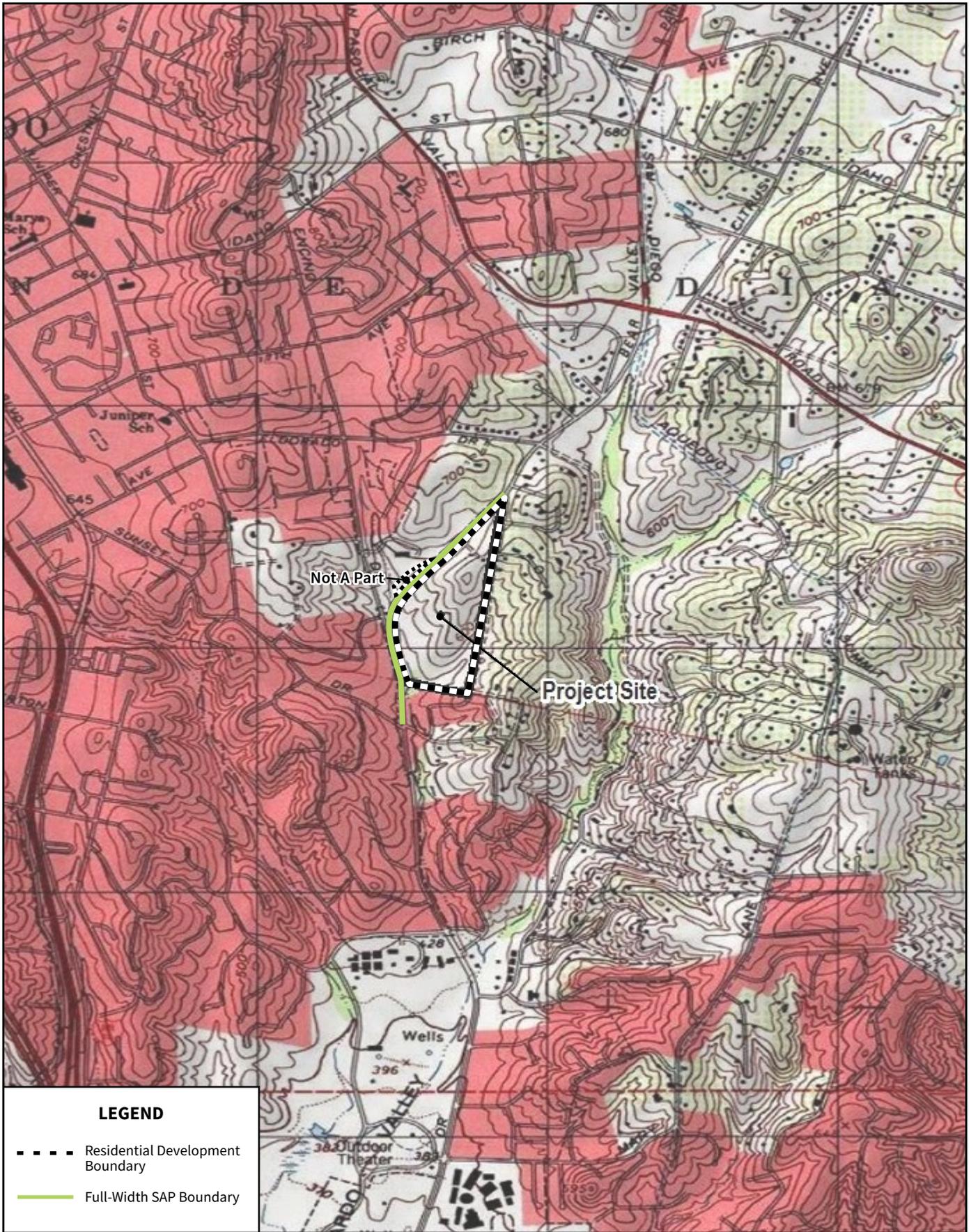


Figure 2-2
Project Vicinity

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Path: MarCom\COMMS\EXTERNAL\GRAPHICS\BD Proposals\Bear Valley EIR Figures

Source: USGS 2013

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2.3 Project Site History

As with most of the city, the proposed project site was a part of the original Rancho Del Diablo Mexican Land Grant. Ownership of the proposed project site has changed many times since the original land grant, with previous owners including the Escondido Land and Town Company, John Becker and Cleveland-Pacific Mining Company, Lawrence C. Spieth, and Burnet C. Wohlford. Early uses of the residential development site included prospecting and exploratory mining; however, no significant mineral resources were located on the property. Circa 1938, a portion of the site was used as citrus and avocado orchards and included an irrigation system and a shed. In 1946, the house and garage were constructed. A 1947 historical aerial shows a roadway extending from the existing driveway location to the north and Bear Valley Parkway constructed south of Encino Drive. Additional citrus and avocado orchards were added in 1953, and the site was used for commercial agricultural operations until 1979. Between 1968 and 1980, the Bear Valley Parkway roadway was constructed along the western residential development boundary similar to the present day roadway configuration. The shed was removed from the property, and the trees were removed sometime between 1989 and 1995. As indicated above, a residence, garage, irrigation system, filled mine shafts, and driveway are currently present on the residential development site.

2.4 Statement of Project Objectives

Section 15124(b) of the State California Environmental Quality Act (CEQA) Guidelines requires an EIR to include a statement of objectives for the proposed project. The objectives outline the underlying purpose of the project and assist in the development of project alternatives. The following project objectives have been identified for the proposed project:

1. Provide for the construction of housing that is consistent with the City of Escondido 2013-2021 Housing Element.
2. Design the project to appeal to the area's growing demand for high quality one- and two-story single-family residential housing that is compatible in density and character to the surrounding community.
3. Use compact and efficient design form to respect and integrate natural resources on site, while enhancing the City's ability to provide services through fiscally-positive development.
4. Cluster residential lots to minimize impacts to jurisdictional waters and other biological resources, resulting in the preservation of approximately 50 percent of the site as permanent open space.
5. Design project grading and construction to generally reflect the existing landform.
6. Maintain the existing drainage crossing near the southern property line as a pedestrian linkage to public sidewalks.



7. Establish a Specific Alignment Plan for full-width improvements to Bear Valley Parkway consistent with the major road classification identified in the City's General Plan Mobility and Infrastructure Element.

2.5 Project Components

The proposed project would include a single-family residential subdivision as well as the Bear Valley Parkway SAP improvements. The proposed development would entitle a new single-family residential subdivision consisting of 55 single-family residential lots, seven open space lots, one recreation lot, and two private street lots (Figure 2-4). In addition, the residential development would include supporting infrastructure improvements, including Bear Valley Parkway frontage improvements. The Bear Valley Parkway SAP improvements is a retrofit to widen existing Bear Valley Parkway between Sunset Drive and the City boundary to four lanes (a portion of the Bear Valley Parkway retrofit would be constructed by the residential development applicant along the frontage of the residential project as part of the residential development). In addition, a development agreement between the City and applicant is proposed that contemplates the retrofit by the applicant of a 262 lineal feet off-site portion of northbound Bear Valley Parkway immediately to the south of the 661 Bear Valley residential development site. The residential development developer would not construct any additional components of the Bear Valley Parkway SAP retrofit improvements, which would be constructed by others. The individual project components are described further in the following sections.



Source: Hunsaker & Associates 2015

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2.5.1 Residential Development

2.5.1.1 Residential Lots

The proposed subdivision would include 55 residential lots ranging in size from approximately 10,000 square feet (sf) to roughly 24,500 sf, with an average lot size of 11,915 sf. The one- and two-story homes would include a minimum of 1,000 sf of living space in accordance with the minimum size requirements established in the Escondido Zoning Ordinance (Chapter 33 of the City's Municipal Code). The project net density would be 1.38 units per acre.

General development and architectural guidelines are proposed for the residential development, including lot coverage, setback requirements, building heights, and basic design guidelines to maintain a cohesive overall sense of place that is consistent with surrounding development. Lot coverage would be limited to a maximum of 45 percent, and building height would not exceed 35 feet (excluding chimneys). The variation in lot widths would accommodate a range of architectural elevations. The general design guidelines encourage design elements and building materials commonly associated with California ranch-style homes. Building materials and color palettes would include wood, stone, and other naturally-appearing material. Reflective, metallic, or bright colors would be considered out of character and would not be permitted. Fencing and walls would be limited to 6 feet and could be masonry, wood, vinyl, or tubular steel. Future building design would be subject to architectural design guidelines and approval by the City's Design Review Board to confirm that ultimate home designs are consistent with the character of the surrounding uses and project area. Implementation of the residential development would include establishment of a homeowner's association (HOA) to maintain the appearance of the site, including the residences and landscaping.

2.5.1.2 Open Space and Recreation

The residential development includes eight open space lots (Open Space Lots "A" to "H") that total 20.02 acres. Seven of these open space lots would remain undeveloped and would consist of HOA-maintained slopes, basins, areas to be preserved as biological open space, or fuel modification areas. Open Space Lot "E" would be developed into a 0.24-acre pocket park or other similar recreational use. The park is anticipated to include a tot-lot, turf area, seating area, and bocce ball court or similar activity area. Additionally, a private pedestrian trail would connect from the pocket park south along a coastal sage scrub re-vegetation slope. Lodge-pole fencing would be provided along the trail to keep trail users out of the biological open space areas, while still allowing for animal species' movement.

2.5.1.3 Access and Internal Circulation Improvements

Primary access to and from the residential development site would be provided via a standard entrance residential street extending from the existing Zlatibor Ranch Road and Bear Valley Parkway intersection (Figure 2-4). The proposed driveway is in a location similar to the existing



single-family residence driveway. The intersection would be signalized as part of the project and would include an entry monument sign. A secondary emergency-access-only driveway would be provided off of Bear Valley Parkway in the southwestern portion of the residential development site. The secondary driveway would be gated, with access controlled via a device that would provide emergency responders with immediate entry to the residential development site.

The proposed internal streets would be private, and are designated as Streets A to D (Figure 2-4). Street A would be the main internal roadway and would include a 60-foot-wide right-of-way (ROW), while Streets B to D would have 56-foot-wide ROWs. All the on-site roadways would include two, 14-foot-wide travel lanes; an 8-foot-wide parking shoulder; and 5-foot-wide sidewalks. However, Street A would have 7-foot-wide landscaped parkways between the street and the sidewalks while Streets B to D would have 5-foot-wide landscaped parkways. As mentioned previously, a trail system would connect the internal pedestrian system to the public sidewalk near the southwest corner of the residential development site. The residential development would require two design standard waivers, as follows:

1. Reduction of centerline horizontal radius from private street standards, consisting of a reduction from 435 feet to a minimum of 200 feet.
2. Reduction of ROW from the 60-foot residential street standards to 56 feet, and allowing a non-contiguous sidewalk.

2.5.1.4 Bear Valley Parkway Frontage Improvements

The proposed residential development would provide half-width frontage improvements along Bear Valley Parkway, as shown in Figure 2-5 (a to d). The proposed frontage improvements along the east side of Bear Valley Parkway would include an additional northbound travel lane, as well as curb, gutter, sidewalk, overhead power line relocation, parkway, and bike lane improvements. The width of the improvements would vary along the residential development site frontage. At the southern end of the improvement area, within the residential project boundary, the roadway would be widened by approximately 9.0 feet and a 6.0-foot-wide sidewalk would be constructed. A safety fence and retaining wall are proposed along the southern sidewalk segment due to a change in elevation at the edge of the improvements. North of the proposed secondary emergency access driveway, the widening of Bear Valley Parkway would add 12.5 feet of roadway with an additional 5.5-foot-wide sidewalk. At the residential development entrance across from Zlatibor Ranch Road, Bear Valley Parkway would be widened by 28.5 feet to accommodate a right-turn lane for the primary residential development site entry and would narrow to 19 feet wide at the northern end of improvements. The 5.5-foot-wide sidewalk would continue to the northern end of the improvement area, along with a 4.5-foot-wide parkway. The improvements would be designed to transition to the existing roadway widths to the north and south of the improvement area.

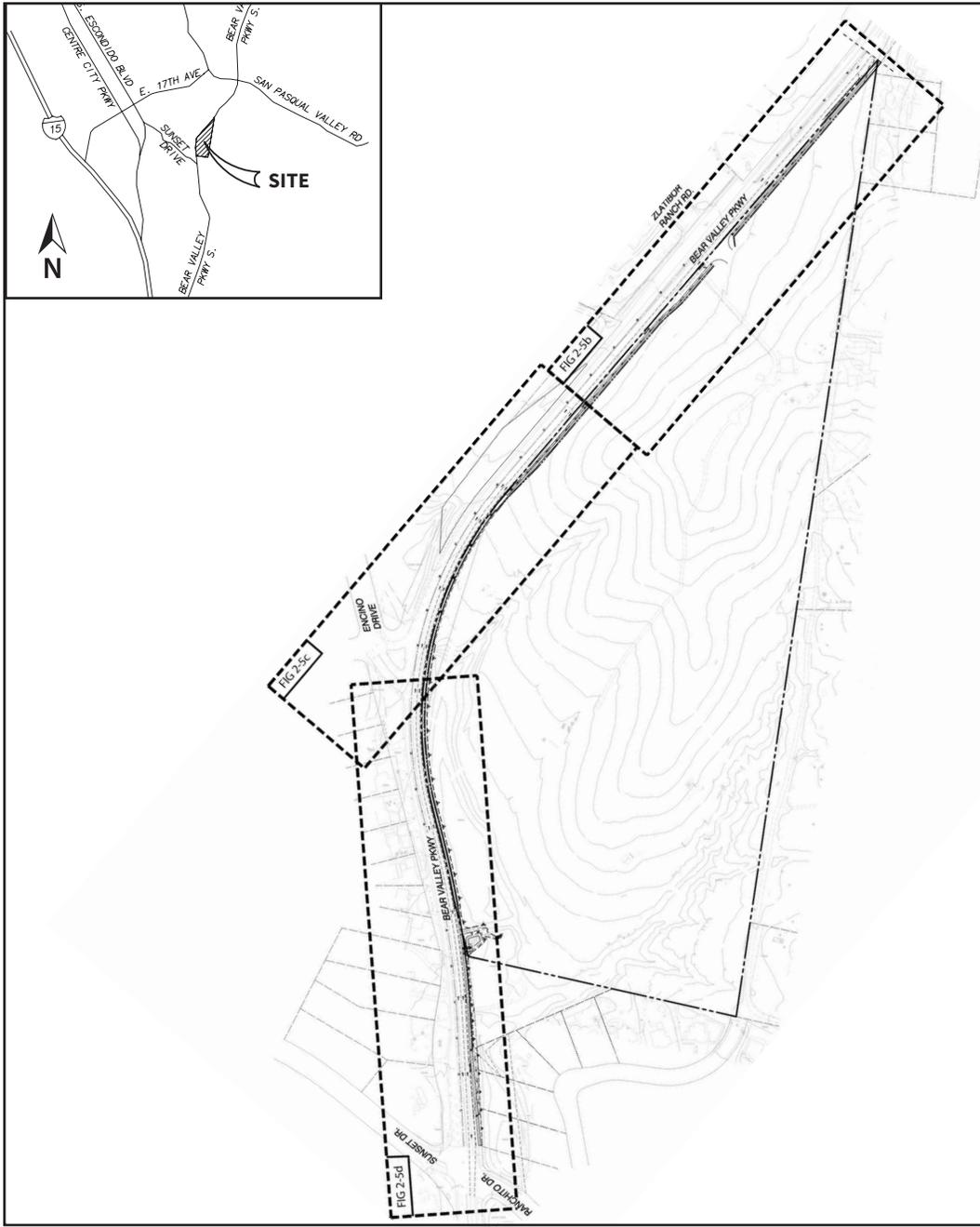
To accommodate the additional improvements, the proposed residential development would dedicate additional ROW along the project frontage ranging from 7 to 28 feet. A small area of ROW would be vacated, as shown in Figure 2-5d. With the ROW proposed, Bear Valley Parkway along the residential development frontage would have an overall ROW ranging between 85 and 164 feet.

The residential development's half-width improvements would be consistent with the first phase of the proposed SAP improvements prepared for Bear Valley Parkway (Hunsaker & Associates 2016d), which are discussed further below.

2.5.1.5 Site Drainage

All on-site runoff from the residential project would be directed toward two proposed bioretention areas designed to meet water quality and hydromodification requirements of San Diego Regional Water Quality Control Board Order No. R9-2013-001 as incorporated into the City of Escondido BMP Design Manual. The two bioretention areas would consist of Open Space Lots C and D located near the western development site boundary, adjacent to the two proposed site access driveways. The locations of these basins are shown in Figure 2-4. The northerly bioretention area would encompass approximately 19,600 sf, and the southerly area would cover roughly 27,000 sf. A new storm drain system is proposed within the proposed residential development to collect runoff from these basins and connect to the existing 60-inch culvert in Bear Valley Parkway. South of the proposed access driveways, storm water runoff from Bear Valley Parkway retrofit areas would be intercepted and treated using design elements from the U.S. E.P.A. green streets guidance document, including a rain garden, street trees, and a vegetated swale at the southern end of the project site. A 20-foot public storm drain easement is proposed on site, which would include the discharge area associated with the rain garden, rip-rap, and maintenance access road.

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	Existing Fence
	Existing Manhole
	Existing Mailbox
	Existing Power Pole
	Existing Street Sign
	Existing Landscaping
	Existing Electrical Box
	Existing Contours
	Proposed Contours
	Proposed Slope (2:1 Max.)
	Limits of Proposed Grading/Daylight
	Proposed Green Street Vegetated Swale
	Proposed Green Street Rain Garden
	Proposed Green Street Street Tree

SHEET INDEX

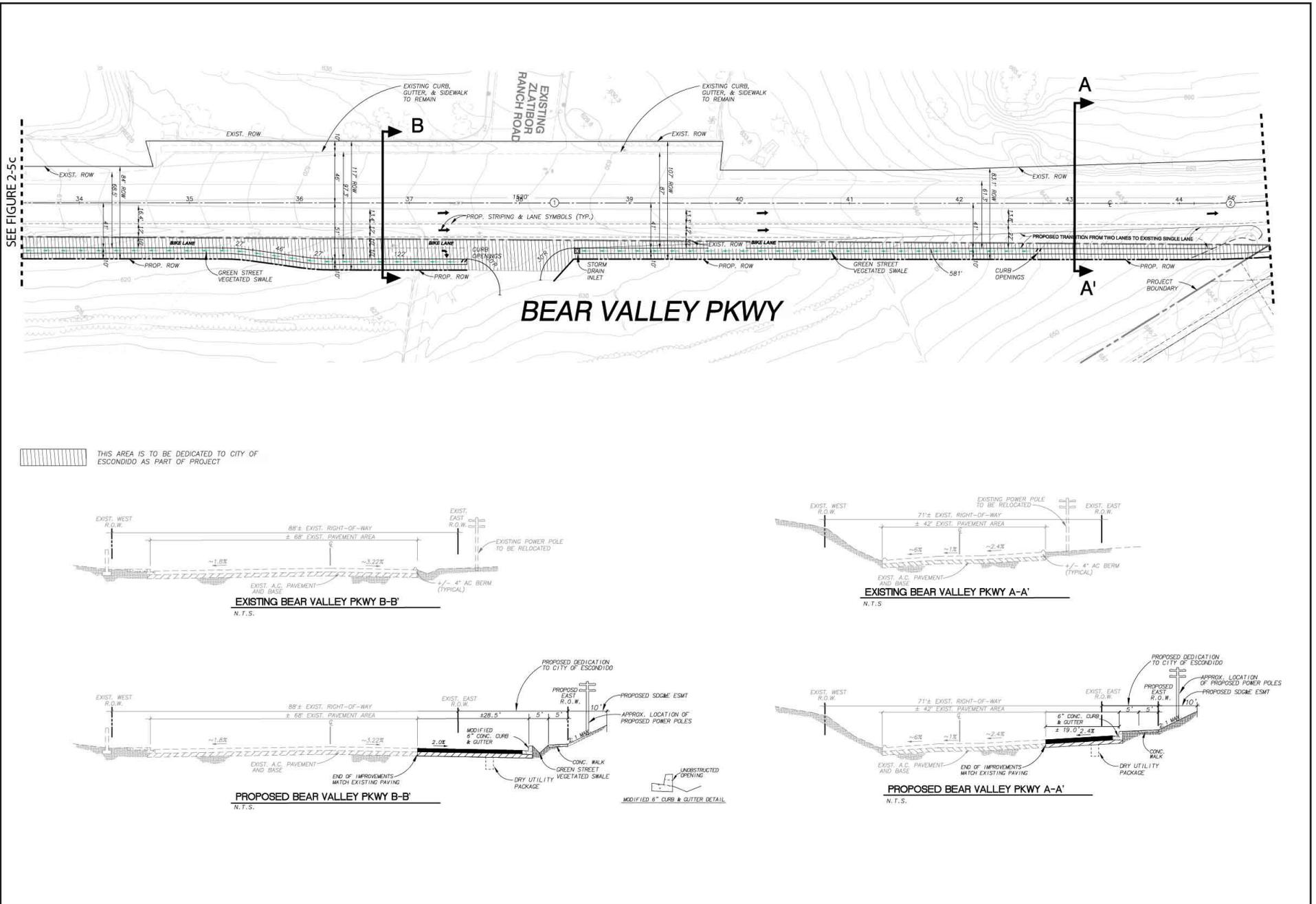
- FIGURE 2-5a TITLE SHEET/ CITY STREET SECTION
- FIGURE 2-5b SPECIFIC ROAD PLAN FOR BEAR VALLEY PKWY
- FIGURE 2-5c SPECIFIC ROAD PLAN FOR BEAR VALLEY PKWY
- FIGURE 2-5d SPECIFIC ROAD PLAN FOR BEAR VALLEY PKWY

NOTE:

THIS IS A ROAD RETROFIT PROJECT TO BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH USEPA GREEN STREET GUIDANCE AND IS EXEMPT FROM PRIORITY DEVELOPMENT PROJECT CRITERIA. SEE SAN DIEGO REGIONAL QUALITY CONTROL BOARD ORDER R9-2013-0001 SECTION E.3.b.(3)(b)

Source: City of Escondido 2016

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Source: City of Escondido 2016



Harris & Associates

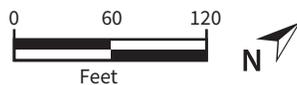
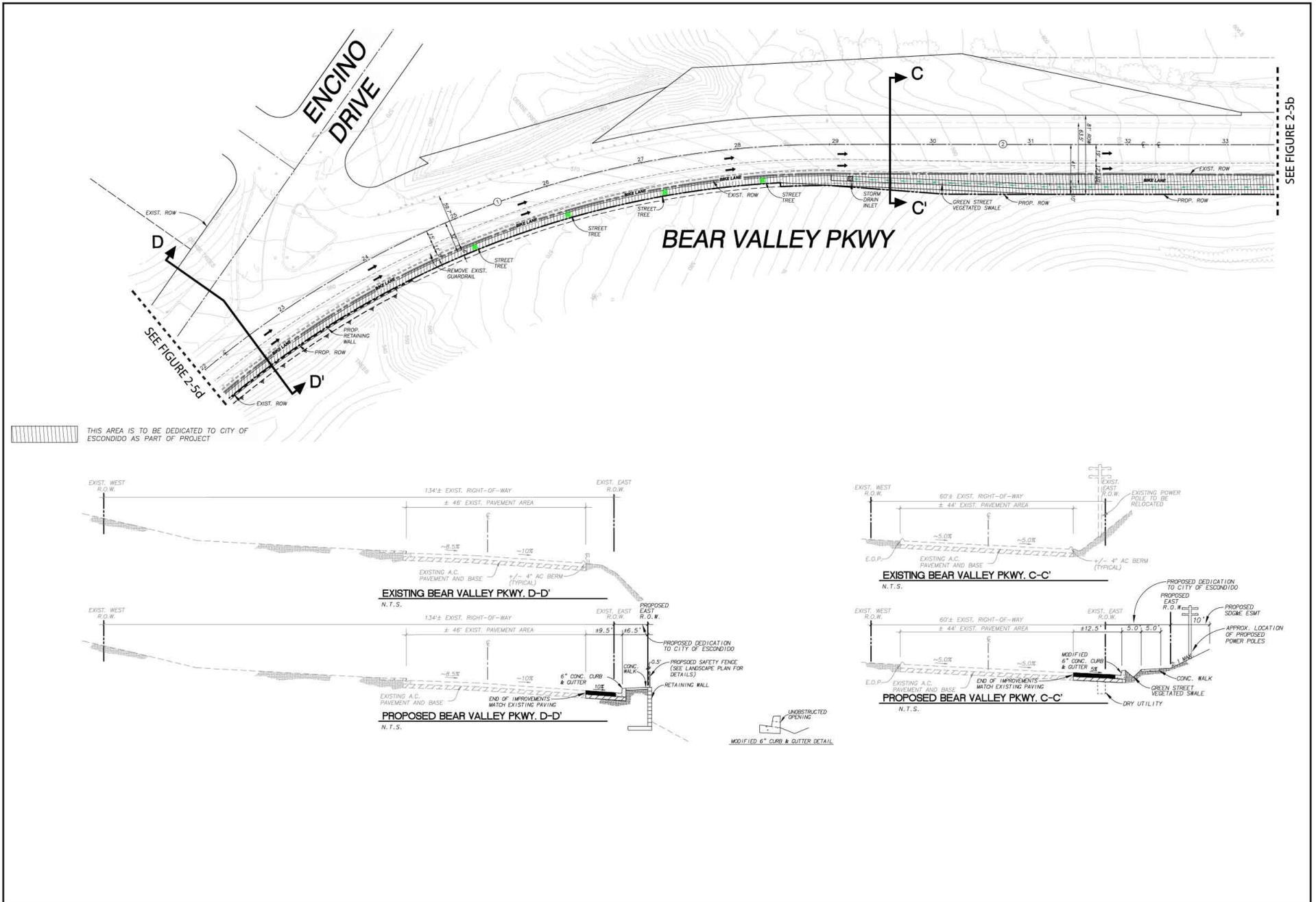


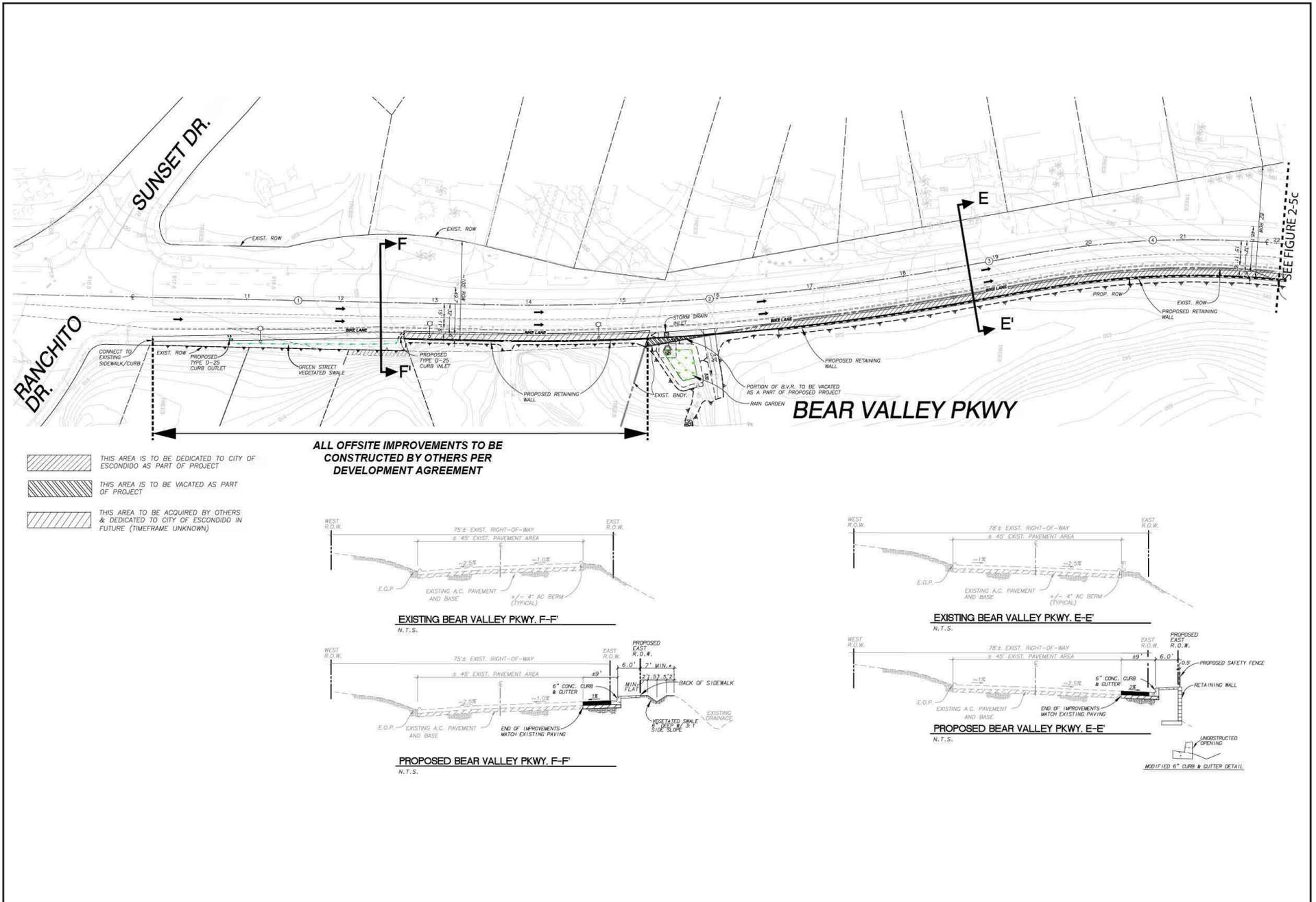
Figure 2-5b
Bear Valley Parkway Improvements

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Source: City of Escondido 2016

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Source: City of Escondido 2016

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2.5.1.6 Utilities

Residential development utilities construction would include the extension of gas and electric transmission facilities, sewer and water pipelines, and communications facilities to the residential development site. The City's Water and Wastewater Divisions currently provide domestic water service and sanitary water service to the project area, and would serve the residential development site. The residential development would connect to the existing water system in Bear Valley Parkway at Zlatibor Ranch Road and at the proposed emergency access road. Effluent generated by the residential development would be conveyed to and treated at the Escondido Hale Avenue Resource Recovery Facility (HARRF). A new sewer line would be installed in Bear Valley Parkway beginning at the northern property line to connect the proposed residential development to the existing sewer system at Encino Drive. San Diego Gas & Electric provides energy service to the project area under existing conditions and would serve the residential development. As part of the Bear Valley Parkway frontage improvements described in Section 2.5.1.4, existing power poles on the east side of Bear Valley Parkway would be relocated further east in an easement outside of the ROW to accommodate the additional travel lane, bike lane, curb, and sidewalk.

2.5.1.7 Lighting

Nighttime exterior lighting would be provided on the residential development site for safety, security, and circulation purposes. Different exterior lighting fixtures would be used, including pole-mounted streetlights and wall-mounted residential lights. Consistent with Article 35 of the Zoning Ordinance, all exterior lighting fixtures, with the exception of street lamps, would be aimed or shielded so that unnecessary nighttime lighting and glare are reduced for the benefit of the citizens of the city and astronomical research at Palomar Mountain Observatory. Additionally, in accordance with Zoning Ordinance Section 33-713(d), street lighting installed on the private streets would comply with the City's Engineering Design Standards and Standard Drawings.

2.5.1.8 Landscaping

The residential development site would be landscaped with a combination of trees, shrubs, plants, groundcover, turf, and hardscape elements. The conceptual landscape plan is provided in Figure 2-6. Landscaping is proposed to surround the entire developed area of the site and would include fuel modification zones to reduce fire risk. Private streets and walkways would also include streetscaping to separate walkways from vehicular lanes. Seating areas with benches may be provided throughout the development. In accordance with Article 62 of the Zoning Ordinance, landscape areas would include a selection of plant materials based on their adaptability to the climatic, geologic, and topographical conditions. Article 62 establishes water use standards for landscaping in the city and implements the 2006 development landscape design requirements established by the California Water Conservation in Landscaping Act (Government Code Sections 65591 et seq.). As such, landscape design would encourage use of drought-tolerant plants, drip irrigation and micro spray systems, and reclaimed water, and minimal use of turf. Species



potentially planted on site include California live oak (*Quercus agrifolia*), western redbud (*Cercis occidentalis*), coral aloe (*Aloe striata*), and foxtail agave (*Agave attenuata*). The residential development landscaping would be conditioned to comply with the landscaping suggestions in the Fire Protection Plan and avoid highly and moderately invasive species identified by the California Invasive Plant Council (Cal-IPC 2013).

2.5.1.9 Grading and Construction

The residential development would require grading of approximately 33 acres of the development site, as shown in Figure 2-7. On-site grading activities would include 342,750 cubic yards of cut and 342,750 cubic yards of fill, with cut and fill balanced on site. A maximum of 38 feet of cut would occur on site in the central area of the site, with the maximum fill being 58 feet along the southern edge of the development. Slope inclination of cut slopes would not exceed a two to one (2:1) ratio. The residential development would require the following four grading exemptions in accordance with the City of Escondido Municipal Code, Article 55, Grading and Erosion Control, Section 33-1066, Design Criteria:

1. Fill slopes within 50 feet of the property line, limited to 5 feet in height; propose up to 16 feet (Lots 1–4 and Open Space Lot “B”).
2. Fill slopes beyond 50 feet of the property line in excess of 20 feet in height; propose up to 58 feet (Open Space Lots “C,” “F,” and “G”).
3. Cut slopes within 50 feet of the property line limited to 20 feet in height; propose up to 23 feet (Lots 7 and 8).
4. Cut slopes in excess of 20 feet in height; propose up to 38 feet (Lots 43, 44, 45, and Open Space Lot “C”).

The residential development would also require remedial grading. Refer to Section 3.5 for additional information.

The proposed residential development is anticipated to be developed over a number of phases, with the construction schedule of the development ultimately being determined by market demand. The development construction activities would include demolition of the existing residential structure, site preparation and grading, construction, paving, and architectural coating application. The preliminary development construction phase would include grading and off-site public improvements, followed by construction of homes in one or more phases. Overall, construction of the residential development is anticipated to take approximately 3 years.



PLANTING LEGEND

COASTAL SAGE SCRUB RE-VEGETATION AREAS

SYMBOL	BOTANICAL	COMMON NAME	SIZE	MULCHS	QTY.	
TREES	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	15 GAL	L	138	
	SAMBUCUS MEXICANA	BLUE ELDERBERRY	24" BOX	L	144	
	SHRUBS	ARTEMISIA CALIFORNICA	COASTAL SAGEBRUSH	1 GAL	L	OUTSIDE OF BRUSH MANAGEMENT ZONES
	BACCHARIS SAROTROIDES	DESERT BROOM	1 GAL	L	OUTSIDE OF BRUSH MANAGEMENT ZONES	
	ERIGONUM FASCICULATUM	FLAT TOP BUCKWHEAT	1 GAL	L	OUTSIDE OF BRUSH MANAGEMENT ZONES	
	HEPTEROMELES ARBUTIFOLIA	TOYON	5 GAL	L		
	MALOSMA LAURINA	LAUREL SUMAC	5 GAL	L		
	RAVIS INTEGRIFOLIA	LEMONADE BERRY	5 GAL	L		
	YUCCA WHIPPLEI	LORD'S GANDLE	1 GAL	L		
HYDROSEED MIX						
SYMBOL	BOTANICAL	COMMON NAME	PURITY	GERMINATION	LIVE SEED	LEBS/ACRE
	DICHELOSTEMMA CAPITATUM	BLUE DIGGS	90	80	80	4
	ESCHESCHOLZIA CALIFORNICA	CALIFORNIA POPPY	98	80	85	2
	LATHENIA CALIFORNICA	GOLDFIELDS	90	85	85	3
	ELYMUS TRITICOIDES	CREEPING WILD RYE	40	80	80	2
	LUPINUS BICOLOR	LUPINE	98	85	90	3
	MELICA IMPERFECTA	MELIC	80	60	70	2
	MULLENBERGIA MICROSPERMA	LITTLESEED MILLY	80	60	50	4
	STIPA FILICARIA	PURPLE NEEDLEGRASS	40	80	75	6
	PLANTAGO ERECTA	DOT-SEED PLANTAIN	80	60	70	3
	SISTRICHNUM BELLUM	BLUE-EYED GRASS	95	75	80	4

PRIVATE/H.O.A. DROUGHT TOLERANT SLOPE LANDSCAPE AREAS

SYMBOL	BOTANICAL	COMMON NAME	SIZE	SPACING	MULCHS	QTY.
TREES	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	15 GAL	PER PLAN	L	86
	CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL	PER PLAN	L	141
	CERCIDUM DESERT MUSEUM	DESERT MUSEUM PALO VERDE	15 GAL	PER PLAN	L	4
SHRUBS	ALOE STRIATA	CORAL ALOE	5 GAL	PER PLAN	L	
	AGAVE ATTENUATA	TEXTAL AGAVE	5 GAL	PER PLAN	L	
	ARGEMONE UNEDD	STRAWBERRY TREE	5 GAL	PER PLAN	L	
	GISTIS X PURPUREIS	ORCHID ROCKROSE	5 GAL	PER PLAN	L	
	MULLENBERGIA C. REGAL MIST	REGAL MIST GRASS	1 GAL	PER PLAN	M	OUTSIDE OF BRUSH MANAGEMENT ZONES
	SALVIA GRESENI	AUTUMN SAGE	5 GAL	PER PLAN	L	OUTSIDE OF BRUSH MANAGEMENT ZONES
	SALVIA LEBICANTHA	MEXICAN BUSH SAGE	5 GAL	PER PLAN	L	OUTSIDE OF BRUSH MANAGEMENT ZONES
GROUNDCOVER	BACCHARIS P. TWIN PEAKS	DWARF COYOTE BRUSH	FLATS	18" O.C.	L	
	SENEGO MANDRALISCAE	BLUE CHALK STICKS	FLATS	18" O.C.	L	

STREET / BIO-RETENTION / PARK LANDSCAPE AREAS

SYMBOL	BOTANICAL	COMMON NAME	SIZE	SPACING	MULCHS	QTY.
STREET TREES	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	15 GAL	PER PLAN	L	51
	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	24" BOX	PER PLAN	L	51
	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	24" BOX	PER PLAN	L	-
	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	24" BOX	PER PLAN	M	-
	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	24" BOX	PER PLAN	M	-
	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	24" BOX	PER PLAN	M	-
BIO-RETENTION AREAS	MULLENBERGIA C. REGAL MIST	REGAL MIST GRASS	1 GAL	PER PLAN	L	OUTSIDE OF BRUSH MANAGEMENT ZONES
	CAREX PRAEGRACILIS	FIELD SEDGE	FLATS	18" O.C.	M	
	CAREX TUMULOSA	BERKELEY SEDGE	FLATS	18" O.C.	M	
TURF	MARATHON II - 50D					



FENCING LEGEND

- MOW CURB
- 5' CMU WALL
- 5' WOOD/VINYL FENCE
- 5' TUBULAR STEEL FENCE
- 42" TUBULAR STEEL FENCE
- TRAIL FENCE

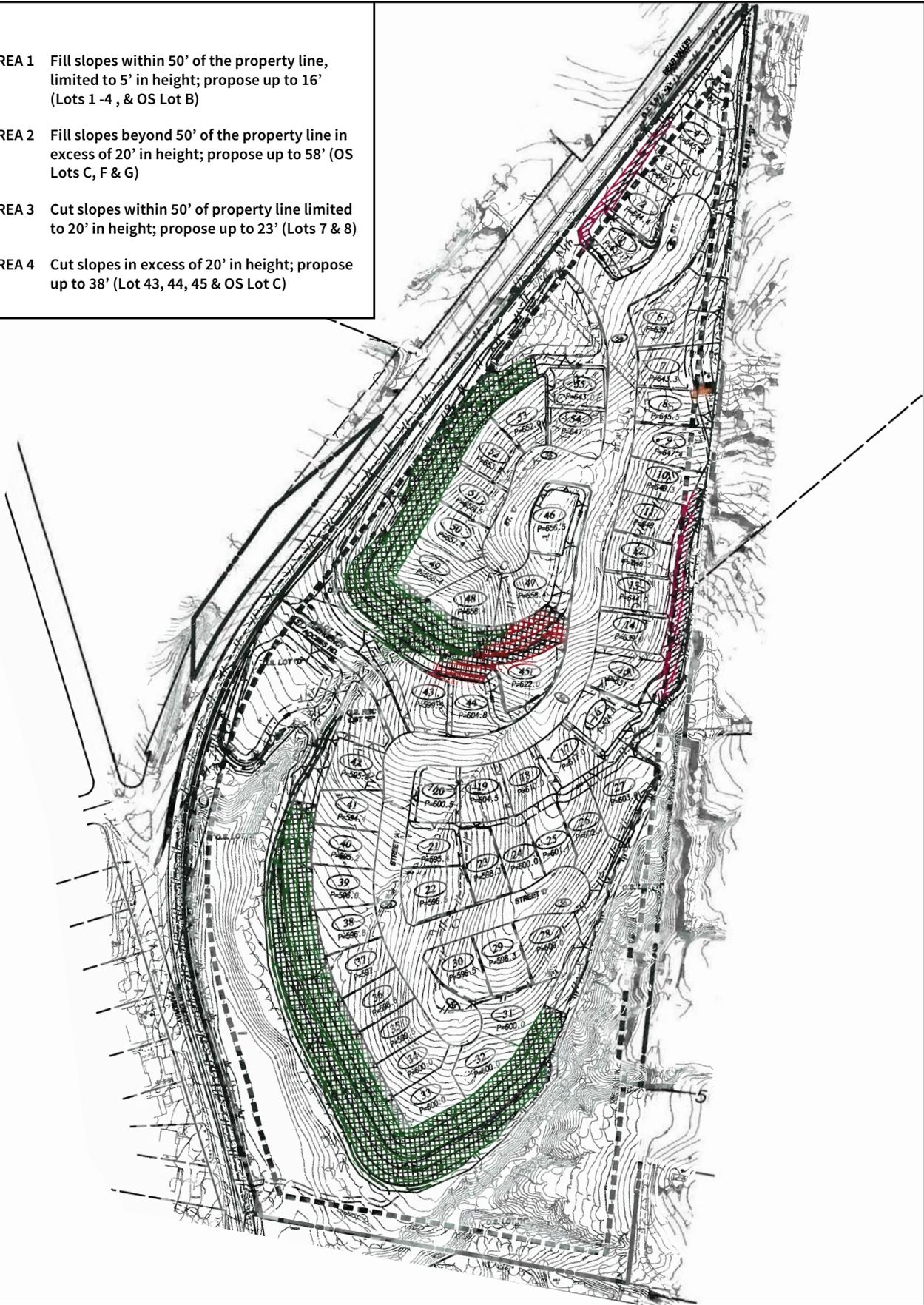
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LEGEND

- 
AREA 1 Fill slopes within 50' of the property line, limited to 5' in height; propose up to 16' (Lots 1 -4 , & OS Lot B)
- 
AREA 2 Fill slopes beyond 50' of the property line in excess of 20' in height; propose up to 58' (OS Lots C, F & G)
- 
AREA 3 Cut slopes within 50' of property line limited to 20' in height; propose up to 23' (Lots 7 & 8)
- 
AREA 4 Cut slopes in excess of 20' in height; propose up to 38' (Lot 43, 44, 45 & OS Lot C)



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2.5.2 Bear Valley Parkway Specific Alignment Plan

The Specific Alignment Plan (Figure 2-8 [a–d]) identifies full-width improvements for retrofit of existing Bear Valley Parkway from Sunset Drive to the City boundary near the intersection of Bear Valley Parkway with Choya Canyon Road. The residential development would include the widening improvements on the east side of Bear Valley Parkway along the proposed development frontage, as described in Section 2.5.1.4. In addition, the SAP identifies improvements to the south of the proposed development to Sunset Drive, as well as along the west, southbound side of Bear Valley Parkway.

The recommended improvements per the full-width SAP plans, on the west side of Bear Valley Parkway include extension of the ROW to include another travel lane, bike lane, sidewalk, retaining wall, raised median, curb and gutter, and relocated street lights. The existing fence and hardscape north of Zlatibor Ranch Road would be relocated farther west and the existing curb and sidewalk on both sides of Zlatibor Ranch Road would be matched. South of Zlatibor Ranch Road, a portion of the existing retaining wall, the existing fence and brow ditch would be relocated farther west. These improvements would require approximately six-tenths of an acre of land acquisition.

At Encino Drive, the SAP improvements would relocate the existing guardrail. The existing curb on the east side of Encino Drive would be matched and extended along the curve to Bear Valley Parkway. The bike lane and raised median would continue south of Encino Drive.

South of Encino Drive, portions of the existing fence and retaining wall would be relocated farther west. The raised median would continue to a point north of Sunset Drive where it would be continued as a painted median. Curb and sidewalk would be installed to match the existing features at Sunset Drive and the existing street lights north of Sunset Drive would be relocated farther west.

The SAP improvements would also include improvements to the northbound, east side of Bear Valley Parkway, south of the residential development's boundaries. A bike lane, vegetated swale, retaining wall, and new sidewalk, curb, and gutter would be installed south of the residential development boundary. These improvements would require approximately six-tenths of an acre of land acquisition. An approximately 262-lineal foot portion of these widening improvements, immediately south of the residential development, would be constructed by the residential development applicant pursuant to a proposed development agreement with the City. The residential development applicant would have no other responsibility for Bear Valley Parkway SAP improvements. All of the SAP improvements, however, are considered part of the project, for the purposes of this EIR.

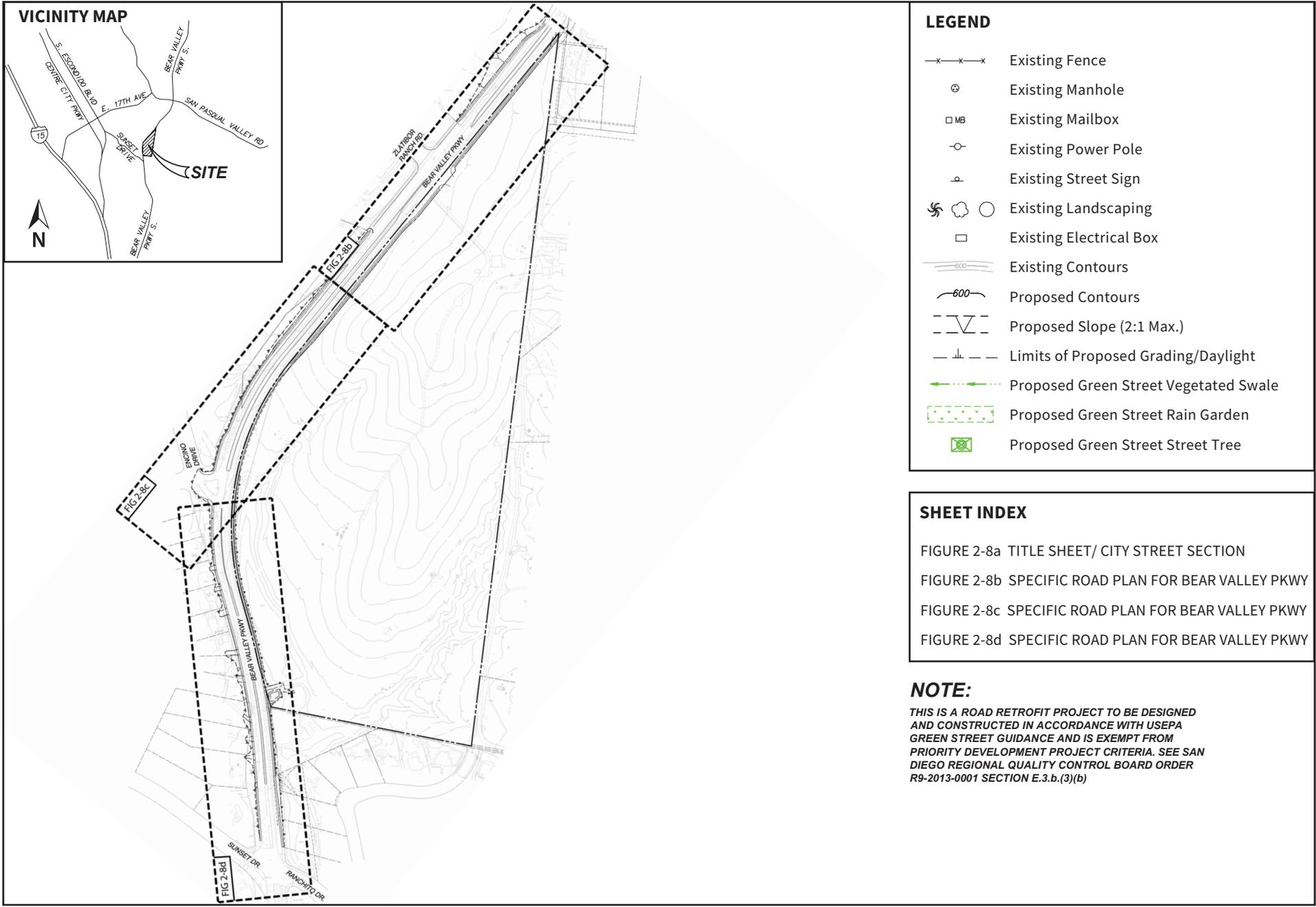
The SAP improvements would include the U.S. E.P.A. green streets design elements described in Section 2.5.1.5. Runoff would be collected in a vegetated swale located on the east side of Bear

Valley Parkway, south of the residential development site, where the wider ROW creates available space. Street trees are also proposed along the east side of Bear Valley Parkway to capture and treat runoff.

The future implementation of the SAP improvements would require right of way acquisition along the western edge of the alignment. In addition, grading associated with construction in existing right of way areas and adjacent private property would require private driveway reconfiguration on several residential lots along the western right of way limits.

The SAP construction is expected to occur in three phases. The first phase would be completed as a part of the proposed residential development, as described in Section 2.5.1.4. The second phase is anticipated to consist of the northbound Bear Valley Parkway segment located between the southern proposed residential development boundary and Sunset Drive. The small parcel to the south of the residential project, which includes approximately 262 lineal feet of proposed Bear Valley Parkway northbound frontage improvements, is not owned by the City nor the residential development project applicant. Consequently, additional right-of-way may be needed along this frontage in order to implement the SAP improvements. A proposed Development Agreement between the City and the residential development applicant contemplates the improvement of this 262 foot section south of the residential development site during the second phase, provided necessary right-of-way is obtained. The third phase would include the southbound Bear Valley Parkway SAP improvements, including the Bear Valley Parkway and Encino Drive intersection. The construction schedule of the second and third phase of the SAP improvements is currently unknown, but improvements are expected to be completed by 2035.

The Specific Alignment Plan does not obligate the City, the residential development applicant, or another party to implement the identified improvements. Rather, it is intended to provide consistency in improvements along this segment of Bear Valley Parkway, should improvements be proposed or necessitated by a future project. As such, the analysis of impacts associated with improvements are addressed herein, but associated mitigation would be the responsibility of the future entity completing the construction of the improvements.

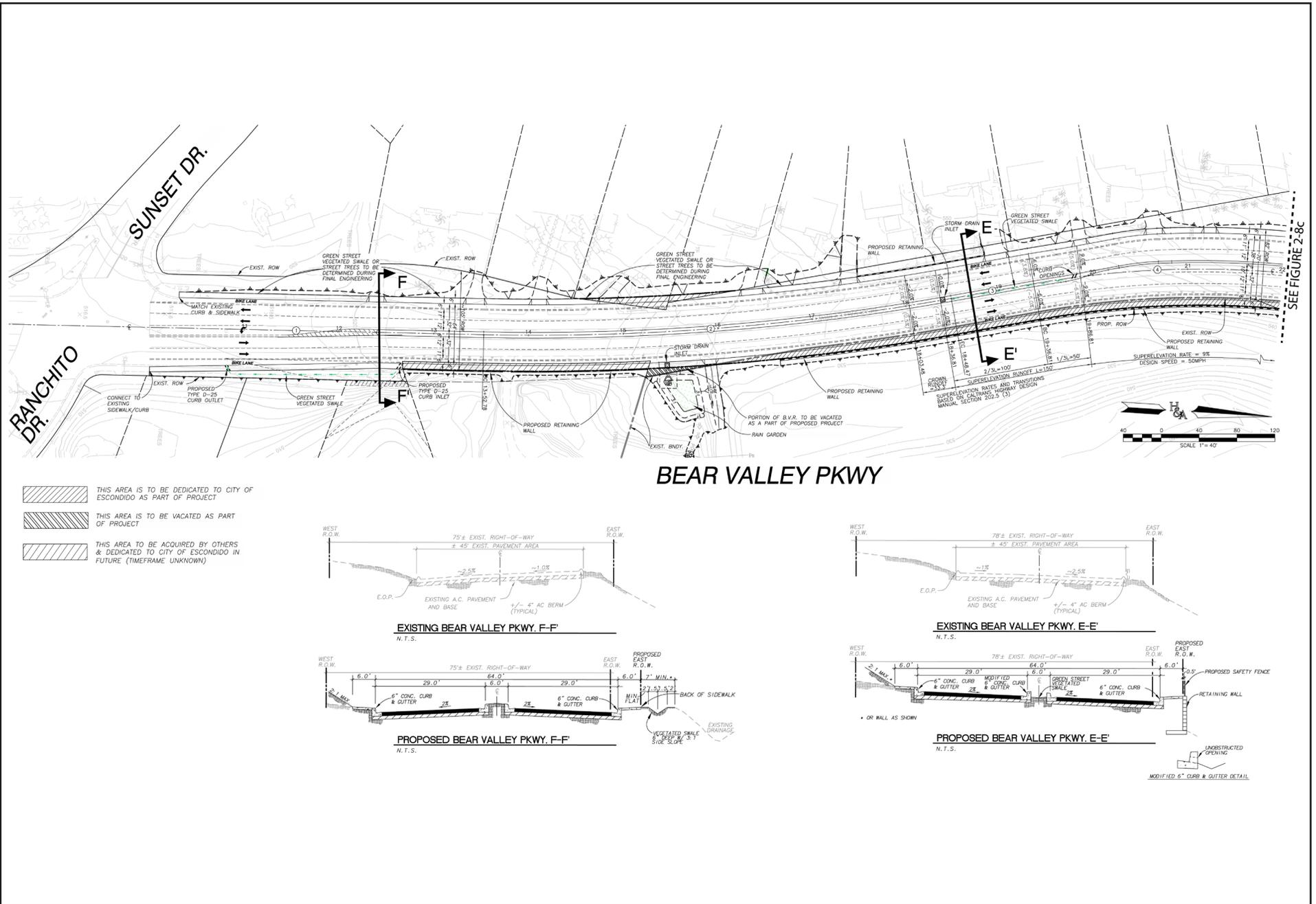


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2.5.3 Project Design Features

The following specific design considerations are included as proposed project features and would be conditions of approval:

- a. Fencing shall be included per the landscape plans to preclude humans from traveling into the areas to be preserved as biological open space.
- b. Landscaping adjacent to preserved land shall not include species listed as highly or moderately invasive by the California Invasive Plant Council (Cal- IPC 2013).
- c. Landscaping shall comply with recommendations of the Fire Protection Plan (Appendix K).
- d. Proper selection, design, placement, and utilization of BMPs including source control (i.e., signage and trash enclosures), treatment control (i.e., constructed wetlands, filter inserts, and catch basins), and site design (i.e., landscaping) BMPs shall be required. Runoff at each discharge location shall be limited to pre-project rates.
- e. The applicant shall provide payment of the Escondido Public Facility Development Fee (Article 18B of Chapter 6 of the Escondido Municipal Code).
- f. The applicant shall provide payment of school fees pursuant to Article 21 of Chapter 6 of the Escondido Municipal Code.
- g. In compliance with the Air Pollution Control District rules, the project shall include dust control measures during grading. This shall include wetting the disturbed grading area a minimum of three times per day.
- h. As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code Section 5097.98. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.
- i. Prior to construction of Bear Valley Parkway SAP improvements or residential development construction activities, the applicant shall submit a traffic control and



management plan for review and approval by the City Engineer. The traffic control and management plans shall provide for continued access through Bear Valley Parkway during construction. Also, the haul route shall be approved by the City Engineer, and construction traffic shall be limited to between 7 a.m. and 6 p.m. Monday to Friday (Holidays excepted). Construction traffic on Bear Valley parkway between Sunset Drive and I-15 shall be limited during the school peak hours of 7:00 to 8:30 a.m. and 2:00 p.m. to 3:30 p.m.

2.6 Discretionary Actions

Approval of the proposed project would require a number of discretionary actions. According to Sections 15050 and 15367 of the State CEQA Guidelines, the City of Escondido is designated as the Lead Agency for the project. Trustee agencies are state agencies with 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 is a Trustee Agency for the proposed project. The Responsible Agencies for the project include the U.S. Army Corps of Engineers and San Diego Regional Water Quality Control Board. 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.

City of Escondido (Lead Agency)

- Tentative Map Approval for the subdivision of the property into 65 lots, including 55 residential lots, two private street lots, seven open space lots, and one recreation lot.
- Preliminary/Master/Precise Development Plan in accordance with the Escondido Municipal Code, Chapter 33 – Zoning, Article 19. Planned Development (P-D) Zone, Sec. 33-415 requirements.
- Rezone from RE-20 (Residential Estates, 20,000-square-foot minimum lot size) to PD-R (Planned Development Residential), with a density of 1.34 units per acre.
- Grading exemptions would be required for four areas per Escondido Municipal Code, Article 55, Grading and Erosion Control, Section 33-1066, Design Criteria.
- Specific Alignment Plan for Bear Valley Parkway proposed by the proposed residential development to identify frontage improvements to the northbound, east side of Bear Valley Parkway between the City boundary to the north (near the intersection with Choya Canyon Road) and the intersection with Sunset Drive/Ranchito Drive to the south.
- Full-width Specific Alignment Plan for Bear Valley Parkway to identify future widening improvements and illustrate consistency of the residential development's frontage improvements with future widening goals.
- Possible right of way acquisition through eminent domain for portions of Bear Valley Parkway as may be needed to implement the full-width Specific Alignment Plan improvements based on potential further study and consideration.
- Dedication and vacation of right of way area on Bear Valley Parkway along residential development frontage.



- Proposed Development Agreement between City and the applicant.

California Department of Fish and Wildlife (Trustee Agency)

- California Fish and Game Code Section 1602 Streambed Alteration Agreement for potential impacts on streambed.

U.S. Army Corps of Engineers (Responsible Agency)

- Clean Water Act Nationwide 39 Section 404 Permit for potential impacts on waters of the United States.

San Diego Regional Water Quality Control Board (Responsible Agency)

- National Pollutant Discharge Elimination System Construction Activities Storm Water General Permit for construction.
- Clean Water Act Section 401 Water Quality Certification for potential impacts on waters of the United States.

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Chapter 3. Environmental Analysis

This chapter analyzes the potentially significant environmental impacts that may occur as a result of project implementation. The environmental issues subject to detailed analysis in the following sections include those that were identified by the City through the Initial Study (Appendix A) and subsequent preliminary project review as potentially significant. Nine environmental issues are addressed in the following sections, consisting of:

- Aesthetics
- Agricultural Resources
- Biological Resources
- Cultural Resources (including Tribal Cultural Resources)
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Transportation and Traffic

Each issue analysis section is formatted to include a discussion of existing conditions, regulatory framework, thresholds of significance, project impacts, cumulative impacts, significance of impact prior to mitigation, mitigation, and conclusion. Each topic addresses impacts related to the residential development and the specific alignment plan (SAP) improvements separately, under separate headings, to clearly indicate which impacts and mitigation measures pertain to the residential development and which impacts and mitigation measures pertain to the SAP improvements.



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3.1 Aesthetics

This section of the Environmental Impact Report (EIR) describes the existing aesthetics of the site and community. It analyzes project impacts on scenic vistas, scenic resources, visual character and quality, and light and glare. To address the proposed project's potential impact on visual character and quality, a set of key views and visual simulations of the project were prepared by Harris & Associates in October 2016. Those visual simulations are included as Figures 3.1-2, 3.1-3, and 3.1-4. General information in this section is taken from the *City of Escondido General Plan* (General Plan) (City of Escondido 2012a) and *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report* (General Plan Program EIR) (City of Escondido 2012b), unless otherwise referenced.

3.1.1 Existing Conditions

3.1.1.1 Existing Visual Landscape

Existing visual resources define a community's character and identity. Scenic vistas, scenic resources, community character and quality, and light and glare are all part of the visual landscape. These features of the existing visual landscape are described below.

Visual Character and Quality

City of Escondido

Community character can be described as the "personality" of a community and is defined by its land uses, historical resources, community design, architectural themes, natural resources, and any other man-made or natural features that give the community its overall look and feel (City of Escondido 2012b). The City of Escondido is characterized by, "hills and mountains surrounding an open valley bisected by Escondido Creek...Expanding out from its historic downtown and urban core (with their traditional street grid patterns) are established single and multi-family neighborhoods that have long since replaced agricultural groves. Densities and intensities diminish and streets follow topographic contours in outlying areas as the community transitions to higher elevations where agricultural operations remain in many areas" (City of Escondido 2012a). Significant visual resources include ridgelines; hillsides; unique landforms such as rock outcroppings, creeks, lakes, and natural open space areas; and viewsheds that serve as a scenic amenity and contribute to the quality of life for Escondido residents (City of Escondido 2012a). Escondido's agricultural production was identified as a visual amenity in the General Plan EIR (City of Escondido 2012b).

The City has identified several scenic roadways, including the segment of Bear Valley Parkway that is part of the proposed project (City of Escondido 2012a). The General Plan EIR also described the mature trees on Bear Valley Parkway as valuable visible resources. Scenic roadways are vehicular right-of-ways with considerable natural landscape and a high aesthetic value. Scenic roadway corridors generally include the land adjacent to and visible from the vehicular right-of-

way. The dimension of the corridor is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon (City of Escondido 2012b).

Viewshed

Due to the rolling hills that conceal the proposed project site, the project viewshed is generally limited to the area immediately surrounding the project site. The project viewshed consists of an approximately 3,200-foot corridor on Bear Valley Parkway, and an approximately 1,200-foot corridor on Choya Canyon Road. The site is also viewable from residential streets west of the project, including Amparo Drive, Pamplona Court, and Encino Drive. Private views of the proposed project can be found at houses west, south, and east of the project site. Public viewers within the viewshed include motorists on roadways, pedestrians on sidewalks, and bicyclists on the roadways. There are no public parks or schools with views of the project site, although there is a church west of the site at 2080 Encino Drive that has a view of the project site. Most of the viewers will be motorists travelling north and south along Bear Valley Parkway. The longest duration of site views from Bear Valley Parkway would occur at the intersection with Zlatibor Ranch Road where motorists will stop at the proposed traffic signal. Considering this, key viewpoints within the viewshed are (1) Bear Valley Parkway looking northeast toward the residential development site; (2) Bear Valley Parkway looking south toward the proposed project; and (3) Choya Canyon Road looking southwest over the project site (Figure 3.1-1).

Key View 1 (Figure 3.1-2) includes a corridor view along Bear Valley Parkway just north of the intersection with Encino Drive, as motorists round a corner and the proposed residential development site comes into view. After driving past existing single-family detached residential development, vegetation along the perennial drainage between Bear Valley Parkway and Encino Drive can be seen to the west. The houses on Zlatibor Ranch Road can be seen to the north. The large vacant lot on which the residential development is proposed to be built is prominent in this key view.

Key View 2 (Figure 3.1-3) also features Bear Valley Parkway. From this view just southwest of the intersection of Choya Canyon Road and Bear Valley Parkway, the existing house on the residential development site is clearly visible. The location of the proposed SAP improvements on Bear Valley Parkway feature prominently in this view, as do the electrical utility lines on the east side of Bear Valley Parkway in front of the proposed residential development site. Residential units and landscaping trees can be seen ahead in the foreground, with Bernardo Mountain and intermediate ridgelines behind them in the distance. Bernardo Mountain and the intermediate ridgelines in front of it have been identified as visually important (City of Escondido 2012a, Figure VII-5). The houses on the right-hand side of the key view are partially concealed by a vacant lot in the foreground.

Key View 3 (Figure 3.1-4) is located on Choya Canyon Road. Choya Canyon Road is higher in elevation than Bear Valley Parkway and Key View 3 represents the more expansive, long-distance view of the proposed project from this higher vantage point. Key view 3 includes the existing trees on Choya Canyon Road, the residential development site including the extant single-family house, Bernardo Mountain in the distance, the SAP improvements site on Bear Valley Parkway, and rural residential development to the west of the proposed project site.

Community Character

The surrounding area is a mix of residential development, disturbed vacant land, a house of worship, and a stream. The following is a visual description of the surrounding sites as they appear from public roadways and sidewalks:

- **North:** A large parcel with disturbed vacant land that slopes up from Bear Valley Parkway sits to the north of the proposed project. The vegetation includes mature trees, shrubs, rock outcroppings, cacti, and vacant land. The vacant property has remnants of historical agricultural operations including terracing and old fencing. The low-profile houses to the north of the proposed project site are characterized by relatively small, single-family detached homes on large lots.
- **Northeast:** On the opposite side of Choya Canyon Road from the proposed project, is a community of rural residential houses. The landscaping on the approximately 3-acre lots consists of mature trees – including fruit trees – and ornamental plants and shrubs. The community is situated on a slope at a higher elevation than the proposed project with views of surrounding houses, roads, electrical utility lines, ridgelines and hills. The houses are a mixture of single-story detached residences and two-story estate-style homes.
- **East:** To the east of the proposed project site is a 30-acre vacant parcel of land that has been cleared for agriculture in the past. Currently, there are no crops or structures on the property.
- **South:** A relatively new residential development sits to the south of the project site. Homes in this development are generally two-story, with attached two- and three-car garages and half-acre lots. The homes are characterized by stucco exterior, tile or shingle roofs, and neutral colors including cream, grey, and beige. Landscaping consists of trees, shrubs and lawns. Many of the homes have swimming pools.
- **West:** To the west of the proposed project site is an established community of detached single family homes. The development is generally single-story houses on 0.3-acre lots with prominent fences and walls facing Bear Valley Parkway. Landscaping includes mature trees, lawns, cacti, and juniper bushes. A Jehovah's Witnesses hall of worship is also located to the west of the project site opposite Bear Valley Parkway. The 10.25-acre property is mostly undeveloped with trees growing along a stream and along the property line where it borders Bear Valley Parkway.
- **Northwest:** A gated residential development with large, custom homes sits across Bear Valley Parkway on Zlatibor Ranch Road. The homes are characterized by neutral beige tones, stucco exteriors and tile roofs. Most of the homes have fences or walls and most



have swimming pools. The designed landscaping consists of maturing trees, ornamental plants, lawns, and rock outcroppings.

Proposed Project Site

The residential development site currently consists of vacant, disturbed land with remnants of historical agricultural activities. A residential structure with a driveway and detached garage sits on the northern portion of the site. The topography of the residential development site is characterized by a north-south trending ridgeline and the existing residential structure is located at the top of the ridgeline. The small, 1,120-square-foot house, which was built in 1946, has a boxy structure and is landscaped with several mature trees, a couple-dozen immature shrubs, and ice plant. It is painted white and has a standard shingle roof. The driveway that serves as the access to the house from Bear Valley Parkway extends southward along the top of the ridgeline. Most of the residential development site consists of bare, eroding soil and sparse weeds. The site also has a dilapidated irrigation system, propane tank, and filled mine shafts associated with the site's former uses as an orchard and for exploratory mining. Remnants of terraced grading from the historical agricultural operations are visible throughout the site. A bee colony is currently housed in the southwestern portion of the property.

The Bear Valley Parkway SAP improvements site is located along approximately 3,560 linear feet of Bear Valley Parkway alignment between the city boundary on the north (near the intersection with Choya Canyon Road) and the intersection of Bear Valley Parkway with Sunset Drive/Ranchito Drive to the south. In this area, Bear Valley Parkway is currently a two-lane roadway. The majority of the existing roadway does not include full curb, gutter or sidewalk improvements. A guardrail is located on the east and west side of the roadway near the riparian corridor and the Encino Drive intersection.

A southern coast live oak riparian corridor with a perennial drainage is located west of the SAP improvements site and runs along the southwest edge of the residential development site, adjacent to the SAP improvements site. It has dense trees and vegetation growing along it. An incised ephemeral drainage is also located in the southeastern portion of the residential development site, which is characterized by steep, eroded slopes and several outcroppings of large boulders.

Scenic Resources

Scenic resources include elements of both the natural and the built environment. Significant visual resources in Escondido include ridgelines; hillsides; unique landforms such as rock outcroppings, creeks, lakes, and natural open space areas; and agricultural operations. Scenic resources at the proposed project site include rock outcroppings and the perennial drainage. The ridgeline on the residential development site was not identified as an important intermediate or skyline ridgeline in the General Plan (City of Escondido 2012a, Figure VII-5). In the immediate vicinity of the site, scenic resources include potential crop lands and rolling hills.

Scenic Vistas

The California Department of Transportation (Caltrans) designates State Scenic Highways to protect public views with high aesthetic value. There are no officially designated or eligible State Scenic Highways within the City of Escondido. The City, however, has identified several scenic roadways in Escondido for the purposes of preserving the significant views from these roadways. Bear Valley Parkway to Valley Parkway was included in the General Plan EIR as one of these scenic roadways (City of Escondido 2012b). The proposed project is located on this stretch of roadway and would be within the scenic viewshed of motorists, bicyclists, and pedestrians travelling along Bear Valley Parkway. The proposed project would also be visible to travelers on Choya Canyon Road, and several residential streets to the west of the project site including Amparo Drive, Pamplona Court, and Encino Drive.

The General Plan also emphasizes the protection of viewsheds that serve as a scenic amenity and contribute to the quality of life for Escondido residents. Valuable scenic vistas include those of hillsides, ridgelines, unique landforms, open space, agricultural areas, and bodies of water. The proposed project site is primarily surrounded by residential development with private views of distant mountains, nearby rolling hills, and the perennial drainage.

Light and Glare

Excessive nighttime lighting can interfere with the operation of observatories, affect residents' ability to sleep, affects night sky views, and wildlife. In the City of Escondido, light and glare are of particular concern because of the proximity of Palomar Mountain Observatory, as well as the nuisance that excessive nighttime lighting and glare can create for the City's residents. San Diego County Municipal Code establishes Light Zones to control light pollution around observatories. The area within a 15 mile radius of the center of the Palomar Observatory is included in the definition of Zone A (San Diego County n.d.). The proposed project site, at approximately 20 miles from an observatory, lies outside of Light Zone A. Nonetheless, the site is subject to the City's outdoor lighting ordinance that is described further below under Section 3.1.2, "Regulatory Framework."

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Harris & Associates

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Figure 3.1-2
Key View 1: Bear Valley Parkway Northbound

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Harris & Associates

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Figure 3.1-3
Key View 2: Bear Valley Parkway Southbound

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Harris & Associates

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Figure 3.1-4
Key View 3: Choya Canyon Road Southwest

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There currently is no lighting on site except for minimal lights associated with the existing, single residential structure. Overall, the rural residential communities surrounding the proposed project site currently generate a moderate amount of nighttime lighting.

Glare can cause annoyance, discomfort, or visual impairment, and can be a nuisance or hazard. Glare commonly occurs when an object is significantly brighter in contrast to the rest of the viewshed. Glare typically occurs as a result of light reflecting off an expanse of glass or other reflective material. Potential sources of glare at the proposed project site and in the project vicinity are primarily windows on residential houses and car windows. The existing residential structure on site includes 10 to 12 standard size windows and the garage has 1 to 2 small windows. No large windows exist on site or in the immediate site vicinity that create a glare issue.

3.1.2 Regulatory Framework

Local Regulations

City of Escondido General Plan

The Resource Conservation Element of the General Plan identifies the visual importance of preserving scenic open space features such as ridgelines, unique landforms, and steep slopes in the City's viewshed. The Land Use and Community Form Element prioritizes preserving the unique community character of Escondido, including the historic downtown, agricultural areas, valleys, and mountains. The Land Use and Community Form Element also address the issues of light pollution and glare. As indicated above, the site includes several scenic resources (rock outcroppings, perennial drainage), as well as scenic roadway. The immediate vicinity around the site has views of surrounding rolling hills. The applicable goals and policies from these elements are identified below.

GOAL LU-1: A community composed of distinct residential neighborhoods, business districts, and employment centers, whose urban form reflects the natural environmental setting.

Policy LU-1.1: New development should serve to reinforce the city's present development pattern of higher-intensity development within the downtown area and lower-intensity development in outlying areas. As a guide toward accomplishing this objective, new development projects shall be at an appropriate density or clustered intensity based upon their compatibility with the majority of the existing surrounding land uses. This policy shall limit density transfers from constrained portions of a property as defined in the land use and open space goals.

Policy LU-1.3: Focus development into areas where land use changes achieve the community's long term goals. Facilitate development that is consistent with the build out vision for each area through incentive programs and efficient administrative and discretionary approval processes for plot plans, Planned Developments, Area Plans, Specific Plans, and Zoning Overlays.

Policy LU-1.5: The city should maintain its single-family residential development pattern, except in locations such as the downtown, along major transportation corridors, and around commercial and public activity centers, where higher densities are more appropriate.



Policy LU-1.10: Reduce light pollution and preserve views of the night sky through the design and siting of light fixtures to minimize light spill-over onto adjacent properties.

Policy LU-1.11: Encourage new development to minimize the creation of incompatible glare through development design features (e.g., minimizing use of certain types of exterior building materials).

Goal LU-5: Clustering of single family residential units to maintain site topography, protect natural resources, and avoid hazards.

Policy LU-5.2: Clustering is not intended to maximize the density or yield, or to circumvent the existing zoning. It shall be utilized as a tool to preserve slopes, ridgelines and sensitive habitat or provide a community benefit.

Policy LU-5.4: When utilizing cluster provisions, a project shall not have an adverse visual impact on the surrounding areas by blocking scenic views, by resulting in a scale of development incompatible with the setting, by siting buildings that project above the ridgeline, or by extensive grading, cutting and filling, or by terracing that disrupts the natural shape and contour of the site.

Policy LU-5.10: When clustering, the portion of the site to be developed for residential purposes shall not significantly change the character of the surrounding area.

GOAL RC-3: Preservation of significant visual resources such as ridgelines, hillsides, and viewsheds that serve as a scenic amenity and contribute to the quality of life for residents.

Policy RC-3.1: Preserve significant visual resources that include unique landforms (e.g., skyline ridges, intermediate ridges, hilltops, and rock outcroppings), creeks, lakes, and open space areas in a natural state, to the extent possible.

Policy RC-3.2: Require new development to avoid obstructing views of, and to minimize impacts to significant visual resources through the following: creative site planning; integration of natural features into the project; appropriate scale, materials, and design to complement the surrounding natural landscape; clustering of development to preserve open space vistas and natural features; minimal disturbance of topography; and creation of contiguous open space networks.

Policy RC-3.3: Maintain density and development standards designed to protect significant visual resources such as existing terrain, steep slopes, floodways, habitat areas, and ridgelines, and to minimize visual impacts of grading and structures.

Escondido Municipal Code

Chapter 33 of the Escondido Municipal Code contains the Escondido Zoning Ordinance. The Zoning Ordinance contains several articles that pertain to aesthetic character and resources, which are summarized below.

Residential Estates

Article 8 of the City's Zoning Ordinance describes allowable development in the residential estates zone. This zone is intended to provide an area to be developed exclusively for single-family dwellings in a rural setting.

Open Space Development Standards

Article 5, the Open Space Development Standards of the City's Zoning Ordinance, establishes standards for the development of lands identified as having open space value to the community and its citizens in one or more of the following categories: slopes greater than 15%, vegetation conservation areas, and natural drainage courses not otherwise defined as floodways. All developments proposed on these lands must follow certain development standards, including protecting natural features such as rock outcroppings, creeks and other natural drainage courses, and wooded areas; and performing grading for buildings and roads to follow existing site terrain contours, except as necessary for safety.

Outdoor Lighting Ordinance

Article 35 of the City's Zoning Ordinance, referred to as the Escondido Outdoor Lighting Ordinance, is intended to minimize glare, light trespass, and artificial sky glow for the benefit of the citizens of the City and astronomical research at Palomar Mountain Observatory. In Section 33-713, the ordinance defines requirements for outdoor lighting, such as shielding, automatic timing devices, and requiring that certain outdoor light fixtures and lamps be turned off at night.

Grading and Erosion Control

The purpose of Article 55, the Grading and Erosion Control article of the City's Zoning Ordinance, is to assure that development occurs in a manner which protects the natural and topographic character and identity of the environment, the visual integrity of hillsides and ridgelines, sensitive species and unique geologic/geographic features, and the health, safety, and welfare of the general public by regulating grading on private and public property and providing standards and design criteria. In addition to establishing design criteria for grading on steep slopes and ridgelines, the article recommends that grading designs be sensitive to natural topographic, cultural, or environmental features, as well as mature and protected trees, by preserving the following features in permanent open space easements, or such other means which will assure their preservation: undisturbed steep slopes (over 35%); riparian areas, mitigation areas, and areas with sensitive vegetation or habitat; unusual rock outcroppings; other unique or unusual geographic features; and significant cultural or historical features.

Protected Trees

Section 33-1052 of the City's Municipal Code includes definitions for a "mature tree" and a "protected tree" (refer to Section 3.3.2.3). Section 33-1068 of the City's Municipal Zoning Code establishes regulations and standards for the preservation, protection, and selected removal of mature and protected trees. Pursuant to Section 33-1069, every feasible effort and measure to avoid damage to existing trees to remain on site must be taken by the owner and developer during clearing, grading, and construction activities. Section 33-1069 also includes replacement ratios for mature and protected trees.

3.1.3 Thresholds of Significance

The State CEQA Guidelines Appendix G (14 California Code of Regulations 15000 et seq.) has identified significance criteria to be considered for determining whether a project could have significant impacts on existing aesthetic resources.

An impact would be considered significant if construction or operation of the proposed project would have any of the following consequences:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

3.1.4 Analysis of Project Impacts and Determination of Significance

3.1.4.1 Issue 1: Scenic Vistas

Residential Development

As discussed under the existing conditions, the scenic vistas in the proposed project watershed consist of distant views of mountains and ridgelines, and nearby views of rock outcroppings, trees, and a perennial drainage from Bear Valley Parkway, Choya Canyon Road, and residential streets to the west of the proposed project, including Amparo Drive, Pamplona Court and Encino Drive. Travelers on roads in the residential neighborhoods west of the project site would see the proposed project as they drove, walked, or biked on the residential streets in an east / southeast direction. One of the roads in this region, Encino Drive, is classified as a Local Collector. According to the Traffic Impact Analysis (Appendix R), average daily traffic volume on Encino Drive west of Bear Valley Parkway is currently 1,420, but only southbound motorists on Encino Drive have a view of the site. The proposed residential development would develop the existing vacant site, which would be visible from Encino Drive and other nearby residential streets. However, the proposed residential development would be constructed to conform to the existing site topography and not significantly project above the ridgeline, in accordance with the City Zoning Ordinance and General Plan. The proposed project would not significantly obstruct scenic vistas of distant ridgelines and hilltops for motorists, bicyclists, and pedestrians in this area.

Drivers, bicyclists and pedestrians would have a prominent view of the proposed project on the 3,200-foot corridor of Bear Valley Parkway that borders the residential development site. However, the scenic vistas from Bear Valley Parkway of distant mountains and ridgelines would remain largely in-tact. As shown in the photosimulations (Figure 3.1-2 and Figure 3.1-3), scenic vistas from Bear Valley Parkway in the northbound direction would not be significantly affected



by the residential development because distant views from this vantage point are already limited by lower-elevation ridgelines in the foreground. From the southbound direction on Bear Valley Parkway (Figure 3.1-3), the landscaping and houses associated with the proposed residential development would partially block the lower portion of the scenic vista of distant intermediate ridgelines and Bernardo Mountain. Motorists travelling at the 50-miles-per-hour (mph) speed limit on this stretch of Bear Valley Parkway would view this vista for approximately 25 seconds. The impact of this partial obstruction of a scenic vista would not be significant.

The residential development has the potential to obstruct views of distant mountains and ridgelines for motorists traveling on Choya Canyon Road. As shown in the photosimulation (Figure 3.1-4), the proposed landscaping and houses associated with the residential development would block views of Bernardo Mountain and distant intermediate ridgelines from this vantage point. However, the current view is not pristine: it is currently partially obstructed by existing development and landscaping, as well as electrical utility lines. The bare soil and weeds that exist on the proposed project site in the foreground do not enhance the scenic view. Additionally, existing trees already obstruct the view along approximately 20% of the 1,200-foot Choya Canyon Road viewshed. Furthermore, Choya Canyon Road is not a heavily travelled roadway. The Traffic Impact Analysis did not analyze traffic volumes on this roadway, but it can reasonably be assumed that Choya Canyon Road is only used to access the approximately 18 houses located on Choya Canyon, Lexine Lane, and Chaparral Lane. For these reasons, the residential development would have a less-than-significant impact on a valuable scenic vista at this location.

Specific Alignment Plan Improvements

As previously discussed, the scenic vistas in the SAP improvements site viewshed consist of distant views of mountains and ridgelines, and nearby views of rock outcroppings, trees, and a perennial drainage. These vistas can be seen from the following public viewpoints: Bear Valley Parkway, Choya Canyon Road, and residential streets to the west of the proposed project, including Amparo Drive, Pamplona Court, and Encino Drive.

As shown in the photosimulations of Bear Valley Parkway (Figure 3.1-2, Figure 3.1-3), the SAP improvements would widen the existing roadway right-of-way, and add roadway elements including a raised, landscaped median and sidewalk. Scenic vistas from Bear Valley Parkway in the northbound direction would not be significantly affected by the SAP improvements because distant views are already limited by lower-elevation ridgelines in the foreground. The SAP roadway improvements have the potential to partially obstruct the scenic vista of distant intermediate ridgelines for motorists travelling south on Bear Valley Parkway. As previously mentioned, motorists travelling at the 50-mph speed limit on this stretch of Bear Valley Parkway would view this vista for approximately 25 seconds. The impact of this partial obstruction of a scenic vista would not be significant.



The roadway widening would impact a small stretch of land to the west and to the east of the SAP improvements site. Impacted areas are currently primarily occupied by vacant land covered in sparse weeds. However, small patches of rock outcroppings and approximately 0.19 acre of the perennial drainage may be disturbed by the SAP improvements, which could impact nearby views of these resources. These impacts would be considered less than significant.

3.1.4.2 Issue 2: Scenic Resources within a Scenic Roadway

Residential Development

As discussed above, the residential development site is within the viewshed of Bear Valley Parkway. Although Bear Valley Parkway is not a designated state scenic highway, the City has identified it as a scenic corridor. The residential development site, as visible from Bear Valley Parkway, is currently vacant and covered primarily in bare soil and sparse weeds. However, in the southwest corner of the proposed site, there is a perennial drainage with trees and vegetation growing along it, which is considered a scenic resource. The site also has a handful of unique rock outcroppings; however, they are located on the east side of the site and not visible from the Bear Valley Parkway corridor.

The proposed residential development would impact a total of 0.67 acre of southern live oak riparian forest (0.40 acre on site and 0.27 acre off site) from the construction of frontage improvements along Bear Valley Parkway consisting of curb, gutter, sidewalk, parkway, bike lane, and travel lane. There would be no impacts on the perennial channel along the western site boundary and no impacts on the ephemeral channel that runs along the eastern portion of the residential development boundary (Appendix B). A total of 110 trees (including 60 coast live oak) would be removed and 39 trees (including 32 coast live oak) would be preserved in place with protections but encroached on by the proposed project. (Appendix D).

The residential development applicant is required to submit a Tree Mitigation Program to the City Community Development Department (see mitigation measure BIO-7 in Section 3.3). As such, a minimum of 195 trees (including coast live oak and other suitable native or ornamental species) shall be planted within the residential development landscape areas. The Tree Mitigation Program shall ensure that a minimum of 773 landscape trees are planted on the residential development site. Compliance with this Mitigation Measure will result in the residential development not ultimately damaging scenic resources within a scenic corridor. As such, the proposed residential development would result in a less-than-significant impact on scenic resources within a scenic roadway.

Specific Alignment Plan Improvements

As discussed above, Bear Valley Parkway is not a designated state scenic highway; however, the City of Escondido has identified it as a scenic corridor. The portion of Bear Valley Parkway at the location of the proposed SAP improvements is currently two-lanes and most of it lacks full curb, gutter, or sidewalk improvements. As described in detail in Chapter 2, "Project Description," the

SAP improvements would widen Bear Valley Parkway and add elements including a median and sidewalks.

The majority of the roadway widening impacts would be on land that is already developed or disturbed. A total of 0.19 acre of southern live oak riparian forest on either side of Bear Valley Parkway would be directly affected by the SAP improvements. However, there would be no impacts in the perennial channel along the boundary of the SAP improvements site (Appendix C). The 0.19 acres equates to approximately 200 linear feet of riparian forest east of the road and 200 feet west of the road. Motorists travelling at the 50 mph speed limit on this stretch of Bear Valley Parkway would view the affected riparian forest for approximately 5.5 seconds.

A total of 42 trees would be removed and 3 trees would be encroached on by the proposed SAP improvements (Appendix E). However, 60 trees would be planted in areas along Bear Valley Parkway to mitigate for the tree impacts (see mitigation measure BIO-8 in Section 3.3). These minimal impacts within a scenic roadway corridor are considered less than significant.

3.1.4.3 Issue 3: Visual Character and Quality

Residential Development

Visual simulations (see Figures 3.1-2 to 3.1-4) of the proposed project were completed to show what the proposed project would look like in the context of the surrounding community, including the size, architectural style, colors, and landscaping.

As shown in the visual simulations, the proposed residential development includes houses that are similar in scale, architectural style, and coloring to surrounding development. As discussed above, the proposed project site is surrounded largely by communities of rural and spaced residential development to the north, west, south, and northeast. Existing houses surrounding the site are one or two stories on approximately 1/3 to 3 acre lots with established landscaping. Homes in the vicinity of the proposed project are generally neutral in tone with tile or shingle roofs. Architectural design guidelines were established for the proposed residential development, which are intended to ensure the proposed development shares a “look” with pre-existing residential development in the surrounding area. Future development would be composed of a mix of one- and two-story units with a color palette of predominantly soft earth tones such as beige, browns, greens, or sandy hues. Building accent materials and facades would include a mix of wood, stone, and other material that blends with the conserved natural environment. Roof colors may vary, but bright colored tiles that conflict with the surrounding natural setting would not be permitted. Overall, the proposed residential development would be consistent with the existing surrounding development in terms of scale and style.

Furthermore, the proposed residential development would replace an existing vacant property which is presently covered primarily in bare soil and weeds. The development would add trees and visually appealing landscaping, while conserving the natural topography of the existing

ridgeline. Overall, the residential development would improve the visual quality of the site relative to the existing condition, and would be consistent with the character of surrounding developments. Thus, the residential development would have a less than significant character and visual quality impact.

Specific Alignment Plan Improvements

As described in detail in Chapter 2, “Project Description,” the proposed SAP improvements include bike lanes, sidewalks, retaining wall, raised median, curbs and gutters, and relocated street lights. These improvements would make Bear Valley Parkway compatible with classification as a Major Road, as defined in the General Plan (City of Escondido 2012a). Bear Valley Parkway already has elements compatible with the Major Road classification in the area surrounding the proposed SAP improvements site. For example, from Las Palmas Avenue to Beethoven Drive, south of the proposed project site, Bear Valley Parkway is constructed as a four-lane divided roadway. Thus, the proposed SAP improvements would create consistency along the roadway between the proposed project site and the surrounding area. The SAP improvements would therefore have a less than significant character and visual quality impact.

3.1.4.4 Issue 4: Light and Glare

Residential Development

The site currently includes one single-family home with a detached garage and no additional exterior lighting. The proposed residential development would demolish the existing house and replace it with 55 housing units. Nighttime exterior lighting would be provided on the residential development site for safety, security, and circulation purposes. Different exterior lighting fixtures would be used, including pole-mounted streetlights and wall-mounted residential lights.

Consistent with Article 35 of the Zoning Ordinance, all exterior lighting fixtures, with the exception of street lamps, would be aimed or shielded so that unnecessary nighttime lighting and glare are reduced for the benefit of the citizens of the city and astronomical research at Palomar Mountain Observatory. Additionally, in accordance with Zoning Ordinance Section 33-713, street lighting installed on the private streets would comply with the City’s Engineering Design Standards and Standard Drawings. Windows on the proposed additional houses and associated cars have the potential to create new sources of glare. However, these land uses would not be inconsistent with existing surrounding development or plans for the residential development site. For these reasons, the residential development would have a less-than-significant impact in regard to new sources of light and glare.

Specific Alignment Plan Improvements

Bear Valley Parkway currently has streetlights at the intersections with Zlatibor Ranch Road, Encino Drive, and Sunset/Ranchito Drive. There are also street lights along Bear Valley Parkway between Sunset and Encino Drives. The SAP improvements proposed to relocate street lights to accommodate the widening. However, new street lights are not included in the proposed SAP

improvements. Cars on Bear Valley Parkway have the potential to create glare. However, the SAP improvements would not increase the number of cars on the proposed project site. For these reasons, the SAP improvements would have a less-than-significant impact in regard to light and glare.

3.1.5 Cumulative Impacts

The analysis above finds that the proposed project would have a less-than-significant impact regarding aesthetics. There are no pending projects in the project viewshed. The project would have a negligible impact on views along Bear Valley Parkway and Choya Canyon Road of intermediate ridgelines and distant mountains. The scenic resources on site that contribute to the views from Bear Valley Parkway consist of the trees along the perennial drainage. The residential development would implement a Tree Mitigation Program and therefore have a less than significant contribution to scenic resource impacts. The proposed project would not result in a significant cumulative viewshed character or quality impact because development associated with the proposed project would conform to the visual character of existing surrounding communities. Furthermore, the residential development would comply with Escondido's lighting requirements that are intended to protect the night sky from cumulative light impacts, and the SAP improvements would not change existing levels of illumination. For these reasons, cumulative aesthetic impacts would be less than significant.

3.1.6 Significance of Impacts prior to Mitigation

The proposed project would result in a less-than-significant impact on scenic vistas, scenic resources within a scenic roadway, visual character and quality, and light and glare.

3.1.7 Mitigation Measures

As the proposed project would have less-than-significant aesthetic impacts, no mitigation is required.

3.1.8 Conclusion

The project would have less-than-significant aesthetic impacts.

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3.2 Agricultural Resources

This section of the Environmental Impact Report (EIR) describes and evaluates potential impacts on agricultural resources that could result from implementation of the proposed project. This section is based on the information provided by the City of Escondido (City); the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP); the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Database (SSURGO); and other sources, as cited throughout the document. General information in this section is taken from the *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Final Environmental Impact Report* (General Plan Program EIR) (City of Escondido 2012b) unless otherwise referenced. Site-specific information is derived from the Geotechnical Investigation prepared by Vinje & Middleton Engineering, Inc. in 2013 (Appendix I-1) and associated update prepared in 2014 (Appendix I-2). In addition, historical site information is based on the Phase I Environmental Site Assessment (ESA) prepared by Vinje & Middleton Engineering, Inc. in 2013 (Appendix L-1).

3.2.1 Existing Conditions

The proposed residential development site has a history of agriculture uses but is not currently in agricultural use. According to aerial photographs, the site was used for growing citrus fruit and avocados for at least 48 years. Aerial imagery in 1990 shows the presence of the tree crops, but the trees had been removed as of a 1995 aerial survey. The oldest aerial images from 1947 show that the site was being used for agriculture, but farming activities may have started before that. Agricultural production has not occurred on the property since 1995. The proposed residential development site is presently vacant with remnants of the citrus and avocado groves, including tree stumps, older irrigation pipeline, valves, and a stockpile of metal irrigation pipe on the hilltop.

The proposed approximately 2.60-acre Bear Valley Parkway full-width Specific Alignment Plan improvements (SAP improvements) would occur largely within the existing roadway right-of-way. The SAP improvements would require an additional six-tenths of one acre of land currently designated as Estate II (Large Lot Single Family Residential, 1 dwelling unit [du] per 0.5, 1, 20 acres) to be dedicated to the City of Escondido in the future. Given the minimal amount of potential agricultural land within the boundary of the SAP improvements site, the evaluation of the current agricultural resources below focuses primarily on resources potentially present on the residential development site. The evaluation below is based on farmland mapping and designations, agricultural soil conditions, water resource availability, and surrounding uses.

3.2.1.1 Farmland Mapping

The California Environmental Quality Act (CEQA) Statute Section 21060.1 references maps produced by the FMMP as a resource that may be used to identify agricultural resources. In addition, CEQA Appendix G identifies lands covered by a Williamson Act contract as potential



agricultural resources. Locally, the *City of Escondido General Plan (General Plan) (City of Escondido 2012a)* also identifies potential agricultural resources. This section discusses each of these farmland mapping resources below.

Williamson Act Contract Lands

As described in more detail in the “Regulatory Framework” section, the California Land Conservation (Williamson) Act provides tax incentives for private landowner-local agency partnerships to slow the conversion of agricultural lands. According to the most recent Department of Conservation’s Williamson Act Program maps for San Diego County (County) published November 2013, the proposed residential development site and proposed SAP improvements site are not in an area under a Williamson Act contract (California Department of Conservation 2016d).

Farmland Mapping and Monitoring Program

This analysis consulted the FMMP maps to identify potential farmland at the proposed residential development site. The FMMP rates agricultural land in California according to soil quality and irrigation status. The categories of farmland are as follows:

- **Prime Farmland (P)**: Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land in this category must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Farmland of Statewide Importance (S)**: Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Unique Farmland (U)**: Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- **Farmland of Local Importance (L)**: Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. Farmland of Local Importance is either currently producing, or has the capability of production, but does not meet the criteria of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. Authority to adopt or to recommend changes to the category of Farmland of Local Importance rests with the Board of Supervisors in each county.
- **Grazing Land (G)**: Land on which the existing vegetation is suited to livestock grazing. It has a minimum mapping unit of 40 acres and was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.



- **Urban and Built-Up Land (D):** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Water (W):** Perennial water bodies with an extent of at least 40 acres.
- **Other Land (X):** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

The California Department of Conservation is currently working on publishing 2014 FMMP data for San Diego County. Thus, the most recent FMMP data for the proposed project are from 2012. As presented in Table 3.2-1, the land at the proposed residential development site is designated as Farmland of Local Importance.

Table 3.2-1 Farmland Mapping and Monitoring Program Categories on the Residential Development Site

Farmland Mapping and Monitoring Program Land Classification	Estimated Project Acres
Prime Farmland (P)	0
Farmland of Statewide Importance (S)	0
Unique Farmland (U)	0
Farmland of Local Importance (L)	40
Grazing Land (G)	0
Water (W)	0
Other Land (X)	0
Approximate total acres	40
Source: FMMP 2012.	



The County defines Farmland of Local Importance (L) as follows:

Land that meets all the characteristics of Prime and Statewide Importance, with the exception of irrigation. Farmlands not covered by the above [P, S, U] categories, but are of significant economic importance to the county. They have a history of good production for locally adapted crops. The soils are grouped in types that are suited for truck crops (such as tomatoes, strawberries, cucumbers, potatoes, celery, squash, romaine lettuce, and cauliflower) and soils suited for orchard crops (avocados and citrus).

City of Escondido General Plan

This analysis also consulted the General Plan to identify potential farmland at the proposed project site. The City identifies agricultural sites in Figure VII-6 of its General Plan. Per this map, the residential development site is considered an agricultural area (City of Escondido 2012a).

However, the General Plan designates the residential development site as Estate II (Figure II-1), which is generally intended to be used for spaced single-family development on relatively large lots and properties that transition between more intensive suburban development and Estate I. Furthermore, the residential development site is zoned RE-20 (Residential Estates with a minimum lot size of 20,000 square feet [sf]). While the Residential Estates zone allows provisions for the maintenance of limited agricultural pursuits such as truck crops (vegetables, berries, and melons), orchards and vineyards (fruits and tree nuts), horticultural specialties, and keeping of horses the purpose of the Residential Estates zone is to provide an area to be developed exclusively for single-family dwellings in a rural setting. (City of Escondido 2012a and City of Escondido n.d.).

3.2.1.2 Agricultural Resources

The California Agricultural Land Evaluation and Site Assessment (LESA) Model first addresses soil quality and then considers social, economic and geographic attributes to evaluate agricultural resources. The social, economic, and geographic attributes more specifically consider the project size and the acreage of suitable agricultural soils, availability of water resources, surrounding agricultural land rating, and the surrounding protected resource land rating. The analysis below considers those same factors to evaluate agricultural resources.

Agricultural Soils

Soil conditions affect the ability of a site to be used for agricultural operations. Per the geotechnical evaluation (Appendices I-1 and I-2), the residential development site consists of underlying crystalline bedrock mantled by surficial soils. Shallow topsoil deposits were found along the ridgelines and hilltops at the property. The topsoil consists of silty sand in overall damp and very loose conditions. A modest to thick mantle of colluvial soils, consisting largely of fine- to medium-grained sandy deposits and some clay-bearing soils, was found in the lower perimeter

terrain and hillside areas of the site. In the canyon flow line in the southern area of the property, the geotechnical survey found exposed alluvium deposits.

The Storie Index and Land Capability Classification (LCC) ratings developed by the NRCS commonly are used to determine the suitability of soils for agricultural use. These ratings are typically determined by site-specific surveys completed by the NRCS. As no site-specific survey was completed for this project, this analysis relies on agricultural analyses from other nearby projects and the associated SSURGO database. Based on the SSURGO mapping for the area, the residential development site includes Fallbrook sandy loam, Ramona sandy loam, and steep gullied land (Table 3.2-2). The corresponding LCC and Storie Index and the project site ratings are addressed further below, as well as the General Plan information regarding soils onsite.

Table 3.2-2 Agricultural Soils on the Residential Development Site

SSURGO Map Unit Key	SSURGO Map Unit Key Soil Description	Estimated Project Acres	LCC	Storie Index
FaD2	Fallbrook sandy loam, 9 to 15% slopes, eroded	5	Class IV	40 to 59
FaE2	Fallbrook sandy loam, 15 to 30% slopes, eroded	15	Class VI	20 to 39
RaB	Ramona sandy loam, 2 to 5% slopes	7	Class II	60 to 79
RaD2	Ramona sandy loam, 9 to 15% slopes, eroded	9	Class IV	40 to 59
StG	Steep gullied land	4	-	-
Total		40	-	-
Sources: NRCS 2015, County of San Diego 2010a and 2010b. LCC = land capability classification				

Land Capability Classification

The LCC ratings classify soils according to their limitations when cultivated and to the way they respond to management practices. Class I soils have no significant limitation for raising crops. Classes VI through VIII have severe limitations that generally preclude their use for agriculture.

As mentioned above, a Soils Resources Report was not prepared by the NRCS for the proposed project. However, according to similar reports conducted for other projects in the vicinity, Fallbrook sandy loam, 9 to 15% slopes, eroded generally has an LCC of Class IV; Fallbrook sandy loam, 15 to 30% slopes, eroded generally has an LCC of Class VI; Ramona sandy loam, 2 to 5% slopes generally has an LCC of Class II; Ramona sandy loam, 9 to 15% slopes, eroded generally has an LCC of Class IV; and Steep Gullied Land is not rated for soil quality. Based on this soils information, approximately 29 acres of the site would have limited agricultural capability, and approximately 7 acres of the site would not have limited agricultural capability.

Storie Index

The Storie Index, another traditional measure of soil quality, uses a 100-point scale to numerically express the relative degree of suitability or value of a soil for general intensive agriculture. Higher ratings indicate higher quality soils. The Storie Index rating is based on several factors such as profile characteristics (affecting root penetration); surface soil texture (affecting the ease of



tillage and capacity of soil to hold water); slope (affecting soil erosion); and other unique limiting factors of the soil such as poor drainage, high water table, salinity, and acidity. Productive agriculture in the County typically occurs on soils with low Storie Index ratings (typically in the 30's).

According to reports conducted for other projects in the vicinity, Fallbrook sandy loam, 9 to 15% slopes, eroded generally has a Storie Index in the range of 40 to 59; Fallbrook sandy loam, 15 to 30% slopes, eroded generally has a Storie Index in the range of 20 to 39; Ramona sandy loam, 2 to 5% slopes generally has a Storie Index in the range of 60 to 79; Ramona sandy loam, 9 to 15% slopes, eroded generally has a Storie Index in the range of 40 to 59; and steep gullied land is not rated for soil quality. Similar to the LCC results, the Storie Index ratings of soils onsite indicate that approximately 29 acres of the site would be suitable to only a few crops and would require special management, and approximately 7 acres of the site would be suitable for most crops with minor limitations.

City of Escondido General Plan

The General Plan Program EIR identified the approximately 7 acres of Ramona sandy loam, 2 to 5% slopes that are present at the residential development site as Prime Agricultural Soil (City of Escondido 2012b, Figure 4.2-2).

3.2.1.3 Availability of Water Resources

The availability of water resources to a property can affect the site's potential for agricultural production. Thus, the availability of water resources is a factor to consider when determining whether a property is a potentially valuable agricultural resource. Per the Geotechnical Study and Phase I ESA (Appendix I-1 and Appendix L-1), water is provided to the existing single-story residential structure at the project site by the City. Three hand-dug irrigation water wells with 15-horsepower pumps that were installed in 1946 were observed on the site. Older irrigation pipelines and valves also exist on the site, remnants of the previous avocado and citrus groves. The irrigation piping was installed around 1938. Surface water flows have been observed on the southwest corner of the site. Subsurface water was not encountered during the test excavations for the Geotechnical Study; however, the depth to groundwater was estimated to be shallow in the Phase I ESA. Based on the limited amount of information in the Geotechnical Study and Phase I ESA, it can conservatively be assumed that water resources are available to the property.

3.2.1.4 Surrounding Uses

In accordance with the LESA model, this section of the EIR considers the agricultural land ratings and the potential for protected agricultural resources within the project's zone of influence (a 0.25-mile buffer around the proposed project site). Within this surrounding area, there are no Williamson Act contract lands. As shown in Table 3.2-3, the FMMP classifies the majority of the surrounding land as Urban and Built-Up. There are 62 acres of Farmland of Local Importance, and the rest is identified as Other Land.

Table 3.2-3 Farmland Mapping and Monitoring Program Categories in Surrounding Land

Farmland Mapping and Monitoring Program Land Classification	Estimated Acres
Prime Farmland (P)	0
Farmland of Statewide Importance (S)	0
Unique Farmland (U)	0
Farmland of Local Importance (L)	62
Grazing Land (G)	0
Water (W)	0
Urban and Built-up Land (D)	206
Other Land (X)	48
Approximate total acres	316
Source: FMMP 2012.	

The General Plan Program EIR identified Prime Agricultural Soils within the 0.25 mile zone of influence of the proposed project site, although an acreage estimate is difficult to decipher from the figure (City of Escondido 2012b, Figure 4.2-2). LCC and Storie Index agricultural soils ratings in the surrounding land are presented in Table 3.2-4. According to the LCC, 53 acres are suitable for agriculture, 133 acres have severe or very severe farming limitations, and 127 acres have limitations that restrict their use to non-cropland purposes. The Storie Index indicates that a range of crop choices could be grown on approximately 53 acres, while 260 acres would be unsuitable or would have severely limited options for agricultural activities. The 3 acres of Steep Gullied Land on site are not assigned LCC or Storie Index ratings.

Table 3.2-4 Agricultural Soils in Surrounding Land

SSURGO Map Unit Key	SSURGO Map Unit Key Soil Description	Estimated Acres	LCC	Storie Index
FaC2	Fallbrook sandy loam, 5 to 9% slopes, eroded	20	Class III	40 to 59
FaD2	Fallbrook sandy loam, 9 to 15% slopes, eroded	79	Class IV	40 to 59
FaE2	Fallbrook sandy loam, 15 to 30% slopes, eroded	118	Class VI	20 to 39
FvE	Fallbrook-Vista sandy loam, 15 to 30% slopes	8	Class VI	40 to 59
RaB	Ramona sandy loam, 2 to 5% slopes	53	Class II	60 to 79
RaC2	Ramona sandy loam, 5 to 9% slopes, eroded	17	Class III	40 to 59
RaD2	Ramona sandy loam, 9 to 15% slopes, eroded	17	Class IV	40 to 59
StG	Steep gullied land	3	-	-
VvG	Vista rocky course sandy loam, 30 to 65% slopes	1	Class VII	0 to 19
Total		316	-	-
Sources: NRCS 2015, County of San Diego 2010a and 2010b, USDA 1973. LCC = land capability classification				

3.2.2 Regulatory Framework

3.2.2.1 Federal Regulations

Agricultural Conservation Easement Program

The Agricultural Act of 2014 established the Agricultural Conservation Easement Program and repealed the Farm and Ranch Lands Protection Program (FRPP), a voluntary program that helped farmers and ranchers keep their land in agriculture. The Agricultural Conservation Easement Program combines the purposes of the FRPP with the similarly repealed Grassland Reserve Program into new agricultural land easements, which protect the agricultural use and conservation values of eligible farm and ranch land. The NRCS manages the program. Under the agricultural land easements, NRCS may contribute up to 50% of the fair market value of an agricultural land easement to Native American tribes, state and local governments, or non-governmental organizations.

Farmland Protection Policy Act

Congress passed the Agriculture and Food Act of 1981, containing the Farmland Protection Policy Act (FPPA) to protect American farmland and to combat urban sprawl and the waste of energy and resources that accompanies sprawling development. The purpose of the FPPA is to minimize the impact of federal programs on conversion of farmland to nonagricultural uses. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every 2 years. For the purposes of the FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland that meets FPPA requirements does not have to be currently used for agriculture.

3.2.2.2 State Regulations

California Civil Code Section 3482.5 (The Right to Farm Act)

The Right to Farm Act is designed to minimize farm-urban edge conflicts. It states that no agricultural activity conducted in a “manner consistent with proper and accepted customs and standards” shall become a nuisance due to a change in land use around the locality. The Right to Farm Act applies to agricultural activities, operations, or facilities that have been in operation for more than 3 years if they were not a nuisance at the time they began.

California Farmland Conservancy Program Act

Originally, the Agricultural Land Stewardship Program Act of 1995, the California Farmland Conservancy Program Act promotes the long-term, voluntary conservation of farming and ranching lands by offering landowners financial incentives. The California Farmland Conservancy Program encourages local land use planning for orderly and efficient urban growth and conservation of agricultural land statewide by providing grant funding for easement and planning projects.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act in honor of its author, John Williamson, is another California State program designed to encourage the voluntary conservation of agricultural lands. It allows for 10-year contracts between landowners and local governments that voluntarily restrict development on parcels, thereby protecting agriculture and open space from premature and unnecessary urban development. In return, the land under contract is assessed and taxed according to its actual use, and the State allocates payments to local governments based on acreage enrolled in the program. Participation in the Williamson Act program involves approximately 16 million acres statewide, which represents about one-half of the state's agricultural land.

California Agricultural Land Evaluation and Site Assessment Model

The California LESA Model is a point-based approach to rating the relative quality of land based on six measurable factors. Two land evaluation factors are based on measures of soil resource quality. Four site assessment factors assess a given project's size, availability of water resources, surrounding agricultural lands, and surrounding protected resource lands. The factors are weighted and combined, resulting in a single numerical score for a given project on a 100-point scale. Developed by the NRCS in 1981, the LESA approach was initially used at the federal level for addressing potential impacts of federal programs (e.g., funding of highway construction) on farmland protection. The formulation of the California LESA Model was the result of Senate Bill 850 (Chapter 812/1993), which called for an amendment to Appendix G of the State CEQA Guidelines "to provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process." The LESA approach can be modified to reflect regional and local conditions, and at least 200 jurisdictions have developed local LESA methodologies nationwide.

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

The goal of the Cortese-Knox-Hertzberg Local Government Reorganization Act is to promote orderly development and to balance that development with the often competing priorities of discouraging urban sprawl, preserving prime agricultural lands and open space, and efficiently extending government services. The Act established procedures for local government organization changes, including city incorporations, annexations to a city of a special district, and city and special district consolidations.

The following California Government Code sections are associated with the Cortese-Knox-Hertzberg Local Government Reorganization Act:

California Government Code Section 56016 defines "agricultural lands" to mean land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left

fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program.

California Government Code Section 56064 defines “prime agricultural land” to mean any area of land that has not been developed for a use other than agriculture and that meets any of the following qualifications:

- a. Land that qualifies, if irrigated, for rating as class I or class II in the USDA NRCS land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- b. Land that qualifies for rating 80 through 100 Storie Index Rating.
- c. Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
- d. Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- e. Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

California Government Code Section 56377 refers to powers of a local agency formation commission. It states:

In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:

- a. Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
- b. Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.



California Government Code Section 56668(e) says that review of a proposal shall consider, among other factors, the effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

Farmland Mapping and Monitoring Program

As explained in the “Existing Conditions” section above, the FMMP provides data and maps of California’s agricultural resources, which are used in assessing current status, reviewing trends, and planning for the future. Administered by the California Department of Conservation since 1982, agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland; other categories include Farmlands of Statewide Importance and Unique Farmlands. The maps are based on a computer mapping system, aerial imagery, public review, and field reconnaissance, and are updated every 2 years. Data are available from 1984 to the present. FMMP maps agricultural and urban land use on nearly 98% of the state’s privately held land.

Open Space Subvention Act

The Open Space Subvention Act of 1972 provides for the partial replacement of local property tax revenue foregone as a result of participation in the Williamson Act and other enforceable open space restriction programs (Government Code Section 16140 et seq.). Participating local governments have received annual payments on the basis of quantity (number of acres); quality (soil type and agricultural productivity); and, for Farmland Security Zone contracts, location (proximity to a city) of land enrolled under eligible enforceable open space restrictions. Payments associated with the Act totaled more than \$863 million between 1972 and 2010.

Sustainable Agricultural Lands Conservation Program

The Sustainable Agricultural Lands Conservation Program is a component of the Affordable Housing and Sustainability Program (AHSC). Senate Bill 862, Statutes of 2014 established the AHSC Program, to be administered by the Strategic Growth Council, “to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development.” The AHSC Program is funded by the Greenhouse Gas Reduction Fund. The Sustainable Agricultural Lands Conservation Program complements investments made in urban areas with the purchase of agricultural conservation easements, development of agricultural land strategy plans, and other mechanisms that result in greenhouse gas reductions.

3.2.2.3 Local Regulations

City of Escondido General Plan

The General Plan addresses agricultural resources in the Resource Conservation Element (City of Escondido 2012a). The following agricultural goals and policies are relevant to this analysis:

GOAL 4: Preservation of agricultural resources and continuation of agricultural production in appropriate areas within Escondido.

Agricultural Resources Policy 4.1: Maintain large-lot residential land uses with appropriate zoning designations in agricultural areas that are compatible with preserving agricultural productivity.

Agricultural Resources Policy 4.2: Require agricultural lands to be physically separated from more intensive urban development with intermediate land uses that are mutually compatible, and use landscape screening methods to minimize urban and agricultural conflicts.

Agricultural Resources Policy 4.3: Explore a variety of techniques to preserve existing agricultural lands including:

- a. Agricultural Land Trusts designed as nonprofit corporations organized according to the Nonprofit Public Benefit Corporation Law of California and Section 501(c)(3) of the Internal Revenue Code.
- b. Transfer development rights from existing agricultural lands to other portions of the project or City-approved receiver sites, thereby preserving the agricultural lands in permanent open space, consistent with clustering policies.
- c. The “right to farm” in open space areas.

3.2.3 Thresholds of Significance

The State CEQA Guidelines Appendix G (14 CCR 15000 et seq.) has identified significance criteria to be considered for determining whether a project could result in significant impacts on existing agricultural resources.

An impact would be considered significant if construction or operation of the proposed project would have any of the following consequences:

- Convert farmland to a non-agricultural use;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract; or
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to a non-agricultural use.

3.2.4 Project Impacts

3.2.4.1 Issue 1: Direct Conversion of Agricultural Resources

Residential Development

Evaluation of the proposed residential development site as an agricultural resource was based on soil conditions in addition to social, economic and geographic factors. As described under the existing conditions, the site includes approximately 7 acres of Prime Soils, and the entire site is classified as Farmland of Local Importance. The site was also previously used for agricultural operations, and water is assumed to be available to the site. However, there are secondary social,



economic, and geographic factors that affect the ability to use the site for future agricultural use. These considerations are discussed further below.

The size of the proposed residential development site and the current land uses surrounding its borders limit its potential for agricultural use. The property is approximately 40.62 acres; however, most of that area has steep slopes or eroded soil, or is occupied by drainages—leaving only approximately 7 acres of the site suitable for farming. The site is also surrounded by residential development to the north, northeast, south, and west. Conflicts arising from the urban-agricultural interface limit the site's potential for agricultural production.

The City's adopted planning and zoning policies recognize that low-density residential, rather than agriculture, is a more desirable long-term use for the project. The General Plan designates the residential development site as Estate II (Large Lot Single Family Residential, 1 du per 0.5, 1, 20 acres)), which is meant to accommodate detached single-family homes on large lots in areas on the edge of urban development (City of Escondido 2012a). It is currently zoned Residential Estate, with a minimum lot size of 20,000 square feet (RE-20) (City of Escondido 2014). The General Plan Program EIR explains that, while the Estate II land use designation allowed for limited agricultural activities under the City's 1990 General Plan, under the policies of the 2012 General Plan, agricultural operations would not be accommodated in the Estate II land use designation (City of Escondido 2012b). The proposed residential development would be consistent with the site's land use designation and zoning policies. As a residential development with lot sizes of 10,000 to 24,500 square feet, seven open space lots, and architectural design criteria stipulating one- and two-story ranch-style homes, the proposed residential development would conform to the goals of the General Plan.

Agricultural resources are conserved regionally through the General Plan. The Resource Conservation Element of the General Plan supports agricultural activities in the city while planning for the transition of certain properties to other uses in a manner consistent with the Land Use Element and Community Form Element of the General Plan. The Land Use Element promotes the continuance of farming within Rural I and Rural II designations and has an R-A zone (Residential Agriculture) available for those parcels planned for agricultural use. Agricultural activities are also allowed within the Estate I designation. The General Plan Program EIR concluded that implementation of the General Plan would potentially result in the direct and cumulative conversion of 3,546 acres of agricultural resources to non-agricultural use. The proposed residential development, with its Estate II designation, would have been included in that acreage. Due to the multiple policies within the General Plan that promote the preservation of agricultural resources, the General Plan Program EIR concluded that the conversion of agricultural resources to non-agricultural uses would be less than significant (City of Escondido 2012b).

In conclusion, while the site was previously used for agricultural operations and includes agricultural soils, the General Plan designates the site as Estate II and agricultural uses are no longer encouraged on site. The General Plan effects on agricultural resources were addressed in the General Plan Program EIR, which determined impacts on agricultural resources to be less than significant. Thus, development of the proposed residential development site with residential uses in accordance with the General Plan would result in a less than significant impact related to direct conversion of agricultural resources.

Specific Alignment Plan Improvements

The proposed approximately 2.60-acre Bear Valley Parkway SAP improvements would occur largely within the existing roadway right-of-way. The SAP improvements would address goals in the General Plan Mobility Element such as bicycle and pedestrian access, and would add elements to Bear Valley Parkway that would make it compliant with infrastructure requirements for classification as a Major Road, including a median, bike lanes and sidewalks. The SAP improvements would require an additional six-tenths of one acre of land currently designated as Estate II (Large Lot Single Family Residential, 1 du per 0.5, 1, 20 acres) to be dedicated to the City of Escondido in the future. Given the minimal amount of potential agricultural resources within the boundary of the SAP improvements site, the proposed SAP improvements would have a less-than-significant impact related to direct conversion of agricultural resources.

3.2.4.2 Issue 2: Land Use Conflicts

Residential Development

The residential development site is not currently being farmed, nor has it been farmed for two decades. The site does not have a Williamson Act contract, and the General Plan designation does not encourage agricultural uses on site. As previously explained, the proposed residential development is in the Estate II (Large Lot Single Family Residential, 1 du per 0.5, 1, 20 acres) land use designation. The purpose of the Estate II land use designation under the General Plan is to accommodate detached single-family residential homes on large lots and is not designed to encourage agriculture. The project proposes residential land uses in accordance with the General Plan Estate II designation and would not include agricultural production.

The proposed residential development would also carry out the public purposes of City zoning policies. The existing zoning at the project site is Residential Estates with minimum lot sizes of 20,000 square feet (RE-20); the project proposes to rezone the site to Planned Development. Planned Development zoning is intended to “provide a more flexible regulatory procedure by which the basic public purposes of the Escondido General Plan and the Escondido Zoning Code may be accomplished” (City of Escondido n.d.).

In summary, there would be no impacts related to agricultural land use conflicts. The General Plan promotes residential use of the proposed residential development site, rather than preserving the property’s farming potential. The proposed Planned Development (P-D) zone at

the site would implement the policy objectives of the site's Estate II land use designation. Therefore, the proposed residential development would not conflict with zoning for agricultural use or a Williamson Act contract.

Specific Alignment Plan Improvements

The SAP improvements site does not have a Williamson Act contract. Similar to the residential development, the SAP improvements site is in the Estate II (Large Lot Single Family Residential, 1 du per 0.5, 1, 20 acres) land use designation, which does not encourage agricultural uses (City of Escondido 2012a). The majority of the SAP improvements would occur within the existing roadway right-of-way and address goals in the General Plan Mobility Element to make Bear Valley Parkway compliant with requirements for classification as a Major Road. Therefore, the proposed SAP improvements would not conflict with existing zoning for agricultural use or a Williamson Act contract and no impact would occur.

3.2.4.3 Issue 3: Indirect Conversion of Agricultural Resources

Residential Development

The proposed residential development would be located on two parcels (Assessor's Parcel Number [APN] 237-131-01 and 237-131-02) that are identified as Farmland of Local Importance by the FMMP. Within the project's zone of influence, as informed by the California LESA Model, two other areas within the Unincorporated Area of San Diego County have also been identified as Farmland of Local Importance. The first area, north of the project on the other side of Bear Valley Parkway, is approximately 11.5 acres on APN 237-130-07. The second area, east of the proposed project, covers approximately 50 acres and 12 separately owned parcels (APNs 239-130-22, -23, -32, -50, -54, and -55; and APNs 237-141-04, -05, -13, -16, -18, and -20). Two additional areas within the proposed project's zone of influence are within the city's boundaries and are identified as Farmland of Local Importance. The first area, southeast of the project, covers approximately 2 acres and is mostly on APNs 239-050-18 and -52. The second area, on the proposed project's southern border, is approximately 1 acre on APN 239-050-20. In addition to the FMMP maps, these areas were identified in the General Plan as agriculturally significant sites (City of Escondido 2012a, Figure VII-6).

The proposed residential development would fragment a 105-acre swath of land identified as Farmland of Local Importance by the FMMP (City of Escondido 2012b, Figure 4.2-1). However, the fragmentation would not necessarily affect the ability of those areas to be used for agricultural purposes. The addition of the proposed residential uses to the site would not significantly alter the ability to use the surrounding areas for agricultural purposes, as the area already has a significant amount of residential uses. Also, the adjacent parcels are independently owned, and farming practices on those parcels are not interdependent with land uses at the proposed project site. The two areas south of the proposed project that are within the city's boundaries and identified as agricultural resources by the FMMP and the City, have the highest potential for indirect impacts. Implementation of the proposed project would cause these two

areas to be almost completely surrounded by low-density residential development, creating conflicts related to land values and the urban/agriculture interface. However, conversion of these areas would be consistent with long-range, regional plans because the two areas have the same land use designation as the project: Estate II (Large Lot Single Family Residential, 1 du per 0.5, 1, 20 acres) in the General Plan.

Although the proposed residential development would fragment a swath of agriculturally significant land, the project would not affect land use activities on adjacent lands within the County's unincorporated boundaries, considering that residential uses already exist in the area. Conversion of agriculturally significant sites adjacent to the proposed project within the city limits would be consistent with long-range planning policies. Thus, impacts related to indirect conversion of agricultural resources would be less than significant.

Specific Alignment Plan Improvements

The majority of the proposed SAP improvements would occur within the existing roadway right-of-way, although they would require an additional six-tenths of one acre of land to be dedicated to the City of Escondido in the future. Considering that the roadway already exists, the proposed SAP improvements are not anticipated to affect land use activities on adjacent land. Similar to the proposed residential development, conversion of agriculturally significant sites adjacent to the proposed project within city boundaries would be consistent with long-range planning policies. Thus, there would be no impact related to indirect conversion of agricultural resources.

3.2.5 Cumulative Impacts

The geographic scope for this cumulative analysis of agricultural resources includes the San Diego County region.

3.2.5.1 Issue 1: Direct Conversion of Agricultural Resources

In general, agricultural resources are in decline in the San Diego County region. This decline can be attributed, in part, to the increasing population in the region and subsequent pressures that would require the direct conversion of lands supporting agricultural resources to non-agricultural uses. Cumulative impacts in the incorporated cities and unincorporated County would have the potential to convert agricultural lands and resources to non-agricultural uses from development of land uses that are incompatible with agriculture. Therefore, cumulative projects would result in a potentially significant impact related to the direct conversion of agricultural resources in the San Diego County region.

As discussed above, implementation of the proposed project would result in less-than-significant impacts related to the direct conversion of agricultural resources. Therefore, in combination with other cumulative projects, the proposed project would not result in a cumulatively considerable contribution to a regionally significant impact related to the direct conversion of agricultural land.

3.2.5.2 Issue 2: Land Use Conflicts

Within the San Diego County region, incorporated cities (including Escondido) and the unincorporated County designate and adopt agricultural preserves, enter into Williamson Act contracts, and adopt agricultural zoning to protect their agricultural resources. Projects that are subject to discretionary review by the City also are reviewed for Williamson Act contract conflicts based on State CEQA Guidelines Section 15317 (see above). Any identified impacts on agricultural resources from cumulative projects would be mitigated to a level below significant. With these regulations in place, cumulative projects occurring in the San Diego County region would not result in conflicts with existing agricultural zoning or Williamson Act contracts. Therefore, cumulative projects, in combination with the proposed project, would not result in a potentially significant cumulative impact related to agricultural land use conflicts.

3.2.5.3 Issue 3: Indirect Conversion of Agricultural Resources

The indirect conversion of farmland is increasing due to population growth and the subsequent development required to support that growth in the San Diego County region. Land use conflicts often arise from increased agricultural-urban interface areas, high operating costs, and escalating property values. Similar to the proposed project, cumulative projects resulting in urban development are anticipated to indirectly affect the viability of agricultural resources in the region by increasing conflicts related to urban-agricultural interfaces and increasing land values, which would result in a potentially significant cumulative impact.

As explained in the “Project Impacts” section, implementation of the proposed project would result in a less-than-significant impact related to an indirect conversion of agricultural resources. In combination with other cumulative projects, the project would not result in a cumulatively considerable contribution to a regionally significant cumulative impact related to the indirect conversion of agricultural land.

3.2.6 Significance of Impacts prior to Mitigation

The proposed project would result in less-than-significant direct and cumulative impacts regarding direct and indirect conversion of agricultural resources to non-agricultural uses and land use conflicts with agricultural zoning or Williamson Act contract lands.

3.2.7 Mitigation Measures

The project would result in a less-than-significant impact associated with direct conversion of agricultural resources, conflicts with agricultural land uses, and indirect conversion of agricultural resources. No mitigation is required.



3.2.8 Conclusion

The discussion below provides a summary of the conclusions reached in each of the above impact analyses.

3.2.8.1 Issue 1: Direct Conversion of Agricultural Resources

The proposed residential development would convert land to a non-agricultural use. About 7 acres of the approximately 40.62-acre residential development site have soils that are suitable for farming, and the site was historically used for growing avocado and citrus fruit. However, agricultural operations have not existed on-site for at least 20 years. The proposed SAP improvements would largely occur within the existing right-of-way. Secondary social, economic, and geographic factors affect the ability to use the site for future agricultural use. Specifically, the proposed project would be consistent with the goals of the General Plan, and existing residential development surrounds the site. For these reasons, the proposed project would result in a less-than-significant impact related to direct and cumulative conversion of agricultural resources. No mitigation is required.

3.2.8.2 Issue 2: Land Use Conflicts

There are no agricultural preserve lands or Williamson Act contract lands on the proposed project site. The proposed project would not conflict with the City's land use designation or zoning policies. For these reasons, the proposed residential development would result in a less-than-significant impact related to direct and cumulative agricultural land use conflicts. The proposed SAP improvements would have no direct and cumulative land use conflicts. No mitigation is required.

3.2.8.3 Issue 3: Indirect Conversion of Agricultural Resources

The residential development would fragment a 105-acre swath of agricultural resources identified by the FMMP and the General Plan. However, residential uses already exist in the area, and conversion of agriculturally significant sites adjacent to the project within city boundaries would be consistent with the City's long-range planning policies. For these reasons, impacts of the proposed residential development related to indirect conversion of agricultural resources, both directly and cumulatively, would be less than significant, and no mitigation is required. The SAP improvements would largely occur within the existing right-of-way and would be consistent with the City's long-range planning policies. For these reasons, the proposed SAP improvements would have no impact on indirect conversion of agricultural resources, both directly and cumulatively, and no mitigation is required.

3.3 Biological Resources

This section of the Environmental Impact Report (EIR) describes the existing biological resources on the proposed project site and in the vicinity, and analyzes the potential for the project to affect significant biological resources. A Biological Resources Technical Report and Arborist Report were prepared by Dudek for the proposed residential development in 2016 (Appendices B and D, respectively). A Biological Resources Technical Report and Arborist Report were also prepared by Dudek for the proposed Specific Alignment Plan (SAP) improvements in 2016 (Appendices C and E, respectively). The following information is based on those reports and, unless otherwise referenced, the *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Final Environmental Impact Report* (City of Escondido 2012b).

3.3.1 Existing Conditions

This section describes the existing conditions related to biological resources on the proposed project site. The majority of the proposed residential development site was once an avocado orchard; however, the orchard was removed and now is considered disturbed habitat. One occupied residence is in the central portion of the residential development site. The remainder of the proposed residential development site is undeveloped. The proposed SAP improvements would widen Bear Valley Parkway to four lanes in a relatively rural part of Escondido. An unnamed intermittent stream channel, with an overstory of oak riparian, crosses the southern portion of the proposed project site (refer to the perennial stream on Figure 3.3-1). The proposed project site is in an area characterized by low-density single-family residential uses.

3.3.1.1 Vegetation Communities

The proposed project site is substantially disturbed because of the previous land uses as an orchard and the existing single-family residence. There are five vegetation communities/land covers on the proposed project site: southern coast live oak riparian forest, non-native riparian, disturbed southern cactus scrub, disturbed habitat, and developed land. Only the southern coast live oak riparian forest and southern cactus scrub in the southern portion of the site support native vegetation. Table 3.3-1 lists the vegetation communities and their acreages. Figures 3.3-1 and 3.3-2 show the location of each vegetation community on the proposed project site. The following sections provide brief descriptions of the vegetation communities present on the proposed project site.

Southern Coast Live Oak Riparian Forest

Approximately 3.35 acres of southern coast live oak riparian forest occurs along the perennial stream channel in the southern portion of the proposed residential development site. Approximately 0.19 acre of southern coast live oak riparian forest occurs on the proposed SAP improvements site along the perennial stream channel. The southern coast live oak riparian forest is dominated by coast live oak (*Quercus agrifolia*), scattered palm trees (*Washingtonia robusta* and *Phoenix dactylifera*), poison oak (*Toxicodendron diversilobum*), edible fig (*Ficus*



carica), and velvet ash (*Fraxinus velutina*). Because it is associated with the stream channel, all southern coast live oak riparian forest on the proposed project site is considered under the jurisdiction of the California Department of Fish and Wildlife (CDFW).

Table 3.3-1. Vegetation Communities on the Proposed Project Site

Vegetation Community	Acreage	Percent of Project Site
Residential Development		
Southern coast live oak riparian forest	3.35	8.3%
Non-native riparian	0.13	0.3%
Disturbed southern cactus scrub	0.17	0.4%
Disturbed habitat	36.43	89.6%
Developed land	0.54	1.4%
<i>Total residential development site</i>	<i>40.62</i>	<i>100%</i>
SAP Improvements		
Southern coast live oak riparian forest	0.19	7.3%
Disturbed habitat	1.02	39.2%
Developed land	1.39	53.5%
<i>Total SAP improvements site</i>	<i>2.60</i>	<i>100%</i>
Sources: Appendices B and C.		

Non-Native Riparian

Approximately 0.13-acre of non-native riparian habitat exists on the proposed residential development site. Non-native riparian areas are dominated by Washington fan palms interspersed with edible fig. Non-native riparian areas occur in three locations along the western boundary of the residential development site and adjacent to the perennial stream. The non-native riparian areas on site constitute wetlands under the jurisdiction of the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) and are also considered CDFW-associated riparian areas.

Disturbed Southern Cactus Scrub

Approximately 0.17-acre of disturbed southern cactus scrub is located in the southeastern portion of the proposed residential development site. It is a rare form of coastal sage scrub that occurs in relatively isolated areas throughout San Diego County (County) (e.g., Chula Vista, San Pasqual). On the residential development site, this community consists of prickly-pear cactus (*Opuntia littoralis*) and Barbary fig (*Opuntia ficus-indica*), with ruderal species such as castor bean (*Ricinus communis*).

Disturbed Habitat

Approximately 36.43 acres of the proposed residential development site and 1.02 acres of the proposed SAP improvements site are disturbed habitat. Disturbed habitat typically occurs in areas where soils have been recently or repeatedly disturbed by grading or compaction, resulting



in the growth of very few native perennials. The disturbed habitat on the residential development site is a combination of old orchard, graded lots, and cleared areas. Vegetation on the disturbed habitat areas is sparse and dominated by non-native annual weedy species. The disturbed habitat within the SAP improvements boundary includes the areas adjacent to Bear Valley Parkway that are dominated by non-native annual weedy species and a dirt road that crosses the adjacent stream channel in the southern portion of the proposed project boundary. There is a very small portion of disturbed coastal sage scrub (0.04 acre) that is dominated by black mustard (*Brassica nigra*) and ripgut brome (*Bromus diandrus*) and did not meet the minimum mapping unit of 0.10 acre for special-status vegetation communities; therefore, it is not mapped as a separate vegetation community.

Developed Land

Approximately 0.54 acre of the proposed residential development site and 1.39 acres of the proposed SAP improvements site are developed land. “Developed land” refers to existing roads and the single-family residence on the residential development site and Bear Valley Parkway, and adjacent residences on the SAP improvements site.

3.3.1.2 Jurisdictional Waters

In 2014, Dudek performed a formal delineation of jurisdictional waters on the proposed residential development site; and in 2016, on the proposed SAP improvements site. Refer to Appendices B and C for complete details regarding the delineations. In general, three types of potential jurisdictional aquatic resources were evaluated. Natural canyon drainages, southern coast live oak riparian forest, and wetlands/associated riparian areas located within the southern coast live oak riparian forest were evaluated for the presence of USACE, RWQCB, and CDFW jurisdictional aquatic resources.

Residential Development

There are 3.62 acres of wetlands and non-wetland waters under the jurisdiction of USACE/RWQCB, and streambeds and associated riparian areas under CDFW jurisdiction on the proposed residential development site. This includes 3.48 acres of wetlands/associated riparian areas. Jurisdictional aquatic communities on the project site include southern coast live oak riparian forest and non-native riparian habitat. The jurisdictional areas on the residential development site are shown in Table 3.3-2 and Figure 3.3-1.

USACE/RWCQB has jurisdiction over 0.44 acre of wetlands and stream channels on the proposed residential development site. This includes 0.13 acre of jurisdictional wetlands composed of non-native riparian areas and 0.31 acre of ephemeral and perennial stream channels.

CDFW jurisdiction extends over all the areas under USACE/RWCQB jurisdiction discussed above and includes areas that meet USACE wetland (i.e., hydrophytic) vegetation criteria but lack wetlands hydrology and/or hydric soils indicators. In total, there are 3.62 acres of CDFW

jurisdictional resources on the proposed residential development site. This includes 3.48 acres of associated riparian habitat (3.35 acres of southern coast live oak riparian forests and 0.13 acre of non-native riparian habitat) and 0.31 acre of stream channels (0.14 acre of ephemeral stream channel and 0.17 acre of perennial stream channel¹).

Table 3.3-2 Jurisdictional Aquatic Resources on the Proposed Residential Development Site

Jurisdictional Aquatic Resource	CDFW Riparian Area (acres)	USACE/RWQCB Wetland (acres)
Southern coast live oak riparian forest	3.35	--
Non-native riparian	0.13	0.13
<i>Total riparian/wetlands</i>	<i>3.48</i>	<i>0.13</i>
Jurisdictional Aquatic Resource	CDFW Streambed (acres)	USACE/RWQCB Non-Wetland Waters (acres)
Ephemeral stream channel	0.14	0.14
Perennial stream channel	0.17	0.17
<i>Total streambed/ non-wetland waters</i>	<i>0.31</i>	<i>0.31</i>
Total jurisdictional area ^a	3.62	0.44
Source: Appendix B. Notes: ^a Ephemeral stream channels are an overlay within the disturbed habitat and southern coast live oak riparian forest vegetation communities. The perennial stream channel on site is within the understory of the oak canopy. To avoid double counting of resources, this channel, and the portion of the ephemeral channel within the oak canopy, are not counted toward the total jurisdictional area. CDFW = California Department of Fish and Wildlife, RWQCB = Regional Water Control Board, USACE = U.S. Army Corps of Engineers		

Specific Alignment Plan Improvements

There is 0.19 acre of potential aquatic resources on the SAP improvements site under CDFW jurisdiction. The resources involve southern coast live oak riparian forest occurring along the stream channel bordering Bear Valley Parkway. Although this vegetation community did not show signs of wetland hydrology, hydric soils, or hydrophytic vegetation, it is considered riparian habitat under the jurisdiction of CDFW because it is associated with the stream channel. The jurisdictional areas in the SAP improvements site are shown in Table 3.3-3 and in Figure 3.3-2.

¹ The 0.17-acre perennial stream channel is included within the southern coast live oak riparian forest.

Table 3.3-3. Jurisdictional Aquatic Resources on the Proposed SAP Improvements Site

Jurisdictional Aquatic Resource	CDFW Riparian Area (acres)
Southern coast live oak riparian forest	
Bear Valley Parkway (east)	0.09
Bear Valley Parkway (west)	0.10
<i>Total jurisdictional area</i>	<i>0.19</i>
Source: Appendix C	
CDFW = California Department of Fish and Wildlife	

3.3.1.3 Special-Status Plant and Wildlife Species

Special-status species are plants and animals that are legally protected under the California Endangered Species Act (CESA), the federal Endangered Species Act (federal ESA), or other regulations, in addition to species considered sufficiently rare by the scientific community to qualify for such listing (such as Species of Special Concern [SSC] identified by CDFW or other species that meet the California Environmental Quality Act [CEQA] definition of “rare”).

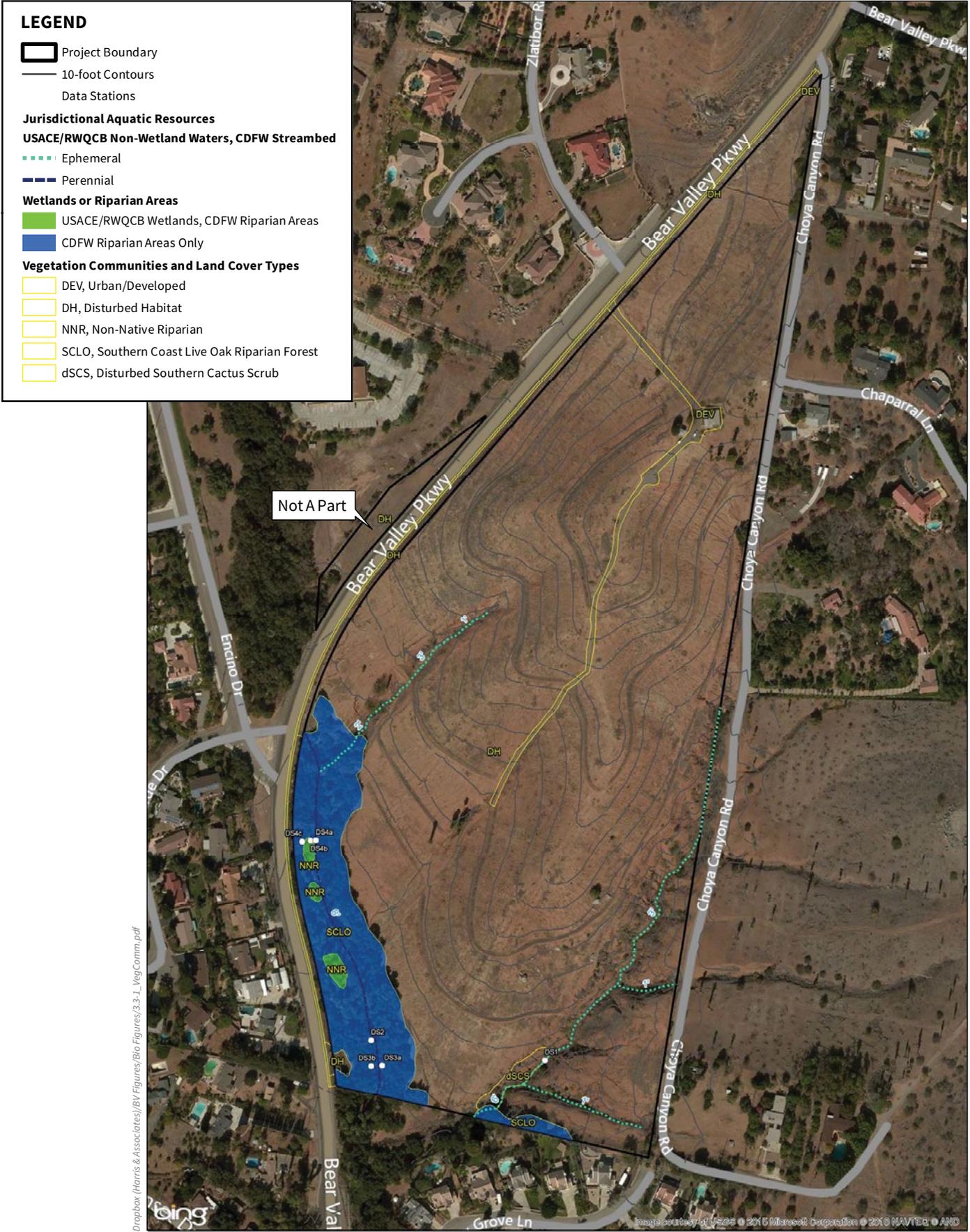
For the purpose of the EIR, special-status species are those that meet any of the following definitions:

- Endangered or threatened plant or wildlife species recognized in the context of the CESA and federal ESA;
- Plant species with a California Rare Plant Rank of 1 or 2;
- California Species of Special Concern, as designated by CDFW; and
- Wildlife species fully protected in California (California Fish and Game Code, Sections 4700 [mammals] and 3511 [birds]).

To establish the environmental setting for special-status species, a records search of the California Natural Diversity Database and the California Native Plant Society for the Escondido U.S. Geological Survey 7.5-minute quadrangle and the surrounding eight topographic quadrangles was conducted. **Additionally, species included in the *Public Review Draft Escondido Subarea Plan (Subarea Plan)* Table 3-2 (“Multiple Habitat Conservation Plan [MHCP] Species Occurring or Potentially Occurring in Escondido”)** (Ogden Environmental and Energy Services and Conservation Biology Institute 2001, as cited in Appendix B) were considered. These species are included in Appendices B and C. In addition to the literature reviews, Dudek performed a reconnaissance-level field survey in 2013 and formal jurisdictional delineation in 2014 on the proposed residential development site, as well as a field survey and jurisdictional delineation in 2016 on the proposed SAP improvements site.



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LEGEND

-  Project Boundary
-  Data Stations
- Jurisdictional Aquatic Resources**
-  CDFW Riparian Areas Only
- Vegetation Communities and Land Cover Types**
-  DEV, Urban/Developed
-  DH, Disturbed Habitat
-  SCLO, Southern Coast Live Oak Riparian Forest



Path: MarCom\COMMS EXTERNAL\GRAPHICS\BD Proposals\Bear Valley EIR\Figures

Source: Dudek 2016c



Harris & Associates

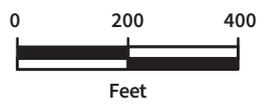


Figure 3.3-2
Biological Resources on Proposed
SAP Improvements Site

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Plants

Residential Development

Refer to Appendix B for a list of the 108 special-status plant species with the potential to occur in the region of the proposed residential development site. Based on the habitats present on the residential development site, and the locations and dates of the occurrences for the 108 documented species, two of the 108 species were identified as having the potential to be present on the site: San Diego ambrosia (*Ambrosia pumila*) and smooth tarplant (*Centromadia pungens* ssp. *laevis*). These species are typically found within riparian habitats or disturbed areas with sandy soils, which the residential development site supports. The potential for the other 106 special-status plants to occur is low or not expected because of the high level of disturbance on the proposed project site.

As described in Appendix B, a reconnaissance-level survey conducted in 2013 and a jurisdictional delineation conducted in 2014 documented a total of 32 native and non-native plants on the proposed residential development site. No special-status plant species were recorded during either survey. A rare plant survey was not conducted because there is limited suitable habitat and low diversity of plant species on the project site.

Specific Alignment Plan Improvements

The San Diego ambrosia was also identified as having moderate potential to occur on the proposed SAP improvements site. Although the species was not observed during the site visit, the riparian habitats or disturbed areas with sandy soils on the SAP improvements site are known to be suitable for San Diego ambrosia in the region. Refer to Appendix C for the full list of 109 special-status plant species that have the potential to occur in the region of the SAP improvements site.

A reconnaissance-level field survey and jurisdictional delineation were conducted on the proposed SAP improvements site in 2016. A total of 25 species of vascular plants, 8 native (32%) and 17 non-native (68%), were recorded from the site. No special-status plant species were documented on the SAP improvements site, and a rare plant survey was not conducted.

Wildlife

No special-status wildlife species were observed on the proposed residential development or SAP improvement site during the reconnaissance-level surveys or jurisdictional delineations; however, several special-status species have a moderate to high potential to occur based on suitable habitat types and known species' range. These species are listed in Table 3.3-4 and are discussed in further detail below. Refer to Appendices B and C for a complete list of the special-status wildlife species with potential to occur in the project region.

Table 3.3-4. Special-Status Wildlife with a Moderate to High Potential to Occur on the Proposed Project Site

Species	Status	Potential to Occur on Residential Development Site	Potential to Occur on SAP Improvements Site
Mammals			
Western red bat (<i>Lasiurus blossevillii</i>)	California SSC/Western Bat Working Group species that are imperiled or at high risk of imperilment	Moderate potential to roost and forage on site. Suitable woodlands adjacent to stream occur on site.	Moderate potential to roost and forage on site. Suitable woodlands adjacent to channel occur on site.
San Diego blacktailed jackrabbit (<i>Lepus californicus bennettii</i>)	California SSC/covered under MHCP Subarea Plan	Moderate potential to occur. Site contains open areas but lacks grassland or coastal sage scrub habitat. Found in the vicinity.	Moderate potential to occur. Site contains open areas, and adjacent areas include open habitat, but the site lacks grassland or coastal sage scrub habitat. Found in the vicinity.
Southern mule deer (<i>Odocoileus hemionus fuliginata</i>)	Covered under MHCP Subarea Plan	High potential to occur. Suitable oak woodland occurs on site, and the species is known to readily move through rural residential neighborhoods on the edge of urban cities within San Diego County.	N/A
Birds			
Cooper's hawk (<i>Accipiter cooperii</i>)	CDFW Watch List/covered under MHCP Subarea Plan	High potential to occur. Suitable coast live oak woodland is found on site.	High potential to occur. Suitable coast live oak woodland is found on site.
California horned lark (<i>Eremophila alpestris actia</i>)	CDFW Watch List	High potential to occur. Suitable disturbed, agricultural habitat occurs on site.	N/A
Coastal cactus wren (<i>Campylorhynchus brunneicapillus sandiegensis</i>)	California SSC/covered under MHCP Subarea Plan	High potential to occur. Observed in a palm tree immediately off site and could use cactus scrub areas on site for nesting. Found within the vicinity.	Not expected to occur. No suitable habitat on site for nesting. Found within the vicinity.
Western bluebird (<i>Sialia mexicana</i>)	Covered under MHCP Subarea Plan	High potential to occur. Suitable habitat occurs on site.	N/A
Burrowing owl (<i>Athene cunicularia</i>) burrow sites	California SSC/covered under MHCP Subarea Plan	Moderate potential to occur on site. Site contains open areas; however, no suitable burrows were observed during surveys. Found in the vicinity.	Moderate potential to occur on site. Site contains open areas, and adjacent areas include potentially suitable habitat; however, no suitable burrows were observed during surveys. Found in the vicinity.
White-tailed kite (<i>Elanus leucurus</i>)	CDFW Fully Protected Species	Moderate potential to occur. Suitable oak woodland and riparian habitat occur on site.	Moderate potential to occur. Some suitable oak woodland present on site, but it is close



Species	Status	Potential to Occur on Residential Development Site	Potential to Occur on SAP Improvements Site
			to residential areas and human activity.
Reptiles			
San Diego ringneck snake (<i>Diadophis punctatus similis</i>)	None	Moderate potential to occur. Suitable riparian habitat occurs on site.	N/A
Two-striped garter snake (<i>Thamnophis hammondi</i>)	California SSC	Moderate potential to occur. Suitable habitat on site.	Moderate potential to occur. Suitable habitat on site.
Orange-throated whiptail (<i>Aspidoscelis hyperythra</i>)	CDFW Watch List/covered under MHCP Subarea Plan	Moderate potential to occur in disturbed southern cactus scrub and southern coast live oak riparian forest. Found in the vicinity.	Moderate potential to occur on site. Found in the vicinity.
Coastal whiptail (<i>Aspidoscelis tigris stejnegeri</i>)	California SSC	Moderate potential to occur in disturbed southern cactus scrub and southern coast live oak riparian forest. Found in the vicinity.	Moderate potential to occur on site. Found in the vicinity.
Sources: Appendices B and C. Notes: "N/A" indicates species was not mentioned in the list of species with a potential to occur on the SAP Improvements site (see Appendix C for further details). Table includes birds with a moderate potential to nest on-site. Additional bird species have a moderate potential to use the site for foraging, but not nesting. CDFW = California Department of Wildlife, SSC = Species of Special Concern, MHCP Subarea Plan = Multiple Habitat Conservation Plan Public Review Draft Escondido Subarea Plan			

The U.S. Fish and Wildlife Service (USFWS) has designated critical habitat for five special-status species within a 3-mile buffer of proposed the project site: arroyo toad (*Anaxyrus californicus*), southwestern willow flycatcher (*Empidonax traillii extimus*), Quino checkerspot butterfly (*Euphydryas editha quino*), coastal California gnatcatcher (*Polioptila californica californica*), and least Bell's vireo (*Vireo bellii pusillus*). These species all have low potential to occur on site.

The areas of the proposed project site with intact native habitat, such as southern cactus scrub and southern coast live oak riparian forest, are expected to be generally used by wildlife. The perennial stream along the western boundary of the project site may provide a water source and associated habitat for a number of special-status wildlife species that could also use the project site for foraging, nesting, or dispersal.

Mammals

Of the 23 special-status mammals that may occur in the vicinity of the proposed residential development site, two species have moderate potential to use the site: western red bat (*Lasiurus blossevillii*) and San Diego black-tailed jackrabbit (*Lepus californicus bennettii*). The western red bat has potential to forage in habitat edges along riparian areas and to roost in trees on the



residential development site. The San Diego black-tailed jackrabbit prefers open and disturbed areas, similar to those located on the residential development site. Southern mule deer (*Odocoileus hemionus fuliginata*) is a species covered by the draft Escondido MHCP Subarea Plan with a high potential to occur on the residential development site. Similar to the residential development site, the western red bat and San Diego black-tailed jackrabbit also have moderate potential to occur on the proposed SAP improvements site. No special-status mammals have high potential to occur on the residential development or SAP improvements site.

Birds

No special-status bird species were observed on the residential development site during the reconnaissance-level survey; however, one coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*; SSC species) was observed in a palm tree immediately off site; there is a small patch of disturbed cactus scrub on site that could provide potential nesting habitat for coastal cactus wren. The majority of nesting opportunities for raptors are along the southwestern border of the residential development site where the riparian habitat is located; however, no special-status raptors were observed during any of the site surveys.

Of the 25 special-status bird species with potential to occur in the region, three special-status bird species have a high potential to occur on the proposed residential development site: Cooper's hawk (*Accipiter cooperii*), California horned lark (*Eremophila alpestris actia*), and western bluebird (*Sialia mexicana*). Fifteen special-status bird species have moderate or low potential to use the residential development site based on its size; connectivity to other undeveloped areas; and potential perching, roosting, and nesting locations within the coast live oak trees. These species are further described in Appendix B.

No special-status bird species were observed at the proposed SAP improvements site during the surveys. However, a red-tailed hawk (*Buteo jamaicensis*) was observed, and other raptors could potentially use the southwestern border of the site boundary where the riparian habitat is located to nest in the oak woodland. Cooper's hawk is a special-status bird species with a high potential to occur in the oak woodland. Special-status bird species with a moderate potential to occur for nesting and foraging include burrowing owl and white-tailed kite. A number of special-status bird species, as described in Appendix C, have moderate or low potential to use the SAP improvements site based on its size; connectivity to other undeveloped areas; and potential perching, roosting, and nesting locations within the coast live oak trees.

Amphibians and Reptiles

There are 15 special-status amphibians and reptiles with potential to occur in the project region. The perennial stream in the southern portion of the proposed project site provides a regular water source. It has a low potential to support special-status amphibians due to the high level of disturbance surrounding the site and the stream's small size.

None of the listed special-status reptiles have a high potential to occur on the proposed project site. However, several species have a moderate potential to occur on the proposed residential development site, including San Diego ringneck snake (*Diadophis punctatus similis*), two-striped garter snake (*Thamnophis hammondi*; SSC species), orange-throated whiptail (*Aspidoscelis hyperythra*; SSC species), and coastal whiptail (*Aspidoscelis tigris stejnegeri*; SSC species). Several special-status reptile species have moderate potential to occur on the proposed SAP improvements site, including two-striped garter snake, orange-throated whiptail, and coastal whiptail.

3.3.1.4 Wildlife Movement Corridors and Habitat Linkages

“Wildlife corridors” are linear features that connect large patches of natural open space and provide avenues for the migration of animals. Wildlife corridors contribute to population viability by ensuring continual exchange of genes between populations, providing access to adjacent habitat areas for foraging and mating, and providing routes for recolonization of habitat after local extirpation or ecological catastrophes (e.g., fires). “Habitat linkages” are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation. Habitat linkages provide a potential route for gene flow and long-term dispersal of plants and animals; and may serve as primary habitat for smaller animals, such as reptiles and amphibians. Habitat linkages may be continuous habitat or discrete habitat islands that function as stepping stones for dispersal.

While the proposed project site may provide for localized wildlife movement along the stream channel, most of the site is composed of disturbed habitat. Although there is a perennial stream, there are no major aquatic resources that would be attractive for wildlife use and movement.

The perennial stream on site is considered a Constrained Lands (Wetlands) Outside the Focused Planning Area (FPA); it flows south to Kit Carson Park, which is a Hardline FPA. Wildlife are assumed to use the areas east of the project site designated in the North County Multiple Species Conservation Plan (MSCP) as Natural Lands and MSCP Habitat Preserve. Other wildlife movement could occur to the south around the Lake Hodges MSCP Habitat Preserve. The wildlife movement is somewhat fragmented, but mobile species such as birds would be able to traverse the off-site rural residential properties; connect to the drainage that flows south; and connect to the regional corridor composed of Kit Carson Park, Lake Hodges and San Dieguito River to the south and east.

3.3.1.5 Protected Trees

Section 33-1052 of the City of Escondido’s (City’s) Municipal Code includes definitions for a “mature tree” and a “protected tree” (refer to Section 3.3.2.3). Section 33-1068 of the City’s Municipal Zoning Code establishes regulations and standards for the preservation, protection, and selected removal of mature and protected trees. Pursuant to Section 33-1069, every feasible effort and measure to avoid damage to existing trees to remain on site must be taken by the

owner and developer during clearing, grading, and construction activities. Section 33-1069 also includes replacement ratios for mature and protected trees.

A certified arborist completed the field evaluations at the proposed residential development site on April 17, 2015. There are 489 trees representing 14 different species located on the residential development site that meet the City's criteria as a mature tree. Only one species of trees on the site is native; the remainder are non-native. Mature and protected native trees found on site consist of coast live oak. Approximately 67% of the trees on site (327 trees) are coast live oak. Non-native species include tree of heaven (*Ailanthus altissima*), red gum eucalyptus (*Eucalyptus camaldulensis*), common fig (*Ficus carica*), Arizona ash (*Fraxinus velutina*), jacaranda (*Jacaranda mimosifolia*), Chinese flame tree (*Koelreuteria bipinnata*), crape myrtle (*Lagerstroemia indica*), Chinaberry (*Melia azedarach*), Canary Island date palm (*Phoenix canariensis*), red willow (*Salix laevigata*), Peruvian pepper (*Schinus molle*), Brazilian pepper (*Schinus terebinthifolius*), and Mexican fan palm (*Washingtonia robusta*).

A certified arborist completed the field evaluations at the proposed SAP improvements site on November 22, 2016. There are 56 trees representing nine different species located on the SAP improvements site that meet the City's criteria as mature or protected trees. Similar to the residential development site, only one species of tree on the site is native; the remainder are non-native. Mature and protected native trees found on site consist of coast live oak. Approximately 75% of the trees on site (42 trees) are coast live oak. Non-native species include ash tree (*Fraxinus sp.*), silk oak (*Grevillea robusta*), jacaranda, Chinese juniper (*Juniperus chinensis*), Canary Island date palm, Brazilian pepper, queen palm (*Syagrus romanzoffiana*), and Mexican fan palm.

3.3.2 Regulatory Framework

3.3.2.1 Federal Regulations

Bald and Golden Eagle Protection Act

Enacted in 1940, the Bald and Golden Eagle Protection Act prohibits the take, transport, sale, barter, trade, import, export, and possession of bald eagles—making it illegal for anyone to collect bald eagles and eagle parts, nests, or eggs without authorization from the Secretary of the Interior. The Act was amended in 1962 to extend the prohibitions to the golden eagle.

Federal Endangered Species Act

The U.S. Congress passed the federal ESA in 1973 to provide a means for conserving the ecosystems that endangered and threatened species require in order to prevent species extinctions. The federal ESA has four major components: (1) Section 4, which provides for listing species and designating critical habitat; (2) Section 7, which requires federal agencies, in consultation with the USFWS, to ensure that their actions are not likely to jeopardize the continued existence of species or result in the modification or destruction of critical habitat; (3)

Section 9, which prohibits against “taking” listed species; and (4) Section 10, which provides for permitting incidental take of listed species. Under the federal ESA, the term “take” is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct.”

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 United States Code [USC] 703) enacts the provisions of treaties between the United States, Great Britain, Mexico, Japan, and the Soviet Union. It authorizes the U.S. Secretary of the Interior to protect and regulate the taking of migratory birds. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (16 USC 703; 50 Code of Federal Regulations 21; 50 Code of Federal Regulations 10). Most actions that result in taking or in permanent or temporary possession of a protected species constitute MBTA violations. Examples of permitted actions that do not violate MBTA are the possession of a hunting license to pursue specific game birds, legitimate research activities, display in zoological gardens, bird-banding, and other similar activities. USFWS is responsible for overseeing compliance with the MBTA, and the U.S. Department of Agriculture’s Animal Damage Control Officer makes recommendations on related animal protection issues. The MBTA applies to migratory birds, their occupied nests, and eggs within the proposed project site.

Federal Water Pollution Control Act (Clean Water Act) (1972)

The Water Pollution Control Act, passed by Congress in 1948, authorized the Surgeon General of the Public Health Service to prepare comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries, and improving the sanitary condition of surface and underground waters. The Act was later amended to become the Federal Water Pollution Control Act Amendments of 1972, commonly known as the Clean Water Act (CWA). The CWA was designed to restore and maintain the chemical, physical, and biological integrity of the waters of the United States and gave the U.S. Environmental Protection Agency the authority to implement pollution control programs, including setting wastewater standards for industry and water quality standards for contaminants in surface waters. The U.S. Environmental Protection Agency has delegated responsibility for implementation of portions of the CWA in California to the State Water Resources Control Board and the RWQCBs, including water quality control planning and control programs.

The CWA also prohibits the discharge of any pollutants from a point source into navigable waters, except as allowed by permits issued under certain sections of the CWA. Specifically, Section 404 authorizes the USACE to issue permits for and regulate the discharge of dredged or fill materials into wetlands or other waters of the United States. Under the CWA and its implementing regulations, “waters of the United States” are broadly defined as rivers, creeks, streams, and lakes extending to their headwaters, including adjacent wetlands. Further, Section 401 allows states to certify or deny federal permits or licenses that might result in a discharge to state

waters, including wetlands. Section 401 certifications are issued by the RWQCBs for activities requiring a federal permit or license that may result in the discharge of pollutants into waters of the United States.

3.3.2.2 State Regulations

California Endangered Species Act

CESA, administered by CDFW, is similar in many ways to the federal ESA. CESA provides a process for CDFW to list species as threatened or endangered in response to a citizen petition or by its own initiative (CDFW Code Section 2070 et seq.). Section 2080 of CESA prohibits the take of species listed as threatened or endangered pursuant to the Act. Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: (1) the taking is incidental to an otherwise lawful activity; (2) the taking will be minimized and fully mitigated; (3) the applicant ensures adequate funding for minimization and mitigation; and (4) the authorization will not jeopardize the continued existence of the listed species.

California Department of Fish and Game Code

The California Department of Fish and Game Code regulates the taking or possession of birds, mammals, fish, amphibians, and reptiles, and natural resources such as wetlands and waters of the state.

Section 1600 et seq. (Land and Streambed Alteration): requires notifying the CDFW prior to any project activity undertaking in or near a river, stream, or lake that flows at least intermittently through a bed or channel. CDFW will issue a Lake and Streambed Alteration Agreement that conditionally allows work within the bed and bank of the lake or stream.

Sections 3503 and 3503.5 (Bird Nests and Birds of Prey): Section 3503 states that it is “unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the code or any regulation made pursuant thereto.” Section 3503.5 specifically addresses birds in the orders Falconiformes (hawks, eagles, and falcons) and Strigiformes (owls), collectively referred to as “birds-of-prey.” Under this subsection, both the nests and individual birds-of-prey may not be taken, possessed, or destroyed at any time.

Sections 3511, 470, 5050, and 5515 (Fully Protected Species): Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) identify 37 fully protected species that may not be taken or possessed at any time; and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of bird species for the protection of livestock, or as part of an approved natural community conservation plan. The fully protected classification was the State’s initial effort in the 1960s to identify and provide additional protection to those animals that were rare or faced possible extinction. Most fully protected species have also been listed as threatened or endangered under the more recent endangered species laws.

Natural Community Conservation Planning Act of 1991

The Natural Community Conservation Planning (NCCP) program is an effort initiated by CDFW to develop a broad-based approach for sustaining biological diversity. The primary objective of the NCCP program is to identify and provide for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. Escondido is one of seven cities in northwestern San Diego County included in an NCCP subregion involved in the subregional MHCP that addresses the NCCP objectives.

3.3.2.3 Regional/Local Regulations

Multiple Habitat Conservation Program

The MHCP, adopted by the San Diego Association of Governments (SANDAG) in March 2003, is a comprehensive, multiple-jurisdiction planning program designed to create, manage, and monitor an ecosystem preserve in northwestern San Diego County. It is one of several large, multiple-jurisdiction habitat planning efforts in the County, each of which constitutes a subregional plan under California's NCCP Act of 1991. The MHCP preserve system is intended to protect viable populations of native plant and animal species and their habitats in perpetuity, while accommodating continued economic development and quality of life for residents of northern San Diego County. The MHCP subregion encompasses the seven incorporated cities of northwestern San Diego County (Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista). These jurisdictions are required to implement their portions of the MHCP through citywide subarea plans, which describe the specific policies each city will institute for the MHCP.

The MHCP replaces the traditional project-by-project approach to gaining approvals with a coordinated, comprehensive program that ensures that project mitigations are directed to those areas most critical to biological conservation, while allowing expedited development of less important habitat areas. MHCP implementation will also include perpetual monitoring and management of the preserve system. In exchange for these conservation actions, participating cities will receive "take authorization" from the USFWS and CDFW. Take authorization allows for otherwise lawful actions that may incidentally harm individuals of a species or its habitat (generally outside of the preserve system) in exchange for conserving the species inside the preserve system. Jurisdictions granted take authorization may share their benefits by using them to permit take by public or private projects that comply with the respective city's subarea plan.

The City of Escondido is the easternmost incorporated city within the MHCP. The draft Escondido MHCP Subarea Plan (Ogden Environmental and Energy Services and Conservation Biology Institute 2001, as cited in Appendix B) includes the incorporated city limits plus approximately 3,000 acres owned by the City in the unincorporated areas surrounding Lake Wohlford, Valley Center Road, and isolated parcels with existing or planned utility improvements. The Subarea Plan boundary abuts the approved South County MSCP preserve area and the North County

MSCP planning area within the unincorporated areas. The Subarea Plan currently encompasses an area of approximately 24,624 acres. The MHCP identifies 47 species (32 animals and 15 plants) that occur or potentially occur in Escondido and therefore are evaluated for coverage in the Subarea Plan. The plan addresses the potential impacts on natural habitats and potential species endangerment due to projects within the city. The plan also institutes a strategy to proactively mitigate these impacts on the city's biological resources. Approval and adoption of the Subarea Plan would result in federal and state authorization for incidental take of sensitive species caused by implementation of public and private projects within the city. The intent of the draft Escondido MHCP Subarea Plan is to provide regulatory certainty to landowners within the city and aid in conserving the region's biodiversity and enhancing the overall quality of life for residents. At full implementation, the draft Escondido MHCP Subarea Plan would conserve a total of 6,570 acres of natural habitats within the proposed preserve area. An additional 332 acres of wetlands and 39 acres of natural habitat constrained by steep slopes would be expected to remain undeveloped outside the preserve area. The preserve is designed to protect important portions of sensitive vegetation communities, including 65% of the coastal sage scrub and 100% of wetlands in the Escondido subarea.

The proposed project site is located within the southeast portion of the draft Escondido MHCP Subarea Plan. It is not located within the Biological Core and Linkage Area (see Figure 3-2 of the draft Escondido MHCP Subarea Plan). The proposed site is located outside of any FPAs; however, the stream channel that runs through the southwestern portion of the project site is designated as a Constrained Lands (Wetlands) Outside the FPA (see Figure 4-1 of the draft Escondido MHCP Subarea Plan). The Constrained Lands designation includes lands with steep slopes and wetlands regulated by the USACE federal wetland permitting requirements and the MHCP "no net loss of wetlands" policy. The remaining portion of the property is designated as agriculture, although it has been fallow for over 20 years and does not currently support agricultural crops or production. At this time, the City is not moving forward with the draft Escondido MHCP Subarea Plan; thus, there is no take coverage afforded under the draft Escondido MHCP Subarea Plan or the MHCP.

City of Escondido Master Plan for Parks, Trails, and Open Space

The *City of Escondido Master Plan for Parks, Trails and Open Space* (City of Escondido 1994) serves as a guide to developing a comprehensive and integrated open space system to achieve the quality of life standards set forth in the *City of Escondido General Plan* (General Plan). A conceptual wildlife corridor is identified in the plan that connects key habitat areas in a continuous link around the perimeter of the city. Tributary corridors also link undeveloped, unincorporated County areas north and east of the city. The Master Plan proposes to work with property owners in these areas to set aside sufficient land for wildlife corridors when development plans are proposed. The Master Plan describes the information needed to assess a request to modify the width or location of a wildlife corridor, which includes preparation of detailed biological data from a qualified biologist. The City is responsible for monitoring the overall alignment of the corridor to ensure that development proposals maintain effective corridor connections.

City of Escondido Zoning Ordinance

The Flood Plain Overlay Zone identified in Article 4, Sections 33-50 through 33-56 of the City's Zoning Ordinance, provides land use regulations for property situated in the designated floodplain of a river, creek, stream, or water course and is applied as a supplement to the basic underlying land use zone. Development in the Flood Plain Zone that would cause stream channel alteration, affect the capacity of a floodway, or unduly increase flood heights is restricted.

The City's Open Space Development Standards (Article 5, Sections 33-70 through 33-77) provide regulations for development of land identified by the Community Open Space/Conservation Element as having open space value. Such land may contain slopes, vegetated conservation areas, and/or natural drainage courses not otherwise defined as floodways. Like the Flood Plain regulations, the requirements of this section are in addition to the property development standards of the underlying zone. Among other things, the section requires that natural features shall be protected and natural vegetation shall remain undisturbed except as necessary for approved construction. Prior to any disturbance or development, a development permit must be approved. The development permit must demonstrate that the proposed project conforms to the goals and objectives of the Community Open Space/Conservation Element of the existing General Plan. Decisions may be appealed to the Planning Commission and City Council.

The Excavation and Grading Ordinance (Article 55) ensures that development projects protect the natural topographic character and integrity of the environment. Submittal and review requirements detail the need to identify biological habitats, areas of disturbance, setbacks, and mitigation measures to reduce potential impacts. The article establishes a Hillside and Ridgeline Overlay (HRO) District, generally encompassing parcels with a slope of 15% or greater on any portion of the parcel, or those that are located in proximity to an identified intermediate or skyline ridge, and located in an area that has not been developed to its full potential. Development proposals in the HRO must identify sensitive species or habitats (indicating

retention, relocation, or removal). Specific findings must be made prior to approval of projects in the HRO, including findings that the development respects and preserves the natural landform, vegetation, and wildlife of the project site. For a vegetation removal permit, findings must be made that the clearing is in conformance with applicable state and federal requirements, that proper environmental review has been completed, and that the proposed clearing or grading is not premature with regard to future discretionary actions and preservation options. The City may attach conditions to the vegetation removal permit. Protection and replacement standards include making every feasible effort to preserve sensitive biological habitat and species, recording deed restrictions to notify future property owners of responsibility for continued maintenance, and on-site or off-site mitigation at a ratio of 1:1 or higher.

The Environmental Quality Regulations (Article 47) implement the State CEQA Guidelines for development projects in the city. Article 47 lists specific activities that fall within certain classes of exemption, such as ministerial projects and categorical exemption projects. The article also states that, even though a project may otherwise be eligible for an exemption, no exemption will be granted in the following circumstances:

1. Grading or clearing activities that disturb, fragment, or remove habitats of state or federally listed species and archaeological and cultural resources.
2. Parcel maps, plot plans, and all other discretionary development projects that affect sensitive, threatened, or endangered species and their habitats; archaeological and cultural resources; wetlands; designated stream courses; unstable soils; and other factors requiring special review.

Article 47 requires reporting programs to ensure that all required mitigation measures for development projects are properly and fully implemented.

City of Escondido Municipal Code – Tree Preservation

Section 33-1069 of the City’s Municipal Code includes vegetation and replacement standards for impacts on mature and/or protected trees. Section 33-1052 of the City’s Municipal Code defines a mature tree as any self-supporting woody perennial plant, native or ornamental, with a single well-defined stem or multiple stems supporting a crown of branches. The single stem, or one of the multiple stems of any mature oak tree, shall have a diameter 4 inches or greater when measured at diameter at breast height (DBH) above the tree’s natural grade. All other mature trees shall have a diameter of 8 inches DBH, or greater, for a single stem or one of the multiple stems. A “protected tree” is defined as any oak with a 10-inch or greater DBH, or any other species or individual specimen listed on the local historic register, or determined to substantially contribute to the historic character of a property or structure listed on the local historic register, pursuant to Article 40 of the Escondido Zoning Code. The project site supports numerous mature and protected trees.



Section 33-1068 of the City's Municipal Zoning Code establishes regulations and standards for the preservation, protection, and selected removal of mature and protected trees. A vegetation removal permit is required prior to clearing, pruning, or destroying vegetation and prior to any encroachments by construction activities that disturb the root system within the dripline of mature trees. Issuance of a vegetation removal permit requires submittal of a tree survey and a tree replacement and/or protection plan.

Pursuant to Section 33-1069, the owner and developer must take every feasible effort and measure to avoid damage to existing trees that will remain on site during clearing, grading, and construction activities. If mature trees cannot be preserved on site, they must be replaced at a minimum ratio of 1:1. Protected oak trees must be replaced at a minimum ratio of 2:1. The number, size, and species of replacement trees can be determined on a case-by-case basis by the City's Director of Planning and Building.

3.3.3 Thresholds of Significance

The State CEQA Guidelines Appendix G (14 CCR 15000 et seq.) has identified significance criteria to be considered for determining whether a project could result in significant impacts on existing biological resources.

An impact would be considered significant if construction or operation of the proposed project would have any of the following consequences.

- 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 CDFW or USFWS.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW or USFWS.
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means.
- 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.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.



3.3.4 Project Impacts

3.3.4.1 Issue 1: Candidate, Sensitive, or Special-Status Species

Residential Development

Plants

Direct Impacts

No special-status plants were observed on the proposed project site during reconnaissance-level surveys; however, two special-status species have a moderate potential to occur on the site: San Diego ambrosia and smooth tarplant. These species are typically found within riparian habitats or disturbed areas with sandy soils. Because of the high level of disturbance on the project site and because habitat for these species would be outside the proposed project's direct impact area, implementation of the project would not result in significant impacts on special-status plant species. Therefore, direct impacts on special-status plant species would be less than significant.

Indirect Impacts

As described above, no special-status plant species were observed on the proposed project site. However, because two special-status plant species have a moderate potential to occur, there could be potential short-term and long-term indirect impacts on special-status plant species off site. Potential short-term indirect impacts on special-status plants would primarily result from construction activities and would include impacts resulting from the generation of fugitive dust, changes in hydrology, and the introduction of chemical pollutants.

Excessive dust during project construction could decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, transpiration, increased penetration of phytotoxic gaseous pollutants, and increased incidence of pests and diseases.

Construction could result in hydrologic and water-quality-related impacts adjacent to and downstream of the limits of grading. Hydrologic alterations include changes in flow rates and patterns in drainages and dewatering, which may affect adjacent and downstream (including off-site) aquatic, wetland, and riparian vegetation communities. Water quality impacts include chemical-compound pollution (from releases of fuel, oil, lubricants, paints, release agents, and other construction materials), erosion, and excessive sedimentation. Direct impacts can also remove native vegetation and increase runoff from roads and other paved surfaces, resulting in increased erosion and transport of surface matter into vegetation communities. Altered erosion, increased surface flows, and underground seepage can allow for the establishment of non-native plants. Changed hydrologic conditions can also alter seed bank characteristics and modify habitat for ground-dwelling fauna that may disperse seed.

Erosion and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect special-status vegetation communities. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

Potential long-term indirect impacts on special-status plant species would primarily result from construction activities and would include impacts resulting from non-native, invasive plant and animal species; increased human activity; and altered hydrology.

Invasive and non-native plant species that thrive in edge habitats have the potential to compete for light, water, and nutrients; and they form in thatches that block sunlight from reaching smaller native plants. Exotic plant species could alter habitats and displace native species over time, leading to extirpation of native plant species and unique vegetation communities. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators of or seed dispersal agents for plants within vegetation communities and special-status plant populations.

The residential development proposes construction of 55 residential units, which would increase human activity in the area and could result in the potential for trampling of vegetation and soil compaction outside of the development footprint, affecting the viability of plant communities. Trampling can alter an ecosystem; create gaps in vegetation; and allow exotic, non-native plant species to become established—leading to soil erosion. Trampling could also affect the rate of rainfall interception and evapotranspiration, soil moisture, water penetration pathways, surface flows, and erosion. An increased human population increases the risk for damage to vegetation communities and special-status plants. The project would include a fence along the proposed development area and trail in order to deter people from entering the proposed preserve area (see Project Description, Section 2.5.10). Thus, human intrusion impacts on biological habitat areas would be minimized.

Water used for landscaping purposes could alter the on-site hydrology. These changes could affect special-status vegetation communities and special-status plant communities. Altered hydrology could allow for the establishment of non-native plants and invasion by Argentine ants (*Linepithema humile*), which can compete with native ant species that could be seed dispersers or plant pollinators. However, the water, and associated runoff, used during landscaping activities would be contained within the project's development footprint; and long-term indirect impacts associated with altered hydrology are not expected.

The potential indirect impacts described above would be avoided through implementation of standard construction best management practices (BMPs) and project design features identified in Chapter 2, "Project Description." Therefore, indirect impacts on special-status plant species would be less than significant.

Wildlife

Direct Impacts

Although no special-status wildlife species were observed on the proposed project site during surveys, there is potential for special-status wildlife species to occur because of the native vegetation communities that provide foraging and nesting habitat for these species (i.e., southern coast live oak riparian forest and southern cactus scrub). During the on-site surveys, a coastal cactus wren was observed directly off site. While there is potential for this wren to use the cactus scrub on site, the cactus scrub would not be directly affected by construction of the project. Project development would affect only a small portion of the southern coast live oak riparian forest along Bear Valley Parkway. Because of the minor impact on these habitats, direct impacts on special-status wildlife species would not occur.

One raptor (red-shouldered hawk) was seen foraging on the proposed project site. Red-shouldered hawks are not considered a special-status species, and they are fairly common in Southern California. Raptors as a group, however, are considered special status; and Section 3503.5 of the California Fish and Game Code specifically prohibits the unauthorized take of raptors and raptor nests. If construction activities occur during the breeding season (typically February 1 through September 15), impacts on migratory birds or destruction of active migratory bird nests and/or eggs are considered a significant impact because they are protected under the MBTA.

Indirect Impacts

Short-term, construction-related indirect impacts on special-status wildlife species would primarily result from construction activities, including generation of fugitive dust, introduction of chemical pollutants, increased human activity, and introduction of non-native animal species. These impacts would be avoided through implementation of the project design features listed in Chapter 2, "Project Description." Potential short-term indirect impacts on nesting special-status birds or raptors from construction-related noise are considered a significant impact.

Potential long-term indirect impacts on special-status wildlife species would primarily be associated with introduction of chemical pollutants; introduction of non-native, invasive plant and animal species; increased human activity; and altered hydrology. These impacts would be avoided through implementation of the project design features listed in Chapter 2, "Project Description."

Specific Alignment Plan Improvements

Plants

Direct Impacts

No special-status plants were observed on the proposed SAP improvements site during reconnaissance-level surveys. One special-status species, San Diego ambrosia, has a moderate potential to occur on the site. Because of the high level of disturbance within the project boundary and because San Diego ambrosia would likely occur outside the impact area and was not observed during the visits during June and July, it is not expected that implementation of the SAP improvements would result in significant direct impacts on this or other special-status plant species.

Indirect Impacts

As described above, no special-status plant species were observed on the proposed SAP improvements site during surveys. Because one special-status plant species (San Diego ambrosia) has a moderate potential to occur, the potential exists for short-term and long-term indirect impacts on special-status plant species off site.

Potential short-term and long-term indirect impacts on special-status plants associated with the SAP improvements would be similar to those described for the proposed residential development earlier in this Section. Potential long-term impacts could affect adjacent native vegetation communities (i.e., southern coast live oak riparian forest) after construction. These impacts would be reduced to a less than significant level through implementation of the project design features listed in Chapter 2, "Project Description."

WildlifeDirect Impacts

Implementation of the proposed project is not expected to result in direct impacts on the special-status wildlife species with moderate to high potential to occur because these species occur within the native habitat found on site, such as southern coast live oak riparian forest, and the vast majority of project-related impacts are within disturbed areas.

No special-status wildlife species were detected on the proposed SAP improvements site. Two raptors, red-shouldered hawk and American kestrel (*Falco sparverius*), were detected foraging in the area. These species are not considered special status and are fairly common in Southern California. As noted above, raptors as a group are considered special status, and impacts on migratory birds or destruction of active migratory bird nests and/or eggs are considered a significant impact because they are protected under the MBTA.

Indirect Impacts

Short-term indirect impacts on special-status wildlife species with moderate or high potential to occur would be similar to those described above for the proposed residential development. These impacts would be avoided through implementation of the project design features listed in Chapter 2, "Project Description." Potential indirect impacts on nesting special-status birds or raptors from construction-related noise are considered a significant impact.

Based on the minimal use of the affected areas for wildlife movement through the proposed project site, habitat fragmentation would not be considered a significant impact.

3.3.4.2 Issue 2: Sensitive Habitats

Residential Development

Direct Impacts

Direct impacts on vegetation communities and sensitive habitats on the proposed residential development site would primarily result from construction activities. As identified in Table 3.3-5, the proposed residential development would directly affect 33.50 acres (32.61 acres on site and 0.89 acres off site) of vegetation communities and land covers, including southern coast live oak riparian forest, disturbed habitat, and developed land. As shown in Figure 3.3-3, the majority of the impacts would affect disturbed habitat and developed land, with minimal impact on native vegetation communities or sensitive habitats. However, the proposed residential development would affect a total of 0.67 acre of southern coast live oak riparian forest (0.40 acre on site and 0.27 acre off site) from construction of frontage improvements along Bear Valley Parkway consisting of curb, gutter, sidewalk, parkway, bike lane, and travel lane. Impacts on this sensitive habitat are considered significant.

LEGEND

Project Boundary

Impacts

- Development
- Fuel modification
- Off-Site
- Open Space
- Not A Part
- Tube Steel Fence - 42-inch
- Tube Steel Fence - 5-foot

Mitigation

- CSS Reveg Landscape (See Landscape Plan - Figure 2-6)
- Mitigation Area
- Potential Mitigation for Impacts to Ephemeral Waters

Vegetation Communities and Land Cover Types

- DEV - Urban/Developed
- DH - Disturbed Habitat
- NNR - Non-Native Riparian
- SCLO - Southern Coast Live Oak Riparian Forest
- dSCS - Disturbed Southern Cactus Scrub

Jurisdictional Aquatic Resources

USACE/RWQCB Non-Wetland Waters, CDFW Streambed

- Ephemeral
- Perennial
- Data Stations



Dropbox (Harris & Associates)/BV Figures/Bio Figures/3.3-2_ImpactAreas.pdf

Source: Dudek 2016b

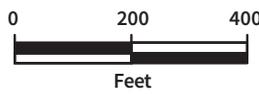


Figure 3.3-3
Biological Impact Areas on Proposed Residential Development Site

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Table 3.3-5. Direct Impacts on Sensitive Habitats on the Proposed Residential Development Site

Habitat Type	Existing Onsite (acres)	Direct On-Site Impacts (acres)	Direct Off-Site Impacts (acres)	Proposed Open Space (Lot H) (acres)
Upland				
Disturbed southern cactus scrub	0.17	--	--	0.17
<i>Subtotal</i>	<i>0.17</i>	--	--	<i>0.17</i>
Jurisdictional aquatic resources				
Southern coast live oak riparian forest	3.35	0.40	0.27	2.95
Non-native riparian	0.13	--	--	0.13
<i>Subtotal</i>	<i>3.48</i>	<i>0.40</i>	<i>0.27</i>	<i>3.08</i>
Other land covers				
Disturbed habitat	36.43	31.67	0.59	4.76
Developed land	0.54	0.54	0.03	0.00
<i>Subtotal</i>	<i>36.97</i>	<i>32.21</i>	<i>0.62</i>	<i>4.76</i>
Total	40.62	32.61	0.89	8.01
Source: Appendix C.				

Indirect Impacts

Indirect impacts on sensitive habitats in the residential development area would be similar to the indirect impacts on special-status plants described under Issue 1. As described under Issue 1, short-term indirect impacts would be less than significant with implementation of standard construction BMPs and construction-related minimization measures. Long-term indirect impacts on sensitive habitats would be less than significant due to implementation of the project design features described in Chapter 2, "Project Description."

Specific Alignment Plan Improvements

Direct Impacts

Direct impacts on vegetation communities and sensitive habitats would primarily result from construction activities. The proposed SAP improvements would directly affect 2.60 acres of vegetation communities and land covers, including developed land, disturbed habitat, and southern coast live oak riparian forest. The majority of impacts would affect developed land and disturbed habitat, with minimal impacts on native vegetation communities. However, the SAP improvements would affect 0.19 acre of southern coast live oak riparian forest (0.09 acre east of Bear Valley Parkway and 0.10 acre west of Bear Valley Parkway), which is considered a potentially significant impact.

Indirect Impacts

Potential short-term indirect impacts on southern coast live oak riparian forest within the boundary of the proposed SAP improvements would primarily result from construction activities, including impacts related to the generation of fugitive dust; changes in hydrology resulting from



construction, including sedimentation and erosion; and the introduction of chemical pollutants (including herbicides). Implementation of standard construction BMPs and construction-related minimization measures to control dust, erosion, and runoff would reduce these potential impacts to a less-than-significant level.

Long-term indirect impacts after construction could result from the proximity of the proposed SAP improvements to southern coast live oak riparian forest. Permanent indirect impacts that could affect southern coast live oak riparian forest include the introduction of chemical pollutants, altered hydrology, introduction of non-native invasive species, and increased human activity. Implementation of project design features listed in Chapter 2, "Project Description," would reduce these long-term indirect impacts to a less-than-significant level.

3.3.4.3 Issue 3: Jurisdictional Habitat

Residential Development

Direct Impacts

Short-term direct impacts on jurisdictional aquatic resources on the proposed residential development site would primarily result from construction activities. As identified in Table 3.3-6, non-native riparian areas under the jurisdiction of USACE/RWQCB and CDFW would not be directly affected. There would be direct impacts on 0.03 acre of unvegetated stream channels (including the ephemeral channel) under the jurisdiction of USACE/RWQCB and CDFW and 0.40 acre of impacts on southern coast live oak riparian forest under CDFW jurisdiction only. There would be off-site direct impacts to 0.27 acre of southern coast live oak riparian forest under CDFW jurisdiction only. There would be no off-site direct impact on ephemeral and perennial channels or areas under the jurisdiction of USACE/RWQCB. The proposed residential development would be required to obtain CWA Section 401 and 404 permits issued by the RWQCB and the USACE, respectively, for all project-related disturbances of non-wetland waters of the United States and/or associated wetlands and a Section 1602 Streambed Alteration Agreement issued by CDFW for all project-related disturbances of any streambed and associated riparian habitat. Direct impacts on these jurisdictional areas are considered significant.

Indirect Impacts

Potential short-term indirect impacts that could affect jurisdictional aquatic resources would be similar to those described under Issue 1. The use of chemical pollutants could decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to native plants.

Long-term (operation-related) indirect impacts could result from the proximity of the proposed residential development to jurisdictional aquatic resources after construction, including impacts related to operation and maintenance. The proposed residential development includes a revegetation area adjacent to the wetlands that would provide native landscaping to avoid

indirect impacts. The revegetation landscaping is not required as mitigation because impacts on uplands would not occur; however, the revegetation area would be composed of native plant species to provide a buffer between the proposed development and wetland areas. The revegetation area is shown in Figure 3.3-3 and discussed in detail on the landscape plan (Figure 2-6 in Chapter 2, “Project Description”). Operation and maintenance activities would occur within the impact footprint.

Table 3.3-6. Impacts on Jurisdictional Aquatic Resources on the Proposed Residential Development Site

Jurisdictional Aquatic Resource	CDFW Riparian Area (acres)			USACE/RWQCB Wetland (acres)		
	Existing	Impacts	Remaining	Existing	Impacts	Remaining
Southern coast live oak riparian forest	3.35	0.40	2.95	--	--	--
Non-native riparian	0.13	--	0.13	0.13	--	0.13
<i>Total riparian/wetlands</i>	<i>3.48</i>	<i>0.40</i>	<i>3.08</i>	<i>0.13</i>	<i>--</i>	<i>0.13</i>
Jurisdictional Aquatic Resource	CDFW Streambed (acres)			USACE/RWQCB Non-Wetland Waters (acres)		
	Existing	Impacts	Remaining	Existing	Impacts	Remaining
Ephemeral stream channel	0.14	0.03	0.11	0.14	0.03	0.11
Perennial stream channel	0.17	0.002	0.17	0.17	0.002	0.17
<i>Total streambed/ non-wetland waters</i>	<i>0.31</i>	<i>0.03</i>	<i>0.29</i>	<i>0.31</i>	<i>0.03</i>	<i>0.29</i>
Total jurisdictional area ^a	3.62	0.43	3.36	0.44	0.03	0.41
Source: Appendix C. Notes: Acreages may not total due to rounding. ^a Ephemeral stream channels are an overlay within the disturbed habitat and southern coast live oak riparian forest vegetation communities. The perennial stream channel on site is within the understory of the oak canopy. To avoid double counting of resources, this channel and the portion of the ephemeral channel within the oak canopy are not counted toward the total jurisdictional area. CDFW = California Department of Fish and Wildlife, RWQCB = Regional Water Quality Control Board, USACE = U.S. Army Corps of Engineers						

Potential long-term indirect impacts related to chemical pollutants, changes in hydrology, introduction of invasive non-native plant and animal species, and increased human activities that could affect all the jurisdictional aquatic resources would be similar to those described under Issue 1 or described above. Potential short-term and long-term indirect impacts on jurisdictional aquatic resources would be avoided through implementation of the project design features listed in Chapter 2, Project Description. Therefore, indirect impacts on jurisdictional waters would be less than significant.

Specific Alignment Plan Improvements

Direct Impacts

Short-term direct impacts on jurisdictional aquatic resources on the proposed SAP improvements site would primarily result from construction activities, as described for the proposed residential development. Furthermore, implementation of the proposed SAP improvements would result in



permanent, direct impacts on 0.19 acre of southern coast live oak riparian forest subject to CDFW jurisdiction. These impacts are considered significant.

Indirect Impacts

Short-term indirect impacts on jurisdictional aquatic resources in the proposed SAP improvements area would primarily result from construction activities, as described for the proposed residential development. Long-term indirect impacts, as described for the proposed residential development, could result from the proximity of the proposed project to adjacent jurisdictional aquatic resources after construction. Indirect impacts would be reduced to a less-than-significant level through the project design features listed in Chapter 2, "Project Description." Because the jurisdictional resources on site include only the edges of southern coast live oak riparian forest, potential indirect impacts associated with fragmentation from other jurisdictional resources are not considered significant.

3.3.4.4 Issue 4: Wildlife Movement Corridors and Nursery Sites

Residential Development

Direct Impacts

As described in Section 3.3.1.4, the proposed residential development site does not function as a core wildlife movement corridor or nursery site but likely serves as a local wildlife corridor for common terrestrial and avian species. The proposed project would directly affect movement for urban-adapted species that use the oak trees and disturbed areas (e.g., raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), and coyote (*Canis latrans*)); however, these species can continue to use the areas outside of the project site for movement between habitat types. Wildlife species also tend to use drainages for movement, and the drainages on site would largely be avoided by project development. The patch of southern coast live oak riparian forest on the southwestern corner of the proposed residential development site could support wildlife movement into the Kit Carson Park and farther to Lake Hodges; however, minimal impacts would occur in this area. There would be no impacts on the perennial channel along the western site boundary or the ephemeral channel that runs along the eastern portion of the project boundary. Therefore, direct impacts on wildlife movement corridors and nursery sites would be less than significant.

Indirect Impacts

Short-term indirect impacts on wildlife movement corridors could result from increased human activity and lighting. Project construction would take place during the daytime and would not affect wildlife species such as mammals that are most active in the evenings and nighttime. Wildlife species such as birds, rabbits, and lizards that are active in the daytime but use a variety of habitats could continue to use other areas within and adjacent to the proposed project site for wildlife movement. If nighttime construction does occur, nighttime lighting would be required, which would create new sources of light in the area. These short-term indirect impacts would be

reduced to a less-than-significant level through implementation of standard construction BMPs, construction-related minimization measures and the project design features described in Chapter 2, Project Description. Therefore, indirect impacts on wildlife movement corridors and nursery sites would be less than significant.

Specific Alignment Plan Improvements

Direct Impacts

As described in Section 3.3.1.4, the proposed SAP improvement site does not function as a core wildlife movement corridor or nursery site but likely serves as a local wildlife corridor for common terrestrial and avian species. The proposed project would directly affect movement for urban-adapted species that use the oak trees and disturbed areas (e.g., raccoon, striped skunk, and coyote); however, these species can continue to use the areas outside of the proposed project for movement between habitat types. Wildlife species also tend to use drainages for movement. Impacts on the patches of southern coast live oak riparian forest would largely occur on the outer edges and canopy cover within the vegetation community, and potential impacts to wildlife movement and potential nursery sites would be minimal. The direct impacts on this minor local habitat linkage/wildlife corridor are considered less than significant.

Indirect Impacts

Short-term indirect impacts on habitat connectivity, wildlife corridors and potential nursery sites could result from lighting and increased human activity while potential long-term indirect impacts would include fencing of the project boundary and lighting. Significant short-term indirect impacts to the minor local habitat linkage/wildlife corridor and potential nursery site would be reduced to a less-than-significant level through standard construction BMPs and construction-related minimization measures. Project design features would reduce long-term indirect impacts to a less than significant level.

3.3.4.5 Issue 5: Local Policies and Ordinances

Residential Development

Direct Impacts

Section 33-1069 of the City's Municipal Code includes vegetation and replacement standards for impacts on mature and/or protected trees (see Section 3.3.2.3).

There are 489 trees representing 14 different species located on the proposed residential development site that meet the City's criteria as a mature tree. Only one species of trees on the site is native. Mature and protected native trees found on site consist of coast live oak. Approximately 67% of the trees on site (327 trees) are coast live oak. Non-native species include tree of heaven, red gum eucalyptus, common fig, Arizona ash, jacaranda, Chinese flame tree,

crape myrtle, Chinaberry, Canary Island date palm, red willow, Peruvian pepper, Brazilian pepper, and Mexican fan palm.

Direct impacts would occur from tree removal or encroachment within the tree protected zone (canopy drip line plus 5 feet, or 15 feet from trunk, whichever is greater). Tree removal is generally required when the trunk is located inside or within 2 feet of the proposed limits of grading. Encroachment generally occurs when the soil and roots are disturbed within the tree protected zone. Table 3.3-7 summarizes the total number of trees by species expected to be subject to direct construction-related impacts. Figure 3.3-4 displays the locations of affected trees and impact type. A total of 110 trees (including 60 coast live oak) would be removed, and 39 trees (including 32 coast live oak) would be preserved in place with protections but encroached on by the proposed residential development. The remaining 340 trees on the proposed residential development site would be either preserved or indirectly impacted. The removal and encroachment of trees is considered a significant impact.

Table 3.3-7. Summary of Direct Impacts on Trees on Proposed Residential Development Site

Scientific Name	Common Name	Removal	Encroachment
<i>Ailanthus altissima</i>	Tree of heaven	1	0
<i>Eucalyptus camaldulensis</i>	Red gum	2	0
<i>Jacaranda mimosifolia</i>	Jacaranda	2	0
<i>Koelreuteria bipinnata</i>	Chinese flame tree	1	1
<i>Lagerstroemia indica</i>	Crape myrtle	3	0
<i>Melia azedarach</i>	Chinaberry	4	0
<i>Phoenix canariense</i>	Canary Island date palm	1	1
<i>Quercus agrifolia</i>	Coast live oak	60 (32) a	32 (14) a
<i>Salix laevigata</i>	Red willow	1	0
<i>Schinus molle</i>	Peruvian pepper	0	1
<i>Schinus terebinthifolios</i>	Brazilian pepper	13	0
<i>Washingtonia robusta</i>	Mexican fan palm	22	4
Total		110 (32) a	39 (14) a
Source: Appendix D.			
Notes:			
a Number in parenthesis represents the quantity of removals that meet the City's criteria of a "protected tree" and is included in the total.			

Indirect Impacts

Indirect impacts on trees are the result of changes to the site that could cause tree decline, even when the tree is not directly injured. Site-wide changes affecting trees include diverting runoff and storm water, creating retention and detention ponds, relocating streams or making improvements to streams, lowering or raising water tables, altering the capacity for soil moisture recharge, removing vegetation, and damming underground water. For the purposes of this report, indirect tree impacts would be expected for trees within 25 feet of the proposed project's limits of grading and not subject to removal or encroachment. Trees located in fuel modification zones also would be typically considered indirectly affected; however, no trees are located in



proposed fuel modification zones that would not be otherwise affected (removal or encroachment).

Other potential indirect impacts could include firewood harvesting, vandalism, and deliberate or accidental wildfire ignition in oak-willow woodland drainage areas. These potential indirect impacts can be minimized by implementing woodland management and protection measures, including educational material provided to homeowners and long-term management of oak-willow-dominated habitat on the site. Table 3.3-8 presents the number and species of trees expected to be indirectly affected by the proposed residential development. A total of 81 trees (including 52 coast live oak) would be indirectly affected. These indirect impacts on trees are considered less than significant.

**Table 3.3-8. Summary of Indirect Impacts on Trees
on Proposed Residential Development Site**

Scientific Name	Common Name	Indirect Impacts ^a
<i>Phoenix canariense</i>	Canary Island date palm	5
<i>Quercus agrifolia</i>	Coast live oak	52 (14) a
<i>Salix laevigata</i>	Red willow	4
<i>Washingtonia robusta</i>	Mexican fan palm	20
Total		81
Source: Appendix D.		
Notes:		
a Number in parenthesis represents the quantity of removals that meet the City's criteria of a "protected tree" and is included in the total.		



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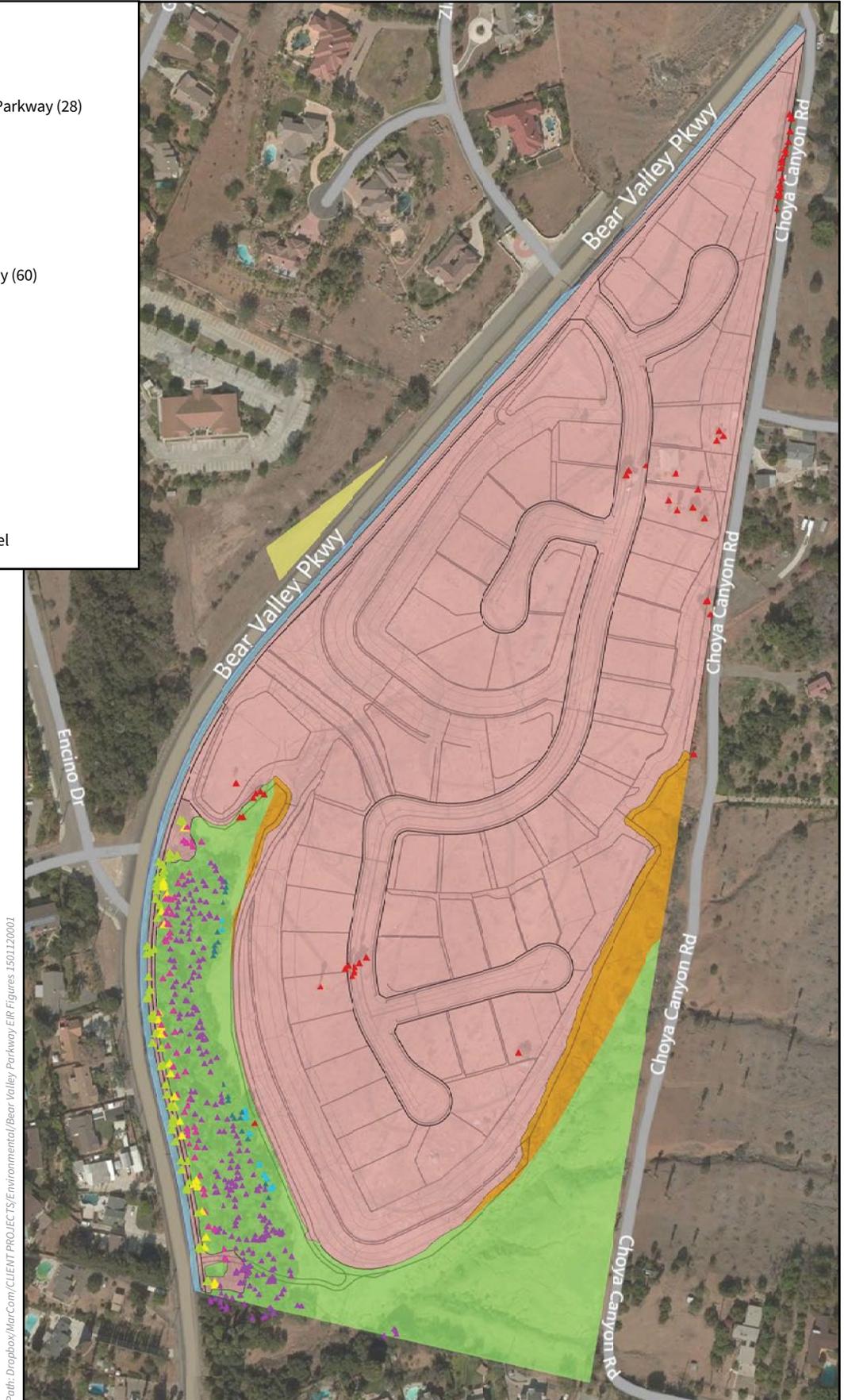
LEGEND

Disposition

- ▲ Encroachment - Bear Valley Parkway (28)
- ▲ Encroachment - Grading (11)
- ▲ Indirect - BVP (60)
- ▲ Indirect - Grading (21)
- ▲ Preservation (259)
- ▲ Remove - Bear Valley Parkway (60)
- ▲ Remove - Grading (50)

Impacts

- Development
- Fuel modification
- Off-Site
- Open Space
- No Impacts - Other Parcel



Path: D:\Dropbox\MarCom\CLIENT PROJECTS\Environmental\Bear Valley Parkway EIR Figures_1501120001

Source: Dudek 2016a



Harris & Associates

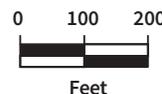


Figure 3.3-4
Tree Impacts on Proposed Residential Development Site

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Specific Alignment Plan Improvements

Direct Impacts

There are 56 trees representing nine different species within the tree survey area that meet the City's criteria for a mature or protected tree. One species, coast live oak, is native. Approximately 75% of the trees on site (42) are coast live oak.

Table 3.3-9 summarizes the total number of trees by species expected to be subject to direct impacts. Figure 3.3-5 displays the locations of affected trees and impact type. A total of 42 trees (including 28 coast live oak) would be removed, and 3 trees (all of which are coast live oak) would experience encroachment into the protected tree zone. Of the 42 trees identified for removal, 14 meet the criteria for classification as a protected tree, as defined by the City. Of the three encroached-upon trees, one meets the size criteria to be classified as a protected tree. The remaining trees on site would either be protected or indirectly impacted. The removal and encroachment of trees is considered a significant impact.

Table 3.3-9. Summary of Direct Impacts on Trees on Proposed SAP Improvements Site

Scientific Name	Common Name	Removal	Encroachment
<i>Fraxinus sp.</i>	ash tree	2	0
<i>Grevillea robusta</i>	silk oak	1	0
<i>Jacaranda mimosifolia</i>	Jacaranda	2	0
<i>Juniperus chinensis</i>	Chinese juniper	1	0
<i>Phoenix canariense</i>	Canary Island date palm	1	0
<i>Quercus agrifolia</i>	Coast live oak	28 (14) ^a	3 (1) ^a
<i>Schinus terebinthifolius</i>	Brazilian pepper	1	0
<i>Syagrus romanzoffiana</i>	queen palm	3	0
<i>Washingtonia robusta</i>	Mexican fan palm	3	0
Total		42 (14)^a	3 (1)^a
Source: Appendix E.			
Notes:			
^a Number in parenthesis represents the quantity of impacts that meet the City's criteria of a "protected tree" and is included in the total.			

Indirect Impacts

A total of eight trees, all coast live oak, would be indirectly affected by the proposed SAP improvements. Of the eight trees, three are considered protected by the City. None of the ornamental trees are anticipated to be indirectly impacted by the proposed project. Figure 3.3-5 displays the locations of affected trees and impact type. These indirect impacts on trees are considered less than significant. |



3.3.4.6 Habitat Conservation Plans and NCCPs

The proposed project site is located within the southeast portion of the draft Escondido MHCP Subarea Plan. Until the draft Escondido MHCP Subarea Plan is approved, the City follows MHCP subregional plan guidelines or regulatory guidance for projects within city limits.

The MHCP identifies sensitive biological resources and provides mitigation guidelines for impacts on those resources. Figures 3-2 and 4-1 in the draft Escondido MHCP Subarea Plan identify Biological Core and Linkage Areas and FPAs, respectively. As described in Section 3.3.2.3, the proposed project site is not located within a Biological Core and Linkage Area or FPA. However, the stream channel that runs through the southern portion of the project site is designated as Constrained Lands (Wetlands) Outside the FPA.

3.3.5 Cumulative Impacts

The geographic scope for the biological resources cumulative analysis is the San Diego County region.

3.3.5.1 Issue 1: Candidate, Sensitive, or Special-Status Species

Cumulative projects located in the San Diego County region have the potential to affect special-status plant and wildlife species, including impacts related to loss of habitat. Adjacent jurisdictions, including incorporated cities, the County, and tribal governments, would be required to comply with applicable federal and/or state regulations that protect special-status plant and wildlife species, such as the federal ESA, the CESA, and the California NCCP Act. If significant impacts occur from particular cumulative projects, mitigation measures are usually implemented to reduce impacts to the extent feasible. However, without a comprehensive NCCP in place for the long-term protection of special-status plant and wildlife species for the entire San Diego County region, a cumulative loss of habitat supporting special-status plant and wildlife species would occur, even after mitigation has been implemented for individual projects. Implementation of mitigation measure BIO-1 (see Section 3.3.7.1) would reduce impacts on special-status species to a less-than-significant level. Therefore, the proposed project would not result in a cumulatively considerable contribution to special status species impacts.

LEGEND

Tree Disposition

- Preservation (3)
- Indirect (8)
- Encroachment (3)
- Remove (42)
- Survey Area



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Source: Dudek 2016d



Harris & Associates

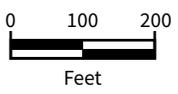


Figure 3.3-5
Tree Impacts on Proposed
SAP Improvements Site

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3.3.5.2 Issue 2: Sensitive Habitats

Cumulative projects located in the San Diego County region have the potential to affect riparian habitat and other sensitive natural communities through direct and indirect loss or degradation. Adjacent jurisdictions, including incorporated cities, the County, and tribal governments, would be required to comply with applicable federal and/or state regulations such as the California NCCP Act. These programs provide protections for riparian and other sensitive habitats. In addition, many projects that affect riparian or other protected habitat types require approval from the USFWS and CDFW. If potentially significant impacts would occur from particular cumulative projects, mitigation measures would be implemented to reduce impacts to the extent feasible. However, without a comprehensive NCCP in place for the long-term protection of sensitive natural communities for the entire San Diego County region, a cumulative loss of riparian and other sensitive habitat would occur, even after mitigation has been implemented for individual projects. Implementation of mitigation measures BIO-2 and BIO-3 (see Section 3.3.7.2) would reduce potentially significant direct impacts to a less-than-significant level, and no net loss of riparian habitat or sensitive natural communities would occur. Therefore, proposed project impacts would not be cumulatively considerable.

3.3.5.3 Issue 3: Jurisdictional Habitat

Cumulative projects located in the San Diego County region have the potential to result in a cumulative impact associated with federally protected wetlands. Adjacent jurisdictions, including incorporated cities, the County, and tribal lands, would be required to comply with applicable federal and/or state regulations such as Section 401 and 404 of the CWA and Section 1600 of the California Department of Fish and Game Code. If potentially significant impacts would occur from particular cumulative projects, mitigation measures would be implemented to reduce impacts to meet the no-net-loss standard. Implementation of mitigation measures BIO-2, BIO-3, BIO-4, BIO-5, and BIO-6 (see Sections 3.3.7.2 and 3.3.7.3) would reduce impacts on jurisdictional habitat to a less-than-significant level. Furthermore, existing regulations would ensure that a significant cumulative impact associated with federally protected wetlands would not occur. Therefore, the proposed project, in combination with the other cumulative projects, would not contribute to a significant cumulative impact.

3.3.5.4 Issue 4: Wildlife Movement Corridors and Nursery Sites

Cumulative projects located in the San Diego County region have the potential to result in a cumulative impact associated with wildlife movement corridors and nursery sites. However, no local or regional wildlife corridors are identified on the proposed project site or in the immediate project vicinity. Therefore, cumulative impacts would not be considerable.

3.3.5.5 Issue 5: Local Policies and Ordinances

Cumulative growth under the County and adjacent jurisdictions' general plans would be required to comply with applicable local policies and ordinances, such as zoning ordinances, an adopted MHCP, and MSCP subarea plans. Similar to the proposed project, mitigation measures would be required to bring cumulative projects into compliance with existing policies and ordinances. Even if local policies and ordinances similar to the City's Environmental Quality Regulations have not been adopted in adjacent jurisdictions, compliance with CEQA would require mitigation for biological impacts. Implementation of mitigation measure BIO-7 (see Section 3.3.7.5) would reduce significant direct impacts from the residential development to a less-than-significant level. Implementation of BIO-8 (see Section 3.3.7.5) would reduce significant direct impacts from the proposed SAP improvements to a less-than-significant level. Therefore, the proposed project, in combination with the other cumulative projects, would result in a less-than-significant cumulative impact associated with compliance with local policies and ordinances.

3.3.5.6 Issue 6: Habitat Conservation Plans and NCCPs

The conservation plan applicable to the proposed project (the draft Escondido MHCP Subarea Plan) has not been adopted; therefore, there would be no impact related to HCPs and NCCPs, and no cumulative impact would occur.

3.3.6 Significance of Impacts prior to Mitigation

3.3.6.1 Issue 1: Candidate, Sensitive, or Special-Status Species

The proposed project would result in less-than-significant direct and indirect impacts on special-status plants. Therefore, no mitigation is necessary.

Prior to mitigation, tree removal and other construction-related activities have the potential to result in significant direct and indirect impacts on raptors and other nesting birds.

3.3.6.2 Issue 2: Sensitive Habitats

Direct impacts on 0.67 acre of southern coast live oak riparian forest (0.40 acre on site and 0.27 acre off site) from the construction of frontage improvements along Bear Valley Parkway associated with the residential development would be significant. Direct impacts on 0.19 acre of on-site southern coast live oak riparian forest from the proposed SAP improvements would be significant.

The proposed project would result in less-than-significant indirect impacts on sensitive habitats. Therefore, no mitigation is necessary.

3.3.6.3 Issue 3: Jurisdictional Habitat

The proposed residential development would directly affect 0.03 acre of unvegetated stream channel and 0.67 acre of southern coast live oak riparian forest (0.40 acre on site and 0.27 acre off site). There would be no off-site impact on ephemeral and perennial channels or areas under the jurisdiction of USACE/RWQCB. The proposed SAP improvements would directly affect 0.19 acre of southern coast live oak riparian forest under jurisdiction of CDFW. Direct impacts on jurisdictional habitat would be significant.

Indirect impacts on jurisdictional habitat would be less than significant. Therefore, no mitigation is necessary.

3.3.6.4 Issue 4: Wildlife Movement Corridors and Nursery Sites

The proposed project would result in less-than-significant direct or indirect impacts associated with wildlife movement corridors and nursery sites. Therefore, no mitigation is necessary.

3.3.6.5 Issue 5: Local Policies and Ordinances

The proposed residential development would remove 110 trees (including 60 coast live oak). An additional 39 trees (including 32 coast live oak) would be preserved in place with protections but would be encroached on. This would be a significant impact. It is estimated that 81 trees (including 52 coast live oak) could be indirectly affected by the proposed residential development. This indirect impact would be less than significant and, therefore, no mitigation is required.

The proposed SAP improvements would remove 42 trees and encroach on 3 trees. These impacts would be significant. The proposed SAP would indirectly impact 8 trees. This impact would be less than significant and, therefore, no mitigation is required.

3.3.6.6 Issue 6: Habitat Conservation Plans and NCCPs

The conservation plan applicable to the proposed project (the draft Escondido MHCP Subarea Plan) has not been adopted. Until the draft Escondido MHCP Subarea Plan is approved, the City follows MHCP guidelines or regulatory guidance for projects within City limits. There would be no impact related to HCPs and NCCPs, and no mitigation is required.

3.3.7 Mitigation Measures

3.3.7.1 Issue 1: Candidate, Sensitive, or Special-Status Species

Residential Development

BIO-1: If construction activity occurs during the breeding season (typically February 1 through September 15), a one-time biological survey for nesting bird species shall be conducted within

the proposed impact area and a 300-foot buffer within 72 hours prior to construction. This survey is necessary to ensure avoidance of impacts on nesting raptors (e.g., Cooper's hawk and red-tailed hawk) and/or birds protected by the federal MBTA. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum of 300 feet for raptors, as determined by the project biologist, and shall be avoided until the nesting cycle is complete.

Specific Alignment Plan Improvements

The same mitigation measure (BIO-1) would be required of the proposed SAP improvements.

3.3.7.2 Issue 2: Sensitive Habitats

Residential Development

BIO-2: To mitigate impacts on sensitive habitats from the proposed residential development, the project applicant shall establish or enhance at least 2.01 acres (a 3:1 ratio) of southern coast live oak riparian forest with establishment of 0.67 acre within an on-site mitigation area and enhancement of 1.34 acre within the open space area in general, including enhancing the 0.13 acre area of non-native riparian and enhancing the balance within the area mapped as southern coast live oak riparian forest that contains non-native and invasive species (Table 3.3-10). The mitigation shall occur within the open space lot (Lot H) totaling 8.0 acres. The mitigation area occurs along the ephemeral drainage that runs along the southern boundary of the proposed residential development site, as shown in Figure 3.3-3. A Conceptual Wetland Mitigation Plan shall be prepared as part of the permit application process (i.e., CWA Section 401/404 permit) described in mitigation measure BIO-5.

**Table 3.3-10. Required On-Site Mitigation for Impacts on Sensitive Habitats
in the Proposed Residential Development Area**

Habitat Type	Direct On-Site Impacts	Direct Off-Site Impacts	Mitigation Ratio	Mitigation Acreage	Required On-Site Mitigation
Southern coast live oak riparian forest (CDFW-jurisdictional)	0.40	0.27	3:1	2.01	Establishment at 1:1 through revegetation within the mitigation area; enhancement at 2:1 in the open space area
Non-native riparian	--	--	1:1	--	None
Disturbed southern cactus scrub	--	--	1:1	--	None
Unvegetated stream channels ^a (USACE/RWQCB/CDFW jurisdictional)	0.03	--	1:1 ^b	0.03	Establishment/enhancement within the mitigation area shown in Figure 3.3-3 and discussed under Issue 3
Disturbed habitat	31.67	0.59	None	--	None
Developed land	0.54	0.03	None	--	None
<i>Total^c</i>	<i>32.61</i>	<i>0.89</i>	-	<i>2.04</i>	
<p>Source: Appendix B.</p> <p>Notes:</p> <p>a Ephemeral stream channels are an overlay within the disturbed habitat and southern coast live oak riparian forest vegetation communities. The perennial stream channel on site is within the understory of the oak canopy and therefore, to avoid double counting of resources, this channel, and the portion of the ephemeral channel within the oak canopy, are not counted toward the total jurisdictional area.</p> <p>b Mitigation ratios for this habitat type are 1:1 to 2:1 according to the Table 4-7 in the MHCP (SANDAG 2003, as cited in Appendix B). Because the project site lies outside Focused Planning Area, the on-site in-kind mitigation will enhance; impacts on unvegetated channels will be mitigated at 1:1.</p> <p>c Acreage may not total due to rounding.</p> <p>CDFW = California Department of Fish and Wildlife, RWQCB = Regional Water Quality Control Board, USACE = U.S. Army Corps of Engineers</p>					

Specific Alignment Plan Improvements

Direct impacts on southern coast live oak riparian forest will be mitigated through establishment or enhancement of riparian habitat or through a mitigation bank as follows.

BIO-3: To mitigate impacts on sensitive habitats in the proposed SAP improvements area, the SAP improvements applicant shall establish/enhance southern coast live oak riparian forest (or similar vegetation community) at a suitable location at a 1:1 to 3:1 mitigation ratio. If establishment or enhancement is unavailable or not practical, the SAP improvements applicant shall secure mitigation credits at an approved mitigation bank at a 1:1 to 3:1 mitigation ratio. Details will be finalized as part of the permit application process (i.e., CWA Section 401/404 permit) described in mitigation measure BIO-6.



3.3.7.3 Issue 3: Jurisdictional Habitat

Residential Development

Refer to Section 3.3.7.2 for the full text of mitigation measure BIO-2.

BIO-4: To mitigate impacts on jurisdictional habitat in the proposed residential development, the project applicant shall establish or enhance approximately 0.03 (1:1 mitigation ratio) acre of unvegetated stream channel (Table 3.3-11). The mitigation area occurs along the ephemeral drainage that runs along the southeastern boundary, as shown in Figure 3.3-3. The 0.03 acre plus the 2.01 acre from mitigation measure BIO-2 will result in establishment of 2.04 acres within the mitigation area. Details shall be provided in a Conceptual Mitigation Plan, which shall be prepared as part of the permit process (i.e., CWA Section 401/404 permit) described in mitigation measure BIO-5.

Table 3.3-11. Required Mitigation for Aquatic Resources in the Proposed Residential Development Area

Habitat Type	Direct On-Site Impacts	Direct Off-Site Impacts	Mitigation Ratio	Mitigation Acreage	Required On-Site Mitigation
Southern coast live oak riparian forest (CDFW-jurisdictional)	0.40	0.27	3:1	2.01	Establishment at 1:1 through revegetation within the mitigation area; enhancement at 2:1 in the open space area
Non-native riparian	--	--	1:1	--	None
Unvegetated stream channels ^a (USACE/RWQCB/CDFW jurisdictional)	0.03	--	1:1 ^b	0.03 ^a	Establishment/enhancement within the mitigation area shown in Figure 3.3-3
<i>Total</i>	<i>0.43</i>	<i>0.27</i>	-	<i>2.04</i>	

Source: Appendix C.

Notes:

a Ephemeral stream channels are an overlay within the disturbed habitat and southern coast live oak riparian forest vegetation communities. The perennial stream channel on site is within the understory of the oak canopy and therefore, to avoid double counting of resources, this channel, and the portion of the ephemeral channel within the oak canopy, are not counted toward the total jurisdictional area.

b Mitigation ratios for this habitat type are 1:1 to 2:1 according to the Table 4-7 in the MHCP (SANDAG 2003, as cited in Appendix B). Because the project site lies outside Focused Planning Area the on-site in-kind mitigation will enhance, impacts to unvegetated channels will be mitigated at 1:1.

CDFW = California Department of Fish and Wildlife, RWQCB = Regional Water Quality Control Board, USACE = U.S. Army Corps of Engineers

BIO-5: To comply with the state and federal regulations for impacts on jurisdictional aquatic resources, the following agency permits are required, or verification that they are not required shall be obtained:



- A CWA, Section 401/404 permit issued by the RWQCB and the USACE for all project-related disturbances of non-wetland waters of the United States and/or associated wetlands.
- A Section 1602 Streambed Alteration Agreement issued by CDFW for all project-related disturbances of any streambed and associated riparian habitat. Permits are required to be obtained by the applicant prior to the impact on the resources.

As noted in mitigation measures BIO-2 and BIO-4, a Conceptual Mitigation Plan is required to provide compensatory mitigation for impacts. The on-site wetland preservation area and the proposed wetland mitigation area (Open Space, Lot H) shall be protected under a covenant of easement. A long-term management plan for the area shall be prepared and will include maintenance of the wetland functions and values of the existing and restored habitat in perpetuity by the Home Owners Association, underlying land owner, or an approved land manager. The responsible party shall deter access to the Open Space through the use of signage and/or barriers, which will also be placed along the proposed trail within the Open Space. The tasks in the long-term management plan shall provide for long-term monitoring; documentation of site conditions; and tasks such as removal of trash, repair of any vandalism, and control of invasive species. The condition of the Open Space shall be documented annually by preparation of an annual report submitted to the City and resource agencies. The responsible party shall also be responsible for implementation of any remedial measures (e.g., planting native wetland plants) to repair damage or loss due to any of the above-mentioned factors. The long-term management plan shall be funded by a non-wasting endowment for which the amount can be determined via preparation of a Property Analysis Record or similar method.

Specific Alignment Plan Improvements

Impacts on jurisdictional aquatic resources associated with SAP improvements will be mitigated through establishment/enhancement of southern coast live oak riparian forest (or similar vegetation community) at a suitable location at a 1:1 to 3:1 mitigation ratio, or in an off-site mitigation bank as described in BIO-3.

Further, compliance with state regulatory agencies will be required, specifically through a CDFW Section 1602 Streambed Alteration Agreement as described in BIO-6, thus resulting in no net loss of acreage, function, or value of these resources.

BIO-6: To comply with the state and federal regulations for impacts on jurisdictional aquatic resources, the following agency permit is required, or verification that it is not required shall be obtained:

- A Section 1602 Streambed Alteration Agreement issued by CDFW for all project-related disturbances of any streambed and associated riparian habitat. Permits are required to be obtained by the applicant prior to the impact on the resources.



3.3.7.4 Issue 4: Wildlife Movement Corridors and Nursery Sites

The proposed project would result in less-than-significant direct and indirect impacts associated with wildlife movement corridors and nursery sites. Therefore, no mitigation is necessary.

3.3.7.5 Issue 5: Local Policies and Ordinances

Residential Development

BIO-7: Prior to the issuance of grading permits, the residential development applicant shall submit a Tree Mitigation Program to the City Community Development Department for review and approval. The Tree Mitigation Program shall focus on preservation, restoration, and enhancement of preserved oak trees/stands through sustainable tree plantings and native tree planting in the transition area between open space and development areas throughout the project site. Table 3.3-12 identifies the total number of plantings required to meet the intent of the City's tree protection and replacement requirements. A minimum of 195 trees (including coast live oak and other suitable native or ornamental species) shall be planted within the residential development landscape areas. The Tree Mitigation Program shall ensure that a minimum of 773 landscape trees are planted on the residential development site, as shown in Table 3.3-13.

Table 3.3-12. Landscape Tree Replacement Calculation for the Proposed Residential Development

Tree Type	Trees Affected	Replacement Ratio	Replacement Species	Total Number Replacement Trees
Tree of heaven	1	1:1	Ornamental	1
Red gum	2	1:1	Ornamental	2
Jacaranda	2	1:1	Ornamental	2
Chinese flame tree	2	1:1	Ornamental	2
Crape myrtle	3	1:1	Ornamental	3
Chinaberry	4	1:1	Ornamental	4
Canary Island date palm	2	1:1	Ornamental	2
Coast live oak	92	1:1 and 2:1	Coast live oak	138
Red willow	1	1:1	Blue elderberry	1
Peruvian pepper	1	1:1	Ornamental	1
Brazilian pepper	13	1:1	Ornamental	13
Mexican fan palm	26	1:1 and 2:1	Ornamental	26
<i>Minimum required mitigation tree plantings</i>				<i>195</i>
Source: Appendix D.				

Table 3.3-13. Recommended Landscape Planting Quantities for the Proposed Residential Development

Tree Type	Common Name	Size	Replacement Quantity
<i>Cercidium</i> (desert museum)	Desert museum palo verde	15 gallons	4
<i>Cercis occidentalis</i>	Western redbud	15 gallons	147
<i>Metrosideros excels</i>	New Zealand Christmas tree	24-inch box	197
<i>Pyrus calleryana</i> (Chanticleer)	Flowering pear	24-inch box	57
<i>Sambucus mexicana</i>	Blue elderberry	15 gallons	144
<i>Quercus agrifolia</i>	Coast live oak	24-inch box	224
<i>Minimum proposed landscape plantings</i>			773
Source: Appendix D.			

Specific Alignment Plan Improvements

BIO-8: To meet the City's mitigation planting requirements for the removal and encroachment of trees, 60 trees shall be planted along Bear Valley Parkway following completion of the proposed SAP improvements. Table 3.3-14 identifies the total number of plantings required to meet the intent of the City's tree protection and replacement requirements. A minimum of 60 trees (including coast live oak and other suitable native or ornamental species) shall be planted in areas along Bear Valley Parkway. Table 3.3-15 provides a list of species that are not invasive, are acceptable to fire agencies, and are anticipated to perform well along Bear Valley Parkway.

Table 3.3-14. Landscape Tree Replacement Calculation for the Proposed SAP Improvements

Tree Type	Trees Affected	Replacement Ratio	Replacement Species	Total Number Replacement Trees
Ash tree	2	1:1	Ornamental	2
Silk oak	1	1:1	Ornamental	1
Jacaranda	2	1:1	Ornamental	2
Chinese juniper	1	1:1	Ornamental	1
Canary Island date palm	1	1:1	Ornamental	1
Coast live oak	31 (15)	1:1 and 2:1	Coast live oak	46
Brazilian pepper	1	1:1	Ornamental	1
Queen palm	3	1:1	Ornamental	3
Mexican fan palm	3	1:1	Ornamental	3
<i>Minimum required mitigation tree plantings</i>				60
Source: Appendix E.				

Table 3.3-15. Recommended Landscape Planting Quantities for the Proposed SAP Improvements

Tree Type	Common Name	Size	Replacement Quantity
<i>Parkinsonia</i> (Desert Museum)	Desert museum palo verde	24-inch box	3
<i>Cercis occidentalis</i>	Western redbud	24-inch box	4
<i>Metrosideros excels</i>	New Zealand Christmas tree	24-inch box	4
<i>Pyrus calleryana</i> (Chanticleer)	Flowering pear	24-inch box	3
<i>Quercus agrifolia</i>	Coast live oak	24-inch box	46
<i>Minimum proposed landscape plantings</i>			<i>60</i>
Source: Appendix E.			

3.3.7.6 Issue 6: Habitat Conservation Plans and NCCPs

The proposed project would result in less-than-significant direct and indirect impacts associated with adopted HCPs and NCCPs. Therefore, no mitigation is necessary.

3.3.8 Conclusion

3.3.8.1 Issue 1: Candidate, Sensitive, or Special-Status Species

The proposed project would not result in a significant direct or indirect impact on special-status plants. Therefore, mitigation is unnecessary.

Implementation of the proposed project has the potential to directly affect birds protected under the MBTA and raptors protected under California Fish and Game Code, and to indirectly affect off-site sensitive species. Implementation of mitigation measure BIO-1 would reduce impacts of both the proposed residential development and proposed SAP improvements to a less-than-significant level.

3.3.8.2 Issue 2: Sensitive Habitats

Implementation of the proposed project would result in direct impacts on riparian habitat and other sensitive natural communities. Mitigation measures BIO-2 and BIO-3 would require habitat enhancement and establishment, and would reduce the direct impact on sensitive habitats to a less-than-significant level. Portions of these habitat areas are under USACE/RWQCB and/or CDFW jurisdiction and would be further mitigated through jurisdictional resources described under Issue 3.

3.3.8.3 Issue 3: Jurisdictional Habitat

Implementation of the proposed project would result in direct impacts on habitat under the jurisdiction of regulatory agencies, including USACE, RWQCB, and/or CDFW. Mitigation measures BIO-2 and BIO-4 would require the residential development applicant to establish or enhance



jurisdictional habitat. Mitigation measure BIO-3 would require the SAP improvements applicant to establish or enhance jurisdictional habitat. Further, mitigation measures BIO-5 and BIO-6 would ensure that the proposed residential development and SAP improvements secured the appropriate regulatory agency permits prior to construction. This significant impact on jurisdictional habitat would be reduced to a less-than-significant level with implementation of mitigation measures BIO-2 through BIO-6.

3.3.8.4 Issue 4: Wildlife Movement Corridors and Nursery Sites

The project would result in less-than-significant direct and indirect impacts associated with wildlife movement corridors and nursery sites. Therefore, no mitigation is necessary.

3.3.8.5 Issue 5: Local Policies and Ordinances

The proposed residential development would remove 110 trees (including 60 coast live oak). An additional 39 trees (including 32 coast live oak) would be preserved in place with protections but would be encroached on. The proposed SAP improvements would remove 42 trees and encroach upon 3 trees. Implementation of mitigation measures BIO-7 and BIO-8 would require replacement of affected trees to meet the intent of the City's tree protection and replacement requirements. Therefore, mitigation would reduce the impact to a less-than-significant level.

3.3.8.6 Issue 6: Habitat Conservation Plans and NCCPs

The conservation plan applicable to the proposed project (the draft Escondido MHCP Subarea Plan) has not been adopted. Until the draft Escondido MHCP Subarea Plan is approved, the City follows MHCP guidelines or regulatory guidance for projects within City limits. There would be no impact related to HCPs and NCCPs.



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3.4 Cultural Resources

This section of the Environmental Impact Report (EIR) describes the existing cultural resources in the proposed project area. Cultural resources addressed include archaeological, historical, and tribal resources, as well as human remains. This section evaluates existing cultural resources, analyzes the potential impacts that may occur under the proposed project, recommends mitigation measures to reduce or avoid impacts on these resources, and examines levels of significance after mitigation.

General information in this section is taken from the *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Final Environmental Impact Report* (General Plan Program EIR) (City of Escondido 2012b) unless otherwise referenced. Project-specific information is from the *Cultural Resources Survey and Evaluation of Built Environment for the Bear Valley Parkway Development, Escondido, California* (Appendix F), the *Cultural Resources Evaluation of Prehistoric Archaeological Site CA-SDI-21808 for the Bear Valley Parkway Development, Escondido, California* (Appendix G), and the *Additional Cultural Resources Survey for the Bear Valley Parkway Development, Escondido, California* (Appendix H)—prepared by ASM Affiliates in April 2016, June 2016, and September 2016, respectively.

3.4.1 Existing Conditions

The cultural environment consists of the remains of prehistoric- and historic-era human activities. The city contains numerous recorded resources, including prehistoric archaeological sites, historic archaeological sites, historic features relating to water storage and water conveyance, historic buildings and structures, and known cemeteries. The following discussion provides background information, as well as an inventory of the essential components that make up the project area's cultural environment.

3.4.1.1 Local Background

Cultural resources are generally defined in terms of the tangible materials attributed to a culture. These include districts, sites, structures, artifacts, and other evidence of human use considered important to a culture or community for scientific, traditional, religious, or other reasons. Types of resources include archaeological resources, historic structures, historic districts, traditional cultural properties, and landscapes. Cultural resources may also consist of less tangible attributes, such as landscapes considered sacred to particular groups. These resources can provide clues about prehistoric- and historic-era human behaviors, and provide scientific, religious, and other valuable educational information about the cultural past.

Cultural resources are identified using standard protocols and are evaluated based on a variety of established criteria. There are four general types of designations for significant cultural resources within the project area. The system includes federal designation in the National Register of Historic Places (NRHP) for resources of importance and relevance to national heritage,



state-level designation in the California Register of Historical Resources (CRHR), County-level designation in the San Diego County Local Register of Historical Resources, and designation as Escondido Historical Landmarks for resources of importance to local history and culture. Each of these registers uses different criteria to determine whether a resource could be determined eligible for inclusion; these criteria are discussed below in Section 3.4.2, “Regulatory Framework.” The integrity of the resource, its attributes, and its location are also key factors in establishing its significance.

As defined in this document, *cultural resources* consist of the remains of prehistoric- and historic-era human behaviors, including both archaeological and historic resources. Archaeological resources include artifacts and features found on both the ground surface or under the surface, and include both prehistoric and historic time periods. Historic resources refer to built environment features aged 50 years or older and include buildings, structures, and other features such as flumes, roads, bridges, and tunnels.

Archaeological and Tribal Resources

The Archaeological Resources setting is drawn from the Escondido General Plan Program EIR (City of Escondido 2012b) unless otherwise cited.

Prehistoric Setting

Archaeological evidence indicates that the San Diego County (County) region has a long cultural history beginning approximately 10,000 years ago. Recent scholarship on Native American (Pre-Contact) human occupation in the County recognizes the existence of at least two major cultural traditions identified as the Early Period/Archaic and Late Period by Gallegos (2007 as cited in City of Escondido 2012b). However, the prehistory of San Diego is also often divided into three chronological sequences based on material and cultural constituents: Paleo-Indian, Archaic, and Late Prehistoric periods (BFSAs as cited in City of Escondido 2012b).

Early Period/Archaic

The Early Period/Archaic includes the time period spanning from approximately 10,000 to 1,300 years ago and includes the San Dieguito, La Jolla, and Pauma Complexes. The earliest accepted archaeological manifestation of human occupation in the San Diego area is the San Dieguito Complex, which dates to approximately 10,000 years ago. The San Dieguito Complex is chronologically equivalent to other Paleo-Indian complexes across North America. The material culture of the San Dieguito Complex is primarily characterized by a flaked or chipped stone component consisting of scrapers, scraper planes, choppers, drills, graters, large lanceolate bifaces, and large foliate (leaf-shaped) projectile points. Various researchers recognized the regional similarity of such artifact assemblages and termed interior sites of the same age as either the Western Pluvial Lakes Tradition or the Western Lithic Co-Tradition. Tools and debitage made of fine-grained green metavolcanic material (felsite) were found at many sites that Rogers (1939 as cited in City of Escondido 2012b) identified as San Dieguito, lending to the presence of felsite



as a San Dieguito hallmark. There is an overall lack of milling stone equipment, suggesting that hard seeds may not have been an important part of the diet during this period. San Dieguito sites are typically found on or near former pluvial lake shores, marshes, and old stream channels; and coastal sites indicate that shellfish was an important dietary resource for peoples living near the Pacific Ocean. Sleeping circles, trail shrines (cairns), and rock alignments have also been associated with San Dieguito sites, helping to support the conclusion that San Dieguito peoples practiced a mobile hunting and gathering lifestyle based on terrestrial and aquatic resources.

The La Jolla and Pauma Complexes are often referred to as following the San Dieguito Complex. The La Jolla Complex is associated with shell midden sites on the coast; and the Pauma Complex is associated with inland sites, particularly located in valleys and sheltered canyons in northern San Diego County. Because the two complexes have similar artifact assemblages, it is believed that the Pauma Complex may represent an inland variation of the La Jolla Complex. Gallegos (2007 as cited in City of Escondido 2012b) notes that these complexes may represent a seasonal or geographic variation of an older and more general San Dieguito Complex. This is based on a pattern of observable cultural continuity exhibited in the material culture assemblages of Early/Archaic Period sites (2007 as cited in City of Escondido 2012b). Nonetheless, many researchers have focused on the proliferation of ground stone tools and an increased level of sedentism to differentiate the La Jolla and Pauma Complexes from the San Dieguito Complex.

The La Jolla and Pauma Complexes reflect subsistence patterns focused on gathering plant foods and small animals, including near-shore fish and shellfish. Ground stone milling equipment, including manos and metates, appear in large numbers and dominate their tool assemblages. In addition to manos and metates, assemblages contain discoidals (perforated rounded stones), cog stones (perforated rounded and grooved stones), finely worked small domed scrapers, flaked cobble tools, and large notched and stemmed dart points. Flexed burials with the head pointed northward under rock cairns, and often containing many broken tools, are also associated with these complexes.

Late Period

By the advent of the Late Period, which spans from 1,300 years ago to historic contact (1769), a material culture pattern similar to that of historic Native Americans becomes apparent in the archaeological record. Cultural change and social complexity reflect both an adaptation to variations in environmental conditions and an influence from outside groups. The results of these adaptations are shown through changes in material culture, subsistence patterns, and burial practices throughout the period, over time and space. The economic pattern during this period appears to be one of more intensive and efficient use of local resources. The prosperity of these highly refined economic patterns is well evidenced by the numerous Kumeyaay/Diegueño and Luiseño habitation sites scattered throughout the County. This increase in Late Period site density probably reflects both better preservation of the more recent archaeological record and a gradual population increase within the region. Artifacts and cultural patterns reflecting this Late



Period pattern include small projectile points, pottery, the establishment of permanent or semi-permanent seasonal village sites, a proliferation of acorn milling sites in the uplands, the presence of obsidian from the Imperial Valley source Obsidian Butte, and interment by cremation.

Luiseño occupation in northern San Diego County during the late Holocene has been viewed as an occupation that migrated from the desert to the coast, an incursion called “the Shoshonean Wedge.” Late Period culture patterns were shared with groups along the northern and eastern periphery of San Diego County, incorporating many elements of their neighbors’ culture into their own cultures. This transference and melding of cultural traits between neighboring groups makes positive association of archaeological deposits with particular ethnographically known cultures difficult. This is particularly true of the groups within this portion of the County. Although significant differences exist between Luiseño and Kumeyaay/Diegueño cultures (including linguistic stock), the long interaction of these groups during the Late Period resulted in the exchange of many social patterns. Archaeologists must rely heavily on ethnographic accounts of group boundaries as recorded during the historic period to inform ethnographic occupation of particular areas.

In 1925, ethnographer Alfred Kroeber placed the Kumeyaay/Diegueño and Luiseño boundary between Agua Hedionda and Batiquitos Lagoon (Kroeber 1925 as cited in City of Escondido 2012b). These lagoons are located approximately 13.5 miles east of the center of the City of Escondido, placing the Escondido area in a transitional area for the Diegueño and Luiseño groups. Diegueño is recognized as a member of the California-Delta Yuman division of the Yuman-Cochimi language family and includes three main dialects: Ipai, Kumeyaay, and Tipai (Luomala 1978 as cited in City of Escondido 2012b). The Ipai occupied the central portion of the County, while the Kumeyaay inhabited the southern portion of the County, including lands extending into the California portion of the Colorado Desert. The Tipai territory included the lands from Jamul southward into Baja California, south of Ensenada. Modern ethnographers tend to combine the Kumeyaay and the Tipai as a single, continuous social group. The Luiseño traditional use area is then mapped as extending from the Pacific Ocean inland to Lake Elsinore and Palomar Mountain in the east, and extending from Agua Hedionda in the south to Aliso Creek in the north (Bean and Shipek 1978 as cited in City of Escondido 2012b).

Historic Resources

Historic Setting

The Historic Setting is drawn from the Escondido General Plan Program EIR (City of Escondido 2012b) unless otherwise cited.



The historic era (Post-Contact) in southern California is commonly presented in terms of Spanish, Mexican, and American political domination. Certain themes are common to all periods, such as the development of transportation, military activities, settlement, and agriculture.

Spanish Period (1769–1821)

The history of modern San Diego County dates to early Spanish explorations in the area. In 1542, Juan Rodriguez Cabrillo claimed the bay for Spain, and named this place “San Miguel.” Thereafter, the Spanish colonization of California was achieved through a program of military-civilian-religious conquest. Under this system, soldiers secured areas for settlement by suppressing native and foreign resistance, and established fortified structures (presidios) from which the colony would be governed. Civilians established towns (pueblos) and stock-grazing operations (ranchos) that supported the settlement and provided products for export. The missionary component of the colonization strategy was led by Spanish priests, who were charged with converting Native Americans to Catholicism, introducing them to Spanish culture, and training them as a labor force. Ultimately, four presidios and 21 missions were established in Spanish California between 1769 and 1821.

In the general vicinity of the proposed project area, the San Diego and San Luis Rey Missions were established along the Pacific coastline. However, the Escondido Valley was not under the jurisdiction of the San Diego or San Luis Rey Missions. Due to the relative remoteness of Escondido, early historic land use was limited to grazing, although scouting parties associated with the missions did come to the area in search of Native American laborers and religious converts.

Horses, cattle, agricultural foods, weed seeds, and a new architectural style and method of building construction were introduced during the Spanish period; and Spanish influence continued after 1821, when California became a part of Mexico. For a period of time under Mexican rule, the missions continued to operate as in the past, and laws governing the distribution of land were also retained.

Mexican Period (1821–1848)

Mexico achieved independence from Spain in 1821, and California became a distant outpost of the Mexican Republic. Under a law adopted by the Mexican congress in 1833, the former mission lands were secularized and subdivided into land grants. Cattle ranching prevailed over agricultural activities, and the development of the hide and tallow trade increased during the early part of this period. In 1843, Juan Bautista Alvarado, a native of San Diego, received the land grant described as *El Rincon del Diablo Rancho* (Corner of the Devil). This grant was bestowed to Alvarado by Mexican Governor Manuel Micheltooren and consisted of a 12,633-acre tract including the majority of present-day Escondido. Alvarado built a large adobe house overlooking Escondido and raised cattle on his land. Beginning in the early 1840s, Mexico’s hold on California was threatened by the steady overland migration of American settlers into the region. War

between the United States and Mexico commenced in May 1846, and the Mexican Period ended in 1848, at the end of the Mexican-American War.

American Period (1848 to Present)

The American Period began in 1848 when Mexico ceded California to the United States under the Treaty of Guadalupe Hidalgo. Few Mexican ranchos remained intact because of legal costs and the difficulty of producing sufficient evidence to prove title claims, and much of the land that once constituted rancho holdings became available for settlement by immigrants to California. In the early 1850s, Alvarado and his wife died, and their descendants began to subdivide and sell their land. Judge Oliver S. Witherby of San Diego began buying portions of the El Rincon del Diablo Rancho, and it took him approximately 10 years to acquire the entire rancho. Witherby farmed his property extensively and increased the size of his cattle and sheep herds. In the early 1860s, Witherby began mining gold on his property and built a mill to grind ore under the auspices of the Rincon del Diablo and Escondido Mining Company. This was the first recorded use of the word “Escondido” in the area.

In 1886, the Escondido Land Company was formed and began dividing over 12,000 acres of prime Escondido real estate. The City of Escondido (City) was incorporated 2 years later in 1888. Construction commenced on a rail line extending from Oceanside to Escondido in 1887, and the first freight left Escondido via rail in January 1888. The advent of the railroad led to an increase in population, retail business, and the export of agricultural products. With the assistance of the railroad, the economic base of burgeoning Escondido became focused on agriculture, and was supported by gold mining and tourism. One event that brought tourists into Escondido via rail was Grape Day. This event was first held on September 9, 1908, and was meant to celebrate the annual grape harvest. Grape Day continued to be a very popular celebration until 1950, when a lack of grapes in the valley caused the festival to end. Grape Day was then officially revived in 1996, and continues to be celebrated in Grape Day Park in downtown Escondido to the present day.

In 1950, U.S. Highway 395 connected Escondido to San Diego, allowing for an easier and faster commute between the two areas. At this same time, numerous defense contracts relating to the Cold War and Korea conflicts existed in the County, and these contracts created a variety of new job opportunities. Collectively, increased travel efficiency and employment prospects led to a population increase in the Escondido area. Subdivisions were constructed to accommodate the population influx, and these subdivisions replaced many of the vineyards and citrus groves on the east end of town. Thereafter, citrus production began to decline quickly, with groves converted to avocado production, and the area’s largest packing house closed in 1960. These agricultural pursuits were replaced with industry and retail as important economic pursuits during the ensuing decades. Presently, the City boasts Palomar Medical Center, Escondido Auto Park, and Westfield Shopping Town North County as major employers and retail options.



3.4.1.2 Project Site

As indicated above, a project-specific *Cultural Resources Survey and Evaluation of Built Environment for the Bear Valley Parkway Development, Escondido, California* was prepared by ASM Affiliates in April 2016 (Appendix F). As a part of this effort, a records search, site history research, historic architectural survey, and archaeological survey were completed. The archaeological field survey and architectural history survey were conducted on March 25, 2016, by an archaeologist, historian, and Native American monitor. Subsequently, additional testing was completed for site CA-SDI-21808, and the results are included in Appendix G. The results of these site-specific cultural resource evaluations are described below. Refer to Appendices F and G for additional detail. Additionally, a Cultural Resources Survey was prepared for the Specific Alignment Plan (SAP) improvements. The results of this site-specific cultural resources evaluation are described below. Refer to Appendix H for additional detail.

Records Search

On March 21, 2016, a records search for the proposed project site and a 1-mile search radius was requested from the South Coastal Information Center (SCIC) of the California Historical Resources Information System (CHRIS) at San Diego State University. The records search included a search of all relevant site records and prior reports on file with the SCIC, as well as a search of the NRHP, the CRHR, and other local registers to determine whether significant archaeological or historical sites have previously been recorded within or near the proposed project site.

The records search identified a total of 53 previous cultural resource studies that address areas within a 1-mile radius of the proposed project site. Four of those reports address areas within the current proposed project area:

- Wade, Sue A. 1987. Results of an Archeological Archival and Field Survey of the Bear Valley Parkway/SR-78 General Plan Amendment EIR Project Area San Diego County, California.
- Affinis and M. Robbins-Wade, R. Alter. 1993. Cultural Resources Survey for the Bear Valley Parkway (South) Reconstruction. Activity No. Uj1194, Escondido, San Diego County, California.
- City of Escondido. 1980. Draft Environmental Impact Report for Expansion of Wastewater Treatment Facility.
- Dalope, Michelle and Susan Hector. 2008. The Westfield North County Expansion Offsite Improvements Project, City of Escondido, San Diego County, California.

The records search identified 27 previously recorded sites and isolates within a 1-mile search radius. One of those previously recorded sites, CA-SDI-12920, intersects the proposed project site. This site, a historic-period can scatter, is described in more detail below. Refer to Appendix F for a full list of all previously recorded sites and isolates within 1 mile of the proposed project site.

Historical Resources

Site History

The Escondido Land and Town Company acquired a portion of the Rancho Del Diablo that is the present-day project site. Ownership of the proposed project site changed hands a number of times. By 1904, a portion of the project site was deeded to John Becker, and another portion of the property to the Cleveland-Pacific Mining Company.

The Cleveland-Pacific Mining Company's Escondido Mine was located immediately west and north of the proposed project site. It is now underneath a subdivision off Bear Valley Parkway between Encino Drive and Eldorado Drive. According to the California Bureau of Mines, the Escondido mine area had been worked by early Spaniards and Mexicans, and sometime around 1868 Americans began working it with *arrastres*. By 1908, the Cleveland-Pacific Mining Company had discovered two deposits where rich ore was packaged for shipment. A small stamp mill was erected in June 1908. It operated until 1911, when the company encountered an abundance of pyrite ("fool's gold") and a rising water table that limited the depth of the shaft. At that time, the company used two steam hoists and a five-stamp mill with plates, a Wilfley table, and two 10-foot-tall cyanide tanks. In 1924, the Escondido mine was sold to B. F. Brough and Associates, who opened new workings 1,000 feet to the west with a new shaft. Old mining dumps in the area were reworked. In 1926, operations ceased permanently. While San Diego County was never one of the most productive counties, Escondido ranked third in the County's production.

The early uses of the proposed project site included some prospecting and exploratory mining south and west of the remaining residence. Ownership of the site changed hands and by 1922 was owned by Lawrence C. Spieth. Much of the property was unused at this time. In 1938, orange and avocado groves were planted on the project site, and both permanent and temporary irrigation was installed. A shed had been constructed years earlier (1925).

Oranges were produced for the Escondido Orange Association, and avocados were produced for Calavo. It was a private operation and was not one of most productive groves in the area. Some lemons and grapefruit were also grown on the property.

In February 1940, Spieth deeded half of the property to Burnet C. Wohlford. The extant house and detached garage was constructed in 1946. The wood-frame house was constructed with stucco and board-and-batten, with double-hung windows, a hip roof and gable porch, and composite shingles. A shed (now demolished) was also constructed. Several pumps were installed on the property. Burnet C. Wohlford was the son of Alvin Wohlford, who ran the Escondido Mutual Water Company and owned Escondido National Bank. Sometime after Alvin Wohlford died in 1924, Burnet sold his father's bank and put in 125 acres of oranges, lemons, grapefruit,

and avocados in Escondido. Thereafter, he was well known for his leadership at the water company and for cultivating citrus and avocados.

In 1953, the entire property was cultivated with citrus and avocado groves that amounted to approximately 42 acres. The property was continuously used for production until at least 1979. Sometime between 1989 and 1995, the trees were removed from the property.

Historic Resources Survey Results

Three potential historic resources were identified onsite; the residence and garage constructed in 1946, a historic can scatter (CA-SDI-12920), and historic isolates associated with previous agricultural operations. These resources are described below.

Built Resources

The residence on the project site is a one-story, wood-framed building with a wood-framed open-front porch that provides entry into the building. The porch is concrete slab. The building is board-and-batten on the front façade and stucco around the other three sides of the building. It has sash windows and a hipped roof with exposed rafters and composite shingles. At the southeastern side of the building is another entrance with concrete steps and metal rolled awning. The majority of the exterior appears to retain original materials. Most of the exterior doors are not original, but most of the windows are original. The interior walls are original plaster with rounded edging at the door frames. Most of the interior doors have been replaced; but some original hardware, such as a bathroom knob, has been retained. The original inset ironing board still remains in the kitchen.

A detached garage was constructed in the same style as the residence without a finished interior. It is a one-story wood-frame garage with wood-frame rafters that are exposed on the exterior and interior. It also has a hipped roof and composite shingles. The exterior has been covered in stucco, and the original garage door has been replaced with a plywood door as it now functions as a shed.

Historic Can Scatter Site (CA-SDI-12920)

Mary Robbins-Wade of Affinis recorded this site in September 1992 during a survey for improvements to Bear Valley Parkway (Robbins-Wade and Alter 1993 as cited in Appendix F). The site was recorded as consisting of metal cans and one glass milk bottle marked "Sunshine Dairy, Escondido." Robbins-Wade and Alter reported the location of the site as above the creek on the eastern side of Bear Valley Parkway, just south of the intersection with Encino Drive and Rancho Verde Drive. The site was reported as small, with no diagnostic material and likely the result of dumping along the road.

It is also noted that the nearest water was the creek approximately 10 meters east of the site. The currently defined boundary in the SCIC GIS database shows the site as much larger than

suggested by Robbins-Wade and Alter, with the boundary crossing west of the creek into the current project site. The GIS data are most likely not accurate; during the survey, no historic cans were noted west of the creek within the drawn boundaries of the site.

The can scatter on the side of Bear Valley Parkway was not relocated due to vegetation coverage on the shoulder of the road.

Historic Isolates

Historic-period isolates and features associated with the previous agricultural grove on the property were noted across the site, including abandoned ceramic pipes, irrigation pipes, isolated bottle glass shards, and broken drainage pipes.

Archaeological Resources

Residential Development Site

One previously unrecorded bedrock milling site (CA-SDI-21808) and two ground stone isolates during the pedestrian survey were identified, as discussed further below.

Milling Slicks (CA-SDI-21808)

There are several granitic bedrock outcrops on the proposed project site. Two of the inspected outcrops each had one milling slick on their surfaces. The two outcrops are approximately 13 meters apart, with two larger granitic boulders between them and a large isolated palm just to the west. Both of the milling slicks are slightly exfoliated.

On June 1, 2016, additional evaluation of the site was conducted. Three standard test pits (STPs) were excavated to determine whether cultural deposits are present and, if so, the character and distribution of those deposits. The three STPs were positioned within and across the site, and were excavated to depths between 60 and 80 centimeters (cm) below surface. No samples yielded any cultural materials. Charred plant remains and modern refuse associated with farming were in the top 20 cm of the samples, including ferrous metal wire and fragmented oyster shell, likely present from past fertilizing activities on the project site.

No artifacts were noted within the immediate vicinity of the milling features during the pedestrian survey or the site evaluation, and the soils did not appear to contain any midden deposits. Evidence of previous burning in the area was noted, including some charred vegetation and some ash on the surface, but this is attributable to recent burns possibly associated with the agricultural activity in the area. Several baked earth patches were noted across the proposed project site, with a ring in the center of each the size of a palm tree trunk. The trees were likely burned in place, causing the ground around their base to harden.

A California Department of Parks and Recreation form describing the site was submitted to the SCIC, and the site was assigned the trinomial of CA-SDI-21808 on April 4, 2016.

Isolate Artifacts

Two isolate ground stone fragments were identified during the pedestrian survey, about 80 meters southwest of the newly recorded bedrock milling site. The two isolates were found just under 3 meters apart. Both ground stone fragments are granitic hand stones and show wear on both sides.

Specific Alignment Plan Improvements

A previously unrecorded small historic trash dump was observed immediately east of the proposed SAP improvements, just south of the residential development's boundary. The small trash dump consisted of seven clear glass bottle fragments, brown glass bottle fragments, a historic Ball mason jar, two cans, and two unidentifiable metal fragments. It also contained intrusive modern components. The historic component appeared to be eroding from the banks of a seasonal drainage. This site is located outside of the SAP improvement area of potential effects (APE) and was, therefore, not formally recorded.

Tribal Resources

Cultural resources include properties of traditional religious and cultural significance to groups or individuals, including local Native Americans. Such resources consist of archaeological resources or areas containing human remains, as well as landscapes or features in the natural environment important for their role in oral tradition or in existing religious tradition. These resources are often different than those detected by professional archaeological surveys or by the review of the existing archaeological record, and often pertain to other perspectives about the presence of Native Americans in the region beyond the prehistoric and historic setting presented above. As described by creation stories, Native Americans have been present in the region from the beginning of time. In accordance with this view, the distinction that is made between different archaeological cultures or periods, such as the La Jolla and San Dieguito, is not necessarily recognized. Instead, some groups or individuals believe that there is a continuum of ancestry, from the first people to the present Native American populations of San Diego County. To acknowledge this perspective, research on the presence or absence of known Native American resources is necessary to fully document existing conditions for cultural resources. In addition, consultation with affected Native American communities can be beneficial to fully understand potential impacts on cultural resources.

Research on the presence of Native American resources is initially completed through a Sacred Lands File database search by the Native American Heritage Commission (NAHC). Thereafter, research is completed by obtaining responses or comments from contacts named by the NAHC as having knowledge about a particular project area. Formal consultation is then typically administered pursuant to Assembly Bill (AB) 52, described below in Section 3.4.2, "Regulatory

Framework.” The California NAHC was contacted to identify possible sacred lands within the proposed project site, and none were identified. The NAHC provided a list of contact information for local Native American representatives who may have an interest or concerns regarding the proposed project. All persons listed by the NAHC were contacted on March 24, 2016.

As of November 2016, responses from three of the tribal contacts were received. The Pauma Band of Luiseño Indians requested a copy of the cultural study once it is completed and that, if any sites are identified on the property, they be preserved. The Viejas Band of Kumeyaay Indians requested a copy of the cultural resources report so that they may make an informed decision and recommendation on the project. The Soboba Band of Luiseño Indians indicated that the Soboba Band does not currently have any specific concerns regarding known cultural resources within the project area, but requested that the appropriate consultation continue to take place between concerned tribes, project proponents, and local agencies.

Pursuant to AB 52, the City notified the Rincon Band of Luiseño Indians, the San Luis Rey Band of Mission Indians, and the Soboba Band of Luiseño Indians regarding the proposed project in August 2015. The Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians both requested formal consultation. The Soboba Band of Luiseño Indians did not have any specific concerns regarding the proposed project and deferred to the Pauma Band of Luiseño Indians and the Rincon Band of Luiseño Indians. Copies of cultural resource studies for the proposed project were mailed to the Viejas Band of Kumeyaay Indians, the Pauma Band of Luiseño Indians, the Rincon Band of Luiseño Indians, and the San Luis Rey Band of Mission Indians on May 2, June 29, and September 21 2016. A record of correspondence with the Native American community is included in Appendix B to the Cultural Resources Survey (Appendix F).

Human Remains

Human remains can be considered cultural resources for a number of reasons. Some human remains are evidence of burial places that represent events, customs, or beliefs common to many cultures, locations, or time periods. Other human remains are unique representatives of specific people or events. Cemeteries and burial places traditionally have been regarded as sacred and inviolate, especially by those whose ancestors are buried there. The concern of Native Americans about appropriate and respectful disposition of burial remains and objects of their descendants has resulted in greater sensitivity toward those for whom a burial place has familial or cultural importance.

In addition to unearthed human remains that may have cultural significance, established cemeteries and burial places may be considered cultural resources. Cemeteries and burial places can often qualify for listing in registers of significant resources, and several cemeteries in unincorporated San Diego County are included on the San Diego County Historic Property Listing. Properties eligible for such listing include town cemeteries and burial grounds whose creation and continuity reflect the broad spectrum of the community’s history and culture; family burial

plots that contribute to the significance of a farmstead; beautifully designed garden cemeteries that served as places of rest and recreation; graveyards that form an important part of the historic setting for a church or other religious building being nominated; formal cemeteries whose collections of tombs, sculptures, and markers possess artistic and architectural significance; single or grouped gravestones that represent a distinctive folk tradition; graves or graveyards whose survival is a significant or the only reminder of an important person, culture, settlement, or event; and burial places whose location, grave markers, landscaping, or other physical attributes tell something important about the people who created them (NPS 2011 as cited in City of Escondido 2012b).

3.4.2 Regulatory Framework

3.4.2.1 Federal Regulations

American Indian Religious Freedom Act

The American Indian Religious Freedom Act, Title 42 United States Code, Section 1996, protects Native American religious practices, ethnic heritage sites, and land uses.

National Historic Preservation Act and the National Register of Historic Places

Federal regulations for cultural resources are primarily governed by Section 106 of the National Historic Preservation Act (NHPA) of 1966, which applies to actions taken by federal agencies. The goal of the Section 106 review process is to offer a measure of protection to sites that are listed or determined eligible for listing in the NRHP. The criteria for determining NRHP eligibility are found in 36 Code of Federal Regulations (CFR) Part 60. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and affords the federal Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties," are found in 36 CFR Part 800. The NRHP criteria (36 CFR 60.4) are used to evaluate resources when complying with Section 106 of the NHPA. Those criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and any of the following:

- a. Are associated with events that have made a significant contribution to the broad patterns of our history
- b. Are associated with the lives of persons significant in our past
- c. Embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction
- d. Have yielded or may be likely to yield, information important to history or prehistory

Eligible properties must meet at least one of the criteria and exhibit integrity. Historical integrity is measured by the degree to which the resource retains its historical attributes and conveys its



historical character, the degree to which the original fabric has been retained, and the reversibility of changes to the property.

Historic districts derive their importance from being considered a unified entity, even though they are often composed of a variety of resources. The identity of a district results from the interrelationship of its resources, which can be an arrangement of historically or functionally related properties. A “district” is defined as a geographically definable area of land containing a significant concentration of buildings, sites, structures, or objects united by past events or aesthetically by plan or physical development. A district’s significance and integrity should help determine the boundaries.

Within historic districts, resources are identified as contributing and noncontributing. A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archaeological values for which a district is significant because it was present during the period of significance, relates to the significance of the district, and retains its physical integrity; or it independently meets the criteria for listing in the NRHP.

Archaeological site evaluation assesses the potential of each site to meet one or more of the criteria for NRHP eligibility based on visual surface and subsurface evidence (if available) at each site location, information gathered during the literature and records searches, and the researcher’s knowledge of and familiarity with the historic or prehistoric context associated with each site.

Native American Graves Protection and Repatriation Act

Enacted in 1990, the Native American Graves Protection and Repatriation Act conveys to American Indians of demonstrated lineal descent, the human remains and funerary or religious items that are held by federal agencies and federally supported museums, or that have been recovered from federal lands. It also makes the sale or purchase of American Indian remains illegal, whether or not they derive from federal or Indian lands.

Secretary of the Interior’s Standards

The Secretary of the Interior (SOI) is the head of the U.S. Department of the Interior, which is the nation’s principal conservation agency. The department oversees agencies including the Bureau of Land Management, the Bureau of Indian Affairs, and the National Parks Service.

The Secretary of the Interior Standards and Guidelines for Archaeology and Historic Preservation

The purpose of the SOI's Standards and Guidelines for Archaeology and Historic Preservation of 1983 is to (1) organize the information gathered about preservation activities; (2) describe results to be achieved by federal agencies, states, and others when planning for the identification, evaluation, registration, and treatment of historic properties; and (3) integrate the diverse efforts of many entities performing historic preservation into a systematic effort to preserve the nation's culture heritage.

The Secretary of Interior Standards for Rehabilitation

Developed in 1986, the SOI's Standards for Rehabilitation are 10 basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs.

The Secretary of Interior Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings

The SOI's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings were developed in 1995 to help protect the nation's irreplaceable cultural resources by promoting consistent preservation practices. The Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations. As such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. But once an appropriate treatment is selected, the Standards provide philosophical consistency to the work.

3.4.2.2 State Regulations

California Environmental Quality Act and the California Register of Historical Resources

Under the California Environmental Quality Act (CEQA), public agencies must consider the impacts of their actions on both historical resources and unique archaeological resources. Pursuant to Public Resources Code (PRC) Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." PRC Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources.

"Historical resource" is a term with a defined statutory meaning (refer to PRC Section 21084.1 and State CEQA Guidelines, Section 15064.5[a] and [b]). The term applies to any resource listed in or determined to be eligible for listing in the CRHR. The CRHR includes California resources listed in or formally determined eligible for listing in the NRHP, as well as certain California Historic Landmarks and California Points of Historical Interest.

Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be historical resources for purposes of CEQA, unless a preponderance of evidence indicates otherwise (PRC Section 5024.1 and California Code of Regulations, Title 14, Section 4850). Unless a resource listed in a survey has been demolished, has lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for listing in the CRHR.

In addition to assessing whether historical resources potentially affected by a proposed project are listed in an inventory or have been identified in a survey process, lead agencies have a responsibility to evaluate the resources against the CRHR criteria prior to making a finding as to a proposed project's impacts on historical resources (PRC Section 21084.1 and State CEQA Guidelines Section 15064.5[a][3]). In general, a "historical resource," under this approach, is defined as any object, building, structure, site, area, place, record, or manuscript that:

- a. Is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and
- b. Meets any of the following criteria:
 1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 2. Is associated with the lives of persons important in our past;
 3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 4. Has yielded, or may be likely to yield, information important in prehistory or history.

Archaeological resources can sometimes qualify as historical resources (State CEQA Guidelines, Section 15064.5[c][1]). In addition, PRC Section 5024 requires consultation with the Office of Historic Preservation when a project may affect historical resources located on state-owned land.

For historic structures, State CEQA Guidelines Section 15064.5(b)(3) indicates that a project that follows the SOI's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the SOI's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall mitigate impacts to a level of less than significant. Potential eligibility also rests on the integrity of the resource. "Integrity" is defined as the retention of the resource's physical identity that existed during its period of significance. Integrity is determined through considering the setting, design, workmanship, materials, location, feeling, and association of the resource.

As noted above, CEQA also requires lead agencies to consider whether projects will affect unique archaeological resources. PRC Section 21083.2(g) states that “unique archaeological” resource means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- a. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- b. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- c. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Treatment options under PRC Section 21083.2 include activities that preserve such resources in place and in an undisturbed state. Other acceptable methods of mitigation under PRC Section 21083.2 include excavation and curation, or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a unique archaeological resource).

Advice on procedures to identify cultural resources, evaluate their importance, and estimate potential effects is given in several agency publications, such as the series produced by the Governor’s Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities—including, but not limited to, museums, historical commissions, associations, and societies—be solicited as part of the process of cultural resources inventory. In addition, California law protects Native American burials, skeletal remains, and associated grave goods regardless of their antiquity and provides for the sensitive treatment and disposition of those remains.

State CEQA Guidelines Section 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered and that the County coroner be called in to assess the remains. If the County coroner determines that the remains are Native American, the NAHC must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the NAHC. Section 15064.5 directs the lead agency (or project proponent), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

California Historical Landmarks

The State Historical Landmarks Program places an emphasis on well-known places and events in California history. The goals of the program include the preservation and maintenance of registered landmarks, most of which include missions, early settlements, battle sites, and gold rush sites.

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act of 2001 conveys to American Indians of demonstrated lineal descent the human remains and funerary items that are held by state agencies and museums.

California Points of Historical Interest Program

The State Points of Historical Interest Program was established in the effort to accommodate local historic properties not able to meet the restrictive criteria of the State Historical Landmarks Program. The Points of Historical Interest Program requires the participation of local governmental officials, such as the chairperson of the Board of Supervisors, in the approval process.

Government Code

Section 25373

Government Code Section 25373 gives authority to local governments to acquire property for the preservation or development of a historical landmark. In addition, local governments may provide special conditions or regulations for the protection, enhancement, perpetuation, or use of places, sites, buildings, structures, works of art, and other objects having a special character or special historical or aesthetic interest or value.

Section 27288.2

Government Code Section 27288.2 requires the County Recorder to record a certified resolution establishing a historical resources designation issued by the State Historical Resources Commission or a local agency. For previously designated properties, the county may record the certified resolution establishing the historical resources designation upon submission.

Sections 50280-50290 – Mills Act

The Mills Act provides for reduced property taxes on eligible historic properties in return for the property owner's agreement to maintain and preserve the historic property. Properties must be preserved in accordance with the standards and guidelines set forth by the SOI. In order to be designated, a building must meet qualifying criteria, such as significant architecture, association with a historically significant event or person, or location in an historic district.

Health and Safety Code

Sections 18950-18961 – State Historic Building Code

Health and Safety Code Sections 18950 through 18961 provide alternative building regulations and building standards for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of buildings or structures designated as historic buildings. Such alternative building standards and building regulations are intended to facilitate the restoration

or change of occupancy so as to preserve their original or restored architectural elements and features, to encourage energy conservation and a cost-effective approach to preservation, and to provide for the safety of the building occupants.

Section 7050.5 – Human Remains

Section 7050.5(b) of the California Health and Safety Code specifies protocol when human remains are discovered. The code states:

In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the PRC.

Public Resources Code

PRC 5097-5097.6 – Archaeological, Paleontological, and Historical Sites

PRC Section 5097-5097.6 outlines the requirements for cultural resource analysis prior to the commencement of any construction project on State lands. This section identifies that the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands is a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit (expressed permission) on public lands and provides for criminal sanctions. This section was amended in 1987 to require consultation with the NAHC whenever Native American graves are found. Violations for taking or possessing remains or artifacts are felonies.

PRC Section 5097.5(a) states, in part, that:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

PRC 5097.9-5097.991 – Native American Heritage

PRC Section 5097.9-5097.991 identifies that no public agency, and no private party using or occupying public property or operating on public property, under a public license, permit, grant, lease, or contract made on or after July 1, 1977, shall in any manner whatsoever interfere with the free expression or exercise of Native American religion as provided in the U.S. Constitution and the California Constitution; nor shall any such agency or party cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require it. In addition, this section details the composition and responsibilities of the NAHC. The NAHC strives for the preservation and protection of Native American human remains, associated grave goods, and cultural resources. The NAHC has developed a strategic plan to assist the public, development community, local and federal agencies, educational institutions, and California Native Americans to better understand problems relating to the protection and preservation of cultural resources; and to serve as a tool to resolve these problems and create an awareness among lead agencies and developers of the importance of working with Native Americans (NAHC 2008). PRC Sections 5097.91 and 5097.98 were amended by AB 2641 in 2006. This bill authorizes the NAHC to bring an action to prevent damage to Native American burial grounds or places of worship and establishes more specific procedures to be implemented in the event that Native American remains are discovered.

Assembly Bill 52

Assembly Bill 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California Native American tribes as part of CEQA, and equates significant impacts on “tribal cultural resources” with significant environmental impacts (new PRC Section 21084.2).

Effective July 1, 2015, AB 52 amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether a proposed project may result in a significant impact on a tribal cultural resource, and that this consideration be made separately from cultural and paleontological resources.

PRC Section 21073 defines “California Native American tribes” as “a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes.

PRC Section 21074(a) provides the following definition of “tribal cultural resources” for the purpose of CEQA.

- a. Sites, features, places, cultural landscapes [geographically defined in terms of the size and scope], sacred places, and objects with cultural value to a California Native American tribe that are either of the following:



1. Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 2. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- b. 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria A and B also meet the definition of a historical resource under CEQA, a tribal cultural resource may also require additional consideration as a historical resource. Tribal cultural resources may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies carry out consultation with tribes at the commencement of the CEQA process to identify tribal cultural resources. Furthermore, because a significant effect on a tribal cultural resource is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Consultation is concluded (1) when the lead agency and tribes agree to appropriate mitigation measures to mitigate or avoid a significant effect; or (2) when a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2[b]), whereby the lead agency uses its best judgement in requiring mitigation measures that avoid or minimize impact to the greatest extent feasible.

3.4.2.3 Regional/Local Regulations

City of Escondido Municipal Code

Article 40 of the City's Municipal Code (Historical Resources) establishes the City's Historic Preservation Committee, the Escondido Local Register of Historical Places, and the designation process for Escondido Local Landmarks. Any person may nominate a historical resource to the local register or for landmark designation; however, the application must be made to the planning division on forms provided by the City. In addition, requests for local landmark designation must include a letter signed by the property owner consenting to the initiation. Article 40 additionally establishes it as unlawful to tear down, demolish, construct, alter, remove or relocate any historical resource or any portion thereof that has been listed on the Escondido Historic Sites Survey, Local Register, designated as a Local Landmark, or located within a Historical Overlay District; or to alter any feature of without first obtaining a permit as outlined in Article 40, Section 33-798. This includes obtaining a Certificate of Appropriateness for any new construction, and/or alteration that would affect the exterior appearance of a historical resource listed on the local register, or located within an historical overlay district, including the back, sides, and street façade, even when a building permit is not otherwise required. Additional



permits, as well as review by the planning commission, may also be required. Improvements and alterations to properties listed on the Escondido Historic Sites Survey outside an historical overlay district are also subject to staff administrative review to ensure that improvements and alterations do not preclude future listing in the local register. Further, Article 40 requires that all repairs, alterations, constructions, restorations or changes in use of applicable historical resources shall conform to the requirements of the State Historical Building Code and the SOI's Standards for Rehabilitation. Demolitions to such resources would require a permit acquired in accordance with Article 40, Sections 33-801, 33-802, and 33-803.

Article 55 of the City Municipal Code (Grading and Erosion Control) ensures that development occurs in a manner that protects the natural and topographic character and identity of the environment; the visual integrity of hillsides and ridgelines; sensitive species and unique geologic/geographic features; and the health, safety, and welfare of the general public by regulating grading on private and public property and providing standards and design criteria. Additionally, the article recommends that grading designs be sensitive to natural topographic, cultural, or environmental features, as well as mature and protected trees by ensuring the following features are preserved in permanent open space easements, or such other means: undisturbed steep slopes (over 35%); riparian areas, mitigation areas, and areas with sensitive vegetation or habitat; unusual rock outcroppings; other unique or unusual geographic features; and significant cultural or historical features.

Article 65 of the City Municipal Code provides guidance regarding the permitted principal uses and structures within the Old Escondido Neighborhood area, defined as being bounded on the north by 5th Avenue, Chestnut Street on the east, 13th Avenue on the south, and South Escondido Boulevard on the west, but excluding properties fronting Escondido Boulevard and including the north side of 5th Avenue from Juniper to Date Streets.

Criteria for Local Register Listing or Local Landmark Designation

Prior to granting a resource Local Register or Historical Landmark status, the City Council will consider the definitions for historical resources and historical districts and will find that the resource conforms to one or more of the criteria listed below. A structural resource proposed for the Local Register will be evaluated against criteria numbered 1 through 7 and must meet at least two of the criteria; signs proposed will meet at least 1 of the criteria numbered 8 through 10; landscape features will meet criterion number 11; and archaeological resources will meet criterion number 12. Local Register resources proposed for Local Landmark designation will be evaluated against criterion number 13. The criteria are as follows:

1. Escondido historical resources that are strongly identified with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, region, state or nation;



2. Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect's work and are not substantially altered;
3. Escondido historical resources that are connected with a business or use that was once common but is now rare;
4. Escondido historical resources that are the sites of significant historic events;
5. Escondido historical resources that are 50 years old or have achieved historical significance within the past 50 years;
6. Escondido historical resources that are an important key focal point in the visual quality or character of a neighborhood, street, area or district;
7. Escondido historical building that is one of the few remaining examples in the city possessing distinguishing characteristics of an architectural type;
8. Sign that is exemplary of technology, craftsmanship or design of the period when it was constructed, uses historical sign materials and is not significantly altered;
9. Sign that is integrated into the architecture of the building, such as the sign pylons on buildings constructed in the Modern style and later styles;
10. Sign that demonstrates extraordinary aesthetic quality, creativity, or innovation;
11. Escondido landscape feature that is associated with an event or person of historical significance to the community or warrants special recognition due to size, condition, uniqueness or aesthetic qualities;
12. Escondido archaeological site that has yielded, or may be likely to yield, information important in prehistory;
13. Escondido significant historical resource that has an outstanding rating of the criteria used to evaluate local register requests. (Ord. No. 2000-23, § 4, 9-13-00; Ord. No. 2008-16, § 4, 7-16-08).

Criteria for Historical District Designation

The City Council may designate an area as a Historical District if it finds that the proposed historical district meets all of the following criteria:

1. The proposed historical district is a geographically definable area possessing a significant concentration or continuity of sites, buildings, structures, or objects unified by past events, or aesthetically by plan or physical development;
2. The collective historical value of the proposed historical district may be greater than that of each individual resource;
3. The proposed designation is in conformance with the purpose of the city's historic preservation provisions set forth on this article and the City's General Plan.

San Diego County Local Register of Historical Resources

The purpose of the San Diego County Local Register of Historical Places is to develop and maintain "an authoritative guide to be used by state agencies, private groups, and citizens to identify the County's historical resources and to indicate which properties are to be protected, to the extent



prudent and feasible, from substantial adverse change.” Sites, places, or objects that are eligible for listing in the NRHP or CRHR are automatically included in the San Diego County Local Register of Historical Places.

3.4.3 Thresholds of Significance

The State CEQA Guidelines Appendix G (14 California Code of Regulations 15000 et seq.) has identified significance criteria to be considered for determining whether a project could have significant impacts on existing cultural resources.

An impact would be considered significant if construction or operation of the proposed project would have any of the following consequences:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- Cause a substantial adverse change in the significance of a Tribal Cultural Resource defined in Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is;
 - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Section 5020.1(k), or
 - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Section 5024.1(c). In applying the criteria set forth in Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.
- Disturb any human remains, including those interred outside of dedicated cemeteries.

The Initial Study (Appendix A) determined that impacts of the proposed project related to paleontological resources would be less than significant; therefore, no further analysis of that issue is completed herein.

3.4.4 Project Impacts

3.4.4.1 Issue 1: Historical Resources

Residential Development

As described above, one residence with a detached garage and irrigation features is on the proposed residential development site. The residence and associated structures and the property were considered for eligibility for listing in the NHHP and CRHR (Appendix F). Based on evaluation of the history and resources on the project site, and consideration of the ability of those resources to reflect the historic contexts with which they are associated, the residence, detached



garage, and irrigation features are recommended as not eligible as individual historic resources for listing in the NRHP, CRHR, and City of Escondido Local Register of Historic Places. The buildings and irrigation features are not considered historical resources for the purposes of CEQA, and impacts on historic resources would be less than significant. No mitigation is required.

Specific Alignment Plan Improvements

No historic resources are located within the APE of the SAP improvements. Therefore, there would be no impact on historic resources.

3.4.4.2 Issue 2: Archaeological Resources

Residential Development

As described above, one previously recorded historic trash scatter site (CA-SDI-12920) is located on the proposed residential development site. The site was not relocated during the archaeological survey and therefore was not formally evaluated for eligibility for listing in the NRHP or CRHR.

One prehistoric bedrock milling site (CA-SDI-21808) was identified during the survey that contained two separate bedrock milling features, each with a small milling slick. No surface artifacts were identified around the bedrock milling during the pedestrian survey or site evaluation, and no cultural materials were identified during the site evaluation. This site does not meet the criteria for listing in the NRHP or CRHR due to its lack of association with important events such as migration, cultural adaptations, or trade routes and trails; and due to the lack of a subsurface archaeological component that could be useful in addressing a substantive research question.

Two isolated ground stone fragments were also identified on the proposed project site. These ground stone artifacts do not meet the criteria for listing in the NRHP or CRHR and do not require any additional archaeological work.

While much of the site has been disturbed by mining activity and then grove agriculture in the early to mid-20th century, there is some evidence of prehistoric activity within the project vicinity. The proposed project site is located just 350 meters west of site CA-SDI-5340, also known as the Dead Horse Canyon site. The site is a Late Prehistoric-period village site with several bedrock milling features, midden soils, pottery scatters, debitage, lithic tools including small projectile points, and various ground stone implements. The site has been heavily looted by local pothunters over the years. It is possible that the bedrock milling site identified during the current archaeological survey was associated with the occupation of the Dead Horse Canyon site. It is difficult to confirm this association, however, given that no diagnostic artifacts were encountered during the current investigation.

Because of the known archaeological resource sites on the project site and the proximity of the site to Dead Horse Canyon site, there is potential for project-related significant impacts on an archaeological resource.

Specific Alignment Plan Improvements

As described above, no cultural resources were identified within the proposed project area during the archaeological survey of the SAP improvements. However due to the varying ground surface visibility, restricted access, and highly disturbed nature of the road improvements and the identified presence of cultural resources in the vicinity, there is a potential for unidentified, buried cultural material within the APE of the proposed SAP improvements.

3.4.4.3 Issue 3: Tribal Resources

As described above, the Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians both requested formal consultation regarding the proposed project pursuant to AB 52. The Rincon Band of Luiseño Indians met with City representatives on September 1, 2015. They requested that a trained Native American monitor be onsite during all ground-disturbing activities and that human remains be buried where found; they prefer reburial of found materials to artifacts. The San Luis Rey Band of Mission Indians met with City representatives on August 28, 2015. They requested that a tribal cultural resource survey be conducted at the proposed project site and that a Luiseño Native American monitor be present during each survey. On March 25, 2016, a Luiseño tribal monitor accompanied the ASM Affiliates archaeologists on a field survey. The Cultural Resources Surveys and Evaluations (Appendices F, G, and H) were sent to the tribes on May 2, June 19, and September 21, 2016, respectively. As of January 2017, none of the tribes had identified any significant tribal resources on the proposed project site.

As described under Issue 2, one previously unrecorded bedrock milling site (SDI-21808) and two ground stone isolates were identified during the field survey. Site SDI-12920, the historic trash scatter previously recorded within the proposed project area, was not re-located due to dense vegetation along the drainage on the eastern side of Bear Valley Parkway. Other historic-period isolates and features associated with the previous agricultural grove on the property were noted across the site, including abandoned ceramic pipes, irrigation pipes, isolated bottle glass shards, and broken drainage pipes. Furthermore, the project site is located just 350 meters west of site CA-SDI-5340, also known as the Dead Horse Canyon site. While no significant impacts on known tribal resources have been identified, there is potential for the proposed project to result in impacts on unknown subsurface tribal resources during grading.

3.4.4.4 Issue 4: Human Remains

The NAHC was contacted to identify possible sacred lands within the proposed project site. No known sacred/burial sites have been identified on the project site (Appendices F, G, and H). Although unlikely, the discovery of unknown buried human remains during project construction is always a possibility. If human remains are encountered during construction, the find would be

handled in accordance with California Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site within 24 hours of notification, and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Compliance with California Health and Safety Code Section 7050.5 would prevent potentially significant impacts in the unlikely event that human remains are encountered during construction. Therefore, impacts associated with the disturbance of human remains would be less than significant.

3.4.5 Cumulative Impacts

The geographic scope of the cumulative impact analysis for cultural resources varies depending on the type of resource with potential to be affected. Geographic scope can be the entire area within which the resource has the potential to occur. For the purpose of this EIR, the geographic scope for the cumulative analysis of cultural resources is the San Diego County region, including both incorporated and unincorporated areas.

3.4.5.1 Issue 1: Historical Resources

Cumulative projects in the San Diego County region have the potential to result in a cumulative impact associated with the loss of historical resources through the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Projects occurring within the geographic scope of this analysis have the potential to result in adverse impacts on historical resources from development activities. These projects are regulated by federal, state, and local regulations, and would be required to comply with these regulations. Even with regulations in place, however, individual historical resources still could be affected or degraded from demolition, destruction, alteration, or structural relocation as a result of new private or public development, or redevelopment associated with cumulative projects.

The residence, detached garage, and irrigation features located on the project site are not considered historical resources. Therefore, the proposed project would not contribute to a cumulative impact on historical resources.

3.4.5.2 Issue 2: Archaeological Resources

Cumulative projects in the San Diego County region have the potential to result in a cumulative impact associated with the loss of archaeological resources through development activities that could cause a substantial adverse change in the significance of an archaeological resource. Any cumulative projects that involve ground-disturbing activities have the potential to result in

significant impacts on archaeological resources. These projects would be regulated by applicable federal, state, and local regulations; however, the loss of archaeological resources on a regional level may not be adequately mitigated through the data recovery and collection methods specified in these regulations, as their value may also lie in cultural values and religious beliefs of applicable groups. Therefore, the cumulative destruction of significant archaeological resources from planned construction and development projects in the region would be cumulatively significant. Additionally, past projects involving development and construction have already affected archaeological resources in the region.

As described under Issue 2, because of the known archaeological resource sites on the proposed project site and the potential for impacts on unknown subsurface resources, there is potential for the proposed project to result in significant impacts on an archaeological resource. This significant impact would be mitigated to a level of less than significant with implementation of mitigation measures CR-1 through CR-8. Therefore, the proposed project would not significantly contribute to cumulative impacts on archaeological resources.

3.4.5.3 Issue 3: Tribal Resources

Cumulative projects located in the San Diego County region have the potential to result in a cumulative impact associated with the loss of tribal resources through development activities that could cause a substantial adverse change in the significance of a tribal resource. Any cumulative projects that involve ground-disturbing activities have the potential to result in significant impacts on tribal resources. These projects would be regulated by applicable federal, state, and local regulations; however, the loss of tribal resources on a regional level may not be adequately mitigated through the data recovery and collection methods specified in these regulations, as their value may also lie in cultural values and religious beliefs of applicable groups. Therefore, the cumulative destruction of significant tribal resources from planned construction and development projects in the region would be cumulatively significant. Additionally, past projects involving development and construction have already affected tribal resources in the region.

As described under Issue 3, although no tribal resources have been identified on the project, there is potential for the proposed project to result in significant impacts on an unknown subsurface tribal resource. This significant impact would be mitigated to a level of less than significant with implementation of mitigation measures CR-1 through CR-8. Therefore, the proposed project would not significantly contribute to cumulative impacts on tribal resources.

3.4.5.4 Issue 4: Human Remains

Cumulative projects in the San Diego County region have the potential to result in impacts associated with human remains due to grading, excavation, or other ground-disturbing activities. Projects that may result in significant impacts from ground-disturbing activities include the development of land uses as designated in the general plans of surrounding jurisdictions. If



human remains are encountered during project development, cumulative projects would be required to comply with the Native American Graves Protection and Repatriation Act, PRC Section 5097.9 - 5097.991, the California Native American Graves Protection and Repatriation Act, and Health and Safety Code Section 7050.5. On a regional level, however, the disturbance of human remains that are also considered archaeological resources may not be adequately mitigated through methods specified in these regulations, as their value may also lie in cultural mores and religion beliefs of applicable groups. Therefore, the cumulative disturbance of human remains by construction and development within the region is considered a cumulatively significant impact. Additionally, past projects involving development and construction have already affected human remains within the region.

As discussed in Section 3.4.4.4, "Issue 4: Human Remains," compliance with Health and Safety Code Section 7050.5 would prevent potentially significant impacts in the unlikely event that human remains are encountered during construction. Therefore, the contribution of the proposed project to this cumulative impact would not be considerable.

3.4.6 Significance of Impacts prior to Mitigation

3.4.6.1 Issue 1: Historical Resources

The proposed project would result in less-than-significant impacts on built historical resources.

3.4.6.2 Issue 2: Archaeological Resources

Because of the known archaeological resource sites on the project site and in the vicinity, there is potential for the proposed project to result in a significant impact on an unknown subsurface archaeological resource.

3.4.6.3 Issue 3: Tribal Resources

Because of the known archaeological resource sites on the project site and in the vicinity, there is potential for the proposed project to result in a significant impact on an unknown subsurface tribal resource.

3.4.6.4 Issue 4: Human Remains

The proposed project would result in less-than-significant impacts on human remains.

3.4.7 Mitigation Measures

3.4.7.1 Issue 1: Historical Resources

Residential Development and Specific Alignment Plan Improvements

The proposed project would result in less-than-significant impacts on built historical resources. Therefore, no mitigation is necessary.

3.4.7.2 Issue 2: Archaeological Resources

Residential Development and Specific Alignment Plan Improvements

The following mitigation measures shall be implemented to address potential impacts on unidentified and unknown tribal cultural resources within the proposed project disturbance areas.

CR-1 Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a tribe that is traditionally and culturally affiliated with the project location (TCA Tribe) have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist confirming that the selected Native American monitor is from a TCA Tribe. Prior to any pre-construction meeting, the City shall approve all persons involved in the monitoring program.

CR-2 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

CR-3 During the initial grubbing, site grading, excavation, or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be onsite full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in PRC Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer have the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

CR-4 In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance operations in the area of discovery to allow for evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so that the monitored grading can proceed.

CR-5 If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the

TCA Tribe, and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for treatment and disposition of the tribal cultural resource shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor, and shall be submitted to the City for review and approval.

CR-6 The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated under CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

CR-7 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources shall be curated at the San Diego Archaeological Center.

CR-8 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner, to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

3.4.7.3 Issue 3: Tribal Resources

Residential Development and Specific Alignment Plan Improvements

Mitigation measures CR-1 through CR-8, described under Issue 2, would be required to reduce potential significant impacts on tribal resources. This mitigation requires a Native American monitor to be onsite during all times that the archaeological monitor(s) is onsite.

3.4.7.4 Issue 4: Human Remains

Residential Development and Specific Alignment Plan Improvements

Project impacts on human remains would be less than significant through compliance with Health and Safety Code Section 7050.5 and PRC Section 5097.98. Compliance with these regulations has been incorporated as a project feature and would be a condition of project approval.

3.4.8 Conclusion

3.4.8.1 Issue 1: Historical Resources

Residential Development

The existing structures on the proposed project site are not eligible for listing in the NRHP or CRHR and are not considered to be historic resources for the purposes of CEQA. Therefore, impacts associated with a substantial adverse change in the significance of a known historical resource would be less than significant.

Specific Alignment Plan Improvements

There are no structures in the SAP Improvements APE. Therefore, there would be no impacts on historical resources.

3.4.8.2 Issue 2: Archaeological Resources

Residential Development

Given the potential for buried archaeological resources within the grading envelope (previously recorded historic trash scatter site [CD-SDI-12920] and newly recorded prehistoric bedrock milling site [CA-SDI-21808]) and the proximity of the project site to Dead Horse Canyon (CA-SDI-5340), the proposed project has the potential to result in impacts on buried archaeological resources. This represents a potentially significant impact. Implementation of mitigation measures CR-1 through CR-8 would reduce this impact to a less-than-significant level.

Specific Alignment Plan Improvements

Due to the varying ground surface visibility, restricted access, and highly disturbed nature of the road improvements and the identified presence of cultural resources in the vicinity, there is a potential for unidentified, buried cultural material within the APE of the proposed SAP improvements. This represents a potentially significant impact. Implementation of mitigation measures CR-1 through CR-8 would reduce this impact to a less-than-significant level.

3.4.8.3 Issue 3: Tribal Resources

Residential Development

Given the potential for tribal resources within the grading envelope (previously recorded historic trash scatter site [CD-SDI-12920] and newly recorded prehistoric bedrock milling site [CA-SDI-21808]) and the proximity of the project site to Dead Horse Canyon (CA-SDI-5340), the proposed project has the potential to result in impacts on tribal resources. This represents a potentially significant impact. Implementation of mitigation measures CR-1 through CR-8 would reduce this impact to a less-than-significant level.

Specific Alignment Plan Improvements

Due to the varying ground surface visibility, restricted access, and highly disturbed nature of the road improvements and the identified presence of cultural resources in the vicinity, there is a potential for unidentified, buried cultural material within the APE of the proposed SAP improvements. This represents a potentially significant impact on tribal resources. Implementation of mitigation measures CR-1 through CR-8 would reduce this impact to a less-than-significant level.

3.4.8.4 Issue 4: Human Remains

Residential Development and Specific Alignment Plan Improvements

Compliance with Health and Safety Code Section 7050.5 would prevent potentially significant impacts in the unlikely event that human remains are encountered during construction. Compliance with these regulations has been incorporated as a project feature and would be a condition of project approval. Therefore, impacts associated with the disturbance of human remains would be less than significant.

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3.5 Geology and Soils

This section of the Environmental Impact Report (EIR) describes the existing soils on the proposed project site and analyzed the potential physical environmental impacts to people and property related to underlying soil characteristics. General information in this section is taken from the *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report* (General Plan Program EIR) (City of Escondido 2012b) unless otherwise referenced. Project-specific information is from the Geotechnical Investigation (2013), Geotechnical Update Report (2014), and Geotechnical Investigation: Proposed Roadway Improvements (2016) prepared by Vinje & Middleton Engineering, Inc. These reports are included as Appendices I-1, I-2, and J, respectively.

As described in the Initial Study prepared for the proposed project (Appendix A), the project would result in no impact or a less-than-significant impact related to seismic activity, liquefaction, landslides, soil erosion, and soils capable of supporting septic systems. Therefore, those topics are not described further in this section, and the analysis below focuses on soil stability and expansive soils.

3.5.1 Existing Conditions

3.5.1.1 Topography

Residential Development

The proposed residential development is characterized by a large hilltop and a north-south-trending ridgeline that enters the northeast area of the site and transitions into descending hillside terrain in the southern portion of the site. The proposed residential development site slopes upward from approximately 590 feet above mean sea level in the southern area of the site to 680 feet above mean sea level at the top of the hill, in the central area of the site.

SAP Improvements

The proposed Specific Alignment Plan (SAP) improvements area descends in a southerly direction, with approximately 135 feet in relief along the approximately 3,560-foot alignment. More recent improvements, including concrete curb and gutter and sidewalks, are present along a 500-foot section adjacent to Zlatibor Ranch Road.

3.5.1.2 Geotechnical Conditions

Residential Development

The proposed residential development site and surrounding hillside terrain is underlain by dark-colored gabbroic bedrock. Colluvial soils are present in the lower terrain and local hillside areas. The colluvium is the thickest in the southern portion of the residential development site where it is ancient, consolidated, and dense. Elsewhere, the colluvium soils are shallow and loose. Alluvium deposits are present in the southern portion of the proposed residential development



site. The alluvium is in a very loose condition and may be greater than 10 feet deep. Shallow topsoil deposits occur along ridgelines and hilltops on the residential development site. The topsoil consists of very loose silty sand. Minor fill deposits are associated with the existing building and hillside drainage terraces. More significant fill deposits could occur in the southwest portion of the site and covering or filling old mine excavations.

SAP Improvements

Northern portions of the SAP improvement area are characterized by natural nearly level to modest terrain underlain at depth by crystalline bedrock units and mantled by ancient colluvial soils. The central and southern portions of the roadway include over-steepened graded cuts and fills that generally approach 20 feet high. These areas are also expected to be underlain by crystalline bedrock units that are mantled by fills, ancient colluvium soil, and young alluvial soils. Landslides or areas of existing slope instability are not in evidence along the SAP improvements.

3.5.1.3 Soil Types

The following description of soils on the proposed residential development and SAP improvements sites is from the Biological Resources Technical Report and the Specific Alignment Plan Biological Technical Report (Appendices B and C).

Soils on the site are mapped as Fallbrook sandy loam, 9 to 15% slopes, eroded; Fallbrook sandy loam, 15 to 30% slopes, eroded; Ramona sandy loam, 2 to 5% slopes; Ramona sandy loam, 5 to 9% slopes; Ramona sandy loam, 9 to 15% slopes, eroded; and steep gullied land.

The Fallbrook series consists of deep, well-drained soils formed from weathered granitic rock. These soils occur on rolling hills and steeper slopes, and have a mean annual precipitation of approximately 15 inches. The Ramona series consists of mixed “fine-loamy” soils. Ramona soils are found on flat to moderately steep slopes, with an annual precipitation of approximately 20 inches. Steep gullied land is described as “strongly sloping to steep areas that are actively eroding into old alluvium or decomposed rock” and supporting sparse vegetation.

3.5.1.4 Soil Stability

Expansive Soils

There are minor quantities of potentially expansive clayey soils on the proposed residential development site. Representative samples of topsoil/colluvium (red brown clayey sand) and fill/topsoil (red brown clayey sand – sandy clay) were tested for expansion potential. The topsoil/colluvium has an expansion index of 38, meaning it has a low expansion potential. The fill/topsoil has an expansion index of 56, meaning it has a medium expansion potential.

Geologic Hazards

Per the Geotechnical Investigation (Appendix I-1), no natural geologic hazards exist on the proposed residential development site. However, previous exploratory mining completed on the site has resulted in potential geologic concerns. Based on a field investigation performed in 2013 (Appendix I-1), four known mining excavation locations are on the proposed project site. Additional mine-related excavations could be present on the proposed project site as evidenced by periodic filling of sinkholes that generally appear after periods of heavy or prolonged rain. The overall extent of the vertical shafts or horizontal adits is unknown. Methods used to destroy or backfill the shafts, other than filling with soil, are also unknown. All known mine excavation locations are described below and are referenced in accordance with the Geotechnical Investigation and Geotechnical Update Report (Appendices I-1 and I-2) for consistency purposes.

1. Test Pit 4: A mining excavation 4 to 6 feet below ground surface (bgs), below 1 foot of underlying bedrock. The mining excavation appears to be a nearly horizontal mine tunnel (adit) approximately 7 feet wide and 6 feet high. The extent of the mine tunnel is unknown, and no supports were present.
2. Test Pit 7: A horizontal mine shaft on the south side of the existing detached garage. The shaft excavation is approximately 9 feet square. The shaft extends beyond the 16-foot limit of a backhoe. A secondarily filled excavation was on the west side of the shaft, approximately 9 feet bgs. The nearly horizontal mine shaft and associated secondary mine excavations exposed at this location are located within a planned deep cut area and are expected to be completely removed as part of the cut grading operation.
3. Test Pit 9: A well-developed horizontal mine tunnel (adit) approximately 4 feet bgs. The hillside opening to this horizontal mine excavation is approximately 17 feet wide by 7 feet high and extends west into the hillside for 17 feet. At this point, the mine tunnel narrows to approximately 3 feet wide and continues for an estimated 50 to 60 feet west where it appears to trend northward. The entire mine tunnel was excavated into crystalline bedrock with no evidence of artificial support. The well-developed adit at this location is in a planned fill slope area.
4. Test Pit 15: A filled mine excavation approximately 7 feet bgs, and 7 feet high by 4 feet wide.

3.5.2 Regulatory Framework

3.5.2.1 Federal Regulations

International Building Code

The design and construction of engineered facilities in California must comply with the requirements of the International Building Code (International Code Council 2012) adopted by the State of California (refer to California Building Standards Code under Section 3.5.2.2).

3.5.2.2 State Regulations

California Building Code



The State's minimum standards for structural design and construction are given in the California Building Standards Code (CBC) (24 California Code of Regulations), located in Title 24 of the California Code of Regulations (CCR). The CBC is based on the International Building Code, which is used widely throughout the United States (generally adopted on a state-by-state or district-by-district basis) and has been modified for California conditions with numerous and more detailed or more stringent regulations. The CBC requires that "classification of the soil at each building site will be determined when required by the building official" and that "the classification will be based on observation and any necessary test of the materials disclosed by borings or excavations." In addition, the CBC states that "the soil classification and design-bearing capacity will be shown on the [building] plans, unless the foundation conforms to specified requirements." The CBC provides standards for various aspects of construction, including (i.e., not limited to) excavation, grading, and earthwork construction; fills and embankments; expansive soils; foundation investigations; and liquefaction potential and soil strength loss. In accordance with California law, certain aspects of the proposed project would be required to comply with all provisions of the CBC.

3.5.2.3 Regional/Local Regulations

City of Escondido Grading and Erosion Control Ordinance

Article 55 of the City of Escondido Municipal Code establishes the grading and erosion control regulations for the city. The purpose of this article is to ensure that development occurs in a manner that protects the natural and topographic character and identity of the environment; visual integrity of hillsides and ridgelines; sensitive species and unique geologic/geographic features; and the health, safety, and welfare of the general public. This article regulates grading on private and public property, and provides standards and design criteria to control storm water and erosion during construction activities. The ordinance sets forth rules and regulations to control excavation, grading, earthwork construction (including fills and embankments), and development on hillsides and along ridgelines; establishes the administrative procedures for the issuance of permits; and provides for approval of plans and inspection of grading construction in compliance with storm water management requirements.

3.5.3 Thresholds of Significance

The State CEQA Guidelines Appendix G (14 CCR 15000 et seq.) has identified significance criteria to be considered for determining whether a project could result in significant impacts on existing geology and soils. An impact would be considered significant if construction or operation of the proposed project would have any of the following consequences.

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



- Strong seismic ground shaking?
- Seismic-related ground failure, including liquefaction?
- Landslides?
- Result in substantial soil erosion or the loss of topsoil?
- 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?
- 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?
- 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?

As described in the Initial Study prepared for the proposed project (Appendix A), there would be a less-than-significant impact related to seismic activity (rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure including liquefaction, and landslides), and soil erosion and the loss of topsoil. There would be no impact related to septic tanks or alternative wastewater disposal systems. Therefore, impacts related to those thresholds have not been evaluated further.

3.5.4 Project Impacts

3.5.4.1 Issue 1: Soil Stability and Expansive Soils

Residential Development

At least four mine-related excavations are located on the proposed residential development site. The overall extent of the vertical shafts and horizontal adits, and the methods used to destroy or backfill the shafts are unknown. Some excavations and adit shafts were backfilled with loose soils. These excavations have resulted in unstable soils on the proposed residential development site. Additionally, existing fills, topsoil, alluvium, upper soft to loose deposits, and upper highly weathered bedrock on the residential development site are unsuitable to support new compact fills, embankments, or structures and other improvements. In addition, potentially expansive clayey soils, albeit in minor quantities, are found on the site. The proposed construction on a site with these existing soil stability and expansive soils conditions would result in the potential for substantial risks to life or property. This would be a significant impact.

SAP Improvements

The natural hillsides adjacent to the proposed SAP improvements are underlain by competent crystalline bedrock units that typically perform well in natural and graded slope conditions. Slope instability is not indicated along the natural hillside in the proposed SAP improvements areas. Over-steepened graded fill slopes associated with ground transitioning along (or across) the existing flow line are heavily overgrown and appear to be currently performing well, with no indication of instability. However, these fills are generally not deemed suitable for support of new transition walls and may need re-grading. Future graded cut embankments exposing crystalline bedrock are expected to be grossly stable to anticipated design heights. Existing loose fills and upper natural soils in planned improvement areas would need to be adequately regraded as part of project earthwork. Subsurface water was not encountered in test excavations for the proposed project. However, portions of the flow line adjacent to the SAP improvements site has intermittent surface flow. Storm water control would be critical to the stability of the proposed roadway improvements.

3.5.5 Cumulative Impacts

3.5.5.1 Issue 1: Soil Stability and Expansive Soils

The geographic scope of the cumulative impact analysis for geology is limited to the immediate area of the geologic constraint.

Cumulative projects have the potential to be located on geologic units or soils that are unstable, or that would become unstable as a result of a project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Cumulative projects would be required to undergo analysis of geological and soil conditions applicable to the development site in question during CEQA environmental review and comply with all applicable regulations to reduce risks, including the CBC. Compliance of cumulative projects with applicable regulations would ensure that a significant regional cumulative impact would not occur. The proposed project, in combination with other cumulative projects, would not contribute to a potentially significant cumulative impact.

Cumulative projects would have the potential to be located on expansive soil which would potentially create substantial risks to life or property. Cumulative projects would be subject to construction standards that have been developed to ensure structures can withstand changes in the integrity of the soil. Therefore, cumulative projects in the region would not result in a significant cumulative impact. The project, in combination with other cumulative projects, would not contribute to a potentially significant cumulative impact.

3.5.6 Significance of Impacts prior to Mitigation

3.5.6.1 Issue 1: Soil Stability and Expansive Soils

The proposed construction on a site with existing issues related to soil stability and expansive soil conditions would result in the potential for substantial risks to life or property. Thus, the proposed project would result in a potentially significant impact related to geology and soils.

3.5.7 Mitigation Measures

3.5.7.1 Issue 1: Soil Stability and Expansive Soils

Residential Development

GEO-1: To reduce impacts related to soil stability and expansive soils on the proposed residential development site, the tentative map grading plan shall include the recommendations contained in the Geotechnical Investigation (Appendix I-1) and the Geotechnical Update Report (Appendix I-2), or equivalent measures identified in a Final Geotechnical Report, prior to the issuance of grading permits. The recommendations regarding expansive soils and the existing known mine excavations are listed below.

- a. Potentially expansive clayey soils, where encountered, shall be thoroughly mixed with an abundance of sandy granular soils available from the project site bedrock excavations to manufacture a very low expansive mixture. Alternatively, expansive clayey soils shall be selectively buried within deeper site fills and away from the finish fill slope faces, with the upper pad grades and embankment surfaces capped with good quality sandy soils, as recommended in the Geotechnical Investigation (Appendix I-1).
- b. Mine related excavations with 10 feet minimum of competent bedrock overburden are determined not to be susceptible to future collapse (as inspected and approved by the project geotechnical consultant) and will be sealed and capped. The following procedures will be applied to the four known former mining shafts:
 1. Test Pit 4: Due to the shallow nature of the excavation, the mine tunnel shall be exposed in both directions with a large track hoe or suitable excavating equipment. The northern portion of the mine tunnel shall be exposed to its end and backfilled with 90% compacted soil. Should the north end of the mine excavation extend beyond the property line (and possibly beneath Bear Valley Parkway), the tunnel shall be exposed and backfilled with 90% compacted soil to the extent necessary or equivalent measure to provide soils stability on the residential development site and for proposed Bear Valley Parkway Frontage Improvements, as determined by a qualified geotechnical engineer in consultation with the City of Escondido engineering department. The south portion of the mine tunnel shall be continuously exposed to its end or until a minimum of 10 feet of competent bedrock is exposed. The open mine excavation, if exposed with a minimum of 10 feet of competent bedrock, will be capped as outlined in the Geotechnical Investigation (Appendix I-1).



2. Test Pit 7: The nearly horizontal mine shaft and associated secondary mine excavations exposed at this location are located within a planned deep cut area and are expected to be completely removed as part of the cut grading operation. If the shaft continues below finish grade, it shall be completely excavated and backfilled with 90% compacted soil, as approved by the geotechnical engineer.
3. Test Pit 9: The well-developed horizontal mine tunnel (adit) at this location is in a planned fill slope area. The entrance to this mine excavation shall be exposed and the overburden removed until there is a minimum of 10 feet of competent bedrock above the mine excavation. The opening shall then be sealed as outlined in the Geotechnical Investigation (Appendix I-1).
4. Test Pit 15: The mine excavation exposed at this location is in a planned deep fill area. The entrance to this mine excavation shall be exposed and the overburden removed until there is a minimum of 10 feet of competent bedrock above the mine excavation. The excavation shall then be sealed as outlined in the Geotechnical Investigation (Appendix I-1).

SAP Improvements

GEO-2: To reduce project impacts related to soil stability and expansive soils on the proposed SAP improvements site, the tentative map grading plan shall include the recommendations contained in the Geotechnical Investigation for Proposed Roadway Improvements (Appendix J), or equivalent measures identified in a Final Geotechnical Report, prior to the issuance of grading permits. The recommendations include the following:

1. Over-excavation to suitable materials or ground stabilization shall be used.
2. Over-excavation for treatment of bearing soil under the proposed wall foundations shall be extended to well-compacted fills or dense native ground and placed back as a properly compacted fill.
3. To address surface drainage and storm water control, drainage swales shall be constructed along the top of all graded slopes and surface run-off shall be collected and directed to a selected location in a controlled manner.

3.5.8 Conclusion

3.5.8.1 Issue 1: Soil Stability and Expansive Soils

The proposed project would involve constructing residences on a site with existing soil instability and expansive soils conditions. Implementation of mitigation measures GEO-1 and GEO-2 would minimize the risks of unstable and expansive soil conditions on the proposed project site and potential impacts on life and property resulting from unstable soils would be less than significant.



3.6 Hazards and Hazardous Materials

This section of the Environmental Impact Report (EIR) describes the existing hazardous materials, wildland fire, and emergency response and evacuation plan conditions in the proposed project area. Information contained in the following section has been incorporated from the *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Final Environmental Impact Report* (General Plan Program EIR) (City of Escondido 2012b). Additional hazardous material information below is based on project-specific studies, consisting of the following reports prepared by Vinje & Middleton Engineering, Inc.: Phase I Environmental Site Assessment (Appendix L-1), Phase I Environmental Site Assessment Addendum (Appendix L-2), Additional Phase I Environmental Site Assessment (2016) (Appendix L-3), Limited Phase II Environmental Site Assessment (Appendix M-1), Limited Phase II Environmental Site Assessment Addendum (Appendix M-2), and Report of Soil Removal Action (Appendix N). Information related to wildland fires has been drawn from the Fire Protection Plan prepared by Dudek in July 2015, which is included as Appendix K.

The Phase I environmental site assessments (ESAs) (Appendices L-1, L-2, and L-3) included a review of available information, as well as results of preliminary site reconnaissance. Specifically, the review of available information included (1) review of federal, state, and local environmental record sources within recommended American Society for Testing and Materials (ASTM) search distances; (2) review of topographic, geologic, and hydrogeologic information; historical aerial photographs; and historical fire insurance maps; and (3) interviews with the site owner/manager, occupants/tenants, local government officials, and others knowledgeable about past activities on the project site. Based on the Phase I report recommendations, a limited Phase II ESA (Appendices M-1 and M-2) was prepared that included soil testing to further address the potential subsurface impacts of the historical land uses.

3.6.1 Existing Conditions

3.6.1.1 Project Site

The approximately 40.62-acre proposed residential development site is located on the east side of Bear Valley Parkway, approximately 0.7 mile south of the San Pasqual Road and Bear Valley Parkway intersection. An 1,120-square-foot, single-story residence with a 96-square-foot detached garage that was constructed in 1946 is serviced by a septic tank and leach line, a 250-gallon aboveground propane tank, overhead electrical, and City of Escondido water. Three hand-dug irrigation water wells are located along the west/southwest perimeter of the residential development site, with in-ground and aboveground irrigation piping. There is no active use on the majority of the site. Fill dirt was encroaching over the northeast property boundary adjacent to Choya Canyon Road resulting from illegal dumping from an unknown source. The fill was analyzed for hazardous materials and removed from the site in July 2015.



According to the County Recorder's Office and an interview with the current property manager, two aboveground storage tanks (ASTs) were installed on the residential development site in 1958. One AST was approximately 6,460 gallons and formerly contained oil; the second AST was 1,260 gallons and formerly contained diesel. Neither AST still exists on the residential development site. Dates of their removal are not available, and no surficial soil stains were observed at their former locations.

Historically, the residential development site was evaluated for its potential as a gold and silver mine prior to the beginning of the 20th century due to its proximity to actively mined properties on the west side of Bear Valley Parkway. Several mine shafts and adit locations (i.e., entrances to an underground mine) are located on the residential development site.

The residential development site was primarily used as a citrus and avocado grove from before 1946 until approximately 1998, but the site has not been farmed since approximately 1995. Dark surficial stains at regularly spaced intervals were observed during a site reconnaissance throughout the former grove areas. The soil exhibited a weathered petroleum hydrocarbon odor that is likely the result of overfilling or spilling diesel fuel at former smudge pot² locations.

Because of the former uses on the residential development site, a Phase II ESA (Appendices M-1 and M-2) was conducted to evaluate the potential for concentrations of organochlorine pesticides (OCPs), arsenic, petroleum hydrocarbons (i.e., diesel and oil), mercury, and cyanide. OCPs were evaluated because of the former agricultural use of the residential development site. OCPs are a type of pesticide that are persistent in the environment, have a long half-life, and are water insoluble. Arsenic was evaluated because it is both a naturally occurring metal and used in herbicides. Petroleum hydrocarbons were evaluated because of the known former ASTs on the residential development site and because of the surface stains in areas near the former smudge pots. Mercury and cyanide were evaluated because, although it cannot be confirmed whether gold/silver production was ever conducted on the residential development site, these hazardous chemicals are used in precious metal amalgamation and separation.

A total of 28 near-surface soil samples were collected and analyzed. Soil samples to evaluate for OCPs and arsenic were taken from the former grove areas. Soil samples to evaluate for petroleum hydrocarbons were taken from areas adjacent to the two former AST locations and the three former smudge pot locations in the grove. The soil samples for the mercury and cyanide were taken in areas of the former mine shafts.

The Phase II ESA confirmed that concentrations of OCPs and mercury and cyanide were either below the laboratory testing limit or non-detectable. Arsenic concentrations ranged between non-detectable and 3.5 micrograms per kilogram ($\mu\text{g}/\text{kg}$). Diesel concentrations ranged between

² A smudge pot is an oil-burning device used to prevent frost on fruit trees.

less than equipment detection limits (<5.0 milligrams per kilogram [mg/kg]) to 260 mg/kg. Oil concentrations ranged between <5.0 and 91 mg/kg.

Undocumented fill soils were located on the northeastern edge of the residential development site. Soil samples were collected in 2015 and analyzed for petroleum hydrocarbons, OCPs, semi-volatile organic compounds, and lead. Based on the results of the soil sampling, an area of lead-impacted soil was delineated and removed from the face of the slope of fill material on June 12, 2015. The material was then stockpiled onsite and covered with plastic, pending waste characterization. On July 6, 2015, 15.73 tons of lead-impacted soil were removed from the residential development site and transported to Philadelphia Recycling Mine in Mira Loma as a non-hazardous waste. No other contaminants of concern were identified at the site.

3.6.1.2 Hazardous Materials Database Results

During completion of the Phase I ESAs (Appendices L-1, L-2, and L-3), federal, state, and tribal environmental databases were reviewed to identify potential recognized environmental conditions on or within 1 mile of the proposed project site.

On-Site Hazardous Materials

The residential development site is not listed on any of the standard ASTM regulatory databases. The project site is listed on two non-ASTM regulatory databases: the Hazardous Materials Management Division (HMMD) and HAZNET. The permit under which the residential development site is listed in the HMMD database is inactive and expired in 1993.

The residential development site was also identified on the HAZNET database in 1998 (approximately the last time the site was used for agriculture). The site is on record for recycling approximately 4 tons of aqueous solution with less than 10% organic matter. This record implies that agricultural chemical amendments were applied to the site in the past when it was an active grove.

Off-Site Hazardous Materials

Three properties within between 0.5 and 1 mile of the project site were identified on the HAZNET database: Lift Station 3 (2045 S. Escondido Boulevard), Brotherton Plaza (2250 S. Escondido Boulevard), and Arco Gasoline Station (2306 S. Escondido Boulevard). Lift Station 3 and Arco Gasoline Station are listed on the database for storage of hazardous material and/or generation of hazardous waste. They have no record of unauthorized releases of hazardous substances or petroleum products. Brotherton Plaza is also listed on the Envirostor database and is listed for a release of hazardous substances to the soil only. These properties are not considered to be concerns to the proposed project site due to their distances from the site, orientations of the properties relative to the proposed project site, interpreted direction of groundwater flow, and/or regulatory case status information.

Two properties were identified in the San Diego County Department of Environmental Health-Site Assessment & Mitigation Division (DEH-SAM) online database. Both of these properties are within 0.3 mile upgradient of the proposed project site, and contain petroleum hydrocarbon fuel storage tanks. One is a closed system, and the other is exempt.

3.6.1.3 Lead and Asbestos

Lead and asbestos were commonly used in building construction prior to 1980, although construction materials after 1980 may still include asbestos. On-site structures in the proposed residential development project area were constructed in 1946. Thus, lead-based paint and asbestos-containing materials have potential to be present in the buildings onsite. Such materials may pose a health and safety risk if they are disturbed, and become airborne and inhalable.

3.6.1.4 Emergency Response and Evacuation Plans

Emergency response plans include elements to maintain continuity of government, emergency functions of governmental agencies, mobilization and application of resources, mutual aid, and public information. Emergency response plans are maintained at the federal, state, and local levels for all types of manmade and natural disasters. It is the responsibility of government to undertake an ongoing comprehensive approach to emergency management in order to avoid or minimize the effects of hazardous events. Local governments have the primary responsibility for preparedness and response activities.

To address disasters and emergency situations at the local level, the Unified Disaster Council is the governing body of the Unified San Diego County Emergency Services Organization. The Council is chaired by a member of the San Diego County Board of Supervisors and comprises representatives from the 18 incorporated cities in San Diego County, including Escondido.

Potential hazards or events that may trigger an emergency response action include earthquakes, tsunamis, floods, wildland fires, landslides, droughts, hurricanes, tropical storms, and freezes. Emergency response actions could also be triggered from a hazardous material incident; water or air pollution; major transportation accident; water, gas, or energy shortage; epidemic; nuclear accident; or terrorism. In the event of an emergency, emergency evacuation routes at or near the proposed project site are Bear Valley Parkway and San Pasqual Valley Road.

3.6.1.5 Wildland Fire Hazards

The proposed project site lies within in a local responsibility area “High” Fire Hazard Severity Zone (FHSZ) as statutorily designated by the Escondido Fire Department in cooperation with the California Department of Forestry and Fire Protection (CalFire). Fire hazard designations are based on topography, vegetation, and weather, among other factors, with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and wildland-urban interface locations. The nearest open space areas that include a very high fire hazard severity designation occur east

of the project site toward the San Pasqual Valley area. The site is surrounded on three sides by existing, estate-type neighborhoods; a vacant parcel to the east; and a narrow strip of oak riparian forest (preserved open space) to the south. The proposed residential development site is currently undeveloped, and was disturbed and dominated by past agricultural use as an avocado orchard. One occupied residence is located in the middle of the site. The terrain on, and within the vicinity of, the proposed project site is characterized by flat to gently rolling land, with the steepest gradients reaching approximately 16%. The area, like all of San Diego County, is subject to seasonal weather conditions that can heighten the likelihood of fire ignition and spread. Considering the site's terrain and vegetation, however, the area would be expected to result in primarily a low- to moderate-intensity wildfire.

3.6.2 Regulatory Framework

3.6.2.1 Federal Regulations

Chemical Accident Prevention Provisions

When Congress passed the Clean Air Act Amendments of 1990, it required the U.S. Environmental Protection Agency (EPA) to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. These rules, which built upon existing industry codes and standards, require companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program.

Comprehensive Environmental Response, Compensation, and Liability Act and the Superfund Amendment and Reauthorization Act of 1986

Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, on December 11, 1980. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. The Superfund Amendments and Reauthorization Act (SARA) amended CERCLA on October 17, 1986. SARA stressed the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites, required Superfund actions to consider the standards and requirements found in other state and federal environmental laws and regulations, provided new enforcement authorities and settlement tools, increased state involvement in every phase of the Superfund program, increased the focus on human health problems posed by hazardous waste sites, encouraged greater citizen participation in making decisions on how sites should be cleaned up, and increased the size of the trust fund to \$8.5 billion.

Federal Response Plan

The Federal Response Plan of 1999 is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency.

Hazardous Materials Transportation Act

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the Code of Federal Regulations (CFR). State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation. These agencies also govern permitting for hazardous materials transportation.

International Fire Code

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what measures are required to prevent fire and protect life safety. These measures may include construction standards, separation from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC uses a permit system based on hazard classification. The IFC is updated every 3 years.

National Emissions Standards for Hazardous Air Pollutants Program

Under federal law, 188 substances are listed as Hazardous Air Pollutants (HAPs). Major sources of specific HAPs are subject to the requirements of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) program. The EPA is establishing regulatory schemes for specific source categories and requires implementation of maximum achievable control technologies for major sources of HAPs in each source category. State law has established the framework for California's Toxic Air Contaminant Identification and Control Program, which is generally more stringent than the federal program, and is aimed at HAPs that are a problem in California. The State has formally identified more than 200 substances as toxic air contaminants and is adopting appropriate control measures for each. Once adopted at the state level, each air pollution control district will be required to adopt a measure that is equally or more stringent.



Renovating, Repair and Painting Rule

In 2008, EPA issued the Renovation, Repair and Painting Rule. This rule requires that firms performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes, child care facilities, and schools be certified by EPA and use certified renovators who are trained by EPA-approved training providers to follow lead-safe work practices. Individuals can become certified renovators by taking an 8-hour training course from an EPA-approved training provider. Contractors must use lead-safe work practices and follow these three simple procedures: (1) contain the work area; (2) minimize dust; and (3) clean up thoroughly.

Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984

Federal hazardous waste laws are generally promulgated under the Resource Conservation and Recovery Act (RCRA). These laws provide for the “cradle-to-grave” regulation of hazardous wastes. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of. The Department of Toxic Substances Control (DTSC) is responsible for implementing the RCRA program as well as California’s own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law. Under the Certified Unified Program Agency program, California EPA (CalEPA) has in turn delegated enforcement authority to the County of San Diego (County) Department of Environmental Health (DEH) for regulating hazardous waste producers or generators.

3.6.2.2 State Regulations

California Emergency Services Act

The California Emergency Services Act was adopted to establish the State’s role and responsibilities during manmade or natural emergencies that result in conditions of disaster and/or extreme peril to life, property, or the resources of the State. This Act is intended to protect health and safety by preserving the lives and property of the people of the state.

California Human Health Screening Levels

The California Human Health Screening Levels (CHHSLs) or “Chisels” are concentrations of 54 hazardous chemicals in soil or soil gas that CalEPA considers to be below thresholds of concern for risks to human health. The CHHSLs were developed by the Office of Environmental Health Hazard Assessment on behalf of CalEPA. The CHHSLs were developed using standard exposure assumptions and chemical toxicity values published by the EPA and CalEPA. The CHHSLs can be used to screen sites for potential human health concerns where releases of hazardous chemicals to soils have occurred. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding CHHSL can be assumed to not pose a significant health risk to people who may live or work at the site. There are separate CHHSLs for residential and commercial/industrial sites.



Emergency Response to Hazardous Materials Incidents

California has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local governments and private agencies. The Emergency Response Plan is administered by the California Emergency Management Agency (CalEMA) and includes response to hazardous materials incidents. CalEMA coordinates the response of other agencies, including CalEPA, the California Highway Patrol, California Department of Fish and Wildlife, the Regional Water Quality Control Boards (RWQCBs), San Diego Air Pollution Control District (APCD), City of San Diego Fire Department, and San Diego County Department of Environmental Health Hazardous Incident Response Team.

Government Code Section 65962.5(a), Cortese List

The Hazardous Waste and Substance Sites Cortese List is a planning document used by the state, local agencies, and developers to comply with the California Environmental Quality Act (CEQA) requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires CalEPA to develop at least annually an updated Cortese List. DTSC is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous materials release information for the Cortese List.

Health and Safety Code Hazardous Materials Release Response Plans and Inventory

Two programs found in the Health and Safety Code Chapter 6.95 are directly applicable to the CEQA issue of risk due to hazardous substances release. These two programs are referred to as the Hazardous Materials Business Plan Program and the California Accidental Release Prevention Program. County Department of Environmental Health is responsible for implementation of the Hazardous Materials Business Plan Program and the California Accidental Release Prevention Program in the San Diego region. The Hazardous Materials Business Plan and California Accidental Release Prevention Programs provide threshold quantities for regulated hazardous substances. When the indicated quantities are exceeded, a Hazardous Materials Business Plan or Risk Management Plan is required pursuant to the regulation. Congress requires the EPA Region 9 to make Risk Management Plan information available to the public through the EPA's Envirofacts Data Warehouse. Region 9 is the Pacific Southwest Division of the EPA, which includes Arizona, California, Hawaii, Nevada, Pacific Islands, and over 140 tribal nations. The Envirofacts Data Warehouse is considered the single point of access to select EPA environmental data.

Senate Bill 1889, Accidental Release Prevention Law/California Accidental Release Prevention Program

Senate Bill 1889 required California to implement a new federally mandated program governing the accidental airborne release of chemicals promulgated under Section 112 of the Clean Air Act. Effective January 1, 1997, the Accidental Release Prevention Law/California Accidental Release Prevention Program replaced the previous California Risk Management and Prevention Program and incorporated the mandatory federal requirements. The California Accidental Release



Prevention Program addresses facilities that contain specified hazardous materials, known as regulated substances that, if involved in an accidental release, could result in adverse off-site consequences. The California Accidental Release Prevention Program defines “regulated substances” as chemicals that pose a threat to public health and safety or the environment because they are highly toxic, flammable, or explosive.

Health and Safety Code Section 25270, Aboveground Petroleum Storage Act

The Aboveground Petroleum Storage Act requires registration and spill prevention programs for ASTs that store petroleum. In some cases, ASTs for petroleum may be subject to groundwater monitoring programs that are implemented by the RWQCBs and the State Water Resources Control Board. County Department of Environmental Health is the local administering agency for this program within the proposed project area.

Title 22 of the CCR and Hazardous Waste Control Law, Chapter 6.5

Under California Code of Regulations (CCR) Title 22, the term “hazardous substance” refers to both hazardous materials and hazardous wastes. Both of these are classified according to four properties: (1) toxicity; (2) ignitability; (3) corrosiveness; and (4) reactivity (CCR Title 22, Chapter 11, Article 3). A “hazardous material” is defined in Health and Safety Code Section 25501 as:

Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. “Hazardous materials” include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

Hazardous materials in various forms can cause death; serious injury; long-lasting health effects; and damage to buildings, homes, and other property. Hazards to human health and the environment can occur during production, storage, transportation, use, or disposal of hazardous materials.

The DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste under RCRA and the California Hazardous Waste Control Law. Both laws impose “cradle-to-grave” regulatory systems for handling hazardous waste in a manner that protects human health and the environment. CalEPA has delegated some of its authority under the Hazardous Waste Control Law to county health departments and other Certified Unified Program Agencies, including County Department of Environmental Health.

Occupational Health and Safety Administration, Asbestos and Lead



The EPA, CalEPA, and the California Occupational Health and Safety Administration (OSHA) regulate hazardous materials, including asbestos- and lead-containing materials. EPA banned several asbestos-containing products in the 1970s (see 40 CFR Part 61, Subpart M; 16 CFR Part 1305; and 16 CFR 1304). Per OSHA (29 CFR 1926.1101 and 29 CFR 1910.1001), insulation, surfacing, asphalt, and vinyl flooring material prior to 1980 should be assumed to be asbestos-containing materials and handled accordingly. EPA and OSHA require proper abatement and disposal of asbestos- and lead-containing materials to protect human health and safety. If the abatement activities involve over 100 square feet of asbestos-containing materials, then the asbestos abatement is required to be completed or overseen by a certified consultant (Title 8 CCR, Article 2.6, Section 341.15). On a local level, these regulations are implemented through the San Diego APCD and County Department of Environmental Health.

State Fire Regulations

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, which include regulations concerning building standards (as also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training. The State Fire Marshal enforces these regulations and building standards in all state-owned buildings, state-occupied buildings, and state institutions throughout California.

Title 14, Division 1.5 of the California Code of Regulations

CCR Title 14, Division 1.5 establishes the regulations for CalFire and is applicable in all State Responsibility Areas where CalFire is responsible for wildfire protection. Development within State Responsibility Areas must comply with these regulations. Among other things, Title 14 establishes minimum standards for emergency access, fuel modification, property line setbacks, signage, and water supply.

California Fire Code

The California Fire Code (CFC) is provided in CCR Title 24, Chapter 9. It was created by the California Building Standards Commission and based on the IFC created by the International Code Council. The CFC is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separation from property lines, and specialized equipment. To ensure that these safety measures are met, the CFC uses a permit system based on hazard classification. The CFC is updated every 3 years.

California State Fire Plan



The 2010 California State Fire Plan is the first statewide fire plan developed in concert between the State Board of Forestry and Fire Protection and CalFire. The central goals of the State Fire Plan include (1) improved availability and use of information on hazard and risk assessment; (2) land use planning, including general plans, new development, and existing developments; (3) shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as community wildfire protection plans; (4) establishing fire resistance in assets at risk, such as homes and neighborhoods; (5) shared vision among multiple fire protection jurisdictions and agencies; (6) levels of fire suppression and related services; and (7) post-fire recovery.

3.6.2.3 Regional/Local Regulations

County of San Diego Consolidated Fire Code

The County of San Diego, in collaboration with the local fire protection districts, created the first Consolidated Fire Code in 2001. The Consolidated Fire Code contains amendments to the California Fire Code. The purpose of consolidation of the County and local fire districts adoptive ordinances is to promote consistency in the interpretation and enforcement of the California Fire Code for the protection of public health and safety. The Consolidated Fire Code includes permit requirements for installation, alteration, or repair of new and existing fire protection systems, and penalties for violations of the code. The Consolidated Fire Code provides the minimum requirements for access, water supply and distribution, construction type, fire protection systems, and vegetation management. Additionally, the Consolidated Fire Code regulates hazardous materials and associated measures to ensure that public health and safety are protected from incidents related to hazardous substance releases.

San Diego County, Site Assessment and Mitigation Program

County Department of Environmental Health maintains the Site Assessment and Mitigation (SAM) list of contaminated sites that have previously undergone or are currently undergoing environmental investigations and/or remedial actions. The San Diego County SAM Program has a primary purpose of protecting human health, water resources, and the environment within San Diego County by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code and the CCRs. The SAM's Voluntary Assistance Program also provides staff consultation, project oversight, and technical or environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances.

San Diego County Multi-Jurisdictional Hazard Mitigation Plan

The Multi-Jurisdictional Hazard Mitigation Plan was developed with the participation of all jurisdictions in the County of San Diego, including the City of Escondido. The plan includes an overview of the risk assessment process, hazards present in each jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives, and actions for each jurisdiction.

Hazards profiled in the hazard mitigation plan include wildfire, structure fire, flood, coastal storms, erosion, tsunamis, earthquakes, liquefaction, rain-induced landslide, dam failure, hazardous materials incidents, nuclear materials release, and terrorism. The plan sets forth a variety of objectives and actions based on a set of broad goals, including (1) promoting disaster-resistant future development; (2) increased public understanding and support for effective hazard mitigation; (3) building support of local capacity and commitment to become less vulnerable to hazards; (4) enhancement of hazard mitigation coordination and communication with federal, state, local, and tribal governments; and (5) reducing the possibility of damage and losses to existing assets, including people, critical facilities, or infrastructure, due to dam failure, earthquake, coastal storm, erosion, tsunamis, landslides, floods, structural fire/wildfire, and manmade hazards.

Operational Area Emergency Plan

In San Diego County, there is a comprehensive emergency plan known as the Operational Area Emergency Plan (OAEP). The OAEP describes a comprehensive emergency management system that provides for a planned response to disaster situations associated with natural disasters, technological incidents, terrorism, and nuclear-related incidents. It delineates operational concepts relating to various emergency situations, identifies the components of a comprehensive emergency management system, and describes the overall responsibilities for protecting life and property and ensuring the overall well-being of the population. The OAEP is used by San Diego County and the 18 incorporated cities within the County to respond to major emergencies and disasters (City of Escondido 2012).

City of Escondido Municipal Code, Chapter 7

Chapter 7, Sections 7-1 through 7-8, of the City's Municipal Code provides for the preparation and carrying out of plans for the protection of persons and property within the city in the event of an emergency. It also discusses coordination of the emergency functions of the City with all other public agencies, corporations, organizations, and affected private persons. Chapter 7 of the Municipal Code requires the City of Escondido Disaster Council to be responsible for development of the City's Emergency Action Plan for City Employees, which provides for the effective mobilization of all the resources of the City, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and the organization, powers and duties, services, and staff of the emergency organization.

City of Escondido Weed and Rubbish Abatement Program

Division 2 of Article 2 of Chapter 11 of the City's Municipal Code establishes the Weed and Rubbish Abatement Program. This ordinance designates the responsibility of owners of real property in the city in the elimination of the public nuisance created by weeds, rubbish, and refuse on or around their property. This chapter of the Municipal Code declares the following as a public nuisance or fire hazard: all weeds growing on the streets, sidewalks, parking, and private

property in the City of Escondido; and all rubbish on the streets, sidewalks, parking facilities, and private property in the City of Escondido. The Chief of the Escondido Fire Department, or any agent thereof, is vested with the authority to determine whether vegetation on private property results in a fire hazard and must be removed.

3.6.3 Thresholds of Significance

The State CEQA Guidelines Appendix G (14 CCR 15000 et seq.) identify the significance criteria to be considered for determining whether a project could have significant impacts on existing hazards and hazardous materials. An impact would be considered significant if construction or operation of the proposed project would have any of the following consequences.

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous material.
- 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.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- 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 create a significant hazard to the public or the environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.
- 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.
- Impair implementation of or physically interfere with 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.

As described in the Initial Study prepared for the proposed project (Appendix A), there would be no impact related to hazardous materials near a school, a hazardous site listing, or airport hazards. Therefore, impacts related to those thresholds are not evaluated further.

3.6.4 Project Impacts

3.6.4.1 Issue 1: Routine Transport, Use, or Disposal of Hazardous Materials

Residential Development



Construction of the proposed residential development would involve the use of common but potentially hazardous materials, including solvents, vehicle fuels, oils, grease, paints, caulking, cleaning materials, and caustic construction compounds. While these substances could pose a potential health risk to construction workers and to the general public during transport, handling of these common, potentially hazardous materials would occur in accordance with Cal OSHA guidelines and would be disposed of in accordance with DTSC and County regulations. Adherence to federal, state, and local regulations regarding the use and disposal of hazardous materials and wastes would reduce potential impacts on human health and safety from handling and transport of hazardous construction materials to a less-than-significant level.

Occupation of the proposed residential development would involve the use or storage of common hazardous materials, including cleaning solvents, pesticides and related chemicals associated with landscaping maintenance, and paints. Transport, use, and disposal of hazardous materials at the proposed residences would include relatively minor amounts of materials, would be similar to existing surrounding residential development, and would be intermittent and not considered routine. Compliance with all applicable regulations would reduce potential impacts to a less-than-significant level. Therefore, impacts associated with the routine transport, use, or disposal of hazardous materials related to residential development would be less than significant.

Specific Alignment Plan Improvements

Construction of the Specific Alignment Plan (SAP) improvements would involve the use of common but potentially hazardous materials, including solvents, vehicle fuels, oils, grease, paints, caulking, cleaning materials, and caustic construction compounds. While these substances could pose a potential health risk to construction workers and to the general public during transport, handling of these common, potentially hazardous materials would occur in accordance with Cal OSHA guidelines and would be disposed of in accordance with DTSC and county regulations. Adherence to federal, state, and local regulations regarding the use and disposal of hazardous materials and wastes would reduce potential impacts on human health and safety from handling and transport of hazardous construction materials to a less-than-significant level.

Operation of the SAP improvements are not expected to involve the routine transport, use, or disposal of hazardous materials. Therefore, there would be no impact.

3.6.4.2 Issue 2: Accidental Release of Hazardous Materials

Residential Development

As described under Issue 1, typical construction-related hazardous materials would be used during construction of the residential development including gasoline, oil, and other vehicle-related fluids; paints; solvents; and metals. It is possible that any of these substances could be released during construction activities. However, compliance with applicable Cal OSHA and DTSC



regulations for handling of hazardous materials and spill cleanup procedures would prevent significant hazards to the public and the environment.

As described in Section 3.7.1, the historical use of the residential development site was primarily a citrus and avocado grove from before 1946 until approximately 1998. Prior to this agricultural use, the site was evaluated for its potential as a gold/silver mine. A Phase II ESA (Appendices M-1 and M-2) was conducted for the residential development site to evaluate the potential for concentrations of OCPs, arsenic, petroleum hydrocarbons (i.e., diesel and oil), mercury, and cyanide. The Phase II ESA concluded that concentrations of OCPs and mercury and cyanide were below the laboratory testing limit or non-detectable.

Arsenic concentrations ranged between non-detectable and 3.5 $\mu\text{g}/\text{kg}$. The CHHSL for arsenic is 0.07 $\mu\text{g}/\text{kg}$. Therefore, concentrations of arsenic in soil samples from the residential development site would exceed the CHHSL. However, as described in Appendix M-2, a DTSC evaluation of potential school sites in southern California determined that the upper range of average arsenic in soil is 12 mg/kg. The study suggests that this concentration can be used as the screening level for soil in southern California where residential land use is planned. The on-site soil concentrations are well below this DTSC screening level and deemed to be within the naturally occurring concentration in soils and not the result of a spill or legally applied herbicides. Arsenic concentrations are within the natural background range for southern California soil concentrations. The presence of arsenic in the natural background range does not have the potential to result in health risks to future residents at the residential development site. Therefore, impacts related to the accidental release of arsenic would be less than significant.

Diesel concentrations ranged between less than equipment detection limits (<5.0 mg/kg) and 260 mg/kg. Oil concentrations ranged between <5.0 and 91 mg/kg. In San Diego County, it is recommended that mitigation efforts be implemented if diesel and/or oil concentrations exceed 1,000 mg/kg in soil. The subject concentrations of diesel and oil occur within 9 inches of the surface and have not migrated vertically in the soil to an extent that would threaten groundwater. According to the Phase II ESA, it is likely that the soil samples indicate spills surrounding former smudge pot locations. They do not represent a human or environmental concern and represent a weathered fuel occurrence at concentrations that do not warrant mitigation effects. Given the shallowness and low level of the oil and diesel concentrations, impacts related to the accidental release of diesel and oil would be less than significant.

The proposed residential development would require removal of a single residence and detached garage constructed in 1946. Because of the age of the structure, it is likely that some building materials contain asbestos and lead-based paint. These have a potential to become airborne during demolition. Improper removal would have the potential to expose construction workers to a hazardous release of asbestos or lead. This is considered a potentially significant impact.



The three water supply/irrigation wells on the residential development site are not considered a significant environmental concern. Any water supply wells that are not intended to be used in the future would be properly abandoned in accordance with County of San Diego regulations.

Following construction, use of household hazardous products could result in minor upsets or spills, but it is not reasonably foreseeable that typical use of these products would create a significant hazard. Therefore, impacts associated with reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

In summary, compliance with regulations would preclude potentially significant impacts related to accidental release of hazardous materials, with the exception of lead and asbestos. The accidental release of lead and asbestos would be potentially significant.

Specific Alignment Plan Improvements

As described under Issue 1, typical construction-related hazardous materials would be used during construction of the SAP improvements including gasoline, oil, and other vehicle-related fluids; paints; solvents; and metals. It is possible that any of these substances could be released during construction activities. However, compliance with applicable Cal OSHA and DTSC regulations for handling of hazardous materials and spill cleanup procedures would prevent significant hazards to the public and the environment. No other accidental release of hazardous materials is anticipated during construction of the SAP improvements. Therefore, impacts associated with reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

Operation of the SAP improvements are not expected to involve the accidental release of hazardous materials. Therefore, there would be no impact.

3.6.4.3 Issue 3: Emergency Response and Evacuation Plans

Residential Development

Bear Valley Parkway is identified as an evacuation route in the Escondido General Plan Community Protection Element (2012). Construction of the residential development would include half-width improvements to Bear Valley Parkway, including an additional northbound travel lane in addition to curb, gutter, sidewalk, parkway, and bike lane improvements. As described in Chapter 2, the width of the improvements would vary along the project frontage. At the southern end of the improvement area, the roadway would be widened by approximately 9 feet, and a 6.5-foot-wide sidewalk would be constructed. A security fence and retaining wall are also proposed along the southern sidewalk segment due to a change in elevation at the edge of the improvements. North of the proposed emergency access road, the widening of Bear Valley Parkway would add 12.5 feet of roadway, with an additional 5.5-foot-wide sidewalk. At the project entrance at Zlatibor Ranch Road, Bear Valley Parkway would be widened by 28.5 feet to

accommodate a right-turn lane for site entry and would narrow to a 19-foot widening at the northern end of improvements. The 5.5-foot-wide sidewalk would continue to the northern end of the improvement area, along with a 4.5-foot-wide parkway. The improvements would be designed to transition to the existing roadway to the north and south. See Chapter 3.9 for further discussion of traffic hazards and emergency access.

Construction of the Bear Valley Parkway half-width improvements could require temporary closure of one or both lanes of traffic. Lane closures on roadways designated as evacuation routes have the potential to impair implementation of an adopted emergency evacuation plan. As a project feature, the project would include a traffic control and management plan to ensure that Bear Valley Parkway remains accessible during construction.

Specific Alignment Plan Improvements

Bear Valley Parkway is identified as an evacuation route in the Escondido General Plan Community Protection Element (2012). Construction of the SAP improvements would include full-width improvements to Bear Valley Parkway, including an additional travel lane, retaining wall, and raised median in addition to curb, gutter, sidewalk, parkway, and bike lane improvements. The SAP improvements would also enhance safety by providing improved intersection geometrics at the Bear Valley Parkway/Encino Drive intersection (see Chapter 3.9 for further details). Construction of the SAP full-width improvements could require temporary closure of lanes of traffic. Lane closures on roadways designated as evacuation routes have the potential to impair implementation of an adopted emergency evacuation plan. As a project feature, the project would include a traffic control and management plan to ensure that Bear Valley Parkway remains accessible during construction.

3.6.4.4 Issue 4: Wildland Fires

Residential Development

Wildfires could occur in wildland areas east of the project site and in the preserved on-site fuels in the southern portion of the site, but wildfires would not be significantly increased in frequency, duration, or size with construction of the proposed residential development. The proposed residential development includes fire-resistant landscaping, fuel modification areas, and ignition-resistant structures. The project would convert the proposed residential development site, which is currently dominated by flashy fuels, to ignition-resistant landscapes.

The types of potential ignition sources that currently exist in the area include vehicle and roadway, electrical transmission line, and off-site residential neighborhoods. The proposed residential development would introduce potential ignition sources but would include better access throughout the site, managed and maintained landscapes, more eyes and ears on the ground, and generally a reduction in the receptiveness of the area's landscape to ignition. Fires from off-site sources would not have the same spread potential due to a lack of continuous fuels

across the proposed residential development site and therefore would be expected to burn around and/or over the site via spotting.

Preserved riparian vegetation southwest of the project is typically well hydrated, and the types of plants/trees are more resistant to ignition. However, these fuels can ignite and burn during extreme conditions. Burning vegetation embers could land on proposed project structures, but they are not likely to result in ignition based on ember decay rates and the types of noncombustible and ignition-resistant materials that would be used onsite. The proposed residential development would comply with applicable fire and building codes, and would include a layered fire protection system designed to current codes. Inclusion of additional site-specific prevention measures 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, impacts related to wildland fires would be less than significant.

Specific Alignment Plan Improvements

The SAP improvements involve roadway improvements and would not 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. Therefore, impacts would be less than significant.

3.6.5 Cumulative Impacts

The geographic scope of cumulative impact analysis for hazardous materials includes the area immediately surrounding the proposed project site.

3.6.5.1 Issue 1: Routine Transport, Use, or Disposal of Hazardous Materials

Cumulative projects within the proposed project area would result in new development, which would include facilities that use, store, dispose of, or transport of hazardous materials and potentially would increase hazards to the public or the environment. Cumulative projects would be required to comply with regulations applicable to the use, disposal, and transportation of hazardous materials, including the RCRA, CERCLA, Hazardous Materials Transportation Act, IFC, and CCRs Title 22 and Title 27. Any potentially significant impacts would be reduced to a less-than-significant level through compliance with applicable regulations, and cumulative projects would not result in a significant cumulative impact. Therefore, implementation of the proposed project would not contribute to a significant cumulative impact.

3.6.5.2 Issue 2: Accidental Release of Hazardous Materials

The implementation of various cumulative projects would increase the likelihood of hazards to the public or the environment through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Generally, as the population increases, services and industries that commonly store, use and dispose of hazardous materials

(e.g., dry cleaners and industrial manufacturing) would increase to service the expanding population. As the services and industries that use hazardous materials increase, the risk of accidental release associated with these services and industries would also increase. Cumulative projects would be subject to regulations regarding the handling of hazardous materials, such as the Chemical Accident Prevention Provisions, RCRA, Robert T. Stafford Disaster Relief and Emergency Assistance Act, California Health and Safety Code, CCR Title 23, Aboveground Petroleum Storage Act, CalARP, CalEMA Emergency Response Plan, and the California Emergency Services Act. These regulations, along with implementation of mitigation measures HAZ-1 and HAZ-2, which are described in Section 3.7.7, would reduce the risks associated with an accidental release of hazardous materials from cumulative projects, and a potentially significant cumulative impact would not occur. Therefore, implementation of the proposed project would not result in a cumulatively considerable contribution to hazardous materials releases.

3.6.5.3 Issue 3: Emergency Response and Evacuation Plans

Cumulative projects have the potential to impair existing emergency and evacuation plans. This could occur from any of the following: (1) an increase in population that is induced from cumulative projects which are unaccounted for in emergency plans; (2) an increase in population that emergency response teams are unable to service adequately in the event of a disaster; and (3) evacuation route impairment if multiple development projects concurrently block multiple evacuation or access roads. However, cumulative projects would be required to comply with applicable emergency response and evacuation policies outlined in regulations such as the Federal Response Plan, the California Emergency Services Act, local fire codes, and regional/jurisdictional emergency response and evacuation plans. The project includes a traffic control and management plan, which would address access during construction activities. Due to existing regulations and typical requirements for traffic control and management plans during construction, cumulative projects would not result in a significant cumulative impact associated with the implementation of emergency response and evacuation plans. Therefore, the proposed project, in combination with other cumulative projects, would not contribute to a significant cumulative impact.

3.6.5.4 Issue 4: Wildland Fires

The proposed project site is in an area considered a High FHSZ. Some cumulative projects would occur in areas that are considered High or Very High FHSZs. Growth occurring in the northern San Diego County region, implemented under various cumulative projects, would likely place people and/or property within danger of wildland fires due to the widespread risk across the region. Implementation of the proposed residential development would convert ignitable fuels to a lower flammability landscape and would result in better access throughout the site, managed and maintained landscapes, more eyes and ears on the ground, and generally a reduction in the receptiveness of the area's landscape to ignition. Compliance with existing regulations and implementation of the project would reduce impacts to a less-than-significant level. Therefore,

the project's contribution to a cumulative impact related to wildland fire would not be cumulatively considerable.

3.6.6 Significance of Impacts prior to Mitigation

3.6.6.1 Issue 1: Routine Transport, Use, or Disposal of Hazardous Materials

The proposed project would result in less-than-significant impacts related to the routine transport, use, or disposal of hazardous materials for both the residential development and SAP improvements.

3.6.6.2 Issue 2: Accidental Release of Hazardous Materials

Residential Development

Residential development would result in demolition of structures that could contain asbestos and/or lead-based paint. This is considered a potentially significant impact.

Specific Alignment Plan Improvements

The SAP improvements would result in less-than-significant impacts related to the accidental release of hazardous materials.

3.6.6.3 Issue 3: Emergency Response and Evacuation Plans

Both the proposed residential development and SAP improvements would result in less-than-significant impacts related to emergency response and evacuation plans.

3.6.6.4 Issue 4: Wildland Fires

Both the proposed residential development and SAP improvements would result in less-than-significant impacts related to wildland fires.

3.6.7 Mitigation Measures

3.6.7.1 Issue 1: Routine Transport, Use, or Disposal of Hazardous Materials

The proposed project would result in less-than-significant impacts related to the routine transport, use, or disposal of hazardous materials. Therefore, no mitigation is necessary for either the residential development or SAP improvements.

3.6.7.2 Issue 2: Accidental Release of Hazardous Materials

Residential Development

To reduce the residential development's potential impacts related to airborne release of lead and asbestos, the following shall be implemented:



HAZ-1 At least 10 days prior to demolition or removal of existing on-site structures, the project applicant shall submit an Asbestos Demolition or Renovation Operational Plan (Notice of Intention) to the City Community Development Department. This plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by Cal OSHA to conduct an asbestos inspection in compliance with Asbestos NESHAP requirements. The Asbestos NESHAP, as specified under Rule 40, CFR 61, Subpart M, (enforced locally by the San Diego APCD, under authority, per Regulation XI, Subpart M - Rule 361.145), requires the owner of an establishment set for demolition to submit an Asbestos Demolition or Renovation Operational Plan at least 10 working days before any asbestos stripping or removal work begins (such as site preparation that would break up, dislodge or similarly disturb asbestos-containing material.)

Removal of all asbestos-containing material or potential asbestos-containing material on the project site shall be monitored by the certified asbestos consultant and shall be performed in accordance with all applicable laws, including Title 8 CCR Section 1529, Asbestos; OSHA standards; and the San Diego County APCD Rule 361.145, Standard for Demolition and Renovation.

HAZ-2 Demolition or removal of existing on-site structures constructed pre-1979 shall be performed by a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint. Lead-based materials exposure is regulated by Cal OSHA. Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal OSHA standard.

Specific Alignment Plan Improvements

The SAP improvements would result in less-than-significant impacts related to the accidental release of hazardous materials. Therefore, no mitigation is necessary.

3.6.7.3 Issue 3: Emergency Response and Evacuation Plans

The proposed project would result in less-than-significant impacts related to emergency response and evacuation plans. Therefore, no mitigation is necessary for either the residential development or SAP improvements.

3.6.7.4 Issue 4: Wildland Fires

The proposed project would result in less-than-significant impacts related to wildland fires. Therefore, no mitigation is necessary for either the residential development or SAP improvements.

3.6.8 Conclusion

3.6.8.1 Issue 1: Routine Transport, Use, or Disposal of Hazardous Materials

Implementation of the proposed project would result in an increase in the transport, use, and disposal of hazardous materials. Construction and future development would be required to comply with applicable federal, state, and local regulations related to hazardous materials. Required compliance with these regulations would ensure that the proposed project's impacts related to transport, use, and disposal of hazardous materials would be less than significant.

3.6.8.2 Issue 2: Accidental Release of Hazardous Materials

Implementation of the residential development could result in accidental leaks or spills of hazardous materials that may occur during construction of the proposed project, which have the potential to expose the public or the environment to hazardous materials. Improper removal of existing structures would have the potential to expose construction workers to a hazardous release of asbestos or lead. Implementation of mitigation measures HAZ-1 and HAZ-2 would reduce the potential for upset and accident conditions during project construction to a less-than-significant level.

Following construction of the residential development, use of household hazardous products may result in minor upsets or spills, but typical use of these products would not create a significant hazard. Therefore, impacts associated with reasonably foreseeable upset and accident conditions in occupied residences involving the release of hazardous materials into the environment would be less than significant.

Implementation of the SAP improvements could result in accidental leaks or spills of hazardous materials that may occur during construction of the improvements, which have the potential to expose the public or the environment to hazardous materials. However, compliance with applicable Cal OSHA and DTSC regulations for handling of hazardous materials and spill cleanup procedures would prevent significant hazards to the public and the environment. No other accidental release of hazardous materials is anticipated during construction of the SAP improvements. Therefore, impacts associated with reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

3.6.8.3 Issue 3: Emergency Response and Evacuation Plans

The proposed project includes installation of frontage improvements on Bear Valley Parkway, an identified evacuation route. The project would include a traffic control and management plan that would provide for continued access through Bear Valley Parkway during construction. The project would result in less-than-significant impacts related to emergency response and evacuation plans.

3.6.8.4 Issue 4: Wildland Fires

The proposed project would comply with applicable fire and building codes and would include a layered fire protection system designed to current codes. In addition, site-specific fire prevention measures would result in a project that would be less susceptible to wildfire than surrounding landscapes and that would facilitate fire fighter and medical aid response. Therefore, impacts related to wildland fires would be less than significant.

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3.7 Land Use and Planning

This section of the Environmental Impact Report (EIR) describes the existing land use and zoning of the proposed project site and the surrounding area, and analyzes potential impacts related to the physical division of an established community, existing land use plans, and applicable habitat conservation plans (HCPs).

3.7.1 Existing Conditions

The following description of existing conditions is based on the *City of Escondido General Plan* (General Plan) (City of Escondido 2012a); the *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report* (General Plan Program EIR) (City of Escondido 2012b); a Geotechnical Study prepared for the project by Vinje & Middleton Engineering, Inc. (2014) (Appendix I-1); and the project description in Chapter 2, unless otherwise noted.

3.7.1.1 On-Site Land Uses and Land Use Designations

The proposed residential development site is a 40.62-acre, tear-shaped property located at 661 Bear Valley Parkway. The site is currently undeveloped, except for a 1,120-square-foot (sf) single-family residence with a 96-sf detached garage and irrigation features located in the northern portion of the site. Topographically, the site is characterized by a large hilltop and a north-south-trending ridgeline that enters the northeast area of the property and transitions into descending hillside terrain in the southern reaches of the property. The property, which was used for mining exploration and agriculture in the past, is mostly disturbed vacant land. A riparian corridor runs along the southern and southwestern boundaries of the property.

In the area of the proposed Bear Valley Parkway full-width Specific Alignment Plan roadway improvements (SAP improvements), Bear Valley Parkway is currently a two-lane roadway. The majority of the existing roadway does not include full curb, gutter or sidewalk improvements. A guardrail is located on the east and west side of the roadway near the riparian corridor and the Encino Drive intersection. The General Plan identifies the ultimate buildout classification of this roadway to be Major Road.

The subject property is within the corporate boundaries of the City of Escondido (San Diego Local Agency Formation Commission 2011) and is under the jurisdiction of the General Plan. The General Plan designates the site as Estate II (Large Lot Single Family Residential, 1 dwelling unit [du] per 0.5, 1, or 20 acres depending on topography/slope categories) (City of Escondido 2012a, Figure II-1). The proposed residential development property is presently zoned Residential Estates with a minimum lot size of 20,000 sf (RE-20). Additional information regarding the land use designation and zoning is provided below in Section 3.8.2, "Regulatory Framework."



3.7.1.2 Surrounding Land Uses and Land Use Designations

The site is generally bound by single-family residential uses, and vacant parcels to the north; Choya Canyon Road, rural residential uses, and vacant land to the east; single-family residential development and vacant parcels to the south; and single-family residential development, and a religious facility to the west. Regional access to the site is provided by Interstate 15, State Route 78, and Bear Valley Parkway. Adjacent parcels located immediately north, east, and west of the site are within unincorporated San Diego County (County), but within Escondido's Sphere of Influence (City of Escondido 2012b, Figure 4.10-1).

According to the General Plan, the land surrounding the site—including land within the unincorporated area of the County—is designated as Estate II. Land designated as Estate I is located east of the proposed project, within 0.25 mile of the site (City of Escondido 2012a, Figure II-1).

As previously mentioned, parcels to the north, east, and west of the site are within the unincorporated County. According to the *San Diego County General Plan*, regions north and southwest of the proposed project are designated as Village Residential (VR-2), areas east and west of the project site are designated as Semi-Rural Residential (SR-1), and west-southwest of the proposed project is designated as Village Residential (VR-4.3) (County of San Diego 2011, Figure LU-A-12). Village Residential (VR-2) allows a maximum density of two units per acre. Semi-Rural Residential (SR-1) allows a maximum density of one unit per acre for slopes less than 25%, one unit per 2 acres for slopes of 25 to 50%, or one unit per 4 acres for slopes greater than 50%. The maximum density allowed in Village Residential (VR-4.3) is 4.3 units per acre (County of San Diego 2011, Tables LU-1 and LU-2).

Growth Trends

According to the 2010 U.S. Census, Escondido's population was 143,911, which was an increase from 108,635 in 1990 and 133,559 in 2000. Between 2000 and 2010, the City's population increased by approximately 8%. During the same period, the population within the San Diego region increased by 10%. Escondido's population, as a proportion of the region's total population, decreased slightly from 5% in 2000 to 4.6% in 2010. More recently, the population of Escondido was estimated to be 151,451 in 2015, a 5.2% increase over the 2010 level and 4.7% of the population of San Diego County (U.S. Census Bureau 2016).

Citywide Land Uses

Growth over the past 125 years has transformed Escondido from a rural agricultural town to a bustling urban and suburban area offering a range of residential and employment opportunities. Development within the General Plan boundary is concentrated within the valley floor of Escondido, where Escondido's urbanized core surrounds the downtown area. The urban core and downtown encompass a variety of land uses, including new and established single- and multi-family neighborhoods and industrial and commercial developments. Western Escondido forms



the community's primary employment area, paralleling State Route 78. Many established neighborhoods surround the City's urbanized core area, with vacant or underdeveloped properties available for growth. Large areas of open space around Escondido's perimeter, such as Daley Ranch, San Dieguito River Valley, and Lake Wohlford, are adjacent to the community's urbanized areas and offer recreational activities with hiking and multi-use trails.

As of the publication of the General Plan in 2012, single- and multi-family residential uses represented the dominant land use, occupying 36,145 acres and 71% of the General Plan planning area. The majority of homes in the city are single-family residences (27,661 units), with other residences including apartments and condos (16,649 units) and mobile homes (3,736 units). The growth process also has brought master-planned neighborhoods and infill development; thoroughfares and freeways; major shopping centers; downtown revitalization, including a new city hall, and a joint police and fire headquarters; a regional medical center; employment centers; a main library; community centers; several neighborhood and community parks; a transit center with rail service; and a regional cultural and performing arts center.

3.7.2 Regulatory Framework

3.7.2.1 State Regulations

California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is provided in the California Planning and Zoning Law (Government Code Sections 65000 through 66499.58). Under State planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of seven mandatory elements described in the Government Code. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

Natural Community Conservation Planning Act of 1991

The Natural Community Conservation Planning (NCCP) Act is designed to conserve natural communities at the ecosystem scale while accommodating compatible land uses. The California Department of Fish and Wildlife is the principal state agency implementing the NCCP Program. The NCCP Act established a process to allow for comprehensive, regional multi-species planning in a manner that satisfies the requirements of the state and federal Endangered Species Acts through a companion regional habitat conservation plan. The NCCP program has provided the framework for the state, local governments, and private interests to plan for the protection of regional biodiversity and ecosystems. The habitat conservation plans seek to ensure the long-term conservation of multiple species, while allowing for compatible and appropriate economic activity to proceed.

Senate Bill 375

Senate Bill (SB) 375 was adopted in September 2008. SB 375 requires metropolitan planning organizations to develop a sustainable communities strategy to include in their regional transportation plans for the purposes of reducing greenhouse gas (GHG) emissions. The purpose of the bill is to align planning for transportation and housing, and it creates specified incentives for implementation of the strategy. SB 375 consists of five aspects: (1) creation of regional targets for reduction of GHG emissions tied to land use; (2) a requirement that regional planning agencies create a sustainable communities strategy to meet those targets, even if that plan is in conflict with local plans; (3) a requirement that regional transportation funding decisions be consistent with this new plan; (4) a requirement that the Regional Housing Needs Allocation numbers, established by the State Department of Housing and Community Development and allocated by the San Diego Association of Governments (SANDAG), must conform to the sustainable communities strategy; and (5) new California Environmental Quality Act (CEQA) exemptions and streamlining for projects that conform to the sustainable communities strategy.

3.7.2.2 Regional Regulations

San Diego Association of Governments Plans and Programs

Regional Transportation Plan

The 2050 *Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS)* was adopted by SANDAG on October 28, 2011. The 2050 RTP mapped out a system designed to maximize transit enhancements, integrate biking and walking elements, and promote programs to reduce demand and increase efficiency. The RTP also identified a plan for investing in local, state, and federal transportation facilities in the region over the next 40 years. The SCS integrated land use and housing planning within the transportation plan. The SCS also addressed how the transportation system would be developed in such a way that the region would be able to reduce per-capita GHG emissions to State-mandated levels. Many of the capital improvement projects outlined in the original 2050 RTP are now in development.

Congestion Management Plan

State Proposition 111, passed by voters in 1990, established a requirement that urbanized areas prepare and regularly update a Congestion Management Program (CMP). The purpose of the CMP is to monitor the performance of the region's transportation system, develop programs to address near-term and long-term congestion, and better integrate transportation and land use planning. In October 2009, the San Diego region elected to be exempt from the State CMP and, since this decision, SANDAG has been abiding by 23 Code of Federal Regulations 450.320 to ensure the region's continued compliance with the federal congestion management process.

San Diego Forward: The Regional Plan



San Diego Forward: The Regional Plan was adopted by the SANDAG Board of Directors on October 9, 2015. It combines elements of the 2004 *Regional Comprehensive Plan* and the 2050 *Regional Transportation Plan and Sustainable Communities Strategy* adopted in 2011. The San Diego Forward Plan provides a broad context for how the San Diego region will grow over the next 35 years. It focuses on creating a transportation network that will provide more choices to people in the region, which will indirectly protect the environment, create healthy communities, and stimulate economic growth. The California Air Resources Board and U.S. Department of Transportation completed reviews of the San Diego Forward Plan in December 2015. The plan will be updated every 4 years, with the next update due in 2019.

Multiple Habitat Conservation Program and Draft Escondido Subarea Plan

The Multiple Habitat Conservation Program (MHCP) is a multiple-jurisdiction comprehensive biological resource preserve system adopted by SANDAG in March 2003. This plan is designed to conserve adequate habitat in northwestern San Diego County to provide conservation of certain sensitive covered species in accordance with California's NCCP Act of 1991. The MHCP includes the Cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. This plan, in conjunction with each City's subarea plan provides the cities with "take authorization" from the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife for covered species, as these plans identify areas for conservation and management directives that would adequately preserve the covered species. The MHCP identifies 47 species (32 animals and 15 plants) that occur or potentially occur in Escondido and therefore are evaluated for coverage under the *Public Review Draft Escondido Subarea Plan* (Ogden Environmental and Energy Services and Conservation Biology Institute 2001). The *Public Review Draft Escondido Subarea Plan* encompasses an area of approximately 24,624 acres and would preserve a total of 6,570 acres of natural habitats within the proposed preserve area. However, the City of Escondido has not yet adopted the *Public Review Draft Escondido Subarea Plan*.

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

While not applicable to the proposed project, information about the County General Plan is included herein for informational purposes because the surrounding area is within the unincorporated region of the County.

San Diego County General Plan

The County General Plan was updated and adopted on August 3, 2011. The General Plan establishes future growth and development patterns for the unincorporated areas of the county, including the North County Metro community adjacent to the City of Escondido. The plan focuses population growth in the western areas of the County where infrastructure and services are available. The County General Plan update (County of San Diego 2011) improved the previous plan by balancing the need to accommodate growth with the needs to control traffic congestion, protect environmental habitat, and ease the strain on essential services such as water supplies and fire protection. The County General Plan contains numerous goals and policies aimed at



respecting community character, climate change, infrastructure planning, and environmental preservation. The County General Plan's Land Use Element consists of maps, goals, and policies that guide the future pattern of development for the unincorporated County. The land use framework contains regional categories that broadly define land use designations that describe in greater detail land use types, housing densities, and development intensities. The County General Plan and use framework includes three regional categories: village, semirural, and rural lands. These categories broadly reflect the different character and land use development goals of the County's developed areas, from lower density residential and agricultural areas, to very low density or undeveloped rural lands. Higher density land use designations are concentrated in the western areas near the incorporated cities, including Escondido.

North County Metro Subregional Plan

Each planning area in the unincorporated County has a community or subregional plan, including North County Metro. Each community plan or subregional plan supplements the County General Plan by focusing on a particular planning area. Community and subregional plans contain information and policies concerning land use, housing, circulation, conservation, public facilities and services, recreation, and community character. Other issues may be addressed depending on the circumstances in a particular community. The North County Metro Community Planning Area covers the area surrounding the proposed project site.

According to the County General Plan and *North County Metropolitan Subregional Plan* (County of San Diego 2011), regions north and southwest of the proposed project are designated as Village Residential (VR-2), which allows a maximum density of two units per acre. An area west-southwest of the proposed project is designated as Village Residential (VR-4.3) where the maximum density allowed is 4.3 units per acre. Areas east and to the west of the proposed project site are designated as Semi-Rural Residential (SR-1), which allows a maximum density of one unit per acre for slopes less than 25%, one unit per 2 acres for slopes of 25 to 50%, or one unit per 4 acres for slopes greater than 50%.

The Village Residential designations are intended to accommodate single-family or multi-family housing types, depending on the density. Generally, residential densities of 10.9 dwelling units (du) per acre or higher require multi-family development. The Semi-Rural Residential category is meant to allow housing unit densities ranging from one unit per 0.5 acre to one unit per 10 acres. Semi-Rural areas comprise the majority of land within the unincorporated County and include low-density residential, agricultural, and recreation uses. These lands buffer and separate Village areas, and are expected to develop in a manner consistent with their natural environment and rural character. The Village regional category accommodates the most intensive land uses in the unincorporated County and facilitates the use of compact development patterns.

San Diego County Multiple Species Conservation Program

The San Diego County Multiple Species Conservation Program (MSCP) is a long-term regional conservation plan designed to establish a connected preserve system that ensures the long-term survival of sensitive plant and animal species and protects the native vegetation found throughout the county. The MSCP addresses the potential impacts of urban growth, natural habitat loss, and species endangerment and creates a plan to mitigate the potential loss of sensitive species and their habitats. The MSCP covers 582,243 acres over 12 jurisdictions. Individual jurisdictions prepare subarea plans to implement the MSCP within their boundaries. The County has one adopted subarea plan under this program, the *South County MSCP Subarea Plan*, which was adopted in 1997. This subarea plan covers 252,132 acres in the southwestern portion of the unincorporated area. The County is currently developing a subarea plan for northern San Diego County. A draft of the *North County MSCP Plan* was released in February 2009 for public review, but has not yet been adopted. The draft plan covers 63 plant and animal species in a 294,849-acre area in northern San Diego County, ranging from Camp Pendleton and the Riverside County line in the north to the community of Ramona in the south.

3.7.2.3 Local Regulations

City of Escondido Plans, Programs, Policies and Regulations

The City of Escondido has numerous policies, programs, codes, and ordinances that regulate land use development. To simplify the volume and complexity of these regulations, this inventory focuses on policies that affect land use designations and zoning. Policies and regulations that indirectly affect land use planning, such as aesthetics, cultural resources, noise, hazards and hazardous materials, geology and soils, hydrology and water quality, air quality, and utilities and service systems regulations, are included in other sections in Chapter 3 of this EIR and in the Initial Study (Appendix A).

General Plan

California Government Code Section 65300 requires each planning agency to prepare and adopt a comprehensive, long-term General Plan for the physical boundaries that bear relationship to its planning area. The General Plan is a statement of long-range public policy to guide the use of private and public lands within a community's boundaries. The plan is both general and comprehensive in that it provides broad guidelines for development in the city while addressing a wide range of issues that will affect the city's desirability as a place to live, work, and play. The elements of the *City of Escondido General Plan* (General Plan) are Land Use and Community Form, Mobility and Infrastructure, Housing, Community Health and Services, Community Protection, Resource Conservation, Growth Management, Economic Prosperity, and Implementation Program.

As indicated above, the project site is designated as Estate II per the General Plan Land Use Element. The Estate designation allows for single-family homes on large lots, with clustering of



units allowed per General Plan Residential Clustering Policies. The following information regarding Estate II is excerpted from the General Plan:

- General Description of Uses: Spaced single family development on relatively large lots and properties that transition between more intensive suburban development and Estate I areas.
- Recommended Urban Form Characteristics: Large residential lots with low building coverage; Units set back from the street with extensive on-site landscaping; Semi-formal streets.
- Maximum densities allowed on the following slope categories: 0-25% - 2 du/1 ac; 25-35% - 1 du/1 ac; and 35%+ - 1 du/20 ac. Min lot size: 20,000 sf. Building Height: 1-2 stories. Zoning: Residential Estate (R-E).

Estate II differs from Estate I in that the Recommended Urban Form Characteristics for Estate I include informal streets with rustic character and could include agricultural properties.

The General Plan Mobility and Infrastructure element identifies the ultimate buildout condition of Bear Valley Parkway between Via Rancho Parkway and Valley Parkway as Major Road (City of Escondido 2012a, Figure III-6). According to the General Plan, a Major Road is defined as having four to six travel lanes, controlled access, no parking, and raised or landscaped medians for added safety and efficiency in providing protected left turns at selected locations. Major Roads provide intra-city, and sub-regional service. Four-lane Major Roads have an 82- to 102-foot right-of-way (City of Escondido 2012a).

Master Plan for Parks, Trails, and Open Space

The *City of Escondido Master Plan for Parks, Trails and Open Space* (City of Escondido 1994) serves as a guide to developing a comprehensive and integrated open space system to achieve quality of life standards set forth in the General Plan. The plan identifies the potential locations of parks, trails, and open spaces; and establishes recommendations for obtaining land for new facilities and protecting existing resources.

Zoning Ordinance

The City's Zoning Ordinance, provided in Chapter 33 of the Municipal Code, is the primary way that the City administers the General Plan. The General Plan identifies general land use designations, while the Zoning Ordinance identifies specific uses and development standards within these land use designations. The purpose of the Zoning Ordinance is to serve the public health, safety, comfort, convenience, and general welfare by:

- a. Regulating the use of buildings, structures, and land uses as between agriculture, industry, business, residence and other purposes;
- b. Regulating signs and billboards;



- c. Regulating the location, height, bulk, number of stories and size of buildings and structures; the size and use of lots, yards, courts and other open spaces; the percentage of a lot that may be occupied by a building or structure; and the intensity of land use;
- d. Establishing requirements for off-street parking and loading;
- e. Establishing and maintaining building setback lines;
- f. Creation of civic districts around civic centers, public parks, public buildings or public grounds and establishing related regulations;
- g. Establishment of general provisions and standards of development with the aim of preserving a wholesome, serviceable and attractive community; and
- h. Establishing standards for landscaping and irrigation for commercial, industrial and residential development.

The Zoning Ordinance establishes development regulations for specific land uses, identified by zones, as well as overlay areas established in the General Plan, such as open space and floodplain areas. Additionally, some portions of the Municipal Code apply to all areas of the City, regardless of zone, such as *Article 55, the Grading and Erosion Control Ordinance*. The purpose of this article is to ensure that development occurs in a manner that protects the natural and topographic character and identity of the environment; the visual integrity of hillsides and ridgelines; sensitive species and unique geologic/geographic features; and the health, safety, and welfare of the general public by regulating grading on private and public property and providing standards and design criteria implementing best management practices to control storm water and erosion during all construction activities for all development.

Specific Zoning Ordinances that are related to the land use development process are listed below. Zoning Ordinance sections that pertain to specific environmental issues such as aesthetics, air quality, geology and soils, and hydrology and water quality are addressed in other sections of Chapter 3 of this EIR and in the Initial Study (Appendix A).

Article 47, Environmental Quality

Article 47, "Environmental Quality," implements the requirements of CEQA by applying the provisions and procedures contained in CEQA to development projects proposed within the city. The ordinance lists the criteria that would exempt a project from CEQA, establishes mitigation and reporting requirements, and establishes criteria that coordinate CEQA requirements with the City's quality of life standards to clarify how impacts identified for a project would affect its CEQA significance determinations. These criteria include air quality screening level thresholds for criteria pollutants, traffic level of service standards, and limits on allowable noise increases.

Article 64, Design Review

Article 64, “Design Review,” requires design review of new development and modifications to existing development in order to preserve the natural charm, integrity, and quality of the built environment in the city. Article 64 also ensures that development is consistent with or exceeds the high quality of the development projects currently built in the city. Project applications subject to design review (e.g. development projects involving new construction; city-initiated public facilities projects; certain signs; proposed development standards for specific plans and overlay districts; and architectural modifications to certain industrial, commercial and multifamily residential developments) are reviewed by City Planning Division staff or at a regularly scheduled planning commission meeting at which the applicant is present. For discretionary projects which require public hearing, City Planning Division staff submit recommendations to the Planning Commission and/or City Council, which then consider the report in making its decision. On the other hand, for administrative projects that require Planning Division review, staff submit recommendations to the planning director. The elements of design consideration include site development, circulation, grading, setbacks, exterior appearance of buildings, structures, signs, lighting, street furniture, landscaping and other outdoor appurtenances.

Article 8, Residential Estates (R-E) Zone

The City of Escondido’s Zoning Code identifies the proposed project site as Residential Estates (R-E) with minimum lot size of 20,000 sf (RE-20). This zone is intended to “provide for single-family dwellings in a rural setting.” Allowed uses include detached single-family dwellings, mobile homes alone on the parcel, and small day care centers. Truck crops, orchards, and horticultural specialties are allowed in the RE zone but are not specifically encouraged in the RE-20 zoned regions. An average lot width of 100 feet applies to the RE-20 zone, and buildings are generally not allowed to be higher than 35 feet. Industrial and commercial uses and multi-family dwelling units are prohibited in the R-E zone. Population density is restricted to not more than one single-family dwelling per lot or parcel of land in the R-E zone.

Article 19, Planned Development (P-D) Zone

The proposed residential development proposes to change the zoning of the site to Proposed Development (P-D); thus, this zone is described herein. The P-D zone is designed to achieve the following:

...Encourage the planned development of parcels sufficiently large to permit comprehensive site planning and building design; to provide a more flexible regulatory procedure by which the basic public purposes of the Escondido General Plan and the Escondido Zoning Code may be accommodated; to encourage creative approaches to the use of land through variation in siting of buildings and the appropriate mixing of several land uses, activities and dwelling types; to enhance the appearance and livability of the community through encouragement of creative approaches to the use of land and the design of facilities, etc....



3.7.3 Thresholds of Significance

Based on the State CEQA Guidelines Appendix G and existing City policies and regulations, a project would result in a significant land use impact if it would:

- Physically divide an established community, create a new land use barrier, disrupt the physical arrangement of the surrounding community, impact the existing street and sidewalk pattern of the neighborhood, or preclude the development of parcels surrounding the proposed land use.
- Conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflict with an applicable HCP or NCCP.

3.7.4 Project Impacts

3.7.4.1 Issue 1: Divide an Established Community

Residential Development

Physical Division of an Established Community

A project could result in impacts related to the physical division of a community if new or widened Circulation Element roads would traverse an established community. The proposed residential development is located in a vacant parcel of land, bounded by Bear Valley Parkway, Choya Canyon Road, undeveloped land, and residential development. The Tentative Map proposes to subdivide the property into 65 lots, including 55 residential lots, 2 private street lots, 7 open space lots, and 1 recreation lot. The residential development would add an additional northbound lane to the existing two-lane Bear Valley Parkway along the residential development frontage. All project roadways and improvements would be within existing rights-of-way or dedicated from the residential development property. As the proposed residential development consists of development of a largely vacant property, and new roads and road improvements would be within the vacant lot and existing rights-of-way, the residential development would result in less-than-significant impacts related to the physical division of an established community.

New Land Use Barriers

Impacts related to new land use barriers could occur if new development would block existing connections with an established community. The proposed residential development site is surrounded by existing residential land use and vacant land, and would be served by existing major roads. As shown in Figures 2-5a to 2-5d, the residential development proposes to add sidewalks on the east side of Bear Valley Parkway. In addition, the residential development would allow for pedestrian access and use of the site through the provision of pedestrian walkways and internal pedestrian crossings. As a result, the proposed residential development would reduce

land use barriers, and impacts associated with the creation of new land use barriers would be less than significant.

Disruption of Physical Arrangement

Impacts associated with the disruption of physical arrangement could occur when redevelopment disrupts the physical arrangement of existing communities by shifting existing development from one land use to another. The 40.62-acre proposed residential development site has been vacant, except for a single residential structure, for approximately 20 years. As such, it would not shift existing development to a different location. Rather than causing a disruption, the proposed residential structures associated with the project would be compatible with the residential development bordering the project site. Thus, this land use change would not result in a significant impact relative to disruption of the existing physical arrangement.

Existing Street and Sidewalk Pattern Impact

Potential impacts could occur when a project impacts the existing street and sidewalk patterns of existing neighborhoods. The proposed residential development would have one public access point along Bear Valley Parkway, similar to the existing condition. A gated emergency vehicle access would also be provided along Bear Valley Parkway (Figure 2-4). The proposed residential development would include enhancements to the Bear Valley Parkway and Zlatibor Ranch Road intersection, including signalization, a right-turn lane for site access, and an entry monument sign. The proposed residential development would add sidewalk, curb, gutter, and other road improvements to Bear Valley Parkway where it borders the property. To accomplish the frontage improvements, the residential development would dedicate additional rights-of-way along the residential development site frontage, ranging from 7 to 28 feet. The site and surrounding area would continue to be accessible from public transit bus stops serviced by North County Transit District (Line 350) with implementation of the residential development. While the residential development proposes enhancements to existing streets and sidewalks, it would not impair existing patterns; therefore, no significant impacts would occur.

Preclude Development of Surrounding Parcels

A project has the potential to preclude the development of parcels surrounding the site if the proposed uses would be incompatible with those uses in proximity. As discussed in Chapter 2, "Project Description," the surrounding parcels are comprised of residential development, a place of worship, and vacant land. The proposed uses (low-density residential development, open space lots, and a pocket park) would be compatible with the surrounding land uses.

The surrounding land use designations and zoning allow for additional residential uses within the city, and residential and agricultural uses within the County areas. The proposed residential development's potential impact on surrounding allowed agricultural uses is addressed in Section 3.2, "Agricultural Resources." As discussed in that section, the proposed residential development would result in a less-than-significant indirect impact on surrounding agricultural resources



considering that residences are already present in the area and conversion of adjacent agriculturally significant sites in the city would be consistent with long-range planning policies.

As analyzed in Section 3.1, "Aesthetics," the proposed residential development's architectural style is consistent with that of the surrounding developments. The proposed residential development overall would be of similar character to the land uses in proximity. Refer to Section 3.1, "Aesthetics," for additional visual analysis.

Overall, the proposed residential development would not preclude the development of surrounding parcels.

Specific Alignment Plan Improvements

Physical Division of an Established Community

The proposed SAP improvements would largely occur in the existing Bear Valley Parkway right-of-way, although an additional six-tenths of one acre would be dedicated to the City of Escondido in the future. The proposed roadway widening would traverse the existing residential land uses surrounding the proposed SAP improvements site. However, the SAP improvements are designed to facilitate current and future travel to and from the surrounding community. As the proposed roadway widening would occur largely within the existing right-of-way, the proposed SAP improvements would result in less-than-significant impacts related to the physical division of an established community.

New Land Use Barriers

As shown in Figures 2-8a through 2-8d, the SAP improvements would add sidewalks to the west side of Bear Valley Parkway that would connect with existing sidewalks near Encino Drive and Zlatibor Ranch Road. The bike lanes on Bear Valley Parkway would remain. The proposed roadway improvements would build Bear Valley Parkway to a 4-lane road, allowing freer-flowing access to nearby established communities. Furthermore, the SAP improvements would improve the intersection alignment at Bear Valley Parkway and Encino Drive. As a result, the proposed SAP improvements would reduce land use barriers, and impacts associated with the creation of new land use barriers would be less than significant.

Disruption of Physical Arrangement

The proposed SAP improvements would involve six-tenths of one acre currently designated as Estate II (Large Lot Single Family Residential, 1 du per 0.5, 1, 20 acres) to be acquired by others and dedicated to the City of Escondido in the future. Most of this land identified for future dedication to accommodate the proposed SAP improvements is vacant; however, a portion of it would be acquired from existing residential land use. This minimal shift in six-tenths of one acre of land use from residential to roadway is considered less than significant.

Existing Street and Sidewalk Pattern Impact



As described in Chapter 2, “Project Description,” the proposed SAP improvements would improve the pattern of the intersection of Bear Valley Parkway and Encino Drive, as well as add sidewalk on the west side of Bear Valley Parkway. The sidewalk would be extended to connect to existing sidewalks at Zlatibor Ranch Road and Encino Drive. While the SAP improvements propose enhancements to existing streets and sidewalks, they would not impair existing patterns; therefore, no significant impacts would occur.

Preclude Development of Surrounding Parcels

As discussed in Chapter 2, “Project Description,” the surrounding parcels are comprised of the proposed residential development, existing residential land uses, a place of worship, and vacant land. The proposed uses (roadway widening and improvements) would serve and be compatible with existing and future surrounding land uses. Overall, the proposed SAP improvements would not preclude the development of surrounding parcels.

3.7.4.2 Issue 2: Conflict with an Applicable Land Use Plan

Residential Development

General Plan

The General Plan designates the proposed residential development site as Estate II. Maximum densities allowed on the following slope categories are: two du per 1 acre on 0 to 25% slopes; 1 du per 1 acre on 25 to 35% slopes; and 1 du per 20 acres on slopes greater than 35%. This designation is intended to accommodate detached single-family homes of one to two stories where the minimum lot size is 20,000 sf. The designation is designed to promote housing units on large residential lots, set back from the street, with extensive on-site landscaping and semi-formal streets. Development is to be located and designed to transition between more intensive suburban development and more rural single-family lots. Consistent with the General Plan land use designation, the 55 homes associated with the residential development would be one to two stories, and the net project density would be 1.38 du per acre. The lot sizes of the proposed residential development would range from 10,000 to 24,500 sf; therefore, some of the proposed residential lots would be smaller than the minimum 20,000 sf envisioned by the Estate II land use designation. However, as discussed further below, changing the zoning to Proposed Development (P-D), would address this issue.

Zoning Ordinance

The City’s Zoning Code identifies the proposed residential development site as Residential Estates with a minimum lot size of 20,000 sf (RE-20). This zone is intended to “provide for single-family dwellings in a rural setting.” The residential development proposes to change the zoning of the site to Proposed Development (P-D). This zone is designed to accomplish the following:

...Encourage the planned development of parcels sufficiently large to permit comprehensive site planning and building design; to provide a more flexible regulatory procedure by which the basic public purposes of the Escondido General Plan and the Escondido Zoning Code may be accommodated; to encourage creative approaches to the use of land through variation in siting of buildings and



the appropriate mixing of several land uses, activities and dwelling types; to enhance the appearance and livability of the community through encouragement of creative approaches to the use of land and the design of facilities, etc....

The proposed development of 55 single-family homes, residential streets, open space lots, and a pocket park would be consistent with the P-D zoning. The residential development would design buildout of the site comprehensively, at the scale of the entire 40.62 acres, and would avoid piece-meal development.

Overall, the residential development would be consistent with the General Plan land use designation and with the goals of the Zoning Ordinance. No significant impacts would occur.

Specific Alignment Plan Improvements

The General Plan Mobility and Infrastructure element identifies the ultimate buildout classification of the stretch of Bear Valley Parkway where the SAP improvements are proposed to be Major Road. The SAP improvements, which would include extension of the right-of-way to accommodate four vehicle travel lanes, bike lanes, sidewalks, retaining walls, raised median, curbs and gutters, street trees, a vegetated swale, and relocated street lights, would be consistent with the General Plan goals. Overall, the SAP improvements would be consistent with the General Plan goals and no significant impacts would occur.

3.7.4.3 Issue 3: Conflict with a Habitat Conservation Plan

Residential Development

The City of Escondido is located within SANDAG's MHCP and the *Public Review Draft Escondido Subarea Plan* boundaries. The riparian corridor on the proposed project site was identified in the *Public Review Draft Escondido Subarea Plan* as Constrained Lands (Wetlands) Outside the Focused Planning Area (Ogden Environmental and Energy Services and Conservation Biology Institute 2001, as cited in Appendix B). As discussed in Section 3.3, "Biological Resources," the proposed residential development would mitigate all significant impacts on biological resources. The proposed project is also bordered by the *North County MSCP Plan* of the San Diego County MSCP. However, the North County Plan Habitat Evaluation Model found that the area around the proposed project site is either developed or used for intensive agriculture, and therefore not quality habitat. Both the *Public Review Draft Escondido Subarea Plan* and the *North County MSCP Plan* have not been formally adopted. In conclusion, the residential development would not conflict with an HCP.

Specific Alignment Plan Improvements

As discussed in Section 3.3, "Biological Resources," the proposed SAP improvements would mitigate all significant impacts on biological resources. For this reason, the SAP improvements would not conflict with an HCP.

3.7.5 Cumulative Impacts

The geographic scope of the cumulative impact analysis for land use is the northern San Diego County region, including jurisdictions adjacent to the County General Plan boundary.

3.7.5.1 Issue 1: Physical Division of an Established Community

As indicated in Section 3.7.4, “Project Impacts,” the proposed project would not physically divide an established community. Further, the project would not create any new land use barriers, disrupt existing physical arrangements, nor preclude development of adjacent parcels. As of the fall of 2016, the County was completing roadway improvements on Bear Valley Parkway north of San Pasqual Valley Road, similar to the ones proposed by the SAP improvements. Construction of the two projects would not occur simultaneously. Similar to impacts of the proposed project, cumulative impacts would be less than significant.

3.7.5.2 Issue 2: Conflict with an Applicable Land Use Plan

As discussed in Section 3.7.4, “Project Impacts,” the proposed residential development and SAP improvements would be consistent with the General Plan and Zoning Ordinance. Therefore, the project would not result in a significant cumulative impact relative to potential conflicts with a land use plan.

3.7.5.3 Issue 3: Conflict with a Habitat Conservation Plan

The project site is not within an adopted conservation subarea plan. Therefore, the project would not contribute to any significant cumulative impacts with respect to conflicts with an HCP.

3.7.6 Significance of Impacts prior to Mitigation

The proposed project would not result in potentially significant impacts associated with physical division of an established community, conflicts with a land use plan, or conflicts with a HCP.

3.7.7 Mitigation Measures

The project would not physically divide an established community, conflict with an applicable land use plan, or conflict with an HCP. Thus, no associated land use mitigation is necessary.

3.7.8 Conclusion

The project would result in a less-than-significant impact related to land use.

3.8 Noise

This section of the Environmental Impact Report (EIR) describes the existing ambient noise environment, including the sources of noise, in the project area in relation to noise-sensitive land uses. In addition, relevant local noise standards and guidelines are described. This section is based on the Acoustical Site Assessment and Construction Vibration Assessment prepared for the residential development (Investigative Science and Engineering, Inc. 2016a and 2016b), (Appendices O and Q), as well as the Noise Letter prepared for the Bear Valley Parkway Full-Width Specific Alignment Plan (Appendix P). Background information is from the *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report* (General Plan EIR) (City of Escondido 2012b), unless otherwise referenced.

3.8.1 Existing Conditions

3.8.1.1 Characteristics of Noise and Vibration

Fundamentals of Noise

Noise is typically defined as unwanted sound. Sound pressure magnitude is measured and quantified using a logarithmic ratio of pressures, the scale of which gives the level of sound in decibels (dB). Sound pressures in the environment have a wide range of values and the sound pressure level was developed as a way to describe this range of sound. The sound pressure level is the logarithm of the ratio of the unknown sound pressure to an agreed upon reference quantity of the same kind. To account for the pitch of sounds and the corresponding sensitivity of human hearing to them, the raw sound pressure level is adjusted with an A-weighting scheme based on frequency that is stated in units of decibels (A-weighted decibels [dBA]). Typical A-weighted noise levels are listed in Table 3.8-1.

A given level of noise would be more or less tolerable depending on the sound level, duration of exposure, character of the noise sources, time of day during which the noise is experienced, and activity affected by the noise. For example, noise that occurs at night tends to be more disturbing than that which occurs during the day because sleep has the potential to be disturbed. Additionally, rest at night is a critical requirement in the recovery from exposure to high noise levels during the day. In consideration of these factors, different measures of noise exposure have been developed to quantify the extent of the effects anticipated from these activities. For example, some indices consider the 24-hour noise environment of a location by using a weighted average to estimate its habitability on a long term basis.

The most commonly used indices for measuring community noise levels are the equivalent energy level (L_{eq}), the community noise equivalent level (CNEL), and the day-night average noise level (L_{dn}).

- L_{eq} is the average acoustical or sound energy content of noise, measured during a prescribed period, such as 1 minute, 15 minutes, 1 hour, or 8 hours. It is the decibel sound



level that contains an equal amount of energy as a fluctuating sound level over a given period of time.

Table 3.8-1. Typical A-Weighted Decibel Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet flyover at 1,000 feet	-- 110 --	Rock band
Gas lawnmower at 3 feet	-- 100 --	
Diesel truck at 50 miles per hour at 50 feet	-- 90 --	Food blender at 3 feet
Noisy urban area, daytime	-- 80 --	Garbage disposal at 3 feet
Gas lawnmower at 100 feet	-- 70 --	Vacuum cleaner at 10 feet
Commercial area heavy traffic at 300 feet	-- 60 --	Normal speech at 3 feet
Quiet urban area, daytime	-- 50 --	Large business office
Quiet urban area, nighttime	-- 40 --	Dishwasher in next room
Quiet suburban area, nighttime	-- 30 --	Theater, large conference room (background)
Quiet rural area, nighttime	-- 20 --	Library
	-- 10 --	Bedroom at night, concert hall (background)
	-- 0 --	Broadcast/recording studio
		Lowest threshold of human hearing

Source: California Department of Transportation 2009.

- **CNEL** is the average equivalent A-weighted sound level over a 24-hour period. This measurement applies weights to noise levels during evening and nighttime hours to compensate for the increased disturbance response of people at those times. CNEL is the equivalent sound level for a 24-hour period with a +5 dBA weighting applied to all sound occurring between 7:00 p.m. and 10:00 p.m. and a +10 dBA weighting applied to all sound occurring between 10:00 p.m. and 7:00 a.m.
- **L_{dn}** is a 24-hour average L_{eq} with a +10 dBA weighting applied to noise during the hours of 10:00 p.m. to 7:00 a.m. L_{dn} and CNEL are typically within one dBA of each other and, for most intents and purposes, are interchangeable.

The decibel level of a sound decreases (or attenuates) exponentially as the distance from the source of that sound increases. For a single point source such as a piece of mechanical equipment, the sound level normally decreases by about 6 dBA for each doubling of distance from the source. Sound that originates from a linear, or “line” source such as a heavily traveled



traffic corridor, attenuates by approximately 3 dBA per doubling of distance, provided that the surrounding site conditions lack ground effects or obstacles that either scatter or reflect noise. Noise from roadways in environments with major ground effects due to vegetation and loose soils would either absorb or scatter the sound yielding attenuation rates as high as 4.5 dBA for each doubling of distance. Other contributing factors that affect sound reception include meteorological conditions, natural topography, and the presence of manmade obstacles such as buildings and sound barriers.

Noise Effects

Noise has a significant effect on the quality of life. An individual's reaction to a particular noise depends on many factors such as the source of the noise, its loudness relative to the background noise level, and the time of day. The reaction to noise can also be highly subjective; the perceived effect of a particular noise can vary widely among individuals in a community. Because of the nature of the human ear, a sound must be about 10 dBA greater than the reference sound to be judged as twice as loud. In general, a three decibel change in community noise levels is perceivable, while one to two decibel changes generally are not noticed. A five decibel increase is generally perceived as a distinctly noticeable increase. Although a community's reaction to changes in noise levels would vary by the individual, it is generally accepted that noise is a significant component of the environment, and excessively noisy conditions can affect an individual's health and well-being. The effects of noise are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. The effects of noise on a community can be organized into six broad categories: sleep disturbance; permanent hearing loss; human performance

Noise-Sensitive Land Uses

Noise-sensitive land uses are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Noise-sensitive land uses typically include residences, hospitals, schools, guest lodgings, libraries, and certain types of passive recreational uses, such as parks to be used for reading, conversation, and meditation (Federal Transit Administration 2006).

Ground-Borne Vibration

Vibration is generally defined as any oscillatory motion induced in a structure or mechanical device as a direct result of some type of input excitation. Vibration consists of waves transmitted through solid material (Federal Transit Administration 2006). There are several types of wave motion in solids, unlike in air, including compressional, shear, torsional, and bending. The solid medium can be excited by forces, moments, or pressure fields. This leads to the terminology of "structure-borne/ground-borne" vibration.

Vibration energy spreads out as it travels through the ground, causing the vibration amplitude to decrease with distance away from the source. Soil properties also affect the propagation of

vibration. When ground-borne vibration interacts with a building there is usually a ground-to-foundation coupling loss, but the vibration can also be amplified by the structural resonances of the walls and floors. Vibration in buildings is typically perceived as rattling of windows or items on shelves or the motion of building surfaces. The vibration of building surfaces can also be radiated as sound and heard as a low-frequency rumbling noise, known as ground-borne noise.

Ground-borne vibration is expressed in terms of the peak particle velocity (PPV) in inches per second and in vibration in decibels relative to 1 micro-inch per second. The particle velocity is the velocity of the soil particles resulting from a disturbance. The PPV descriptor correlates well with structural damage; however, PPV does not generally evaluate human response to vibration. The ground motion caused by vibration can be expressed in decibel notation, referenced as vibration decibels (VdB), to describe vibration relative to human annoyance (Federal Transit Administration 2006). The general human response to different levels of ground-borne vibration levels is described in Table 3.8-2.

Table 3.8-2. Human Response to Different Levels of Ground-Borne Vibration

Vibration	Human Reaction
65 VdB	Approximate threshold of perception for many people
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find that transportation-related vibration at this level is unacceptable.
85 VdB	Vibration acceptable only if there are an infrequent number of events per day.
Source: Federal Transit Administration 2006. VdB = vibration decibels	

3.8.1.2 Existing Noise and Vibration

Two noise monitoring locations were selected within the residential development site to determine the ambient baseline community noise levels during normal free-flow weekday traffic conditions. Monitoring location 1 (ML 1) was located near the proposed northern residential development site entrance from Bear Valley Parkway and monitoring location 2 (ML 2) was located near proposed lot 46, near the center of the site. As shown in Table 3.8-3, the hourly average sound level (L_{eq-h}) recorded over the monitoring period ranged between 54 and 66 dBA and was observed entirely due to the traffic noise along Bear Valley Parkway and the relative separation distance from the roadway. Refer to Appendix O for detailed results of the noise monitoring. There were no existing sources of vibration on the proposed residential development site.



Table 3.8-3. Measured Ambient Sound Levels

Location	Start Time	One-Hour Noise Level Descriptors in dBA				
		L _{eq}	L _{max}	L _{min}	L ₁₀	L ₉₀
ML 1	12:00 p.m.	66.0	77.1	37.5	69.6	48.7
ML 2	11:56 a.m.	54.2	61.4	43.0	56.7	49.3
Source: Appendix O Notes: ML 1: Monitoring Location 1 near proposed project entrance ML 2: Monitoring Location 2 near proposed lot 46 L _{eq} = equivalent sound level, L _{max} = maximum sound level, L _{min} = minimum sound level, L ₁₀ and L ₉₀ = statistical indicators						

3.8.2 Regulatory Framework

3.8.2.1 Federal Regulations

Federal Highway Administration Standards

Code of Federal Regulations Title 23, Part 772 sets procedures for abatement of highway traffic noise and construction noise. Title 23 is implemented by the Federal Highway Administration. The purpose of this regulation is to provide procedures for noise studies and noise abatement measures to help protect the public health and welfare, to supply noise abatement criteria, and to establish requirements for information to be given to local officials for use in the planning and design of highways. All highway projects that are developed in conformance with this regulation shall be deemed to be in conformance with the Federal Highway Administration Noise Standards. Title 23 establishes 67 dBA as the worst-case hourly average noise level standard for impacts of federal highway projects on land uses, including residences, recreational uses, hotels, hospitals, and libraries (23 Code of Federal Regulations Chapter 1, Part 772, Section 772.19).

Federal Transit Administration Standards and Federal Railroad Administration Standards

Although the Federal Transit Administration (FTA) standards are intended for federally funded mass transit projects, the impact assessment procedures and criteria included in the FTA *Transit Noise and Vibration Impact Assessment Manual* (May 2006) are routinely used for projects proposed by local jurisdictions. The FTA and Federal Railroad Administration have published guidelines for assessing the impacts of ground-borne vibration associated with rail projects, which have been applied by other jurisdictions to other types of projects. The FTA measure of the threshold of architectural damage for conventional sensitive structures from ground-borne vibration is 0.2 inch/second (in/sec) PPV.

3.8.2.2 State Regulations

California Noise Control Act of 1973

Sections 46000 through 46080 of the California Health and Safety Code, known as the California Noise Control Act, finds that excessive noise is a serious hazard to public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. It also finds that there is a continuous and increasing bombardment of noise in urban,



suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the state to provide an environment for all Californians that is free from noise that jeopardizes their health or welfare.

California Noise Insulation Standards

In 1974 the California Commission on Housing and Community Development adopted noise insulation standards for multi-family residential buildings (Title 24, Part 2, California Code of Regulations [CCR]). Title 24 establishes standards for interior room noise (attributable to outside noise sources). Title 24 requires that multi-family dwellings, hotels, and motels located where the CNEL exceeds 60 dBA require an acoustical analysis showing that the proposed design will limit interior noise to less than 45 dBA CNEL for all residential spaces. Worst-case noise levels, with existing or future, must be used. The City of Escondido (City) has adopted the CCR Title 24 regulations for all types of residential dwellings.

3.8.2.3 Local Regulations

City of Escondido General Plan

The existing City General Plan Community Protection Element establishes noise and land use compatibility standards, and outlines goals and policies to achieve these standards. New projects in the city are required to meet the Noise Compatibility Guidelines listed in Table 3.8-4 to determine the compatibility of land uses when evaluating proposed development projects (Noise Policy E1.1). A land use located in an area identified as “normally acceptable” indicates that standard construction methods would attenuate exterior noise to an acceptable indoor noise level and that people can conduct outdoor activities with minimal noise interference. Land uses that fall into the “conditionally acceptable” noise environment should prepare an acoustical study that considers the type of noise source, the sensitivity of the noise receptor, and the degree to which the noise source has the potential to interfere with sleep, speech, or other activities characteristic of the land use. For land uses where the exterior noise level falls within the “conditionally unacceptable” range, new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made with noise insulation features included in the design. For land uses where the exterior noise levels fall within the “clearly unacceptable” range, new construction generally should not be undertaken. General Plan Noise Policy 5.2 establishes a CNEL of 60 dB or less for single-family housing as a goal where outdoor use is a major consideration (back yards and single-family housing developments, and recreation areas in multifamily housing developments); however, it recognizes that such levels may not necessarily be achievable in all residential areas. Noise Policy 5.4 requires noise attenuation when interior noise in a new noise sensitive land use may exceed 45-dBA CNEL.

Table 3.8-4. Land Use Compatibility Standards

Land Use Category	Exterior Noise Level (CNEL)						
	55	60	65	70	75	80	85
Residential – single-family, duplex, mobile home	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Residential – multi-family, residential mixed use	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Transient lodging, motels, hotels	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Schools, Libraries, Churches, Hospitals, Nursing Home	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Auditoriums, Concert Halls, Amphitheaters	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Sports Arena, Outdoor Spectator Sports	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Playgrounds, Parks	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Office Buildings, Business Commercial, Professional	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
Industrial, Manufacturing, Utilities, Agriculture	Normally Acceptable		Conditionally Acceptable		Normally Unacceptable	Clearly Unacceptable	
 Normally Acceptable	Specified land use is satisfactory, based upon the assumption that buildings involved are of normal conventional construction, without any special noise insulation requirements						
 Conditionally Acceptable	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will usually suffice.						
 Normally Unacceptable	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made with noise insulation features included in the design.						
 Clearly Unacceptable	New construction or development should generally not be undertaken.						
Source: City of Escondido 2012a.							



The Community Protection Element also establishes standards for permanent increases in ambient noise levels at noise sensitive land uses. Noise Policy 5.5 requires construction projects and new development to ensure acceptable vibration levels at nearby vibration-sensitive uses based on FTA criteria. The Community Protection Element establishes criteria for acceptable vibration levels, consistent with the vibration criteria established by the FTA in the Transit Noise Impact and Vibration Assessment (2006). The FTA Noise Impact and Vibration Assessment stipulates an impact criterion for ground-borne vibration of 0.3 in/sec PPV at engineered concrete and masonry structures and 0.2 in/sec PPV at non-engineered timber and masonry buildings. It also stipulates an impact criterion for ground-borne vibration at residences or buildings where people normally sleep of 80 VdB for infrequent events and 75 VdB for occasional events.

City of Escondido Municipal Code Noise Ordinance

The City's Municipal Code Chapter 17, Article 12, Noise Abatement and Control (Noise Ordinance) establishes prohibitions for disturbing, excessive or offensive noise, and provisions such as sound level limits for the purpose of securing and promoting the public health, comfort, safety, peace, and quiet for its citizens. Table 3.8-5 shows the allowable noise levels at any point on or beyond the boundaries of the property on which the sound is produced, and corresponding times of day for each zoning designation. The noise standards apply to each property or portion of property substantially used for a particular type of land use reasonably similar to the land use types shown in Table 3.8-5. Where two or more dissimilar land uses occur on a single property, the more restrictive noise limits apply.

Table 3.8-5. City of Escondido Exterior Sound Limit Levels

Zone	Time	Applicable Limit One-Hour Average Sound Level (decibels)
Residential zones	7:00 a.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45
Multi-residential zones	7:00 a.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
Commercial zones	7:00 a.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	55
Light industrial/Industrial park zones	Anytime	70
General Industrial zones	Anytime	75

Source: City of Escondido Municipal Code.

Environmental noise is measured by the L_{eq} for the hours as specified in Table 3.8-5. If the noise is continuous, the L_{eq} for any hour will be represented by any lesser time period within that hour. If the noise is intermittent, the L_{eq} for any hour may be represented by a time period typical of the operating cycle, but the measurement period must be 15 minutes or longer. If the measured ambient level exceeds the permissible noise level, the allowable noise exposure standard is the



ambient noise level. Noise restrictions are listed in Sections 17-230 through 17-241 of the Noise Ordinance, such as specific regulations pertaining to motor vehicles and burglar alarms. Additional sections of the Noise Ordinance applicable to this analysis are listed below.

Section 17-234 (Construction Equipment)

Except for emergency work, the following applies to all construction equipment operating in the city:

- a) It shall be unlawful for any person, including the City of Escondido, to operate construction equipment at any construction site, except on Monday through Friday during a week between the hours of 7:00 a.m. and 6:00 p.m. and on Saturdays between the hours of 9:00 a.m. and 5:00 p.m., and provided that the operation of such construction equipment complies with the requirements of subsection (d) of this section.
- b) It shall be unlawful for any person, including the City of Escondido, to operate construction equipment at any construction site on Sundays and on days designated by the President, Governor or City Council as public holidays.
- c) A person may operate construction equipment at his/her residence or for the purpose of constructing or modifying a residence for himself/herself on Monday through Friday of a week between the hours of 7:00 a.m. and 6:00 p.m., and on Saturdays, Sundays, and holidays between the hours of 9:00 a.m. and 5:00 p.m.; provided, that such operation of construction equipment is not carried on for profit or livelihood and complies with the requirements of subsection (d) of this section.
- d) No construction equipment or combination of equipment, regardless of age or date of acquisition, shall be operated so as to cause noise in excess of a one-hour average sound level limit of 75 dB at any time, unless a variance has been obtained in advance from the City Manager.
- e) Persons engaged in construction for profit or as a business shall post signs at conspicuous places on a construction site, indicating hours of work as prescribed by this article or authorized by permit and the applicable noise level limit.

Section 17-237 (Landscape Equipment)

It shall be unlawful for any person, including the City of Escondido, to use any motorized landscape equipment, including but not limited to power blowers and vacuums, which causes a disturbing, excessive or offensive noise as defined under Section 17-227(k) of the Noise Ordinance.



Disturbing, excessing or offensive noise refers to any sound or noise exceeding the noise standards in the Noise Ordinance (see Table 3.8-5).

Section 17-238 (Grading)

- a) It shall be unlawful for any person, including the City of Escondido, to do any authorized grading at any construction site, except on Mondays through Fridays during a week between the hours of 7:00 a.m. and 6:00 p.m. and, provided a variance has been obtained in advance from the City Manager, on Saturdays from 10:00 a.m. to 5:00 p.m.
- b) For the purpose of this section, “grading” shall include, but not be limited to, compacting, drilling, rock crushing or splitting, bulldozing, clearing, dredging, digging, filling and blasting.
- c) In addition, any equipment used for grading shall not be operated so as to cause noise in excess of a one-hour sound level limit of 75 dB at any time when measured at or within the property lines of any property that is developed and used in whole or in part for residential purposes, unless a variance has been obtained in advance from the City Manager.

Section 17-240 (General Noise Regulations)

Section 17-240 includes additional general noise regulations. This section states that it is unlawful for any person to make, continue or cause to be made or continued, any disturbing, excessive or offensive noise that causes discomfort or annoyance to reasonable persons of normal sensitivity. Noises declared to be disturbing, excessive and offensive include stereo equipment, animal noise, and loading and unloading of vehicles that disturbs neighboring receptors. This section also establishes the following requirements for pile driving activities: No person shall operate between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or on Saturdays, Sundays, or any legal holidays, any pile driver, pneumatic hammer, derrick, or other similar appliance, the use of which is attended by loud or unusual noise, unless a variance has been obtained in advance from the City Manager. Section 17-242 of the Noise Ordinance exempts agricultural operations from the standards in Table 3.8-5 provided that agricultural operations meet equipment standards and limit their hours of operation.

City of Escondido Municipal Code Environmental Quality Regulations

The City’s Municipal Code Environmental Quality Regulations in Chapter 33, Article 47 implement the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (guidelines) by applying the provisions and procedures contained in CEQA to development projects proposed within the city. Section (a)(2) pertains to noise impacts, specifically noise impacts related to the widening of Mobility and Infrastructure Element streets. According to this section, the following incremental noise increases are generally not considered significant:



- a) Short- or long-term increases, regardless of the extent, that do not result in noise increases in excess of general plan standards,
- b) Short- or long-term increases that result in a 3 dBA or less incremental increase in noise beyond the general plan's noise standards.

3.8.3 Thresholds of Significance

The State CEQA Guidelines Appendix G (14 CCR 15000 et seq.) has identified significance criteria to be considered for determining whether a project could have significant impacts on the existing noise environment.

An impact would be considered significant if construction or operation of the proposed project would have any of the following consequences.

- 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.
- Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 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?
- 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?

As described in the Initial Study prepared for the project (Appendix A), the closest airports to the project site are the Ramona and McClellan-Palomar Airports, both of which are located more than 2 miles away. The project site is not located within the Airport Influence Area of these airports (San Diego Regional Airport Authority 2011a and 2011b). The northwestern boundary of the site is located within 2 miles of the downtown Palomar Hospital heliport, but the heliport is not anticipated to generate significant noise levels at the project site considering the distance from the site and intermittent use of the heliport. Thus, the project would have no impact related to airport noise, and these topics are not analyzed further.

3.8.4 Project Impacts

3.8.4.1 Issue 1: Excessive Noise Levels

For informational purposes and to ensure consistency with City policies, a discussion of the potential for the proposed project to be exposed to excessive noise levels, as determined by the



City's Noise Compatibility Standards and City's General Plan Community Protection Element, from the surrounding areas has been included. CEQA is intended to protect the existing environment from impacts that would result from the project, not impacts of the environment on the project. CEQA does not consider impacts of the existing environment on a proposed land use to be significant (*South Orange County Wastewater Authority v. City of Dana Point* [2011]; *City of Long Beach v Los Angeles Unified Sch. Dist.* [2009] 176 CA4th 889; *Ballona Wetlands Land Trust v. City of Los Angeles* [2011] 201 CA 4th 455; and *Baird v County of Contra Costa* [1995] 32 CA 4th 1464). However, in order to ensure consistency with the City's Noise Compatibility Standards and City's General Plan Community Protection Element for siting of new development, noise levels at the proposed project site have been evaluated.

Residential Development

The proposed residential development has the potential to generate noise levels in excess of established standards by increasing human activity throughout the site. This section addresses the potential for sensitive receptors to be exposed to excessive noise levels from the proposed residential development. The potential for a permanent increase in noise levels that would occur as a result of increased traffic on roadways is addressed under Issue 3.

Impacts on Off-Site Uses

A total of 55 single-family residences would be developed throughout the proposed residential development site. Noise generated from residential uses is generally described as nuisance noise. Nuisance noise is defined as intermittent or temporary neighborhood noise from sources such as amplified music and barking dogs that may be disturbing to other residents. Section 17-240 of the Escondido Municipal Code prohibits nuisance noise at any time that causes discomfort or annoyance to reasonable persons of normal sensitivity. Compliance with the noise ordinance would limit exposure to excessive nuisance noise. The Escondido Police Department enforces the nuisance noise provisions of the noise ordinance. Additionally, nuisance noises would be different from each other in kind, duration, and location, so that the overall effects would be separate and in most cases would not affect the receptors at the same time. Instances of nuisance noise would be addressed on an individual case basis by the Escondido Police Department. Furthermore, nuisance noise from the proposed residential development would be similar to existing nuisance noise from the existing residential development surrounding the project site. Therefore, nuisance noise from the proposed residences would not result in a significant impact.

Regular maintenance would be necessary in the residential neighborhood and maintained open space areas. Maintenance activities would include the use of gasoline-powered mowers, trimmers, and blowers, which would result in intermittent short-term temporary noise increases. Individual pieces of landscaping equipment can generate noise levels up to 95 dBA at the source, or 71 dBA at 50 feet. Section 17-237 of the City's Noise Ordinance (Landscape Equipment) establishes requirements for operation of landscaping equipment. Use of any motorized landscape equipment that causes a disturbing, excessive, or offensive noise, defined as noise

exceeding the noise standards established in the Noise Ordinance (see Table 3.8-5), is prohibited. As stated in the noise ordinance, landscaping equipment cannot exceed an hourly average noise level of 50 dBA at nearby receptors. Landscape maintenance activities on the residential development site would be required to comply with this ordinance, which also is enforced by the Escondido Police Department. Landscaping equipment would be similar to the noise generated in adjacent, offsite residential areas. Maintenance equipment would not operate at any one location for more than a few minutes, and it is unlikely that several pieces of equipment would operate simultaneously in one location. Due to the limited amount of time equipment would be operating in one location, and enforcement by the Escondido Police Department of any violations of the noise ordinance, operation of landscape equipment would generally not exceed the hourly noise level limit at a particular receptor. Therefore, landscape maintenance activities would result in a less-than-significant noise impact.

The open space areas on the site are proposed for passive recreational use. No play fields or other noise-generating uses are proposed in these areas. Noise from the open space areas would generally be limited to normal conversation and would not generate noise levels with the potential to exceed the City's noise level limits. A significant noise impact would not occur from noise generated in the open space areas.

As described above, the proposed project would not result in new sources of noise that would expose surrounding land uses to noise levels in excess of the standards identified in the City's noise ordinance. Impacts would be less than significant.

Impacts on On-Site Uses

Surface Roadways. Traffic noise is the main source of noise on the residential development site. The residential development's contribution to the future increase in noise levels from project-generated traffic is addressed in Section 3.8.4.3. Based on traffic volumes provided in the traffic impact analysis (Appendix R), surface street traffic along Bear Valley Parkway would generate noise levels above the normally acceptable noise compatibility standard of 60 dBA CNEL for residences on lots 2 through 5 (located along Bear Valley Parkway at the north end of the project site).

Additionally, as described above, the City has adopted Title 24 requirements for all types of residential developments. For residences where the CNEL is expected to exceed 60 dBA, an acoustical analysis is required to show that the proposed design will limit interior noise to less than 45-dBA CNEL for all residential spaces. According to the Acoustical Site Assessment (Appendix O), the CNEL would exceed 60 dBA at the second floor levels of 13 of the proposed residences (lots 1–6, 40–42, 49, 52, 53, and 55).

Surrounding Land Uses. In addition to roadways, the residential development site is surrounded by other, existing residential development. Residential uses are not sources of substantial

operational noise and would not expose the proposed residences to excessive noise levels. Occasional nuisance noise may result from residences and parking lots, such as loud music or car alarms. Nuisance noise does not generate excessive noise levels, and impacts resulting from surrounding land uses would not result in noise levels incompatible with the proposed residential land use.

Specific Alignment Plan Improvements

Impacts on Off-Site Uses

The proposed Specific Alignment Plan (SAP) improvements are not expected to generate new vehicle trips and related excessive noise levels. Maintenance may include occasional street sweeping; however the street sweeper would not operate in one location for an extended period and noise from such maintenance activities would be enforced by the Escondido Police Department. The SAP improvements would result in a less-than-significant excessive noise impact on surrounding land uses.

Impacts on On-Site Uses

The SAP improvements would be surrounded by residential development. As previously explained, residential uses are not sources of substantial operational noise and would not expose the proposed roadway improvements to excessive noise levels. Occasional nuisance noise may result from residences and parking lots, such as loud music or car alarms. Nuisance noise does not generate excessive noise levels, and on-site impacts resulting from surrounding land uses would not result in significant noise levels incompatible with the roadway land use.

3.8.4.2 Issue 2: Excessive Ground-Borne Vibration

Residential Development

Proposed construction activities include demolition, grading, building construction, and paving. These construction activities may result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and construction activities taking place.

Caltrans guidelines state, "In most cases, vibration induced by typical construction equipment does not result in adverse effects on people or structures. Noise from the equipment typically overshadows any meaningful ground vibration effects on people. Some equipment, however, including vibratory rollers and crack-and-seat equipment, can create high vibration levels" (California Department of Transportation 2004).

The proposed residential development is not anticipated to include activities known to cause significant vibration impacts such as pile driving or blasting. However, residential development construction activities, such as the use of jackhammers, other high-power or vibratory tools, compactors, and tracked equipment, can generate substantial vibration in the immediate vicinity. In particular, construction of the half-width frontage improvements on Bear Valley

Parkway associated with the residential development would occur in the vicinity of residential units on the west side of Bear Valley Parkway.

An assessment of ground-borne vibration was prepared for the SAP improvements (Appendix P). That analysis has been relied on here to assess the potential for ground-borne vibration impacts from construction of the residential development, due to the similarities in site conditions and equipment needed to complete the half-width frontage improvements to Bear Valley Parkway. According to that analysis, construction equipment would not exceed the 0.2 in/sec PPV vibration significance criteria for building damage effects at a distance of 40 feet. However, a distance of 75 feet between the heaviest piece of equipment (vibratory roller) and sensitive receptors would be required before ground-borne vibration would fall below the significance criterion for human annoyance of 80 VdB. During construction, equipment would likely be distributed throughout the construction site and would not be used simultaneously such that ground-borne vibration in one location would not be constant. Therefore, these estimated impacts are conservative.

Construction of the half-width frontage improvements on Bear Valley Parkway have the potential to occur within 75 feet of existing residences (Figures 2-5b, 2-5c, and 2-5d). As required by the City's Municipal Code, construction of the residential development would only occur between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays, and thus would comply with local standards and regulations. As such, construction activities that produce vibration would only take place during hours with limited potential to cause annoyance or sleep disruption. However, adjacent residences could still experience significant temporary annoyance impacts during the day as a result of construction of the residential development.

Specific Alignment Plan Improvements

The proposed SAP improvements would involve construction activities that could generate substantial vibration in the immediate vicinity. The nearest residences would be located approximately 40 feet from SAP construction activities on Bear Valley Parkway (Figures 2-8b, 2-8c, and 2-8d). At this distance, construction equipment would not exceed the 0.2 in/sec PPV vibration significance criteria for building damage effects. Therefore, no structural damage impacts to nearby residences are anticipated to result from implementation of the SAP improvements (Appendix P).

However, at 40 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 ground-borne vibration would fall below the significance criteria. During SAP construction, equipment would likely be distributed throughout the construction site and would not be used simultaneously such that ground-borne vibration in one location would not be constant.

Therefore, these impacts are considered a worst-case analysis. Construction related to the proposed SAP improvements would result in significant, temporary ground-borne vibration impacts.

3.8.4.3 Issue 3: Permanent Increase in Ambient Noise Levels

Residential Development

The proposed residential development would increase traffic volumes on local roadways. Traffic volumes provided in the traffic impact analysis (Appendix R) prepared for the residential development were used to analyze project-related traffic noise increases. The potential for the residential development to permanently increase traffic noise was addressed under two scenarios: existing plus project and near-term plus project. The near-term condition consists of the existing conditions plus the cumulative growth anticipated over the next 5 years. Growth in the area is anticipated to range from 2 to 5% a year for the future 2014 to 2035 period. The near-term-plus-project condition incorporates the residential development proposed improvements and associated trips generated.

As shown in Tables 3.8-6 and 3.8-7, the worst-case traffic noise condition in each scenario would occur on Encino Drive, west of Bear Valley Road. However, implementation of the residential development would not exceed the applicable incremental noise impact standard (3 dBA) on any roadway in either scenario. Therefore, the residential development would not result in a potentially significant traffic noise impact and impacts associated with a permanent increase in ambient noise levels would be less than significant.

Table 3.8-6. Existing and Existing-Plus-Project Traffic Noise Levels and Increases

Roadway	Segment	Existing Noise Level (dBA CNEL) ¹	Existing-Plus-Project Noise Level (dBA CNEL) ^a	Increase
Bear Valley Parkway	Eldorado Drive to Zlatibor Ranch Road	73.6	73.6	0
	Zlatibor Ranch Road to Encino Drive	73.5	73.6	0.1
	Encino Drive to Sunset Drive	73.8	73.9	0.1
	Sunset Drive to Las Palmas Avenue	75.3	75.3	0
	Las Palmas Avenue to Mary Lane	74.8	74.8	0
	Mary Lane to San Pasqual Avenue	75.1	75.1	0
Encino Drive	West of Bear Valley Parkway	58.6	59.0	0.4
Sunset Drive	West of Bear Valley Parkway	67.0	67.1	0.1
Source: Appendix O.				
Notes:				
a All noise levels at 50 feet from the roadway centerline.				
dBA CNEL = 24-hour average noise levels in decibels				

Table 3.8-7. Near-Term and Near-Term-Plus-Project Traffic Noise Impacts

Roadway	Segment	Near-Term Noise Level (dBA CNEL) ¹	Near Term-Plus-Project Noise Level (dBA CNEL) ^a	Increase
Bear Valley Parkway	Eldorado Drive to Zlatibor Ranch Road	73.6	74.6	1.0
	Zlatibor Ranch Road to Encino Drive	73.5	74.3	0.8
	Encino Drive to Sunset Drive	73.8	74.6	0.8
	Sunset Drive to Las Palmas Avenue	75.3	75.8	0.5
	Las Palmas Avenue to Mary Lane	74.8	75.5	0.7
	Mary Lane to San Pasqual Avenue	75.1	75.9	0.8
Encino Drive	West of Bear Valley Parkway	58.6	60.1	1.5
Sunset Drive	West of Bear Valley Parkway	67.0	67.2	0.2
Source: Appendix O.				
Notes:				
a All noise levels at 50 feet from the roadway centerline.				
dBA CNEL = 24-hour average noise levels in decibels				

Specific Alignment Plan Improvements

The purpose of the SAP is to increase roadway capacity by widening Bear Valley Parkway and improving intersections along it. Therefore, development of the SAP would not be expected to result in increased traffic (Appendix S) and traffic-related noise. Permanent ambient noise levels would be less than significant.

3.8.4.4 Issue 4: Temporary Increase in Ambient Noise Levels

Residential Development

Construction of the proposed residential development would include demolition, grading/excavation, building construction, and paving/utility activities. The noisiest of these activities is typically demolition and grading/excavation, when heavy equipment would be used. Building construction includes framing and interior work. Framing involves the use of pneumatic tools such as nail guns and hand tools such as hammers and saws. Interior work tends to be less intrusive because the noise occurs indoors.

Noise associated with construction activities would potentially result in short-term impacts on surrounding properties. A variety of noise-generating equipment would be used during construction of the residential development, such as dozers, scrapers, graders, water trucks, and excavators, and others. The exact number and pieces of construction equipment required are not known at this time. In the absence of specifics, it was assumed that the loudest noise levels would occur during grading activities based on typical conditions. As identified in Section 3.8.2.3, the Noise Ordinance limits construction noise to 75 dB, grading noise to 75 dB at residential receivers, and limits construction and grading operations to specific daytime hours.

Proposed residential development construction activities could result in temporary elevated noise levels at adjacent noise-sensitive land uses including the single-family homes to the northeast and southwest of the site. The estimated construction noise levels would be 80.2 dBA L_{eq-h} at 50 feet. At 150 feet from the construction activity centroid, noise levels would be approximately 68.3 dBA L_{eq-h} . The estimated construction noise level reflects a worst-case scenario where the seven loudest pieces of equipment were assumed to operate simultaneously. In reality, construction activities would likely be intermittent; therefore, actual noise levels could be somewhat lower than what was estimated (Appendix O).

The proposed residential development would comply with local construction and grading noise regulations. Construction would only occur between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays. Grading would be similarly limited, except on Saturdays when it would be limited to between 10:00 a.m. and 5:00 p.m. However, considering that the closest residences would be located as close as 50 feet from the half-width frontage improvements on Bear Valley Parkway, construction noise generated on-site could be greater than 75 dBA L_{eq} at the surrounding sensitive receptors. Thus, residential development construction noise levels would be significant.



Specific Alignment Plan Improvements

Construction of the proposed SAP improvements would involve demolition, grading/excavation, paving, and roadway element construction activities. Adjacent noise-sensitive land-uses, including the single-family homes surrounding the project, could be impacted by the temporary elevated noise levels. The exact number and pieces of construction equipment required for the road widening are not known at this time. Therefore, to assess a worst-case scenario, it was assumed that the loudest noise levels would occur during grading activities based on typical conditions and default equipment. Typically, grading involves the heaviest equipment use with the greatest noise potential.

The nearest residences would be located approximately 40 feet from the proposed SAP construction area. The worst-case calculated L_{eq} of construction activities associated with simultaneous operation of the three potentially noisiest construction equipment types would be 86.1 dBA at 40 feet from construction activities. This worst-case assumption is conservative because construction equipment would typically be dispersed over the construction area and would not operate simultaneously in a single location. The worst-case calculated L_{eq} of construction activities associated with the SAP improvements would be 80.6 dBA at a distance of 75 feet from construction activities and 74.9 dBA at a distance of 145 feet.

As required by City Noise Ordinance Section 17-234, construction activities would occur only between the hours of 7 a.m. and 6 p.m. on weekdays, and no nighttime construction would occur. However, temporary construction noise from the proposed SAP improvements have the potential to exceed the City's 75 dBA L_{eq-h} threshold at nearby sensitive receptors. Impacts would be significant.

3.8.5 Cumulative Impacts

The geographic scope of the cumulative impact analysis for noise is limited to areas surrounding noise-generating sources, such as roadways or industrial uses, because noise impacts are localized.

3.8.5.1 Excessive Noise Levels

Noise is a localized phenomenon and is progressively reduced as the distance from the source increases; specifically, noise levels from stationary noise sources decrease by approximately 6 dB for every doubling of distance. Therefore, the geographic limit that would be considered for the noise cumulative analysis would include only those projects in proximity to the proposed project site. No approved, planned, or foreseeable projects in the area of the project site would introduce a new stationary source noise to the area. The proposed project would not generate excessive noise levels. Therefore, the proposed project, in combination with other cumulative projects, would not generate excessive noise levels. A significant cumulative impact would not occur.

3.8.5.2 Excessive Ground-Borne Vibration

Similar to noise effects, vibration is a localized phenomenon and is progressively reduced as the distance from the source increases. Therefore, the area of projects considered for the vibration cumulative analysis were those projects that would be close to the proposed project site.

No approved, planned, or foreseeable projects adjacent to the proposed project site would generate similar vibration. Therefore, vibration generated by construction on the proposed project site and other sites would not combine to generate cumulative vibration impacts. Once constructed, the proposed land use would not generate a significant source of vibration during normal operation. Therefore, a significant cumulative vibration impact would not occur.

3.8.5.3 Permanent Increase in Ambient Noise Levels

Buildout of the residential development, along with future cumulative growth in Escondido, would result in increases in traffic that would cumulatively increase traffic noise. The cumulative analysis compares future noise levels to existing conditions to determine if a significant impact would occur. A significant cumulative impact would occur if cumulative projects would cause a roadway to exceed the incremental noise impact standard applicable to the existing noise level. Table 3.8-8 compares future traffic noise levels with existing conditions. As shown, noise levels on Encino Drive west of Bear Valley Parkway would increase by 3.7 dBA CNEL over existing conditions. This exceeds the 3-dBA CNEL threshold and represents a significant cumulative impact. However, the residential development's contribution would be 0.2 dBA, or approximately 5%. Because the residential development's contribution to this cumulative impact would be substantially less than the 3-dBA threshold, the proposed project's contribution would not be cumulatively considerable.

Table 3.8-8. Cumulative Traffic Noise Impacts

Roadway	Segment	Existing Noise Level (dBA CNEL) ¹	Future-Plus-Project Noise Level (dBA CNEL) ¹	Increase over Existing	Project-Related Increase over Existing
Bear Valley Parkway	Eldorado Drive to Zlatibor Ranch Road	73.6	76.0	2.4	0.1
	Zlatibor Ranch Road to Encino Drive	73.5	76.2	2.7	0.0
	Encino Drive to Sunset Drive	73.8	77.0	3.2	0.0
	Sunset Drive to Las Palmas Avenue	75.3	77.0	1.7	0.0
	Las Palmas Avenue to Mary Lane	74.8	76.9	2.1	0.0
	Mary Lane to San Pasqual Avenue	75.1	77.5	2.4	0.0
Encino Drive	West of Bear Valley Parkway	58.6	62.3	3.7	0.2
Sunset Drive	West of Bear Valley Parkway	67.0	67.5	0.5	0.0
dBA CNEL = 24-hour average noise levels in decibels					

3.8.5.4 Temporary Increase in Ambient Noise Levels

Construction noise impacts are localized in nature because they are limited to the construction site where construction equipment is operating. As discussed in Appendix O, sound levels from project construction would be up to 68.3 dBA L_{eq-h} at approximately 150 feet from construction activity centroids. Future projects and the project would be subject to the Escondido construction noise ordinance, which limits construction noise to 75 dBA at the nearest residence. Compliance with the Escondido noise ordinance would reduce impacts to a less-than-significant level. Therefore, a significant cumulative impact would not occur.

3.8.6 Significance of Impacts prior to Mitigation

3.8.6.1 Issue 1: Excessive Noise Levels

Residential Development

Nuisance noise from the proposed residential development would be similar to existing nuisance noise from the existing land uses surrounding the project site. Operation of landscape equipment would generally not exceed the hourly noise level limit at a particular receptor. The open space areas on the site are proposed for passive recreational uses. The proposed residential development would not result in new sources of noise that would expose surrounding land uses to noise levels in excess of the standards identified in the City's noise ordinance. Impacts on off-site areas would be less than significant.

Noise levels from Bear Valley Parkway would exceed the normally acceptable noise compatibility standard of 60 dBA CNEL for proposed residences on lots 2 through 5 and would exceed the Title

24 threshold of 60 dBA for 13 residences. Therefore, impacts on on-site areas would be significant.

Specific Alignment Plan Improvements

The proposed SAP improvements are designed to accommodate existing vehicle travel and would not, themselves, generate new sources of vehicular noise. Impacts on off-site areas would be less than significant. The SAP improvements site itself would not be significantly affected by nuisance noise from the existing residential land uses surrounding the proposed project site. Therefore, no impact would result.

3.8.6.2 Issue 2: Excessive Ground-Borne Vibration

Residential Development

Construction of the proposed residential development would generate temporary ground-borne vibration caused by construction activities and equipment. In particular, construction of the half-width frontage improvements on Bear Valley Parkway could occur close enough to existing residential units to cause a significant ground-borne vibration impact.

Specific Alignment Plan Improvements

Construction of the proposed SAP improvements would generate temporary ground-borne vibration as close as 40 feet from existing residential structures. At this distance, ground-borne vibration may be greater than the 80-VdB threshold for significant human annoyance. Therefore, the impact would be significant.

3.8.6.3 Issue 3: Permanent Increase in Ambient Noise Levels

Implementation of the proposed project would not exceed the applicable incremental noise impact standard on any roadway. Therefore, the project would not result in a potentially significant traffic noise impact. Impacts associated with a permanent increase in ambient noise levels would be less than significant.

3.8.6.4 Issue 4: Temporary Increase in Ambient Noise Levels

Residential Development

Construction of the proposed residential development would generate noise that could expose nearby noise-sensitive receptors to elevated noise levels that may disrupt communication and routine activities. The magnitude of the impact would depend on the type of construction activity, equipment, duration of the construction phase, distance between the noise source and receiver, and intervening structures. Based on a worst-case assumption, estimated construction noise levels would be 80.2 dBA L_{eq-h} at 50 feet from construction. This would exceed the City of Escondido Noise Ordinance threshold of 75 dBA L_{eq-h} , and impacts would be significant.

SAP Improvements

Construction of the proposed SAP improvements would generate temporary construction-related noise as close as 40 feet from existing residential structures. At this distance, construction-related noise has the potential to exceed the City's 75 dBA L_{eq-h} threshold at nearby sensitive receptors. Therefore, impacts would be significant.

3.8.7 Mitigation Measures

3.8.7.1 Issue 1: Excessive Noise Levels

Residential Development

The following mitigation measures would reduce excessive noise levels on the residential development site to a less than significant level.

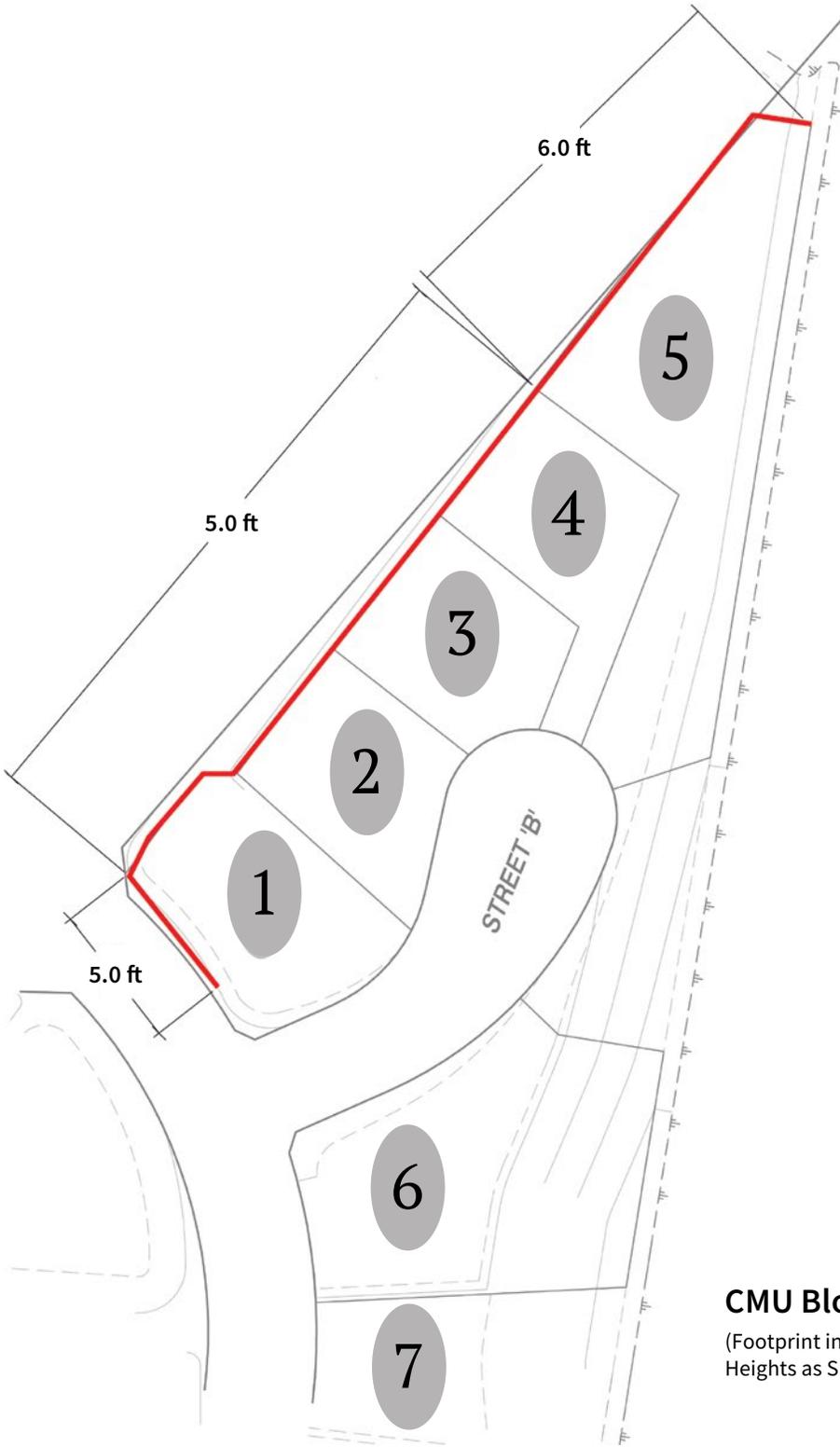
NOI-1: Prior to approval of final project designs, the residential development applicant shall incorporate a perimeter block noise wall, or similar noise-attenuating structure, that fronts proposed lots 1–5 into the residential development design. The noise wall shall be approximately 552 feet in length and 5 feet high in front of lots 1–4 and 6 feet high in front of lot 5. Refer to Figure 3.8-1 for the location and heights of the noise wall.

NOI-2: Prior to construction, a qualified acoustical consultant shall review final site plans, building elevations, and floor plans to calculate expected interior noise levels, as required by state noise regulations. Project-specific acoustical analyses are required by Title 24 to confirm that the design results in interior noise levels reduced to 45 dBA or lower. The specific determination of what noise insulation treatments are necessary shall be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans, and shall be approved prior to issuance of a building permit.

Building sound insulation requirements may include the provision of forced-air mechanical ventilation for residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise.

Special building techniques (e.g., sound-rated windows and building façade treatments) shall be implemented as recommended by the qualified acoustical consultant to maintain interior noise levels at or below acceptable levels. These treatments may include, but are not limited to, sound-rated windows and doors, sound-rated wall constructions, acoustical caulking, and protected ventilation openings.

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CMU Block Noise Wall
(Footprint in Red, Top of Slope,
Heights as Shown, Total Length 552 feet)

Source: Investigative Science and Engineering, Inc. 2016



Harris & Associates



Note: Figure is not to scale.

Figure 3.8-1
Noise Wall Mitigation

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3.8.7.2 Issue 2: Excessive Ground-Borne Vibration

Residential Development

NOI-3: At least 3 weeks prior to the start of construction activities, the construction contractor shall provide written notification to all residences located within 75 feet of the proposed 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. If additional houses are built within 75 feet of the proposed development site prior to completion of proposed construction, written notification shall be provided to these residences as well.

NOI-4: For construction activities within 75 feet of residences on Bear Valley Parkway, 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-disturbing operations shall be phased so as not to occur in the same time period.

If additional houses are built within 75 feet of the proposed development site prior to completion of proposed construction, the measures shall be implemented for these residences as well.

Specific Alignment Plan Improvements

Implementation of mitigation measures NOI-3 and NOI-4 would minimize temporary ground-borne vibration impacts from construction activities for the proposed SAP improvements at adjacent residences.

3.8.7.3 Issue 3: Permanent Increase in Ambient Noise Levels

The proposed project would not result in a potentially significant direct impact associated with a permanent increase in ambient noise levels; therefore, no mitigation is required.

3.8.7.4 Issue 4: Temporary Increase in Ambient Noise Levels

Residential Development

Implementation of mitigation measures NOI-3 through NOI-5 would minimize noise from construction activities such that noise levels would not exceed an hourly average noise level of 75 dBA at an adjacent residence. With implementation of mitigation measures NOI-3, NOI-4 and NOI-5, impacts from implementation of the proposed residential development would be less than significant.

NOI-5: Prior to grading activities, the construction contractor shall implement and monitor the noise reduction measures described below to the extent necessary to reduce construction noise levels to below an hourly average noise level of 75 dBA at any residential property line. Noise reduction measures are required for all construction within 145 feet of a residence. Any one or a combination of measures can be used as necessary. Typical measures that may be implemented include the following, as necessary, to achieve compliance with the City’s noise ordinance:

- Use “quiet” gasoline-powered compressors or other electric-powered compressors, and use electric-powered rather than gasoline- or diesel-powered forklifts for small lifting.
- Locate stationary noise sources, such as temporary generators, as far from nearby receptors as possible.
- Use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) for construction equipment and trucks.
- Muffle and enclose stationary noise sources within temporary sheds or incorporate insulation barriers.
- Limit simultaneous operation of construction equipment or limit construction time within an hour to reduce hourly average noise level.
- Implement temporary noise barriers, such as sound blankets, of a sufficient height and thickness around the perimeter of the construction area to minimize construction noise to 75 dBA as measured at the applicable property lines of the adjacent uses.

To ensure compliance with the City’s Noise Ordinance, noise monitoring shall be conducted on the first day of typical construction. A 1-hour noise measurement shall be conducted in accordance with Section 17-228 of the City’s Noise Ordinance at 50 feet from the most intensive construction activity. If it is determined that construction would have the potential to exceed the hourly construction noise level limit at any residential property, additional noise control measures shall be implemented as necessary and an additional noise measurement will be conducted to confirm compliance.

Specific Alignment Plan Improvements

Implementation of mitigation measures NOI-3, NOI-4 and NOI-5 would minimize temporary construction-related impacts from construction activities at adjacent residences. No additional mitigation is necessary.

3.8.8 Conclusion

3.8.8.1 Issue 1: Excessive Noise Levels

Nuisance noise from the proposed residential development would be similar to existing nuisance noise from the existing residential development surrounding the project site. Operation of landscape equipment would generally not exceed the hourly noise level limit at a particular receptor. The open space areas on the proposed site are proposed for passive recreational use.

As described above, the proposed residential development and SAP improvements would not result in new sources of noise that would expose surrounding land uses to noise levels in excess of the standards identified in the City's noise ordinance. Impacts on off-site areas would be less than significant.

Implementation of mitigation measures NOI-1 and NOI-2 would reduce noise impacts on on-site residences because they require the construction of a noise wall, or similar noise-attenuating structure, and require calculation of interior noise levels based on final site plans. With implementation of mitigation measures NOI-1 and NOI-2, impacts on on-site residences would be less than significant.

3.8.8.2 Issue 2: Excessive Ground-borne Vibration

Construction of the proposed project would generate temporary ground-borne vibration caused by construction activities and equipment as close as 40 feet from residential structures. Implementation of mitigation measures NOI-3 and NOI-4 would mitigate excessive ground-borne vibration impacts on nearby sensitive receptors. With implementation of mitigation measures NOI-3 and NOI-4, impacts from the proposed residential development and SAP improvements would be less than significant.

3.8.8.3 Issue 3: Permanent Increase in Ambient Noise Levels

Implementation of the proposed project would not exceed the applicable incremental noise impact standard on any roadway. Therefore, the project would not result in a potentially significant traffic noise impact. Impacts associated with a permanent increase in ambient noise levels would be less than significant, and no mitigation is required.

3.8.8.4 Issue 4: Temporary Increase in Ambient Noise Levels

Construction of the proposed project would generate noise that could expose nearby noise-sensitive receptors to elevated noise levels that may disrupt communication and routine activities. The magnitude of the impact would depend on the type of construction activity, equipment, duration of the construction phase, distance between the noise source and receiver, and intervening structures. With implementation of mitigation measures NOI-3, NOI-4 and NOI-5, impacts from the proposed residential development and SAP improvements would be less than significant.

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3.9 Transportation and Traffic

This section of the Environmental Impact Report (EIR) analyzes the proposed project impacts on transportation and traffic, including the project's conformance with the City's regulatory policies regarding effectiveness of the performance of the circulation system, conformance with an applicable congestion management plan, traffic hazards and emergency access, and consistency with alternative transportation policy. The Initial Study (Appendix A) determined that air traffic pattern impacts of the project would be less than significant; therefore, no further analysis of that issue is completed herein. This section is based on (1) a Traffic Impact Analysis report prepared by Linscott, Law & Greenspan Engineers on January 18, 2017, which is included as Appendix R to this EIR; and (2) an addendum to the Traffic Impact Analysis prepared by Linscott, Law & Greenspan Engineers on January 18, 2017, which is included as Appendix S to this EIR.

3.9.1 Existing Conditions

3.9.1.1 Roadways

Roadway Network

There are five roadways within the traffic impact study area, as shown in Figure 3.9-1 and described further below.

Bear Valley Parkway is a north/south facility that is located directly west of the project site. This road is currently constructed as a two-lane undivided roadway and classified as Major Road from north of San Pasqual Valley Road to Las Palmas Avenue. Between Eldorado Drive and Zlatibor Ranch Road, there is currently a two-way left-turn lane. From Las Palmas Avenue to Beethoven Drive, Bear Valley Parkway is constructed as a four-lane divided roadway and classified as a Super Major Road. The posted speed limit within the study area is 50 miles per hour (mph), with the exception of a 25-mph school zone in the vicinity of Las Palmas Avenue. Curbside parking is prohibited. Bear Valley Parkway provides Class II bicycle lanes from its southern end to San Pasqual Valley Road.

The proposed residential development project component would dedicate additional right-of-way to accommodate full half-width improvements along the residential site's frontage on Bear Valley Parkway. The improvements would provide a third, northbound lane along the project extents. In addition, a separate Specific Alignment Plan (SAP) is proposed for the two-lane portion of Bear Valley Parkway along the project's frontage, through Bear Valley Parkway's intersection with Encino Drive. This would allow Bear Valley Parkway to be improved to four-lanes, but with requisite design exceptions needed to preserve sensitive riparian habitat located between the residential site and the roadways. The frontage improvements proposed for the project would be consistent with, and a subset of, the overall improvements shown on the SAP.

San Pasqual Valley Road (State Route [SR] 78) is classified as a Major Road. It is constructed as a two-lane undivided roadway with a posted speed limit of 45 mph. No bicycle facilities are provided, although Class II bicycle lanes are proposed per the City's Mobility Element. SR 78 intersects Bear Valley Parkway at a signalized intersection.

Encino Drive is classified as a Local Collector. It is currently constructed as a two-lane undivided roadway with a two-way left-turn lane on a short segment immediately adjacent to the southern end of the roadway. The posted speed limit is 35 mph, and curbside parking is not allowed. No bicycle facilities currently exist, although Class II bicycle lanes are proposed per the City's Mobility Element. The unsignalized Encino Drive and Bear Valley Parkway intersection has an atypical configuration due to the angles at which the roadways intersect. Currently, there are two departure lanes on Encino Drive from Bear Valley Parkway: one serving left turns from the northbound direction, and one serving right turns from the southbound direction. A small triangular island is provided to allow southbound Bear Valley Parkway traffic additional radius to turn onto northbound Encino Drive.

Sunset Drive is classified as a Local Collector. It is currently constructed as a two-lane undivided roadway with a posted speed limit of 40 mph. Curbside parking is prohibited. Sunset Drive intersects Bear Valley Parkway at a signalized intersection.

Las Palmas Avenue is an unclassified residential road. It is currently constructed as a two-lane undivided road, with a two-way left-turn lane in the immediate vicinity of Bear Valley Middle School, just west of Bear Valley Parkway. The posted speed limit is 25 mph, and curbside parking is prohibited. Las Palmas Avenue is signalized at its intersection with Bear Valley Parkway. In addition to the Bear Valley Middle School, LR Green Elementary School and the Classical Academy are located in the vicinity of this intersection.

Level of Service

To determine the operation levels of the roadways within the study area, the City of Escondido's *Traffic Impact Analysis Guidelines* (2013, as cited in Appendix R) were used.³ These guidelines were based on the *SANTEC/ITE's Guidelines for Traffic Impact Studies in the San Diego Region* (as cited in Appendix R). This analysis method assigns roadways and intersection operations a level of service (LOS) operating level, where LOS A represents free-flowing traffic and LOS F represents severely congested traffic conditions. The intersection LOS is determined by the seconds of delay per vehicle experienced at the intersection. The roadway LOS is assigned by determining the roadway volume to capacity (V/C) ratio, with the volume based on the average daily traffic on the roadway and the capacity based on the roadway classification capacity identified in the General Plan Circulation Element. The baseline roadway operations are then compared to the

³ It is noted that a portion of the study area is located in the County of San Diego. In this case, the City's criteria were used because they are more restrictive than the County's thresholds. See Appendix R (page 14) for additional information.

baseline-plus-project operations to determine the project impact. As shown in Table 3.9-3 (see Section 3.9.3), a project would have a significant intersection impact if it increased the delay at an intersection operating at LOS D, E, or F by 2 seconds. A significant roadway segment impact would occur if the project increased the V/C ratio by 0.02 at a segment operating at LOS D, E, or F.

Roadway Operations

As shown in Table 3.9-1, all study area roadway segments currently operate at acceptable LOS D or better, with the exception of the following four segments of Bear Valley Parkway:

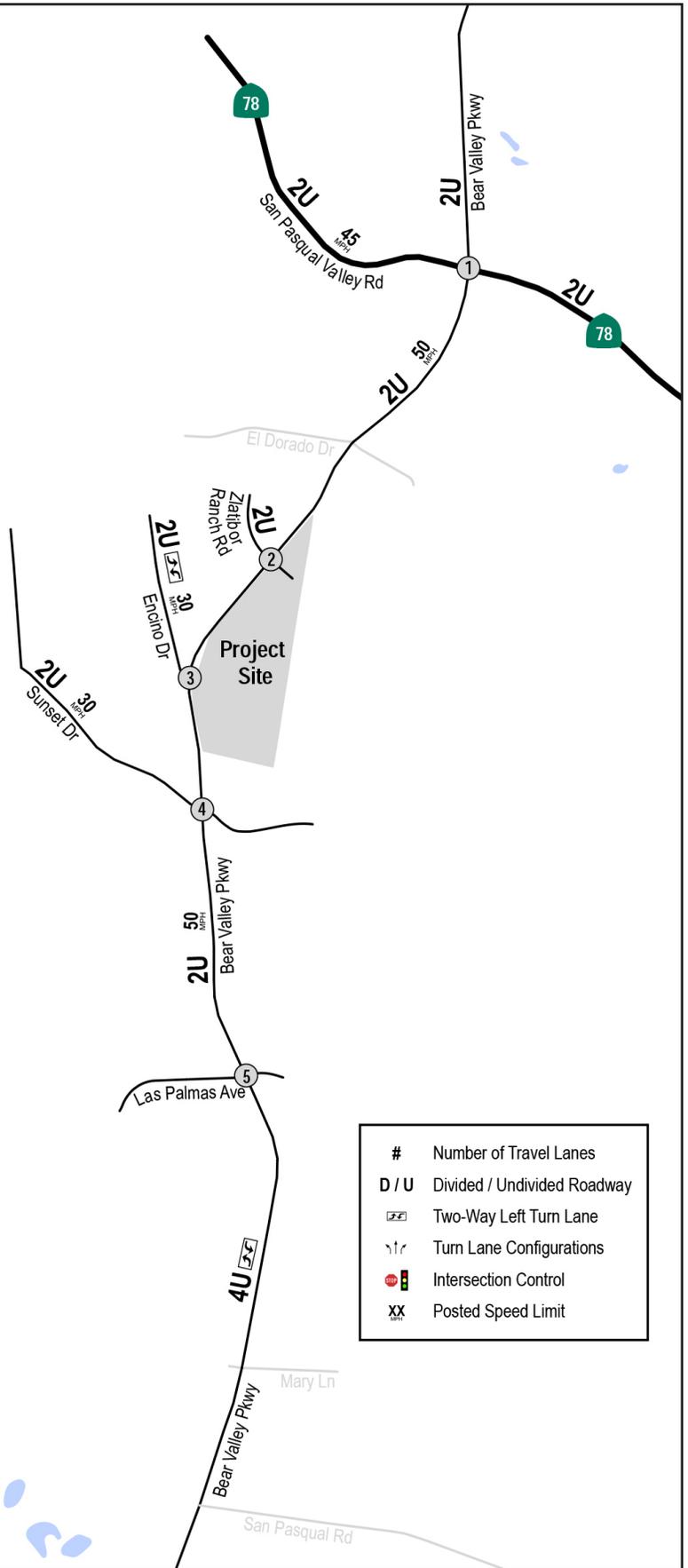
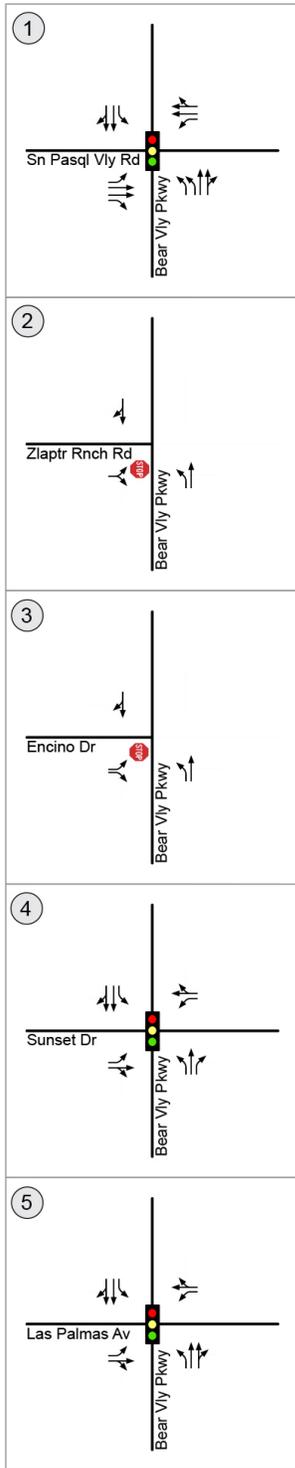
- Bear Valley Parkway, Eldorado Drive to Zlatibor Ranch Road (LOS F)
- Bear Valley Parkway, Zlatibor Ranch Road to Encino Drive (LOS F)
- Bear Valley Parkway, Encino Drive to Sunset Drive (LOS F)
- Bear Valley Parkway, Sunset Drive to Las Palmas Avenue (LOS F)

Table 3.9-1 Existing Conditions – Roadway Segments

Study Area Roadway Segment	Existing Classification	LOS E Capacity	ADT	V/C Ratio	LOS
Bear Valley Parkway					
1. Eldorado Drive to Zlatibor Ranch Road	Two-lane Collector	15,000	20,600	1.373	F
2. Zlatibor Ranch Road to Encino Drive	Two-lane Collector	15,000	20,110	1.341	F
3. Encino Drive to Sunset Drive	Two-lane Collector	15,000	21,770	1.451	F
4. Sunset Drive to Las Palmas Avenue	Two-lane Collector	15,000	30,600	2.040	F
5. Las Palmas Avenue to Mary Lane	Four-lane Major	37,000	27,300	0.738	C
6. Mary Lane to San Pasqual Road	Four-lane Major	37,000	29,430	0.795	D
Encino Drive					
7. West of Bear Valley Parkway	Two-lane Collector	15,000	1,420	0.095	A
Sunset Drive					
8. West of Bear Valley Parkway	Two-lane Collector	15,000	7,450	0.497	B
Source: Appendix R.					
Bold = Unacceptable level of service, ADT = average daily traffic, V/C = volume to capacity, LOS = level of service					



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#	Number of Travel Lanes
D / U	Divided / Undivided Roadway
	Two-Way Left Turn Lane
	Turn Lane Configurations
	Intersection Control
XX	Posted Speed Limit

Source: Linscott, Law & Greenspan 2016



Harris & Associates



Not to scale

Figure 3.9-1
Existing Roadway Network

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3.9.1.2 Intersections

There are five intersections in the study area (see Figure 3.9-1). Intersection operations are evaluated based on the seconds of delay experienced per vehicle at the intersection, which is then converted to an LOS A to F rating. Similar to the roadway analysis, the City considers LOS A to D as acceptable operations while LOS E and F are considered unacceptable operations. As shown in Table 3.9-2, all study area intersections operate at acceptable levels of service during peak hours, except the following one:

- Intersection #4: Bear Valley Parkway / Sunset Drive (LOS F – AM)

Table 3.9-2 Existing Conditions – Intersections

Study Area Intersection	Control	Peak Hour	Existing	
			Delay	LOS
1. Bear Valley Parkway / San Pasqual Valley Road (SR 78)	Signal	AM	38.8	D
		PM	43.1	D
2. Bear Valley Parkway / Zlatibor Ranch Road	OWSC	AM	17.7	C
		PM	15.8	C
3. Bear Valley Parkway / Encino Drive	OWSC	AM	30.5	D
		PM	20.4	C
4. Bear Valley Parkway / Sunset Drive	Signal	AM	121.6	F
		PM	41.6	D
5. Bear Valley Parkway / Las Palmas Avenue	Signal	AM	44.5	D
		PM	6.7	A

Source: Appendix R.
Bold= Unacceptable level of service, Delay = seconds of delay per vehicle, LOS =level of service, OWSC = one-way, stop-controlled intersection

3.9.1.3 Pedestrian Facilities

Pedestrian facilities in the project vicinity are limited. Most roadways in the area do not include sidewalks, including Bear Valley Parkway along the project frontage. Segments along Encino Drive, Ranchito Drive, and Valley Grove Lane have sidewalks along one side; and Amparo Drive includes sidewalks on both sides of the street.⁴ Pedestrian access connections to the site are currently limited, with the only existing connection from the neighborhood to the south being at the southern end of the project site.

3.9.1.4 Bikeways

Designated bikeways in the project vicinity are located on public roadways. More specifically, the General Plan identifies Bear Valley Parkway as an existing Class II bikeway. Proposed Class II bikeways are identified along Encino Drive and Juniper Street.⁵ Class II bikeways are defined as 5- to 6-foot-wide bike lanes that are striped and marked for one-way travel on a street.

⁴ Ranchito Drive and Valley Grove Lane are located south of the proposed project. Amparo Drive is located west of the proposed project, opposite Bear Valley Parkway.

⁵ Juniper Street is located approximately 0.5 mile west of the proposed project.



3.9.1.5 Transit

The North County Transit District (NCTD) operates the bus and rail network throughout northern San Diego County and within the City of Escondido. The General Plan identifies nearby bus routes along Sunset Drive and on Bear Valley Parkway south of Sunset Drive. NCTD provides the following routes within the 0.5-mile vicinity of the proposed project:

- Bear Valley Parkway/Sunset Drive: Route 350
- San Pasqual Valley Road: Flex Route 371

Both of these routes connect to the Escondido Transit Center, which can be used to connect to other transit routes in the city and the region.

3.9.2 Regulatory Framework

3.9.2.1 Federal Regulations

Highway Capacity Manual

The *Highway Capacity Manual 2000* (HCM 2000), prepared by the federal Transportation Research Board (2000), is the result of a collaborative multiagency effort between the Transportation Research Board, Federal Highway, and American Association of State Highway and Transportation Officials. The HCM 2000 contains concepts, guidelines, and procedures for computing the capacity and quality of service of various highway facilities—including freeways, signalized and unsignalized intersections, and rural highways—and the effects of transit, pedestrians, and bicycles on the performance of these systems

Title 23, Code of Federal Regulations

Title 23 Code of Federal Regulations, Section 450.220, “Highways,” requires each state to carry out a continuing, comprehensive, and intermodal statewide transportation planning process. This planning process must include development of a statewide transportation plan and transportation improvement program that facilitates the efficient, economical movement of people and goods in all areas of the state. In the San Diego region, compliance with this federal regulation is provided through the San Diego Association of Governments’ (SANDAG’s) *San Diego Forward: The Regional Plan* (2016).

3.9.2.2 State Regulations

Statewide Transportation Improvement Program

As indicated above, “Highways” in the Code of Federal Regulations, requires statewide transportation plans. Pursuant to this requirement, California adopted the California 2010 Statewide Transportation Improvement Program. The STIP is prepared by Caltrans in cooperation with the Metropolitan Planning Organizations (MPO) and the regional transportation planning agencies. In San Diego County, the MPO and regional transportation planning agency is SANDAG. The STIP contains all capital and non-capital transportation projects or identified phases of



transportation projects for funding under the Federal Transit Act and Title 23 of the CFR, including federally funded projects.

3.9.2.3 Regional/Local Regulations

The site is located in the City of Escondido, but areas adjacent to the project are located in the County of San Diego (County). Although the proposed project site is not subject to County regulations, County regulations are included for informational purposes.

Regional Transportation Plans and Programs

SANDAG serves as the forum for decision making on regional issues such as growth, transportation, land use, economy, environment, and criminal justice. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, and provides information on a broad range of topics pertinent to the region's quality of life. SANDAG is governed by a Board of Directors composed of mayors, council members, and supervisors from each of the San Diego region's 19 local governments. As the MPO and regional transportation planning agency for the San Diego region, SANDAG has produced the following documents that identify transportation plans and policies in the San Diego area.

San Diego Forward: The Regional Plan

SANDAG adopted the *San Diego Forward: The Regional Plan* on October 9, 2015. This regional transportation plan combines the *Regional Comprehensive Plan*, and the *Regional Transportation Plan and Its Sustainable Communities Strategy*. The future focus is on smart growth and sustainable development, with the provision of transportation choices. This planning effort combines land use planning with transportation goals and state-mandated greenhouse gas reduction targets.

2014 Regional Transportation Improvement Program

The *Regional Transportation Improvement Plan* (RTIP) (SANDAG 2014) is a multi-year program of proposed major highway, arterial, transit, and bikeway projects. The 2014 RTIP is a prioritized program designed to implement the region's regional transportation plan, which is the *San Diego Forward: The Regional Plan*. The plan covers fiscal years 2014/2015 to 2018/2019. The 2014 RTIP was approved on September 26, 2014, by SANDAG and received federal approval on December 15, 2014.

County of San Diego Consolidated Fire Code

The County of San Diego created the Consolidated Fire Code in 2001. The Consolidated Fire Code contains amendments to the California Fire Code. Emergency ingress/egress is established by the Consolidated Fire Code. Ingress/egress is necessary for both citizen evacuation and to provide access for emergency vehicles in the event of a fire or other emergency. Section 902.2 of the Consolidated Fire Code dictates minimum design standards for "fire apparatus access roads" and includes minimum road standards, secondary access requirements, and restrictions for gated

communities. Road standard requirements for emergency vehicles specify a minimum 12-foot-wide paved lane or 24-foot-wide travel-way.

County of San Diego Regulatory Ordinances, Sections 77.201 – 77.220, Transportation Impact Fee

The San Diego County Transportation Impact Fee Ordinance, as amended in February 2008, requires assessment and collection of fees for roadway impacts as a condition of approval of a subdivision map or prior to issuance of a development permit, including a building permit by the County. The County Transportation Impact Fee Ordinance defrays the actual or estimated costs of constructing planned transportation facilities necessary to accommodate increased traffic generated by future development consistent with Section 66000 et seq. of the California Government Code (Mitigation Fee Act). Application of this fee within the County jurisdiction includes, but is not limited to, development for residential, commercial, and industrial land uses. The fees are collected to fund identified transportation facilities, or portions thereof, that provide increased road capacity necessitated by the cumulative impacts of future development.

City of Escondido Bicycle Master Plan

The City of Escondido's *Bicycle Master Plan* identifies existing circulation patterns for bicyclists, and problem areas and safety concerns; it also develops a master system to further the implementation of bikeways throughout Escondido. The *Bicycle Master Plan* includes California Department of Transportation bikeway standards, conceptual designs for bicycle paths and trails, maps of existing and proposed bicycle facilities, a phasing plan for improvements, funding sources, and an implementation plan. The plan identifies a bicycle facility network, both on the road (Classes II and III) and off-road (Class I). Upon full implementation, the plan will create a comprehensive network of bicycle lanes, routes, and paths. The City of Escondido's 2011 *Bicycle Master Plan* was adopted on October 17, 2012.

Chapter 23 City of Escondido Municipal Code

Chapter 23 of the City's Municipal Code establishes street and sidewalk standards for areas within the city. This chapter defines standards for public dedication of rights-of-way, arrangement for relocation of public utility facilities within sidewalks or streets, and issuance of building permits for construction in setback areas and rights-of-way. Additionally, this chapter identifies standards for locating pumps, tanks, and fire hydrants within sidewalks, streets, or rights-of way.

City of Escondido General Plan

The *City of Escondido General Plan* (City of Escondido 2012a) includes several transportation and traffic policies. Relevant policies are identified below.

Complete Streets Policy 2.1: Ensure that the existing and future transportation system is interconnected and serves multiple modes of travel, such as walking, biking, transit, and driving for safe and convenient travel.

Complete Streets Policy 2.4: Evaluate access, safety, and convenience of various transportation modes for the following eight user groups for every project: pedestrians, children, disabled individuals, seniors, bicyclists, transit riders, motorists, and goods and services

Complete Streets Policy 2.5: Design streets in a manner that is sensitive to the local context and recognizes that the needs vary between mixed use, urban, suburban, and rural settings.

Pedestrian Network Policy 3.3: Maintain a pedestrian environment accessible to all that is safe, attractive, and encourages walking.

Bicycle Network Policy 4.3: Promote bicycling as a common mode of transportation and recreation to help reduce traffic congestion and improve public health.

Transit System Policy 5.8: Require that new developments incorporate transit-supporting facilities into the project design, where appropriate.

Street Network Policy 7.1: Plan, design, and regulate roadways in accordance with the street classification in the Circulation Element Diagram.

Street Network Policy 7.3: Strive to maintain LOS C or better throughout the city except for within the urban core. Establish LOS D as the threshold for determining significant impacts and appropriate mitigation. Due to physical design characteristics, implementation of pedestrian-oriented “smart growth” and Complete Streets design improvements, high density infill areas, environmental resource considerations, existing development, freeway interchange impacts, and incomplete system improvements, alternative levels of service may be appropriate for isolated areas as determined by the city.

Circulation Element Diagram Street Network Policy 7.7: Require new development projects to analyze traffic impacts on the regional transportation system, and pay a fair-share contribution to regional transportation improvements.

Street Network Policy 7.8: Require new development projects to analyze traffic impacts on the regional transportation system, and pay a fair-share contribution to regional transportation improvements.

Street Network Policy 7.11: Enhance the safety and efficiency of accessing the public street network from private properties by: a) Controlling driveway access locations on Prime Arterials and Major Roads; b) Installing medians and access controls on Collector Roads and higher classifications; c) Maintaining minimum distances from intersections for accessing Prime Arterials, Major Roads, and Collector streets; d) Consolidating driveway access; and, e) Encouraging interconnected parking lots.

3.9.3 Thresholds of Significance

To address the potential transportation and traffic impacts of the project, the following State CEQA Guidelines Appendix G issue questions were considered:

- a. Would the project 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. Would the project 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. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d. Would the project result in inadequate emergency access?
- e. Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The Initial Study (Appendix A) determined that air traffic pattern impacts of the project would be less than significant; therefore, no further analysis of that issue is included herein.

3.9.4 Project Impacts

3.9.4.1 Issue 1: Circulation System Operations

Residential Development

As mentioned under the existing conditions, the City of Escondido’s *Traffic Impact Analysis Guidelines* (2013, as cited in Appendix R) were used to complete the roadway operations analysis for this project. To determine the project impact and associated significance, the baseline operations were compared to the baseline-plus-project conditions. The change in operations then were evaluated per the significance thresholds identified in Table 3.9-3. As shown in Table 3.9-3, a project would have a significant intersection impact if it increased the delay at an intersection operating at LOS D, E, or F by 2 seconds. A significant roadway segment impact would occur if the project increased the V/C ratio by 0.02 at a segment operating at LOS D, E, or F.

Table 3.9-3 City of Escondido Traffic Impact Significance Thresholds

Level of Service with Project	Allowable Change due to Project Impact		
	Roadway Segments		Intersections
	V/C Ratio	Speed Reduction (miles per hour)	Seconds of Delay
D, E, and F	0.02	1	2

Source: Appendix R.
V/C = volume to capacity

Trip Generation

The residential development would generate daily vehicle trips through the proposed 55 single-family residences. As the proposed recreational land uses associated with the residential



development (i.e. pocket park, trails) are intended to serve only the proposed residential development, no external trips would be generated by the proposed recreational uses. The proposed residential trips would generate approximately 10 trips per unit per day based on the SANDAG's (*Not So*) *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region* (2002, as cited in Appendix R), which would equate to 550 trips per day overall from the residential development. While one residence exists currently onsite that generates approximately 10 ADT, removal of this residence and associated 10 ADT was not subtracted from the project trip generation to be conservative. These proposed trips were distributed on the roadway system using a SANDAG Select Zone Assignment traffic model. Based on the distribution analysis, approximately 78% of traffic would travel south from the project driveway, and 22% would travel north. Refer to Appendix R for additional distribution information.

Existing and Existing-Plus-Project Conditions

The existing-plus-project conditions reflect the addition of the residential development to the existing roadway network, including proposed roadway improvements and additional traffic generated. As the project would signalize the site entrance at Bear Valley Parkway/Zlatibor Ranch Road, the existing-plus-project conditions analysis assumes the signalization of this intersection. The existing-plus-project scenario also incorporates the additional northbound lane that would be constructed as a feature of the Bear Valley Parkway half-width frontage improvements.

Roadways

Under the existing-plus-project conditions, the Encino Drive and Sunset Drive segments would continue to operate at acceptable levels (Table 3.9-4). However, all Bear Valley Parkway segments would operate at LOS D to F, as follows:

- Bear Valley Parkway, Eldorado Drive to Zlatibor Ranch Road (LOS F)
- Bear Valley Parkway, Zlatibor Ranch Road to Encino Drive (LOS F)
- Bear Valley Parkway, Encino Drive to Sunset Drive (LOS F)
- Bear Valley Parkway, Sunset Drive to Las Palmas Avenue (LOS F)
- Bear Valley Parkway, Las Palmas Avenue to Mary Lane (LOS D)
- Bear Valley Parkway, Mary Lane to San Pasqual Road (LOS D)

Table 3.9-4 Existing and Existing-Plus-Project Conditions – Roadway Segments

Study Area Roadway Segment	LOS E Capacity	Existing Conditions			Existing-Plus-Project Conditions			Change in V/C Ratio	Significant Impact?
		ADT	V/C Ratio	LOS	ADT	V/C Ratio	LOS		
Bear Valley Parkway									
1. Eldorado Drive to Zlatibor Ranch Road	15,000	20,600	1.373	F	20,721	1.381	F	0.008	No
2. Zlatibor Ranch Road to Encino Drive	15,000/ 15,500	20,110	1.341	F	20,539	1.325	F	(0.016)	No
3. Encino Drive to Sunset Drive	15,000/ 15,500	21,770	1.451	F	22,073	1.424	F	(0.027)	No
4. Sunset Drive to Las Palmas Avenue	15,000	30,600	2.040	F	30,793	2.053	F	0.013	No



5. Las Palmas Avenue to Mary Lane	37,000	27,300	0.738	C	27,465	0.742	D	0.004	No
6. Mary Lane to San Pasqual Road	37,000	29,430	0.795	D	29,595	0.800	D	0.004	No
Encino Drive									
7. West of Bear Valley Parkway	15,000	1,420	0.095	A	1,547	0.103	A	0.008	No
Sunset Drive									
8. West of Bear Valley Parkway	15,000	7,450	0.497	B	7,560	0.504	B	0.007	No
Source: Appendix R. ADT = average daily traffic, V/C = volume to capacity, LOS = level of service									

Intersections

With the addition of the proposed residential development to the existing conditions, the following four intersections would continue to operate at LOS D, E, or F (Table 3.9-5):

- Bear Valley Parkway / San Pasqual Valley Road (SR 78) (LOS D – AM/PM)
- Bear Valley Parkway / Encino Drive (LOS D – AM)
- Bear Valley Parkway / Sunset Drive (LOS F/D – AM/PM)
- Bear Valley Parkway / Las Palmas Avenue (LOS D – AM)

Table 3.9-5 Existing and Existing-Plus-Project Conditions – Intersections

Study Area Intersection	Control	Peak Hour	Existing Conditions		Existing-Plus-Project Conditions		Change in Delay	Significant Impact?
			Delay	LOS	Delay	LOS		
1. Bear Valley Parkway / San Pasqual Valley Road (SR 78)	Signal	AM	38.8	D	38.8	D	0.0	No
		PM	43.1	D	43.1	D	0.0	No
2. Bear Valley Parkway / Zlatibor Ranch Road	OWSC*	AM	17.7	C	6.5	A	(11.2)	No
		PM	15.8	C	18.1	B	2.3	No
3. Bear Valley Parkway / Encino Drive	OWSC	AM	30.5	D	32.0	D	1.5	No
		PM	20.4	C	24.4	C	4.0	No
4. Bear Valley Parkway / Sunset Drive	Signal	AM	121.6	F	121.7	F	0.1	No
		PM	41.6	D	42.0	D	0.4	No
5. Bear Valley Parkway / Las Palmas Avenue	Signal	AM	44.5	D	45.5	D	1.0	No
		PM	6.7	A	6.8	A	0.1	No
Source: Appendix R. Delay = seconds of delay per vehicle; LOS = level of service; OWSC = one-way, stop-controlled intersection; * = the project proposes to put a signal at intersection								

Near-Term and Near-Term-Plus-Project Conditions

The near-term condition consists of the existing conditions plus the cumulative growth that will add traffic to the local circulation system in the near future (over the next 5 years). Growth in the area is anticipated to range from 2 to 5% a year for the future 2014 to 2035 period. The near-term-plus-project condition incorporates the project proposed improvements, including signalization at Zlatibor Ranch Road/Bear Valley Parkway and the additional northbound access lane, and associated trips generated.

Roadways

Under the near-term conditions, five Bear Valley Parkway roadway segments would operate at unacceptable LOS E or F, and the remaining segments would operate at LOS D or better (Table



3.9-6). With the addition of the project, the six Bear Valley Parkway segments would continue to operate at LOS D to F, and the remaining segments would continue to operate acceptably.

Table 3.9-6 Near-Term and Near-Term-Plus-Project Conditions – Roadway Segments

Study Area Roadway Segment	LOS E Capacity	Near-Term Conditions			Near-Term-Plus-Project Conditions			Change in V/C Ratio	Significant Impact?
		ADT	V/C Ratio	LOS	ADT	V/C Ratio	LOS		
Bear Valley Parkway									
1. Eldorado Drive to Zlatibor Ranch Road	15,000	25,880	1.725	F	26,001	1.733	F	0.008	No
2. Zlatibor Ranch Road to Encino Drive	15,000/ 15,500	24,040	1.603	F	24,469	1.579	F	(0.024)	No
3. Encino Drive to Sunset Drive	15,000/ 15,500	25,810	1.721	F	26,113	1.685	F	(0.036)	No
4. Sunset Drive to Las Palmas Avenue	15,000	34,340	2.289	F	34,533	2.302	F	0.013	No
5. Las Palmas Avenue to Mary Lane	37,000	31,670	0.856	D	31,835	0.860	D	0.004	No
6. Mary Lane to San Pasqual Road	37,000	34,920	0.944	E	35,085	0.948	E	0.004	No
Encino Drive									
7. West of Bear Valley Parkway	15,000	1,890	0.126	A	2,017	0.134	A	0.008	No
Sunset Drive									
8. West of Bear Valley Parkway	15,000	7,650	0.510	B	7,760	0.517	B	0.007	No
Source: Appendix R. ADT = average daily traffic, V/C = volume to capacity, LOS = level of service									

Intersections

Four intersections would operate at unacceptable LOS E or F under the near-term conditions. With the addition of the proposed residential development to the near-term conditions, the following four intersections would operate at LOS D, E, or F (Table 3.9-7):

- Bear Valley Parkway / San Pasqual Valley Road (SR 78) (LOS D/E – AM/PM)
- Bear Valley Parkway / Encino Drive (LOS F/E – AM/PM)
- Bear Valley Parkway / Sunset Drive (LOS F/E – AM/PM)
- Bear Valley Parkway / Las Palmas Avenue (LOS E – AM)

Table 3.9-7 Near-Term and Near-Term-Plus-Project Conditions – Intersections

Study Area Intersection	Control	Peak Hour	Near-Term Conditions		Near-Term-Plus-Project Conditions		Change in Delay	Significant Impact?
			Delay	LOS	Delay	LOS		
1. Bear Valley Parkway / San Pasqual Valley Road (SR 78)	Signal	AM	42.3	D	42.3	D	0.0	No
		PM	65.0	E	65.0	E	0.0	No
2. Bear Valley Parkway / Zlatibor Ranch Road	OWSC / Signal	AM	19.7	C	9.7	A	(10.0)	No
		PM	18.2	C	27.6	C	9.4	No
3. Bear Valley Parkway / Encino Drive	OWSC	AM	57.2	F	61.1	F	3.9	Yes
		PM	28.7	D	35.4	E	6.7	Yes
4. Bear Valley Parkway / Sunset Drive	Signal	AM	135.1	F	135.8	F	0.7	No
		PM	61.4	E	62.4	E	1.0	No
5. Bear Valley Parkway / Las Palmas Avenue	Signal	AM	61.2	E	62.4	E	1.2	No
		PM	8.9	A	9.1	A	0.2	No

Source: Appendix R.
Bold = significant impact; Delay = seconds of delay per vehicle; LOS = level of service; OWSC = one-way, stop-controlled intersection

Buildout and Buildout-Plus-Project Conditions

The cumulative circulation system operations analysis was based on the year 2035 buildout conditions. Year 2035 conditions were forecasted per the SANDAG Series 12 traffic model Year 2035. Refer to Appendix R for additional details.

Roadways

Under buildout conditions, all six study area Bear Valley Parkway segments would operate at unacceptable LOS D or better with the exception of Bear Valley Parkway (Mary Lane to San Pasqual Road), which operates at LOS E (Table 3.9-8). The remaining Encino Drive and Sunset Drive segments would operate at acceptable levels (LOS A and B, respectively). No change in LOS operations would occur with the addition of the project to buildout conditions. As such, the following roadway segments would operate at LOS C, D, or E, under the buildout-plus-project scenario:

- Bear Valley Parkway, Eldorado Drive to Zlatibor Ranch Road (LOS C)
- Bear Valley Parkway, Zlatibor Ranch Road to Encino Drive (LOS C)
- Bear Valley Parkway, Encino Drive to Sunset Drive (LOS C)
- Bear Valley Parkway, Sunset Drive to Las Palmas Avenue (LOS D)
- Bear Valley Parkway, Las Palmas Avenue to Mary Lane (LOS D)
- Bear Valley Parkway, Mary Lane to San Pasqual Road (LOS E)



Table 3.9-8 Buildout and Buildout-Plus-Project Conditions – Roadway Segments

Study Area Roadway Segment	Adopted Circulation Element LOS E Capacity	Buildout Conditions			Buildout-Plus-Project Conditions			Change in V/C Ratio	Significant Impact?
		ADT	V/C Ratio	LOS	ADT	V/C Ratio	LOS		
Bear Valley Parkway									
1. Eldorado Drive to Zlatibor Ranch Road	37,000	23,400	0.632	C	23,521	0.636	C	0.004	No
2. Zlatibor Ranch Road to Encino Drive	37,000	23,400	0.632	C	23,829	0.644	C	0.012	No
3. Encino Drive to Sunset Drive	37,000	24,400	0.659	C	24,703	0.668	C	0.009	No
4. Sunset Drive to Las Palmas Avenue	50,000	39,600	0.792	D	39,793	0.796	D	0.004	No
5. Las Palmas Avenue to Mary Lane	50,000	39,900	0.798	D	40,065	0.801	D	0.003	No
6. Mary Lane to San Pasqual Road	50,000	42,800	0.856	E	42,965	0.859	E	0.003	No
Encino Drive									
7. Amparo Drive to Bear Valley Parkway	15,000	2,200	0.147	A	2,327	0.155	A	0.008	No
Sunset Drive									
8. Reill View Drive to Bear Valley Parkway	15,000	6,000	0.400	B	6,110	0.407	B	0.007	No
Source: Appendix R. ADT = average daily traffic, V/C = volume to capacity, LOS = level of service									

Summary

Under the existing-plus-project conditions, near-term-plus-project conditions, and buildout-plus-project conditions, all six Bear Valley Parkway study area segments would operate at LOS C to F. In addition, four intersections along Bear Valley Parkway would operate at LOS D to F under the existing-plus-project and near-term-plus-project conditions.

Specific Alignment Plan Improvements

The SAP improvements would increase roadway capacity by widening Bear Valley Parkway and improving intersections along it. Specifically, the SAP proposes to widen and improve Bear Valley Parkway to four lanes from the northern project boundary to the existing four-lane segment just north of the Bear Valley Parkway/Sunset Drive intersection; and to signalize and realign the Bear Valley Parkway/Encino Drive unsignalized intersection. The full improvement to four lanes would not occur in the near-term condition. However, additional right-of-way acquisition south of the site and the corresponding increase in the second northbound lane would result in an increased capacity of 18,000 ADT, which is greater than the 15,500 ADT provided with the roadway and frontage improvements associated with the residential development.

The study area for the SAP improvements encompasses one intersection and three roadway segments of Bear Valley Parkway. The other four intersections and five roadways analyzed for the residential development component were not included in the SAP improvements study area.



Roadways

Under near-term conditions, including both the proposed residential development component and cumulative growth in the area over the next 5 years, LOS F operations are forecasted to remain with an improved V/C ratio with implementation of the SAP improvements on the street segments in the SAP improvements study area (Table 3.9-9).

Table 3.9-9 Near-Term Conditions with Residential Development and Near-Term Conditions with Residential Development Plus Specific Alignment Plan – Roadway Segments

Roadway Segment	Near-Term Conditions with Residential Development				Near-Term Conditions with Residential Development Plus Specific Alignment Plan				Change in V/C Ratio	Significant Impact?
	Capacity	ADT	V/C Ratio	LOS	Capacity	ADT	V/C Ratio	LOS		
Bear Valley Parkway										
1. Eldorado Drive to Zlatibor Ranch Road	15,000	26,001	1.733	F	18,000	26,001	1.445	F	(0.288)	No
2. Zlatibor Ranch Road to Encino Drive	15,500	24,469	1.579	F	18,000	24,469	1.359	F	(0.220)	No
3. Encino Drive to Sunset Drive	15,500	26,113	1.685	F	18,000	26,113	1.451	F	(0.234)	No
Sources: Appendix S and Appendix R. ADT = average daily traffic, V/C = volume to capacity, LOS = level of service										

Intersections

LOS C or better operations are forecasted to occur with addition of the SAP improvements to near-term conditions, including the residential development, for the Bear Valley Parkway/Encino Drive intersection (Table 3.9-10).

Table 3.9-10 Near-Term Conditions with Residential Development and Near-Term Conditions with Residential Development Plus Specific Alignment Plan – Intersections

Intersection	Peak Hour	Near-term Conditions with Residential Development			Near-Term Conditions with Residential Development Plus Specific Alignment Plan			Change in Delay	Significant Impact?
		Control	Delay	LOS	Control	Delay	LOS		
1. Bear Valley Parkway / Encino Drive	AM	OWSC	61.1	F	Signal	30.7	C	(30.4)	No
	PM		35.4	E		8.2	A	(27.2)	No
Sources: Appendix S and Appendix R. OWSC = One-way, stop controlled intersection; LOS=level of service; delay = seconds of delay per vehicle									

3.9.4.2 Issue 2: Traffic Hazards and Emergency Access

Residential Development

Traffic hazards or emergency access issues could result from roadway design, incompatible traffic, or inadequate emergency access. The project would include internal roadways, improvements to Bear Valley Parkway, and changes in site access.



The proposed internal, private roadways would allow for vehicular circulation on the project site. Pedestrian walkways would be provided and separated from the vehicle traffic. The internal private roadways would include 28 feet of unobstructed roadway, which would exceed the 24-foot minimum requirement identified in the Consolidated Fire Code. The proposed Bear Valley Parkway frontage improvements include an additional northbound lane, bike lane striping, a concrete curb and gutter, and a sidewalk. The design of the roadways and associated sidewalks would be provided to the satisfaction of the City of Escondido's traffic engineer and would adhere to published standards where practical. As such, these roadway additions and improvements are not expected to create safety hazards.

The residential development does not propose improvements to the Bear Valley Parkway/Encino Drive intersection, but the residential development would make a fair-share contribution toward improvements at this intersection (see mitigation measure TR-1). The residential development would include a signalized main driveway on Bear Valley Parkway at Zlatibor Ranch Road, as well as a secondary emergency access entrance on Bear Valley Parkway in the southern area of the site. The proposed driveways would be consistent with the City's and County's emergency access widths. In addition, the gated emergency access would include a key switch at both ends of the roadway to allow emergency access to the site.

Traffic generated by the residential development would consist of standard vehicle trips, which would be compatible with the traffic on the surrounding roadways. As the project would mitigate all circulation system operations impacts, the project would not lead to congestion-related hazards or emergency access issues.

Specific Alignment Plan Improvements

The SAP improvements would address roadway network deficiencies along Bear Valley Parkway from the project's northern boundary (just south of Choya Canyon Road) to the intersection of Bear Valley Parkway/Sunset Drive, south of the southern project boundary. The SAP would enhance safety by providing improved intersection geometrics at the Bear Valley Parkway/Encino Drive intersection. As shown in the SAP (Figure 2-8c), the realigned intersection would include one departure lane and one approach lane. The existing median and curb would be replaced with a smaller median, as Encino Drive would be realigned such that it intersects Bear Valley Parkway at closer to a 90-degree angle. Overall, the SAP would create safer travel conditions at this intersection.

The SAP improvements also propose addition of a southbound travel lane on Bear Valley Parkway, improving congestion. The SAP improvements would not add vehicle trips to the roadway network. As such, the proposed SAP would not create hazardous conditions with respect to roadway design, incompatible traffic, or inadequate emergency access.

3.9.4.3 Issue 3: Alternative Transportation

Residential Development

The City of Escondido includes policies to promote complete streets and multi-modal transportation, as identified in Section 3.9.2, “Regulatory Framework.” Currently, a Class II bicycle lane is on Bear Valley Parkway from its southern end to San Pasqual Valley Road to serve alternative transportation and non-motorized travel. Development of the proposed residential development will result in frontage improvements from the site’s southern boundary to just south of Choya Canyon Road. These improvements would maintain the northbound bike lane, and add dedications and sidewalks along the frontage to benefit pedestrians. The proposed residential development would also improve the intersection at Bear Valley Parkway and Zlatibor Ranch Road by connecting proposed sidewalks with existing ones and adding pedestrian crosswalks. On-site measures in the residential development that would encourage bicycling and walking include 5-foot-wide sidewalks on all on-site roadways, landscaped parkways between the streets and sidewalks, and a trail system that would connect the internal pedestrian system to the public sidewalk near the southwest corner of the residential development site. In conclusion, the proposed residential development would not conflict with the City’s transportation policies, and alternative transportation impacts would be less than significant.

Specific Alignment Plan Improvements

Implementation of the SAP improvements would involve adding sidewalks along the western side of Bear Valley Parkway and maintaining the southbound bike lane. The intersection at Bear Valley Parkway and Encino Drive would be realigned; and the existing sidewalks on Encino Drive would be connected to the proposed sidewalks on Bear Valley Parkway, making the roadways safer for pedestrians. As such, the alternative transportation impacts from the proposed SAP improvements would be less than significant.

3.9.5 Cumulative Impacts

The geographic scope of cumulative impacts for traffic impacts includes the study area evaluated in the Traffic Impact Analysis (Appendix R and Appendix S).

3.9.5.1 Issue 1: Circulation System Operations

Residential Development

The cumulative circulation system operations impacts of the residential development are addressed in Section 3.9.4.1. The near-term analysis includes the cumulative near-term growth anticipated over the next 5 years, while the buildout conditions analysis addresses the anticipated buildout conditions through year 2035. As indicated in the analysis above, all six Bear Valley Parkway study area segments would operate at LOS D to F in the near-term-plus-residential development conditions and LOS C to E in the buildout-plus-residential development conditions. In addition, four intersections along Bear Valley Parkway would operate at LOS D to F under the near-term-plus-residential development conditions: Bear Valley Parkway/San



Pasqual Valley Road, Bear Valley Parkway/Encino Drive, Bear Valley Parkway/ Sunset Drive, and Bear Valley Parkway/ Las Palmas Avenue. The significance of the residential development impacts on these roadway segments and intersections is addressed further in Section 3.9.6.1.

Specific Alignment Plan Improvements

The cumulative impacts of the SAP improvements are addressed in Section 3.9.4.1. The near-term analysis includes the cumulative near-term growth over the next 5 years, including the proposed residential development. As explained above, the three Bear Valley Parkway roadway segments in the SAP improvements study area would have slightly increased capacity, but will still operate at LOS F with an improved V/C ratio in the near-term-plus-SAP improvements conditions. The Bear Valley Parkway/Encino Drive intersection would operate at LOS C or better under the near-term-plus-SAP improvements conditions. The significance of the SAP component impacts is addressed in Section 3.9.6.1.

3.9.5.2 Issue 2: Traffic Hazards and Emergency Access

Residential Development

The traffic hazards and emergency access analysis in Section 3.9.4.2 considers the project in conjunction with buildout traffic conditions. Thus, the analysis above addresses cumulative traffic hazard and emergency access impacts. The proposed residential development would provide adequate emergency access and would not contribute to a cumulative emergency access impact. The proposed roadway additions and improvements would not create hazardous conditions. No cumulative traffic hazards or emergency access impact would occur with implementation of the proposed residential development.

Specific Alignment Plan Improvements

Likewise, the intersection and roadway improvements proposed under the SAP improvements would not create inadequate emergency access or transportation hazards. No cumulative traffic hazards or emergency access impact would occur with implementation of the SAP.

3.9.5.3 Issue 3: Alternative Transportation

Residential Development

The alternative transportation analysis provided in Section 3.9.4.3 addresses the cumulative impacts of the proposed residential development on bicycling, walking and public transit. The proposed residential development would be consistent with the City's alternative transportation policies. Given the maintenance of existing bike lanes and addition of pedestrian facilities, the proposed residential development would result in a less-than-significant cumulative alternative transportation impact.

Specific Alignment Plan Improvements

As described in Section 3.9.4.3, the SAP improvements propose to improve pedestrian access in the area by adding sidewalks and connecting them to existing ones. It also proposes to maintain the southbound bike lane on Bear Valley Parkway. Taken into consideration with other developments in the near term and in the future, the SAP improvements would result in a less-than-significant impact on the performance and safety of alternative transportation facilities.

3.9.6 Significance of Impacts prior to Mitigation

3.9.6.1 Issue 1: Level of Service Operations

Residential Development

Direct Impacts (Existing-Plus-Project Conditions)

Roadway Segments

As identified above, all six segments of Bear Valley Parkway would operate at unacceptable LOS D or F under the existing-plus-project conditions. However, the direct project impact on the Eldorado Drive to Zlatibor Ranch Road, Sunset Drive to Las Palmas Avenue, Las Palmas Avenue to Mary Lane, and Mary Lane to San Pasqual Road segments would be less than significant, as the proposed residential development would add less than 0.02 to the V/C ratio. Furthermore, as the proposed residential development would reduce the V/C ratio to the other two segments, Zlatibor Ranch Road to Encino Drive and Encino Drive to Sunset Drive, the proposed residential development would result in less-than-significant roadway impacts.

Intersections

Four intersections along Bear Valley Parkway would operate at LOS D to F under the existing-plus-project conditions: Bear Valley Parkway /San Pasqual Valley Road, Bear Valley Parkway/ Encino Drive, Bear Valley Parkway/ Sunset Drive, and Bear Valley Parkway/ Las Palmas Avenue. All proposed residential development intersection impacts under the existing-plus-project conditions would be less than significant, as the proposed residential development would add less than 2 seconds of delay to the intersections currently operating at LOS D to F.

Cumulative Impacts (Near-Term-Plus Project Conditions and Buildout-Plus-Project Conditions)Roadway Segments

As identified above, all six segments of Bear Valley Parkway would operate at unacceptable LOS D, E, or F under the near-term-plus-project conditions. However, the cumulative project impact on the Eldorado Drive to Zlatibor Ranch Road, Sunset Drive to Las Palmas Avenue, Las Palmas Avenue to Mary Lane, and Mary Lane to San Pasqual Road segments would be less than significant, as the proposed residential development would add less than 0.02 to the V/C ratio. As the proposed residential development would reduce the V/C ratio on the other two segments, Zlatibor Ranch Road to Encino Drive and Encino Drive to Sunset Drive, the proposed residential development would result in less-than-significant cumulative impacts on roadway segments under near-term-plus-project conditions.

While there are no significant impacts to any of these street segments, the City of Escondido Traffic Impact Analysis Guideline (2013, as cited in Appendix R) states that projects adding traffic to LOS F-operating locations should contribute towards improvements, regardless of the formal findings of significance. The project is providing frontage improvements (second northbound lane and signal at Zlatibor Ranch Road) that will positively affect operations on the Eldorado Drive to Zlatibor Ranch Road, Zlatibor Ranch Road to Encino Drive, and Encino Drive to Sunset Drive segments; thus no additional fair share contribution is required for these locations. However, a fair share contribution shall be applied for the Sunset Drive to Las Palmas Avenue segment. This is not a mitigation measure, but shall be a condition of project approval.

Under the buildout-plus-project conditions, five of the six segments of Bear Valley Parkway would operate at an acceptable LOS C or D. One of the six segments of Bear Valley Parkway, Mary Lane to San Pasqual Road, will continue to operate at unacceptable LOS E. Because the proposed residential development would add less than 0.02 to the V/C ratio on this roadway segment, less-than-significant cumulative impacts on roadway segments would result under the buildout-plus-project conditions.

Intersections

Four intersections along Bear Valley Parkway would operate at LOS D to F under the near-term project conditions: Bear Valley Parkway/San Pasqual Valley Road, Bear Valley Parkway/Encino Drive, Bear Valley Parkway/Sunset Drive, and Bear Valley Parkway/Las Palmas Avenue. Impacts on three of the intersections operating at LOS D/E/F under the near-term-plus-project conditions would be less than significant, as the proposed residential development would add less than 2 seconds of delay to these intersections. However, the proposed residential development would add more than 2 seconds of delay to the Bear Valley Parkway/Encino Drive intersection. Thus, the proposed residential development would result in a significant cumulative impact on this intersection under the near-term conditions.



While there are no significant impacts to the other three intersections, the City of Escondido Traffic Impact Analysis Guideline (2013, as cited in Appendix R) states that projects adding traffic to LOS F-operating locations should contribute towards improvements, regardless of the formal findings of significance. The project adds traffic to the Bear Valley Parkway/ Sunset Drive intersection, which operates at LOS F. Therefore, a fair share contribution shall be applied for this intersection. This is not mitigation, but shall be a condition of project approval.

Summary

In summary, the proposed residential development would result in a significant cumulative impact on the Bear Valley Parkway/Encino Drive intersection and; therefore, require a fair share contribution as mitigation (see Section 3.9.7.1). Further, a fair share contribution shall be applied to the project as a condition of approval for the non-significant impacts to the Bear Valley Parkway/ Sunset Drive intersection, per City policy.

Specific Alignment Plan Improvements

The SAP proposes to widen and improve Bear Valley Parkway to four lanes from the northern project boundary to the existing four-lane segment just north of the Bear Valley Parkway/Sunset Drive intersection, and to signalize and realign the Bear Valley Parkway/Encino Drive unsignalized intersection. The full improvement to four lanes would not occur in the near-term condition. However, additional right-of-way acquisition south of the site and the corresponding increase in the second northbound lane would result in an increased capacity of 18,000 ADT, which is greater than the 15,500 ADT provided with the existing two-lane roadway and the improved frontage associated with the residential development. Generally, traffic impacts can be expected when traffic volumes exceed a roadway network's capacity. Therefore, development of the SAP improvements would not be expected to result in traffic impacts.

As mentioned in Section 3.9.4.1, the SAP improvements would maintain the LOS on the roadways in the SAP study area to level F with improved V/C ratio under near-term-plus-project conditions. The LOS at the intersection in the SAP improvements study area would be improved to level C or better under near-term-plus-project conditions. In summary, the proposed SAP improvements would result in less-than-significant direct and cumulative impacts on roadways and the intersection in the project study area.

3.9.6.2 Issue 2: Traffic Hazards and Emergency Access

As the proposed project roadway improvements and access would comply with the City's roadway standards, both components of the project would result in less-than-significant impacts related to traffic hazards.

3.9.6.3 Issue 3: Alternative Transportation

The proposed project would not conflict with the City's transportation policies. Thus, project impacts related to alternative transportation would be less than significant.



3.9.7 Mitigation Measures

3.9.7.1 Issue 1: Level of Service Operations

Residential Development

The roadway network with mitigation measures and other project contributions are illustrated in Figure 3.9-2.

Cumulative Impacts

Intersections

To mitigate the residential development’s cumulative impact on the intersection at Bear Valley Parkway and Encino Drive, the proposed residential development shall implement the following: **TR-1:** To address operating deficiencies, a fair-share contribution will be made to realignment and signalization of the unsignalized intersection. It is proposed that the intersection be realigned such that Encino Drive is simplified to include one approach lane and one departure lane. Also, the median separating the approach and departure lanes is proposed to be reduced as Encino Drive is realigned to intersect with Bear Valley Parkway at a 90-degree angle. These proposed improvements are consistent with the designs shown in the SAP.

Table 3.9-11 shows that implementation of this mitigation measure would result in LOS C or better during peak-hour operations. Figure 3.9-2 shows the proposed mitigation measures and post-mitigation conditions.

Table 3.9-11 Post-Mitigation Intersection Operations

Intersection	Control Type (Mitigation)	Peak Hour	Existing Conditions		Existing Conditions- Plus Cumulative Projects Plus Proposed Project (with Mitigation)	
			Delay	LOS	Delay	LOS
3. Bear Valley Parkway / Encino Drive	OWSC (Signal)	AM	30.5	D	30.7	C
		PM	20.4	C	8.2	A
Source: Appendix R. Delay=seconds of delay per vehicle; LOS=level of service; OWSC=One-way, stop controlled intersection. Minor street left-turn delay is reported.						

Specific Alignment Plan Improvements

The proposed SAP improvements would result in a less-than-significant impact related to circulation and level of service. Thus, no mitigation is required.

3.9.7.2 Issue 2: Traffic Hazards and Emergency Access

The project would result in a less-than-significant impact related to emergency access and transportation hazards. Thus, no mitigation is required.

3.9.7.3 Issue 3: Alternative Transportation

The project would result in a less-than-significant impact related to alternative transportation, such as transit, bikeways, and pedestrian paths. Thus, no mitigation is required.

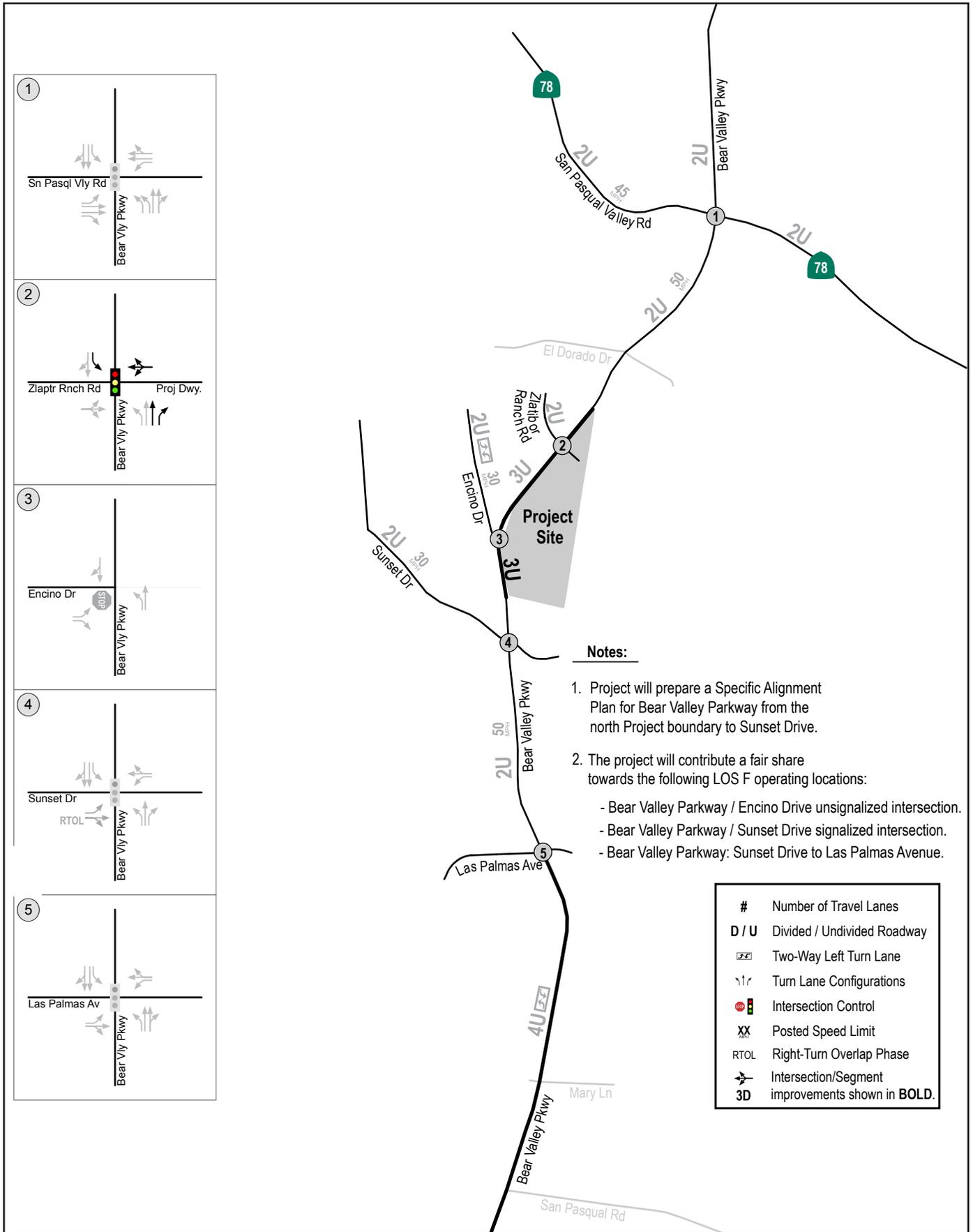
3.9.8 Conclusion

The proposed residential development would result in significant impacts on transportation facility operations. The proposed SAP improvements would result in a less-than-significant impact on transportation facility operations. Both the residential development and SAP improvements would result in less-than-significant impacts on alternative transportation and traffic hazards and emergency access. A summary of the proposed project's significant impacts, mitigation, and significance after mitigation is provided below.

A fair share contribution not associated with a significant impact and not categorized as a mitigation measure will be applied to the project for traffic contributions at LOS F-operating roadway segments and intersections. This will be a condition of project approval.

3.9.8.1 Mitigated Significant Impacts

To mitigate traffic operation impacts, the residential development would implement mitigation measure TR-1 (see Table 3.9-9 and Figure 3.9-2). With implementation of this measure, all level of service operations impacts from the residential development would be reduced to a less-than-significant level (refer to Appendix R, Table 12-1 and Figure 12-1). More specifically, the mitigation would reduce the residential development's contribution to delays at the affected intersection (Bear Valley Parkway/Encino Drive) to below 2 seconds.



Source: Linscott, Law & Greenspan 2017

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Chapter 4. Other CEQA Considerations

Section 15126 of the California Environmental Quality Act (CEQA) Guidelines requires that all aspects of a project be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must identify the following four components, which are addressed in this chapter:

- Growth-inducing impacts of the project (Section 4.1)
- Effects found not to be significant as a result of project implementation (Section 4.2)
- Significant irreversible environmental effects that would be involved in the project should it be implemented (Section 4.3)
- Significant environmental effects that cannot be avoided if the project is implemented (Section 4.4)

4.1 Growth-Inducing Impacts

As required by the State CEQA Guidelines, an Environmental Impact Report (EIR) must include a discussion of the ways in which the proposed project could directly or indirectly foster population growth or economic development, and how that growth would, in turn, affect the surrounding environment (State CEQA Guidelines Section 15126.2[d]). According to State CEQA Guidelines Section 15126.2(d), “it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

A project can have direct and/or indirect growth inducement potential. Direct growth inducement can result from the construction of new housing that would result in new residents moving to an area. Indirect growth can be induced in a number of ways, including the stimulation of economic activity within the region that would result in the need for additional housing and services to support the new employment demand, or through the elimination of obstacles to growth, including both physical and regulatory obstacles. These topics are discussed in Sections 4.1.1 through 4.1.3.

Growth inducement has the potential to result in an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Since the general plan of a community defines the location, type and intensity of growth, it is the primary means of regulating development and growth in that community.

Growth under the proposed project would be consistent with the growth identified in the City of Escondido (City) General Plan, which anticipates new estate housing on the project site. Further, the project would act as infill for and consistent with the existing residential development surrounding the proposed project. The proposed project would not extend roads or sewer lines beyond the subdivision boundary.



4.1.1 Direct Population Growth

The proposed project would directly influence population in Escondido by providing 55 new single-family residences on the project site. According to the City, there is an average of 3.12 persons per household in Escondido. Using this number, and assuming a net increase of 54 units on the project site (there is one existing residence), the project would increase the City's existing population of 151,451 (U.S. Census Bureau 2016) by about 168 persons, to approximately 151,619, or by 0.001%. This population increase would be very small and would not be likely to adversely affect the City or its services. The physical environmental impacts associated with the proposed project's construction and operation as a residential development are analyzed in Sections 3.1 through 3.9 of this report.

4.1.2 Economic Growth

The project would involve residential development and would not include any commercial or industrial development. Other than the short-term construction activities, the project would not directly generate jobs or economic activity. Based on a factor of 3.12 persons per dwelling unit (City of Escondido 2013), the 55-unit proposed project would be expected to add 55 homes (a 54 unit increase as there is one existing residence) with approximately 168 residents to the City's population. These new residents would incrementally increase activity in nearby commercial establishments and may generate demand for such services as landscaping, gardening, and home maintenance and repair. Project residents would be expected to draw on existing retail and commercial services already available in the area rather than inducing new service providers to relocate to the area. As a result, no significant physical effects are anticipated to result from economic growth generated by the proposed project. The proposed project would, however, have minor beneficial economic effect on local retailers and service providers.

4.1.3 Removing Obstacles to Growth

The elimination of either physical or regulatory obstacles to growth is considered to be a growth inducing impact. A physical obstacle to growth typically involves the lack of public service infrastructure. The project would trigger growth if it would result in infrastructure with excess capacity or if it would remove an obstacle to growth in an area, such as providing infrastructure that was previously not available. Implementation of the project would result in the introduction of residential land use to a site that currently has one vacated residential unit. All utility infrastructure and services are available to the project site.

The residential development component of the project proposes to improve the east side of Bear Valley Road adjacent to the project site. The residential development component would involve the installation of a traffic signal at the intersection of Encino Drive and Bear Valley Road. The Specific Alignment Plan full-width improvements component of the project proposes to improve the west side of Bear Valley Road from the City boundary to Sunset Drive and the east side of Bear Valley Road from the southern project boundary to Sunset Drive. The improvements would



include additional travel lanes, bike lane, retaining wall, raised median, sidewalk, and curb and gutters. These are improvements to an existing roadway that would improve safety but would not encourage additional traffic volumes. As such, the Bear Valley Road roadway improvements would not trigger growth in the area.

4.2 Effects Found Not to be Significant

State CEQA Guidelines Section 15128 requires that an EIR contain a brief statement disclosing the reasons why various possible significant effects of a proposed project were found not to be significant and; therefore, not discussed in detail in the EIR. The issues found not to be significant are described in detail in the Initial Study, included as Appendix A.

4.3 Significant Irreversible Changes

Section 15126.2(c) of the State CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Specifically, Section 15126.2(c) states:

Uses of nonrenewable resources during the initial and continued phases of a project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project involves uses in which irreversible damage would result from any potential environmental accidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Development of the proposed project would result in the commitment of the project site to a residential use. Restoration of the project site to pre-developed conditions would not be feasible given the degree of disturbance, urbanization of the area, and level of capital investment that would result from implementation of the project.



Resources that would be permanently and continually consumed by implementation of the project include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would not result in significant environmental impacts or the unnecessary, inefficient, or wasteful use of resources. Construction activities related to the project, though previously analyzed, would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobiles and construction equipment.

With respect to operational activities of the proposed project, compliance with all applicable building codes and EIR mitigation measures would ensure that all natural resources are conserved to the maximum extent practicable. It also is possible that new technologies or systems would emerge, or would become more cost-effective or user-friendly, to further reduce the proposed project's reliance on nonrenewable energy resources.

The State CEQA Guidelines also require an EIR to include a discussion of the potential for irreversible damage caused by an accident associated with the project. Development of the project site would not involve the use, transport, storage, or disposal of hazardous wastes. Everyday household hazardous wastes, such as cleaners, paints, and fertilizers would be used and disposed of in accordance with applicable regulations and laws. Therefore, the potential for the proposed project to cause significant irreversible environmental damage from an accident or upset of hazardous material would be less than significant.

4.4 Significant Unavoidable Impacts

In accordance with State CEQA Guidelines Section 15126.2 (b), any significant unavoidable impact of a proposed project, including those impacts that can be mitigated but not reduced to below a level of significance despite the applicant's willingness to implement all feasible mitigation measures, must be identified in the EIR. Sections 3.1 through 3.9 of this EIR provide a comprehensive identification of the project's potentially significant adverse environmental effects and any necessary mitigation measures, as well as the level of significance both before and after mitigation. The project's identified significant impacts would all be reduced to less-than-significant impacts with implementation of the specific mitigation measures applied to associated environmental effects. Therefore, there would be no significant irreversible environmental changes resulting from implementation of the proposed project.



Chapter 5. Alternatives

Section 15126.6 of the CEQA Guidelines requires that an EIR describe a range of reasonable alternatives to the proposed project or to the proposed project location that would feasibly attain most of the project objectives but would avoid or lessen any significant environmental impacts. An EIR should evaluate the environmental impacts of the alternatives compared to the proposed project. This chapter of the EIR describes and evaluates alternative project site land uses and is intended to implement the requirements set forth in the CEQA Guidelines. This chapter also identifies the Environmentally Superior Alternative as required by CEQA Guidelines Section 15126.6(e)(2). The requirements of Section 15126.6 of the CEQA Guidelines pertaining to the alternatives analysis are summarized below.

The following discussion covers a reasonable range of feasible alternatives that focuses on avoiding or substantially lessening any significant effects of the project, even if these alternatives would not attain all of the project objectives or would be more costly, and is designed to foster meaningful public participation and informed decision-making. The discussion focuses on alternatives to the project that are capable of meeting most of the project objectives listed below in Section 5.1, Project Objectives.

According to the CEQA Guidelines, there are many factors that may be taken into account when addressing the feasibility of alternatives, such as environmental impacts, site suitability as it pertains to various land use designations, economic viability, availability of infrastructure, regulatory limitations, and jurisdictional boundaries. Also, the alternatives analysis need not be as detailed as that conducted for the project. A No Project Alternative is required to be included in the range of alternatives. An EIR need not consider an alternative whose effects cannot be reasonably identified, whose implementation is remote or speculative, or one that would not achieve most of the basic project objectives. Finally, the Environmentally Superior Alternative shall be identified and if it is the No Project Alternative, the next Environmentally Superior Alternative shall be identified.

The alternatives analysis below meets the requirements of CEQA Guidelines Section 15126.6. The analysis includes sufficient information about each alternative to provide meaningful evaluation, analysis, and comparison with the project.

5.1 Project Objectives

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

1. Provide a residential development that is consistent with the General Plan policies while maximizing single-family residential units to assist in fulfilling the City's Regional Housing Needs Allocation and to maximize tax generation revenues.



2. Design the project to appeal to the area's growing demand for high quality one and two story single-family residential housing, while also providing compatibility with the surrounding single-family uses.
3. Cluster residential lots to minimize impacts to jurisdictional waters and other biological resources, resulting in the preservation of approximately 50 percent of the site as permanent open space.
4. Design project grading and construction to generally reflect the existing landform.
5. Maintain the existing drainage crossing near the southern property line as a pedestrian linkage to public sidewalks.
6. Establish a Specific Alignment Plan for full-width improvements to Bear Valley Parkway consistent with the major road classification identified in the City's General Plan Mobility and Infrastructure Element.

Table 5-1 Comparison of Alternatives – Environmental Impacts

Issue Areas	Proposed Project		Alternatives	
	Without Mitigation	With Mitigation	No Project	Reduced Project
3.1 Aesthetics				
Scenic Vistas	LTS	N/A	∨	--
Scenic Resources	LTS	N/A	∨	--
Visual Character and Quality	LTS	N/A	∨	--
Light and Glare	LTS	N/A	∨	
3.2 Agricultural Resources				
Direct Conversion of Agricultural Resources	LTS	N/A	∨	--
Land Use Conflicts	N	N/A	--	--
Indirect Conversion of Agricultural Resources	LTS	N/A	∨	--
3.3 Biological Resources				
Candidate, Sensitive, or Special-Status Species	S	LTS	∨	--
Sensitive Habitats	S	LTS	∨	--
Jurisdictional Habitat	S	LTS	∨	--
Wildlife Movement Corridors and Nursery Sites	LTS	N/A	∨	--
Local Policies and Ordinances	S	LTS	∨	--
3.4 Cultural Resources				
Historical Resources	LTS	N/A	∨	--
Archaeological Resources	S	LTS	∨	--
Tribal Resources	S	LTS	∨	--
Human Remains	LTS	N/A	∨	--
3.5 Geology and Soils				
Soil Stability and Expansive Soils	S	LTS	∨	--
3.6 Hazards and Hazardous Materials				
Routine Transport, Use or Disposal of Hazardous Materials	LTS	N/A	∨	--
Accidental Release of Hazardous Materials				
<i>Residential Development</i>	S	LTS	∨	--
<i>SAP Improvements</i>	LTS	N/A	∨	--
Emergency Response and Evacuation Plans	LTS	N/A	--	--
Wildland Fires	LTS	N/A	--	--
3.7 Land Use and Planning				

Divide an Established Community	LTS	N/A	∨	--
Conflict with an Applicable Land Use Plan	LTS	N/A	^	--
Conflict with a Habitat Conservation Plan	LTS	N/A	∨	--
3.8 Noise				
Excessive Noise Levels				
<i>Residential Development</i>	S	LTS	∨	--
<i>SAP Improvements</i>	LTS	N/A	∨	--
Excessive Ground-Borne Vibration				
Permanent Increase in Ambient Noise Levels	LTS	N/A	∨	∨
Temporary Increase in Ambient Noise Levels	S	LTS	∨	--
3.9 Transportation and Traffic				
Level of Service Operations				
<i>Residential Development</i>	S	LTS	∨	∨
<i>SAP Improvements</i>	LTS	N/A	^	--
Traffic Hazards and Emergency Access				
Alternative Transportation	LTS	N/A	^	--
<p>N = No Impact; LTS = Less than Significant Impact; S = Significant Impact; S/U = Significant Unmitigated Impact; S/M = Significant Mitigated Impact; N/A = Not Applicable.</p> <p>∨ Alternative is likely to result in lesser impacts to issue when compared to proposed project and impacts would be less than significant and not require mitigation.</p> <p>-- Alternative is likely to result in similar impacts to issue when compared to proposed project.</p> <p>^ Alternative is likely to result in greater impacts to issue when compared to proposed project. However, impacts would still be less than significant and not require mitigation.</p>				

Table 5-2 Comparison of Alternatives – Proposed Project Objectives

Proposed Project Objectives	Ability of Alternative to Meet Project Objective		
	Proposed Project	No Project	Reduced Project
1. Provide a residential development that is consistent with the General Plan policies while maximizing single-family residential units to assist in fulfilling the City's Regional Housing Needs Allocation and to maximize tax generation revenues	YES	NO	NO
2. Design the project to appeal to the area's growing demand for high quality one and two story single-family residential housing, while also providing compatibility with the surrounding single-family uses	YES	NO	YES
3. Cluster residential lots to minimize impacts to jurisdictional waters and other biological resources, resulting in the preservation of approximately 50 percent of the site as permanent open space	YES	YES	YES
4. Design project grading and construction to generally reflect the existing landform	YES	YES	YES
5. Maintain the existing drainage crossing near the southern property line as a pedestrian linkage to public sidewalks	YES	YES	YES
6. Establish a Specific Alignment Plan for full-width improvements to Bear Valley Parkway consistent with the major road classification identified in the City's General Plan Mobility and Infrastructure Element	YES	NO	YES

5.2 Alternatives Considered but Rejected

CEQA Guidelines state that the EIR needs to examine in detail only a reasonable range of alternatives that the lead agency determines could feasibly attain most of the basic objectives of the project. Further, the EIR should identify any alternatives that were considered by the lead agency but were rejected and briefly explain the reasons underlying the lead agency's determination. Among factors used to eliminate alternatives from detailed consideration in the EIR is the failure to meet most of the basic project objectives or inability to avoid significant environmental effects (CEQA Guidelines 15126.6[c]).

The alternatives that can be considered for the proposed project, which address the future growth of the project area, are countless. However, as a result of the comprehensive planning process for the project, two alternatives that are "reasonable" for analysis were defined by the City and are discussed below in Section 5.3, Alternatives Analyzed. The following section describes alternatives or alternative concepts that were given consideration by the City but rejected from further analysis in the EIR.

Development of More Residential Units

The proposed change in the zoning of the site to Proposed Development (P-D) could allow for more than 55 residential units to be developed on site. However, buildout of the project site with more than 55 units would exacerbate significant impacts related to traffic congestion and noise. It could also intensify significant impacts on biological resources, cultural resources, soil stability, and hazardous materials. This alternative would conflict with the third project objective to minimize impacts to jurisdictional waters and other biological resources and preserve approximately 50 percent of the site as permanent open space. Additionally, inclusion of substantially more residential units could have required a General Plan amendment and referendum, which were not of interest to the project applicant or the City. As this alternative would not reduce or avoid a significant project impact, this alternative was rejected from detailed consideration.

Alternative Location

In accordance with CEQA Guidelines Section 15126.6(f)(2), an alternative project site should be considered if development of another site is feasible and if development of another site would avoid or substantially lessen significant impacts of the project. Factors that may be considered when identifying an alternative site location include: the size of the site; its location relative to major transportation corridors, employment centers, and the availability of services (including commercial services along with public services, such as fire protection, libraries and schools); the General Plan (or Community Plan) land use designations, and availability of infrastructure. CEQA Guidelines Section 15126.6(f)(2)(A) states that a key question in looking at an off-site alternative is "... whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location."



The location of the project within an area designated Estate II for development of single-family homes on large lots is important to meet the first and second project objectives. Also, to meet the sixth project objective, it makes sense for the project to be located adjacent to Bear Valley Parkway. Development of a site similar to the proposed project site is likely to yield similar potentially significant impacts associated with biological and cultural resources, hazardous materials, noise, and traffic. While the use of another site has potential to avoid the project's significant impacts related to soil stability, this impact could also be avoided through the No Project Alternative. Ultimately, the proposed project would mitigate all potential impacts to below a level of significance. Therefore, the EIR contains an adequate range of alternatives to reduce biological, cultural, soil stability, hazardous materials, noise and traffic impacts, and it is not necessary to include a detailed Alternative Location analysis.

Further, the applicant already owns the project site and cannot reasonably acquire an alternative site. Thus, in accordance with CEQA Guidelines Section 15126.6(f), the acquisition of an alternative location would be considered infeasible.

5.3 Alternatives Analyzed

The following section presents an evaluation of the alternatives to the project: a No Project Alternative and a Reduced Project Alternative. For each alternative, a brief description is provided, followed by a summary impact analysis relative to the project, and an assessment of the degree to which the alternative would meet the project's objectives. Table 5-1 provides a comparison of the significant direct impacts of the project and considered alternatives. Table 5-2 provides a summary of the ability of the considered project alternatives to meet the project objectives.

5.3.1 No Project Alternative

CEQA requires a No Project Alternative to be addressed in an EIR. Under the No Project Alternative, the existing on-site land uses could continue, and the one single-family house would remain. The project site would remain as vacant, disturbed land surrounded by single family residential land uses and, to a lesser extent, other vacant properties. Existing, on-site landforms, biological resources and the drainage crossing near the southern property line would remain unchanged. Half-width frontage improvements on Bear Valley Parkway (e.g. bike lane, gutter, curb, sidewalk, additional north-bound turn/acceleration lane, retaining wall, safety fence, and vegetated swale) associated with the proposed residential development would not be constructed. Similarly, the Specific Alignment Plan for full-width improvements to Bear Valley Parkway consistent with the City's General Plan definition for a major road would not be established. The current layout of the Encino Drive-Bear Valley Parkway intersection would remain unchanged.

The No Project Alternative is addressed to compare the environmental effects of the property remaining in its existing state against the environmental effects which would occur if the



proposed project is approved. Pursuant to CEQA Guidelines Section 15126.6(e)(3)(B), “If the project is other than a land use or regulatory plan, ... the ‘no project’ alternative is the circumstance under which the project does not proceed.”

5.3.1.1 Impact Analysis

Aesthetics

Because no new development or construction would occur under this alternative, no change to the existing visual setting would result. There would be no change to existing scenic vistas. Scenic resources on the site, including rock outcroppings and riparian drainages, would not be disturbed. This alternative would have no impact on existing neighborhood character because the site would remain undeveloped. Because no new development or construction would occur under this alternative, there would be no new sources of light or glare. Impacts of the No Project Alternative, therefore, would be less than the proposed project and less than significant.

Agricultural Resources

Implementation of the No Project Alternative may allow for a continuation of the current land uses on the project site. The property was historically used for agricultural activities, but those activities are no longer on the project site. Although implementation of the No Project Alternative would eliminate the conversion of approximately 40 acres of land that is classified as Farmland of Local Importance by the California Department of Conservation Farmland Mapping and Monitoring Program, preservation of the project site for agricultural purposes would be inconsistent with the objectives of adopted local policies. The site has an Estate II land use designation and is zoned Residential Estate. The City of Escondido recognizes that residential use is a more desirable long-term objective for the project site rather than continued agriculture. Agricultural resources are conserved regionally through the General Plan. Furthermore, the surrounding area has largely transitioned over a number of years from agriculture to residences. Therefore, the No Project Alternative would result in less-than-significant impacts on agricultural resources and impacts would be less than the proposed project.

Biological Resources

Implementation of the No Project Alternative may result in a continuation of the current use of the project site, with no disturbance of the existing on-site biological resources. As no development activities are proposed under this alternative, there would be no significant effects on sensitive plant or wildlife species, vegetation communities, wetlands, or wildlife corridors from clearing, grading, or construction activities as a result of the No Project Alternative. However, there would be no establishment or enhancement of on-site or off-site riparian habitat under The No Project Alternative. Biological resource impacts under the No Project Alternative would be less than the proposed project and less than significant.



Cultural Resources

Archaeological resources were found during surveys and the site may have been associated with the Dead Horse Canyon site. Unknown tribal resources and the discovery of unknown buried human remains during project construction are a possibility. However, the existing buildings and irrigation features on the proposed project site are not considered historical resources for the purposes of CEQA. The No Project Alternative would retain all existing on-site structures and no demolition, grading, excavation, or land disturbance would be completed. Identified on-site cultural resources would not be affected. Thus, this alternative would have lesser impacts than the proposed project on historical, archaeological and tribal cultural resources, as well as human remains. Cultural resource impacts would be less than significant.

Geology and Soils

Historical mine-related excavations have resulted in unstable soils on the proposed residential development site. Existing loose fills on the proposed SAP improvements site are generally not deemed suitable to support new transition walls. The No Project Alternative does not propose construction on the site and would therefore not introduce a risk to life or property. Therefore, impacts of the No Project Alternative related to hazards would be less than the proposed residential development and full-width SAP improvements and, overall, would be less than significant.

Hazards and Hazardous Materials

No construction activities would occur with the No Project Alternative, and there would be no resultant potential for impacts associated with construction-related use, disposal, or routine transport of hazardous materials. The potential asbestos- and lead-based paint-containing existing structures would not be demolished. Similar to the proposed project, the No Project Alternative would be required to comply with the existing applicable federal, state, and local regulations related to hazardous materials. Both the No Project Alternative and the proposed project would have a less than significant impact related to hazardous materials, but impacts related to the No Project Alternative would be less than the proposed project.

The No Project Alternative would not introduce people or structures to a significant wildfire risk. However, fires from off-site sources would have a greater potential to spread due to more continuous fuels across the site under the No Project Alternative. The No Project Alternative would comply with emergency access requirements. Overall, both this alternative and the proposed project would have a less than significant impact related to wildfires and emergency response.

Land Use

Under the No Project Alternative, no construction would occur on- or off-site. Therefore, there would be no impacts relative to the physical division of an established community; new land use



barriers; disruption of physical arrangement; street and sidewalk pattern impacts; and development of surrounding parcels.

The City of Escondido General Plan designates the proposed residential development site as Estate II, which is designed to promote housing units on large residential lots with extensive on-site landscaping and semi-formal streets. Furthermore, the General Plan Mobility and Infrastructure element identifies the ultimate buildout classification of the stretch of Bear Valley Parkway where the SAP improvements are proposed to be Major Road. Because the No Project Alternative would not make any modifications to the current use of the proposed residential development site and would not make any modifications to Bear Valley Parkway, this alternative would conflict with the General Plan more than the proposed project. Nonetheless, impacts are considered less than significant.

The No Project Alternative would result in no changes to existing land use and therefore would not cause new impacts on biological resources. Thus, like the proposed project, the No Project Alternative would not conflict with a habitat conservation plan.

Noise

Under the No Project Alternative, no new noise sensitive land uses would be constructed. The current, minimal noise generation within the project site would remain as-is; no new traffic-related noise would be generated. No construction would occur and, therefore, there would be no construction-related noise or vibration generated. Noise impacts under the No Project Alternative would be less than the proposed project and less than significant.

Transportation and Traffic

Under the No Project Alternative, the project site would continue to generate the existing level of traffic trips from the existing land use. Additional trips would not be added to study area roadway segments or intersections, as they would under the proposed project. However, improvements to Bear Valley Parkway, including additional travel lanes, would not occur under the No Project Alternative. Overall, circulation system operations under the No Project Alternative would be less than the proposed project and less than significant.

Significant impacts related to emergency access would not occur under the No Project Alternative, as there would be disruption to existing traffic flow. Although the No Project Alternative would maintain existing bike lanes and the pedestrian crossing over the riparian drainage, it would not involve the additional sidewalks and sidewalk connections proposed by the project. Even so, the No Project Alternative would have less-than-significant impacts on biking, walking and alternative forms of transportation.



5.3.1.2 Ability to Accomplish Project Objectives

The No Project Alternative would not meet the first or second project objectives, as no development of the site would occur. The site would continue to be used for the existing single-family residence and vacant, disturbed land with minimal impacts on jurisdictional waters and other biological resources; existing landforms; and the existing drainage crossing. Thus, this alternative would meet the third, fourth and fifth project objectives. Finally, the No Project Alternative would not meet the sixth project objective, as it would not implement the Specific Alignment Plan for full-width roadway improvements to Bear Valley Parkway.

5.3.2 Reduced Project Alternative

This alternative reduces the development intensity in order to reduce traffic impacts. Development under the Reduced Project Alternative would be limited to 31 houses in the same development footprint as the proposed project (see Figure 5-1). Removal of 24 houses would correspondingly reduce the number of daily trips generated by the project. The Specific Alignment Plan for full-width roadway improvements to Bear Valley Parkway would be implemented under the Reduced Project Alternative with no differences from the improvements proposed by the project.

5.3.2.1 Impact Analysis

Aesthetics

Implementation of the Reduced Project Alternative would result in the same footprint of development, but with fewer residential units than that proposed under the project. Like the proposed project, the Reduced Project Alternative would partially block scenic vistas of distant intermediate ridgelines and mountains. It could also impact nearby views of rock outcroppings and riparian drainages. However, like the proposed project, the impact of these partial view obstructions would not be significant. Impacts on trees and other scenic resources within the Bear Valley Parkway viewshed from development of the Reduced Project Alternative would also be similar to the proposed project and less than significant. The scale and architectural style of houses developed under the Reduced Project Alternative would be similar in visual character and quality to the proposed project. Nighttime exterior lighting, including streetlights and wall-mounted residential lights, would also be similar. Impacts of the Reduced Project Alternative on visual character and light and glare would be less than significant.



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LEGEND

Project Site

Source: Hunsaker & Associates 2016e

Figure 5-1
Reduced Project Alternative

Note: All drawings are approximate.

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Agricultural Resources

The Reduced Project Alternative would develop 31 residential lots within the same development footprint as the proposed project. Thus, similar to the proposed project, this alternative would convert approximately 40 acres considered to be Farmland of Local Importance to non-agricultural use. For the reasons detailed in Chapter 3.2, impacts related to the direct and indirect conversion of farmland to non-agricultural use are considered less than significant. The Reduced Project Alternative, similar to the proposed project, would not result in agricultural land use conflicts.

Biological Resources

The Reduced Project Alternative would have the same development footprint as the proposed project. Therefore, it would impact the same amount of acres of sensitive and jurisdictional habitat as the proposed project. This alternative would also, therefore, have a similar impact on trees and the City's tree protection ordinance. These impacts could potentially be significant. Construction and operation of the Reduced Project Alternative would be similar to the proposed project and, therefore, would have a similar, potentially significant impact on sensitive species. Implementation of mitigation measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7 and BIO-8 would reduce potential impacts to a less-than-significant level.

Cultural Resources

As the development footprint for the Reduced Project Alternative is similar to that of the proposed project, potential impacts associated with this alternative would likely be the same. Because of the known archaeological resource sites on the proposed project and Reduced Project Alternative site and the proximity of the site CA-SDI-5340, also known as the Dead Horse Canyon, there is potential for project-related significant impacts on an archaeological resource. While no significant impacts on known tribal resources have been identified, there is potential for the proposed project to result in impacts on unknown subsurface tribal resources during grading. Mitigation measures CR-1 through CR-8 would reduce potential impacts to less than significant.

Geology and Soils

Similar to the proposed project, the Reduced Project Alternative would encounter potentially significant impacts related to soil stability. Vertical shafts and horizontal adits from historical mine-related excavations, as well as existing fills, pose a soil stability hazard on the residential development site. Over-steepened graded fill slopes and existing loose fills on the SAP improvements site may need re-grading. Mitigation measures GEO-1 and GEO-2 would reduce potential impacts to a less-than-significant level.

Hazards and Hazardous Materials

Hazards and hazardous materials impacts associated with the proposed project would be similar to the Reduced Project Alternative. Compliance with all applicable regulations would reduce potential impacts related to the routine transport, use or disposal of hazardous materials during construction and operation to a less-than-significant level. The existing structures on-site have



the potential to contain asbestos and lead. As such, like the project, demolition under this alternative could result in lead- and asbestos-containing materials becoming airborne and inhalable. Like the proposed project, the Reduced Project Alternative would implement mitigation measures HAZ-1 and HAZ-2 to reduce these impacts. Similar to the proposed project, the Reduced Project Alternative is expected to have less-than-significant impacts related to emergency response and wildland fires.

Land Use

The Reduced Project Alternative would be similar to the proposed project, but have 31 housing units instead of 55. Like the proposed project, it would be located on a largely vacant property and new roads and roadway improvements would be within existing rights-of-way. Most of this land identified for future dedication to accommodate the proposed SAP improvements is vacant. Therefore, like the project, this alternative would not result in significant impacts relative to the physical division of an established community; land use barriers; disruption of the physical arrangement of the area, or preclusion of development on surrounding parcels.

Like the proposed project, the Reduced Project Alternative would be consistent with the General Plan Land Use Designation, Zoning Ordinance, and with the goals of the General Plan Mobility Element. It would not conflict with an HCP. Impacts would be less significant, similar to the project.

Noise

As with the project, excessive noise impacts on off-site land uses from the Reduced Project Alternative would not exceed any City noise ordinance limits. Impacts would be less than significant and incrementally less than the project.

Similar to the project, the Reduced Project Alternative would place residences along Bear Valley Parkway at a distance that could result in a significant excessive noise impact (i.e. greater than 60 dBA CNEL) from traffic noise. Although the Reduced Project Alternative would construct fewer houses within the area of the project site that would be impacted by Bear Valley Parkway roadway noise, the Reduced Project Alternative would still need to adopt mitigation measures NOI-1 and NOI-2 to reduce excessive noise impacts to a less-than-significant level.

The Reduced Project Alternative would entail similar construction activities as the proposed project. Construction activities would generate temporary ground-borne vibration close enough to existing off-site residences for impacts to be significant. Construction of the Reduced Project Alternative has the potential to generate temporary construction-related noise greater than the City's significance threshold (75 dBA) at off-site existing residences. The Reduced Project Alternative would need to implement mitigation measures NOI-3, NOI-4 and NOI-5 to reduce construction noise and vibration impacts to less-than-significant levels.



As with the project, the Reduced Project Alternative would generate new traffic on surrounding local roadways. However, this alternative would generate fewer trips than would the project. The proposed project would not result in a potentially significant traffic noise impact and neither would the Reduced Project Alternative.

Transportation and Traffic

As with the proposed project, the Reduced Project Alternative would generate new traffic on surrounding local roadways. However, this alternative would generate fewer trips than would the proposed project. Direct and cumulative circulation system impacts on surrounding local roadways and intersections would be less under this alternative than for the proposed project.

While not required by CEQA, an analysis of cumulative circulation system impacts was completed for a reduced project alternative (Linscott Law & Greenspan 2016a) for informational purposes. As shown in Table 5-3, a project alternative could construct up to 37 residential units on the project site before it would start to have an LOS impact on the Bear Valley Parkway / Encino Drive intersection.⁶ This hypothetical alternative can be referred to as the “No Impact Alternative.” Thus, the Reduced Project Alternative, which proposes 31 residential units on the project site, would avoid the project’s significant impacts on nearby circulation systems.

Table 5-3 Reduced Project Alternative Intersection Operation

Intersection	Peak Hour	Existing + Cumulative		Existing + Cumulative + Proposed Project (55 Units)			Existing + Cumulative + No Impact Alternative (37 Units)		
		Delay	LOS	Delay	LOS	Δ	Delay	LOS	Δ
Bear Valley Parkway / Encino Drive	AM	57.2	F	61.1	F	3.9	59.2	F	2.0
	PM	28.7	D	35.4	E	6.7	30.6	D	1.9

Source: Linscott Law & Greenspan 2016a.
LOS=level of service; delay = seconds of delay per vehicle; Δ = residential development project-related increase in delay

Furthermore, the Reduced Project Alternative would include the full-width Bear Valley Parkway SAP improvements. As described in Chapters 2 and 3, the SAP improvements would signalize and realign the Bear Valley Parkway / Encino Drive intersection. This improvement would reduce the delay time at this intersection to LOS C in the AM peak hour and LOS A in the PM peak hour (see Section 3.9). Therefore, the Reduced Project Alternative would have a less-than-significant circulation system impact and would be less than the proposed project.

Similar to the proposed project, the Reduced Project Alternative would result in a less-than-significant impact related to emergency access and transportation hazards, as well as alternative transportation.

⁶ The City of Escondido’s significance threshold for intersections is a maximum of 2.0 seconds of delay added by the project during peak hour operations, if the intersection operates at Level of Service (LOS) D or worse.



5.3.2.2 Ability to Accomplish Project Objectives

Although the Reduced Project Alternative would provide a residential development that is consistent with the General Plan policies, it would not maximize single-family residential units to assist in fulfilling the City's Regional Housing Needs Allocation and to maximize tax generation revenues. Therefore, the Reduced Project Alternative would not meet the first project objective. This alternative would, however, meet the other project objectives because it would be designed to appeal to the area's growing demand for high quality one and two story single-family residential housing; the site plan footprint would minimize impacts to jurisdictional waters and other biological resources; and existing landforms and the existing drainage crossing would be maintained. The Specific Alignment Plan for full-width roadway improvements to Bear Valley Parkway would be implemented under the Reduced Project Alternative with no differences from the improvements proposed by the project.

5.4 Environmentally Superior Alternative

According to Section 15126.6(e)(2) of the CEQA Guidelines, an EIR is required to identify the environmentally superior alternative, which is the alternative having the potential for the fewest significant environmental impacts, from among the range of reasonable alternatives that are evaluated in the EIR. Table 5-1, Comparison of Alternatives – Environmental Impacts, provides a summary comparison of the alternatives evaluated in this EIR with the purpose of highlighting whether the alternative would result in a similar, greater, or lesser impact compared to the proposed project.

As shown in the table, the No Project Alternative would be the environmentally superior alternative because it avoids potentially significant impacts related to biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, and transportation/traffic. However, the No Project Alternative would not accomplish the first, second or sixth project objectives.

CEQA Section 15126.6(e)(2) also states that “the EIR shall also identify an environmentally superior alternative among the other alternatives” if the environmentally superior alternative is the “no project” alternative. The other environmentally superior alternative would be the Reduced Project Alternative, as it would avoid the potentially significant traffic impact at the Bear Valley Parkway / Encino Drive intersection related to the proposed residential development. The Reduced Project Alternative would only avoid the significant traffic impacts, and would not avoid the project's potentially significant impacts related to biological resources, cultural resources, geology and soils, hazardous materials, or noise. Furthermore, the Reduced Project Alternative would not accomplish the first project objective which calls for maximizing the single-family residential units on the project site to assist in fulfilling the City's Regional Housing Needs Allocation and to maximize tax generation revenues.



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Reduced Project Alternative Memorandum – Linscott, Law & Greenspan, Engineers

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Traffic Supplemental Memo for SAP – Linscott, Law & Greenspan, Engineers

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Appendices included on separate flash drive or CD

Appendix A Notice of Preparation and Responses



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**Appendix B Biological Resources Technical Report
for Bear Valley Parkway Project (April
2016)**



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Appendix C **Bear Valley Parkway Specific
Alignment Plan Biological Resources
Technical Report (October 2016)**

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**Appendix D Arborist Report – Bear Valley Parkway
(March 2016)**

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**Appendix E Arborist Report – Bear Valley Parkway
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**Appendix F Cultural Resources Survey and
Evaluation of Built Environment for
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**Appendix G Cultural Resources Evaluation of
Prehistoric Archaeological Site CA-SDI-
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Development (June 2016)**

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**Appendix H Additional Cultural Resources Survey
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Appendix I-1 Geotechnical Investigation (April 2013)

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**Appendix I-2 Geotechnical Update Report
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**Appendix J Geotechnical Investigation Proposed
Road Improvements (September 2016)**

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Appendix K Bear Valley Parkway Fire Protection Plan (July 2015)

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**Appendix L-1 Phase I Environmental Site
Assessment (ESA) (February 2013)**

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Appendix L-2 Phase I ESA Addendum (March 2016)

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Appendix M-1 Limited Phase II ESA (May 2013)

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Appendix N Report of Soil Removal Action (July 2015)

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Appendix O Acoustical Site Assessment (April 2016)

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**Appendix P Noise Impacts from the Bear Valley
Parkway Specific Alignment Plan
(September 2016)**

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Appendix Q Construction Vibration Assessment (May 2016)

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Appendix R Traffic Impact Analysis (January 2017)

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**Appendix S Specific Alignment Plan Capacity
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Memorandum (January 2017)**

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**Appendix T “No Cumulative Impact” Project
Alternative – Traffic Analysis
Memorandum (May 2016)**

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