



The County of San Diego

Planning Commission Hearing Report

Date:	December 11, 2015	Case/File No.:	Dabbs Tentative Map; PDS2003-3100-5346 PDS2003-3910-03-02-067
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	Project:	9-Lot Residential Subdivision
Time:	9:00 a.m.	Location:	East of Aqueduct Road, West of Old Highway 395 and North of Via Umer Way
Agenda Item:	#2	General Plan:	Semi-Rural (SR) / Semi-Rural 4 (SR-4)
Appeal Status:	Appealable to the Board of Supervisors	Zoning:	Limited Agriculture (A70)
Applicant/Owner:	Don Dabbs	Community:	Bonsall
Environmental:	CEQA §15183 Exemption	APN:	127-071-38

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Planning Commission to evaluate the proposed Tentative Map (TM), for a nine lot residential subdivision, determine if the required findings are met and if so, take the following actions:

- a. Adopt the Environmental Findings included in Attachment D, which includes a finding that the project is exempt from further environmental review pursuant to Section 15183 of the California Environmental Quality Act (CEQA) Guidelines.
- b. Adopt the Resolution of Approval for the TM which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego Regulations (Attachment B).

2. Key Requirements for Requested Actions

- a. Is the proposed project consistent with the vision, goals, and polices of the General Plan?
- b. Does the project comply with the policies set forth under the Bonsall Community Plan?
- c. Is the proposed project consistent with the County's Zoning Ordinance?
- d. Is the proposed project consistent with the County's Subdivision Ordinance?
- e. Is the project consistent with other applicable County regulations?
- f. Does the project comply with the California Environmental Quality Act (CEQA)?

B. REPORT SUMMARY

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the proposed TM, conditions of approval and findings and environmental findings prepared in accordance with CEQA.

The applicant proposes a TM to subdivide a 38.4-acre property into nine single-family residential lots. Based on the analysis performed, Planning & Development Services (PDS) finds the proposal in conformance with the six Key Requirements for Action and therefore recommends approval of the TM, with the proposed conditions noted in the Resolution of Approval (Attachment B).

C. DEVELOPMENT PROPOSAL

1. Project Description

The applicant proposes a TM to subdivide 38.4-acres into nine single family residential lots, as shown in Figure 1. The proposed residential lots will be an average of four acres in size. Individual septic systems are proposed and water would be provided by the Rainbow Municipal Water District. The site is served by the Deer Springs Fire Protection District for fire protection services. Earthwork is expected to consist of 15,800 cubic yards of cut and 17,400 cubic yards of fill. Offsite roads will require an additional 6,500 cubic yards of cut and 6,300 cubic yards of fill.

Access to the project will be provided by a new private road connecting to Old Highway 395, which runs north-to-south along the eastern boundary of the subject property. The private road would be constructed to a 30-foot wide paved width and 38-foot graded width. The project also includes a new waterline easement and emergency access/egress easement that connect the private road cul-de-sac to Aquaduct Road and would be constructed to a 16-foot wide paved width and 20-foot graded width. In addition, the project would be conditioned to provide improvements to Old Highway 395 from Via Uner Way intersection in a northern direction, and includes restriping approximately 300 feet north of the proposed private road easement to accommodate 11-foot wide travel lanes, an 11-foot wide left turn lane and five-foot wide bike lanes.

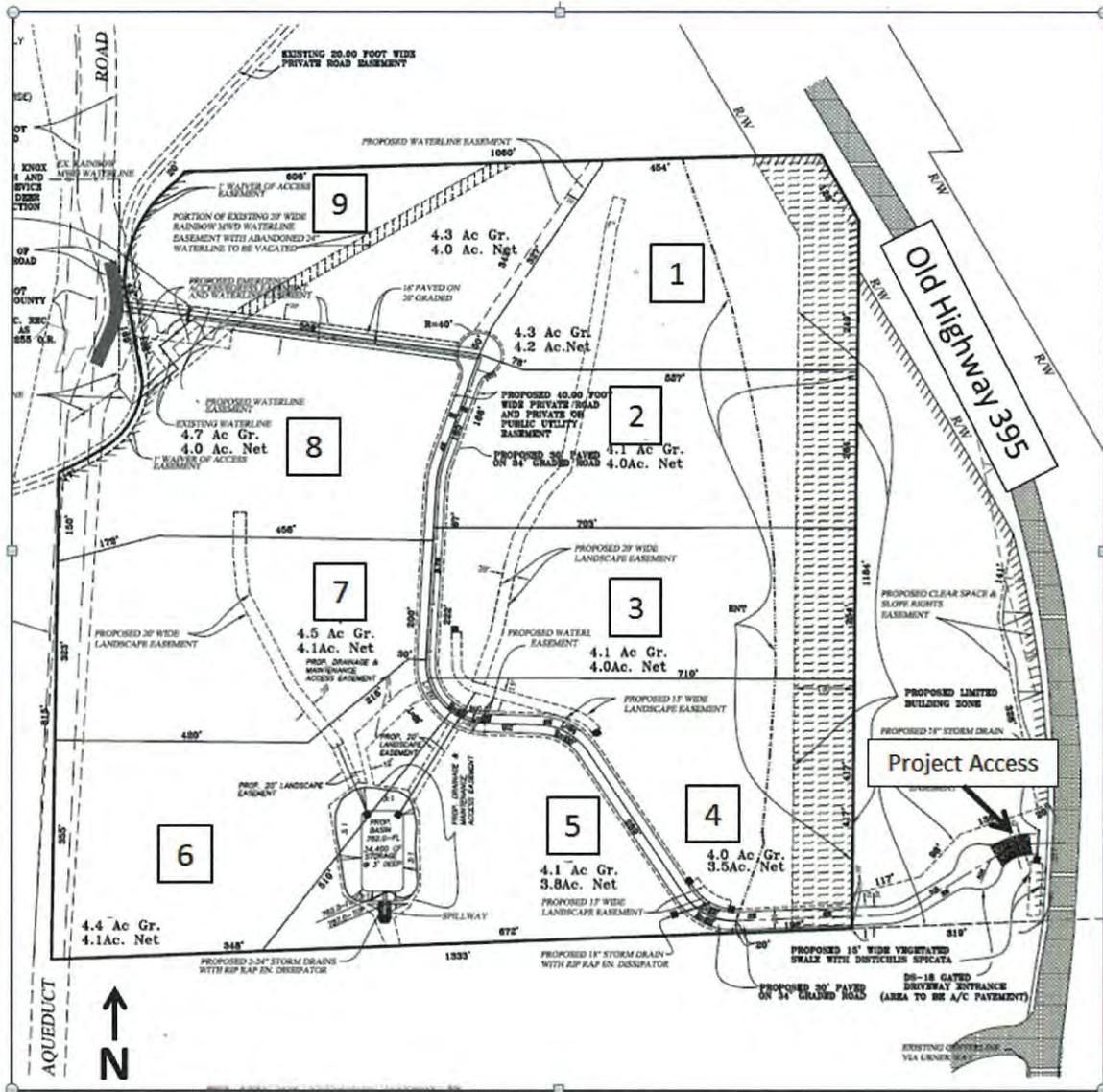


Figure 1: Tentative Map

2. Subject Property and Surrounding Land Uses

The project site is located between Old Highway 395 and Aquaduct Road and is approximately 200 feet north of the intersection at Via Urner Way and Old Highway 395, within the Bonsall Community Plan area (see Figures 2 and 3). The site is comprised of generally flat and gently rolling slopes and is currently an agricultural nursery. The elevation of the property ranges from approximately 800 to 880 feet (see Figures 5 and 6).

Surrounding land uses consist primarily of single-family homes and agriculture (see Figure 4). See Table C-1 for a summary of the surrounding designations and land uses. The surrounding residential development is similar in density and lot size to the proposed project. A majority of the lots in the immediate area range in size from two to seven acres, with a few larger lots averaging 14 to 22 acres. See Attachment A for additional Planning Documentation.

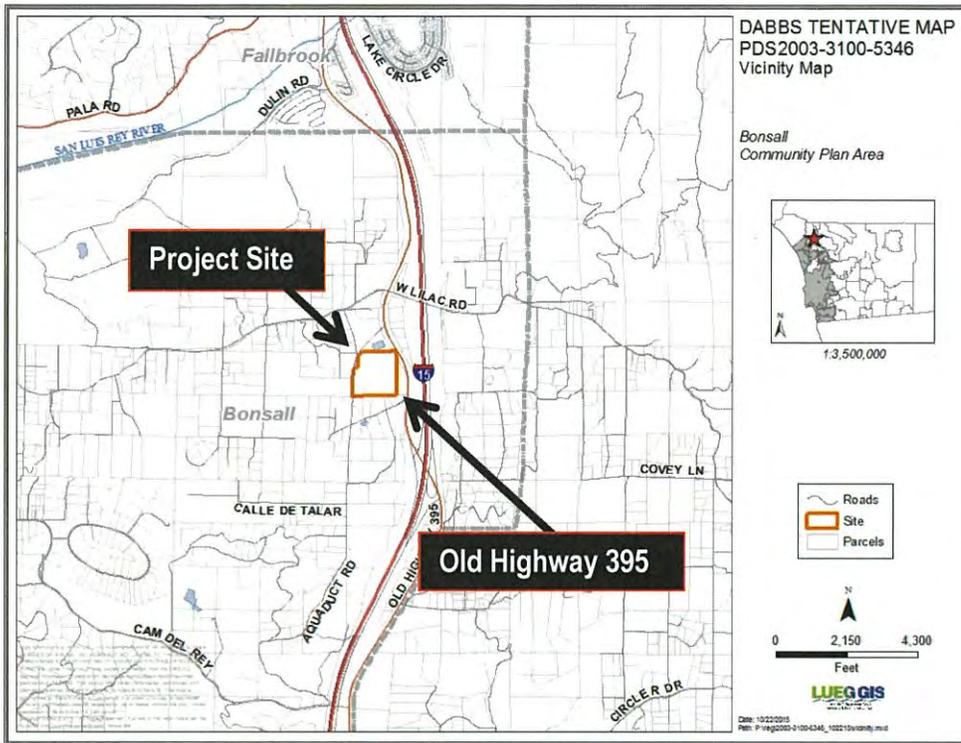


Figure 2: Project Location

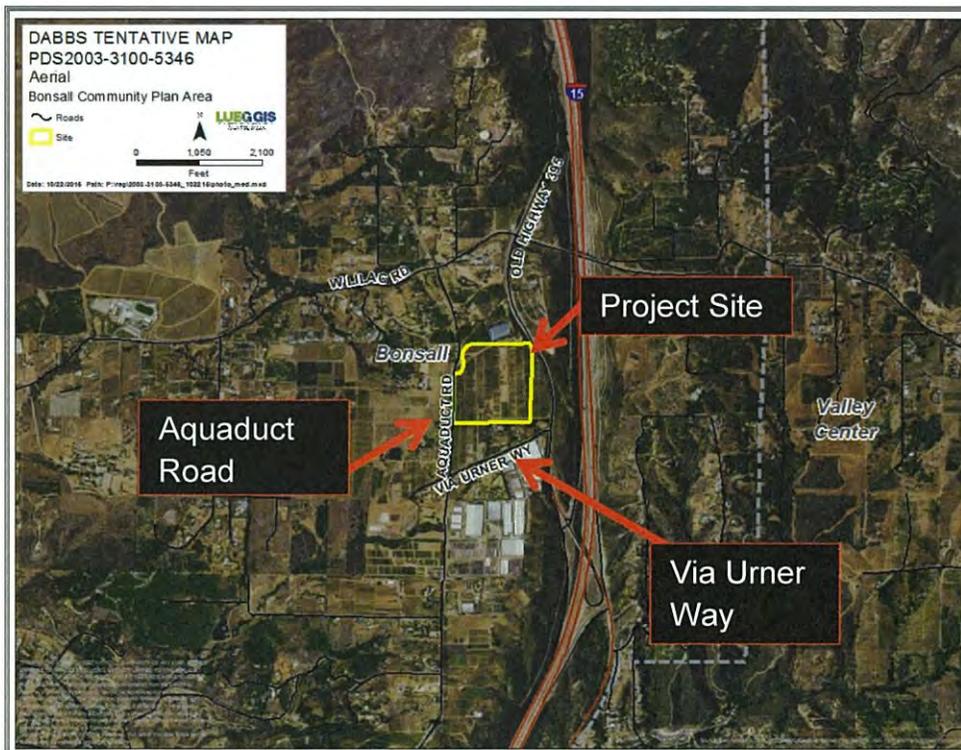


Figure 3: Aerial Project Location



Figure 4: Aerial Photo

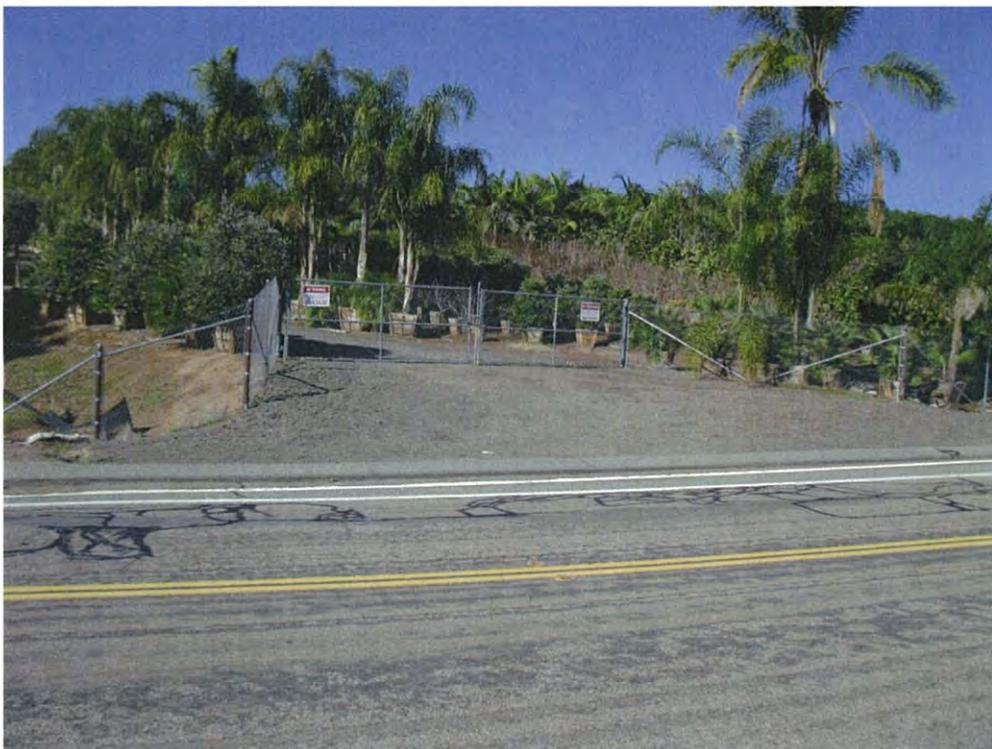


Figure 5: Looking towards the Project Site from Old Highway 395 at the proposed access point



Figure 6: Looking southeast across the Project Site from Aquaduct Road

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Public/Semi-Public Facilities Semi-Rural – SR-4	A70	Aquaduct Road W. Lilac Road	Rainbow Municipal Water District, Residential, Agricultural
East	Public/Semi-Public Facilities Semi-Rural – SR-10	A70	Old Highway 395 Interstate 15	Residential, Agricultural, Interstate 15
South	Semi-Rural – SR-10	A70	Via Umer Way	Residential, Agricultural
West	Semi-Rural – SR-4	A70	Aquaduct Road Camto Quieto	Residential, Agricultural

D. ANALYSIS AND DISCUSSION

1. Project Analysis

Staff has reviewed the project to ensure it conforms to the relevant ordinances and guidelines, including the San Diego County General Plan, Bonsall Community Plan, the Subdivision Ordinance, the Zoning Ordinance and CEQA Guidelines. Project issues raised include project access, biological resources, agriculture mitigation for impacts to onsite agricultural resources and cultural mitigation.

Project Access

During the processing of this project, comments have been received regarding ingress and egress to the project site. The Bonsall Community Sponsor Group's (CSG) concern was that the project did not comply with the Bonsall Community Plan, specifically Policy CM-1.1.6 "Minimize the use of cul-de-sacs in the Bonsall Community Planning Area and require new subdivisions to provide local connectivity by providing linkages for long-term circulation improvement". In order to comply with this policy, the CSG requested that access be added from the project site to Aquaduct Road, in addition to the primary access point to Old Highway 395. Additionally, comments received from neighbors during the public disclosure period for the project expressed concerns regarding secondary access to the site, more specifically in regards to improvements along Aquaduct Road and sight distance.

The proposed private road from Old Highway 395 to the proposed cul-de-sac is 1,850 feet. Per Section 503.1.3 of the County Consolidated Fire Code, the maximum length of a dead-end road shall not exceed 1,320 feet for parcels zoned for 1 acre to 4.99 acres. During earlier processing of the project, the applicant proposed that the private road be constructed to a 30-foot wide paved width and 38-foot graded width, that are greater than the County's private road standards that require a 24-foot wide paved width and 28-foot graded width as mitigation for exceedance of the dead-end road length standard. This mitigation was accepted by the Deer Spring Fire Protection District and County Fire Authority.

In order to address the CSG's comments, the applicant proposed an easement from the proposed cul-de-sac, westerly to Aquaduct Road. With this secondary means of ingress and egress being added to the project, the proposed private road from Old Highway 395 to the proposed cul-de-sac was reduced back to private road standards as mitigation for exceedance of dead-end road length was no longer necessary.

During the public disclosure period, a comment letter was received from Wes Peltzer, on behalf of the Pardee family, who owns the West Lilac Tentative Map (TM 5276) located west of the proposed project, which was approved in 2012. This letter contended that the proposed project should be conditioned to improve Aquaduct Road to private road standards in order to meet the requirements of the County Consolidated Fire Code and County Private Road Standards.

Based on the comments received and with consideration of the previous acceptance of mitigation for exceedance of the dead-end road length standard by the Deer Spring Fire Protection District and County Fire Authority, the applicant proposed construction of the private road to a 30-foot wide paved width and 38-foot graded width. With this mitigation, the Deer Spring Fire Protection District and County Fire Authority determined that the project complies with the County Consolidated Fire Code. Therefore, improvements to Aquaduct road are neither necessary nor required.

While not required as mitigation or for compliance with the County Consolidated Fire Code, the applicant has also proposed an "emergency access/egress easement and waterline easement" to address community concerns and allow for an alternate means of access in the event of an emergency. This easement would be constructed to a 16-foot wide paved width and 20-foot graded width and will include a knox gate with opticom strobe setback approximately 100 feet from

Aqueduct Road. Hammerhead turn arounds would be provided on both the west and east sides of the gate. Since this easement is not required for compliance with the County Consolidated Fire Code, improvements along Aqueduct Road are not necessary.

With a condition in the TM Resolution (Attachment B) requiring improvement of the private road to a 30-foot wide paved width and 38-foot graded width, the project has been found to comply with the County Consolidated Fire Code and has been found to exceed the requirements of the County Private Road Standards. In addition, with a condition in the TM Resolution (Attachment B) requiring improvement of the "emergency access/egress easement and waterline easement" to a 16-foot wide paved width and 20-foot graded width, community concerns have been addressed and the Bonsall CSG is in support of the project.

Biological

Biological resources on the project site were evaluated in a Biological Resources Report prepared by Pacific Southwest Biological Services, Inc., dated June 22, 2010. The site contains an existing agricultural operation. Due to the lack of native vegetation onsite, no sensitive plant species were identified. One sensitive wildlife species, the red-tailed hawk, was identified flying over the project site. Lands directly adjacent to the site contain patches of Diegan coastal sage scrub. A portion of the adjacent Diegan coastal sage scrub to the east of the project site and in the area of the project's proposed access was removed by an adjacent property owner for the installation of an agricultural operation. Because the project's access will cross this adjacent site, impacts to the previously cleared Diegan coastal sage scrub have been considered. Impacts resulting from offsite impacts to Diegan coastal sage scrub will be mitigated at a 3:1 ratio and will include conservation of 3.5 acres of Diegan coastal sage scrub habitat (See Condition 47 in Attachment B).

Agricultural

Comments were received from neighbors during the public disclosure period in regards to project not providing adequate agricultural mitigation for impacts to onsite agricultural resources. An Agricultural Conversion Analysis was completed for the project (TRS Consultants, July 2014), which included a Local Agricultural Resource Assessment (LARA) model.

The project site includes approximately 0.8 acre of Farmland of Statewide Importance soils. The project will result in the conversion of approximately 0.2 acre of these soils for a building pad. The remaining 0.6 acres will be available for on-site agricultural operations. There are approximately 3.3 acres (nine percent of the site) of Prime Farmland onsite, one acre of which will be converted to a building pad and driveway. More than two acres will remain available for agricultural use. The total project impact would be 1.2 acres.

Based on the County CEQA Guidelines for Agricultural Resources, if any of the required LARA model factors (Climate, Water and Soils Resources) are rated low, a project site is not an important agricultural resource. The project LARA model determined that the subject site is not an important agricultural resource, based on a "low" soils resources rating. Based on this, the project agricultural impacts are less than significant and no mitigation is required for project agricultural resource impacts.

Cultural

The project was surveyed for cultural resources on October 9, 2008 by a County staff archaeologist. A Luiseno Native American Monitor (San Luis Rey) was also present during the survey. No archeological or historic resources were identified. However, due to the poor ground visibility and because resources are present in the surrounding area, the project is conditioned to implement an Archaeological Monitoring Program that includes a Luiseno Native American Monitor.

As part of the cultural evaluation, a Sacred Lands Check with the Native American Heritage Commission (NAHC) was conducted. The NAHC identified that no sites were found within the project boundaries. A list of tribes to contact was provided by the NAHC. Staff contacted the tribes to request whether they had any information related to sacred sites that may be impacted by the project. The Pala Band of Mission Indians was the only group that responded requesting archaeological monitoring to include Tribal monitors and to be noticed as the project progresses.

Local tribes were notified of the public disclosure period. Comments were received during the public disclosure period from the San Luis Rey Band of Mission Indians requesting that additional conditions be incorporated for the proposed project. Staff reviewed the request and the conditions of approval were revised as a result of the comments received (See Conditions 48, 49 and 51 through 54 in Attachment B).

2. General Plan Consistency

The proposed project is consistent with all relevant General Plan goals, policies, and actions. The following policies are highlighted in Table D-1.

Table D-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>LU-1.9 Achievement of Planned Densities Recognizing that the General Plan was created with the concept that subdivisions will be able to achieve densities shown on the Land Use Map, planned densities are intended to be achieved through the subdivision process except in cases where regulations or site specific characteristics render such densities infeasible.</p>	<p>The site is subject to General Plan Land Use Designation SR-4, which allows a maximum density of one dwelling unit per four, 8 or 16 acres dependent upon the slopes of the site. The site's slopes are between zero and 15 percent, and the average slope on the project site is 10.34%, which allows for a density of one dwelling unit per four acres. Therefore, the proposed nine lots conform to the allowed General Plan density for the site.</p>

General Plan Policy	Explanation of Project Conformance
<p>LU-2.8 Mitigation of Development Impacts Require measures that minimize significant impacts to surrounding areas from uses or operations that cause excessive noise, vibrations, dust, odor, aesthetic impairment and/or are detrimental to human health and safety.</p>	<p>The project is designed to minimize significant impacts to surrounding areas. The project proposes a residential subdivision and would not introduce a new use that would create or cause excessive noise or vibrations. The project's grading will be required to comply with the County's Grading Ordinance which requires that appropriate measures are taken during site grading to minimize dust impacts. The project is a residential project and therefore would not result in odors or ongoing dust impacts. The grading proposed for the site has been minimized to the extent feasible to avoid any aesthetic impairment and to be consistent with the surrounding development.</p>
<p>LU-5.3 - Rural Land Preservation. Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi- Rural Land Use Designations. Open space and rural lands are primary areas that provide carbon sequestration benefits for the Region.</p>	<p>Based on the project's Biological Resources Report, the site is developed with an agricultural nursery and does not contain wildlife habitat, corridors or wetlands that warrant onsite preservation. The project includes lots averaging four acres in size which are of sufficient size for continued agriculture to occur following the subdivision of the site. The project is consistent with adjoining properties to the north, south and west which are developed with residential and agricultural uses on similar lot sizes.</p>
<p>LU-5.5 - Projects that Impede Non-Motorized Travel. Ensure that development projects and road improvements do not impede bicycle and pedestrian access. Where impacts to existing planned routes would occur, ensure that impacts are mitigated and acceptable alternative routes are implemented. Examples include large parking areas that cannot be crossed by non-motorized vehicles, and new developments that block through access on existing or potential bicycle and pedestrian routes.</p>	<p>The project has been conditioned to restripe Old Highway 395 from Via Urner Way northerly to approximately 300 feet north of the proposed private road easement. Restriping of the road will provide 11 foot wide travel lanes, an 11 foot wide left turn lane and minimum of five feet for the bike lanes.</p>

General Plan Policy	Explanation of Project Conformance
<p>LU-6.5 Sustainable Stormwater Management Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development (LID) techniques and a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.</p>	<p>The project incorporates LID techniques, as detailed in the Stormwater Management Plan (SWMP) prepared for this project, including the installation of a bio-retention area, which is consistent with the County's LID Handbook.</p>
<p>LU-6.9 Development Conformance with Topography Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominate physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.</p>	<p>The project site does not contain any steep slopes per the Resource Protection Ordinance. The site slopes up to the south and west. The applicant has designed the pads to utilize the flattest areas of each proposed parcel, thereby reducing the amount of grading while preserving the natural topography to the maximum extent practicable.</p>
<p>LU-6.10 - Protection from Hazards. Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards.</p>	<p>The project site was analyzed for hazardous materials and airport hazards. Neither potential hazard was found to be CEQA significant. The property does not possess evidence of recognized toxins associated with past agricultural uses. Additionally, the project protects the area from fire hazards by installing fire hydrants to better protect the neighborhood. Ember resistant vents will be installed on all structures and building construction features will reflect the enhanced requirements of the County Building Code, Chapter 7A.</p>
<p>LU-7.1 Agricultural Land Development. Protect agricultural lands with lower-density land use designations that support continued agricultural operations.</p>	<p>The General Plan designated the project site as Semi-Rural (SR-4) pursuant to this policy. The project would comply with the density set forth by the General Plan and therefore includes parcels averaging 4 acres that could support continued agricultural operations.</p>

General Plan Policy	Explanation of Project Conformance
<p>LU-10.1 - Residential Connectivity. Require residential development in Semi-Rural areas to be integrated with existing neighborhoods by providing connected and continuous street, pathway/trail, and recreational open space networks.</p>	<p>The project has been conditioned to restripe Old Highway 395 from Via Urner Way northerly to approximately 300 feet north of the proposed private road easement. In addition, although the project includes an onsite private road ending in a cul-de-sac, in order to comply with this policy, the applicant has included an "emergency access/egress easement and waterline easement" which connects the onsite cul-de-sac to Aquaduct Road, west of the project site.</p>
<p>LU-10.2 – Development - Environmental Resource Relationship. Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character, and avoid sensitive or intact environmental resources and hazard areas.</p>	<p>The project site is primarily surrounded by agricultural and residential development similar to the proposed residential development on four acre lots included with this project. The site is developed with an agricultural nursery and does not contain wildlife habitat, corridors, wetlands or other sensitive resources that warrant onsite preservation. The property does not possess evidence of recognized toxins associated with past agricultural uses. Therefore, the project will provide semi-rural development while respecting environmental resources and avoiding hazards.</p>
<p>LU-13.2 Commitment of Water Supply Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.</p>	<p>The Rainbow Municipal Water District issued a Project Facility Availability Form for this development. The project will be required to obtain a commitment letter prior to approval of a Final Map.</p>

General Plan Policy	Explanation of Project Conformance
<p>LU-14.2 Wastewater Disposal Require that development provide for the adequate disposal of wastewater concurrent with the development and that the infrastructure is designed and sized appropriately to meet reasonably expected demands.</p>	<p>The project wastewater disposal will be handled via individual septic systems. The project has been conditioned to obtain approval of the design and installation of those systems by the County Department of Environmental Health (DEH).</p>
<p>COS-4.1 Water Conservation Require development to reduce the waste of potable water through use of efficient technologies and conservation efforts that minimize the County's dependence on imported water and conserve groundwater resources.</p>	<p>The project would be required to comply with San Diego County's <i>Water Conservation in Landscaping Ordinance</i> and the County of San Diego <i>Water Efficient Landscape Design Manual</i>, which includes water conservation requirements and water efficient landscaping. These policies are enforced at the building permit phase.</p>
<p>COS-14.3 Sustainable Development Require design of residential subdivisions and nonresidential development through "green" and sustainable land development practices to conserve energy, water, open space, and natural resources.</p>	<p>The project has been designed using sustainable land development practices, including the installation of bio-retention basins to treat stormwater runoff.</p>
<p>S-3.6 Fire Protection Measures Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.</p>	<p>The project has been reviewed and approved by the County Fire Authority and Deer Springs Fire Protection District. The project meets County of San Diego and Deer Springs Fire Protection District requirements with the addition of two fire hydrants, appropriate means of access to the site, compliance with the "Exterior Ignition-Resistance" standards of the County Building Code, Chapter 7A and residential sprinklering per County Code requirements.</p>
<p>S-6.4 Fire Protection Services for Development Require that new development demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1 (Travel Time Standards from Closest Fire Station).</p>	<p>The maximum travel time based on the Regional Category (Semi-Rural Residential Areas - SR-1, SR-2 and SR-4) is 10 minutes. The project demonstrates a response time of five minutes based on Form 399F. The form and the preliminary grading plan were reviewed and approved by the County Fire Authority and Deer Springs Fire Protection District.</p>

3. Community Plan Consistency

The proposed project is consistent with the following relevant Bonsall Community Plan goals, policies and actions as described in Table D-2.

Table D-2: Community Plan Conformance

Community Plan Policy	Explanation of Project Conformance
<p>Goal LU-1.1 A unique balance of Bonsall's rural agriculture, estate lots, ridgelines, equestrian uses, and open space land uses within the community, including open space and low density buffers that separate the community from adjacent cities and unincorporated community and new development that conserves natural resources and topography.</p>	<p>The project complies with this goal in that the proposed project has been designed to minimize impacts to future potential onsite agricultural uses by proposing minimum four acre estate-sized lots that have the potential to support future agricultural uses. The project site is not located on a ridgeline, does not contain significant topographical features, nor does it contain natural resources necessitating preservation.</p>
<p>Policy LU 1.1.1 Require development in the community to preserve the rural qualities of the area, minimize traffic congestion, and to not adversely affect the natural environment.</p>	<p>The project includes nine estate lots, all of which exceed four acres in size. The lots are large enough in size to allow for continued agriculture, similar to several lots in the surrounding area which contain semi-rural residential uses in combination with small agricultural farms. The project will result in an additional 108 average daily trips. However, the project will not result in significant traffic impacts in accordance with County guidelines. Finally, the site is developed with an agricultural nursery and does not contain wildlife habitat, corridors, wetlands or other sensitive resources that warrant onsite preservation. Therefore, the project will not adversely affect the natural environment.</p>
<p>Policy LU 1.1.2 Maintain the existing rural lifestyle by continuing the existing pattern of residential, equestrian, and agricultural uses within the Bonsall Community Plan Area.</p>	<p>The project complies with this policy in has been designed to minimize impacts to future potential onsite agricultural uses by proposing minimum four acre estate-sized lots that are consistent with the community.</p>

<p>Policy LU 5.1.6 Minimize cut and fill grading for roads and access ways to the absolute minimum necessary.</p>	<p>The project complies with this policy in that the proposed grading follows the existing contours of the property, to the extent practicable. Compliance with the project SWMP will protect the project site and those surrounding properties from erosion and damage caused by stormwater runoff. All graded portions of the site will be re-vegetated, pursuant to the County Water Conservation in Landscaping Ordinance. At the property line, the volume of stormwater runoff will not exceed that which currently leaves the site.</p>
<p>Policy CM-1.1.6 Minimize the use of cul-de-sacs in the Bonsall CPA and require new subdivisions to provide local connectivity by providing linkages for long-term circulation improvement.</p>	<p>Although the project includes an onsite private road ending in a cul-de-sac, in order to comply with this policy, the applicant has included an "emergency access/egress easement and waterline easement" which connects the onsite cul-de-sac to Aquaduct Road, west of the project site. Based on the inclusion of this additional access, the project has been found to comply with this policy.</p>

4. Zoning Ordinance Consistency

The proposed project is subject to the Limited Agriculture (A-70) zone, and complies with all applicable zoning requirements with the incorporation of conditions of approval. The Planning Commission should consider whether the included conditions of approval ensure compatibility of the proposed project with the surrounding properties and overall community character.

Table D-3: Zoning Ordinance Development Regulations

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	A70	Yes
Animal Regulation:	L	Yes
Density:	-	N/A
Lot Size:	2.0 Acres	Yes
Building Type:	C	Yes
Height:	G	Yes
Lot Coverage:	-	N/A
Setback:	W	Yes
Open Space:	-	N/A
Special Area Regulations:	-	N/A

Table D-4: Zoning Ordinance Development Regulations Compliance Analysis

Development Standard	Proposed/Provided	Complies?
Section 2100 of the Zoning Ordinance describes the permitted uses in the Limited Agriculture (A-70) Use Regulations.	The proposed project complies with the A-70 Use Regulations.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4200 of the Zoning Ordinance describes the required minimum lot size.	The proposed project would comply with the minimum lot size.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4800 of the Zoning Ordinance requires a setback of 60 feet in the front yard, 25(v) feet in the interior side yard, 35 feet in the exterior side yard and 25 feet for rear yard setback.	The proposed lots have been designed to contain building pads that are large enough for a single-family dwelling to be constructed without encroaching into the required setbacks.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

5. Subdivision Ordinance Consistency

The project has been reviewed for compliance with the Subdivision Ordinance. The project is consistent with the requirements for major subdivisions in terms of design (Section 81.401), dedication and access (Section 81.402) and improvements (Sections 81.403 and 81.404). The project includes requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with the Subdivision Map Act and the Subdivision Ordinance.

6. Applicable County Regulations

Table D-4: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
1 Resource Protection Ordinance (RPO)	The project complies with the RPO. There are no RPO Wetlands, RPO Sensitive Habitat Lands, or RPO steep slope lands. The property was surveyed and no historical or cultural sites were found; however, grading monitoring will be required to protect potential on-site cultural resources.
2 Noise Ordinance	The project would not generate potentially significant noise levels which exceed the allowable limits of the County Noise Element or Noise Ordinance.

County Regulation Policy	Explanation of Project Conformance
3 County Consolidated Fire Code	The proposed private road from Old Highway 395 to the proposed cul-de-sac is 1,850 feet. Per Section 503.1.3 of the County Consolidated Fire Code, the maximum length of a dead-end road shall not exceed 1,320 feet for parcels zoned for one acre to 4.99 acres. The private road is conditioned to be constructed to a 30-foot wide paved width and 38-foot graded width. This exceeds the County's private road standards which require a 24-foot wide paved width and 28-foot graded width and serves as mitigation for exceedance of the dead-end road length standard. This mitigation has been accepted by the Deer Spring Fire Protection District and County Fire Authority.

7. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed for compliance with CEQA and the project qualifies for an Exemption from Additional Environmental Review pursuant to CEQA Guidelines Section 15183 (Attachments C & D). CEQA Section 15183 provides an exemption from additional environmental review for projects that are consistent with the development density established by the General Plan for which an Environmental Impact Report (EIR) was certified. For the proposed project, the planning level document is the General Plan Update Program EIR, certified by the Board of Supervisors August 2011. Additional environmental review is only for project-specific significant effects that are peculiar to the project or its site. Attachment C includes the "Statement of Reasons for Exemption," which details the analysis of environmental effects staff determined were not discussed in the prior EIR. The project level environmental analysis includes technical studies for drainage and stormwater management. County staff found that the mitigation measures for the project would reduce any potential impacts to the environment to a level below significance. Details of these mitigation measures can be found in the Resolution of Approval (Attachment B).

E. COMMUNITY PLANNING GROUP

On March 16, 2012, the Bonsall Community Sponsor Group (CSG) voted 3-1-2-1 (Ayes: 3, Noes: 1, Absent: 2, Vacant: 1) to recommend approval of this TM with an emergency access road. Following the CSG meeting, the emergency access was slightly modified. The project engineer discussed the current proposal with the CSG and the CSG continues to be supportive of the project with the current design.

F. PUBLIC INPUT

During the public disclosure period from July 24, 2014 to September 8, 2014, comments were received from the San Luis Rey Band of Mission Indians, the San Diego County Archaeological Society and neighbors surrounding the project site. Staff has evaluated all issues raised and determined that the project, as designed and with modifications addressing public disclosure comments, is consistent with

the General Plan, the Bonsall Community Plan, the Zoning Ordinance, the Subdivision Ordinance and CEQA; and all issues have been reviewed and resolved. In addition, agricultural, biological and cultural resources have been fully analyzed and mitigated.

G. RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. Adopt the Environmental Findings included in Attachment D, which includes a finding that the project is exempt from further environmental review pursuant to Section 15183 of the CEQA Guidelines.
2. Adopt the Resolution of Approval for TM PDS2003-3100-5346 which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego Regulations (Attachment B).

<p>Report Prepared By: Ashley Smith, Project Manager 858-495-5375 Ashley.Smith2@sdcounty.ca.gov</p>	<p>Report Approved By: Mark Wardlaw, Director 858-694-2962 Mark.Wardlaw@sdcounty.ca.gov</p>
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AUTHORIZED REPRESENTATIVE:  _____

MARK WARDLAW, DIRECTOR

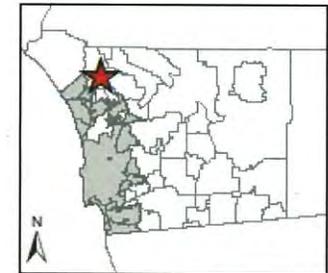
ATTACHMENTS:

- Attachment A – Planning Documentation
- Attachment B – Resolution Approving PDS2003-3100-5346
- Attachment C – Environmental Documentation
- Attachment D – Environmental Findings
- Attachment E – Public Documentation
- Attachment F – Ownership Disclosure

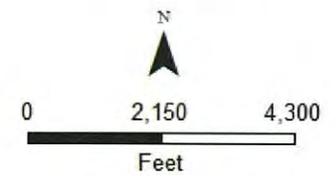
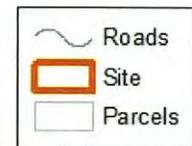
Attachment A – Planning Documentation

DABBS TENTATIVE MAP
PDS2003-3100-5346
Vicinity Map

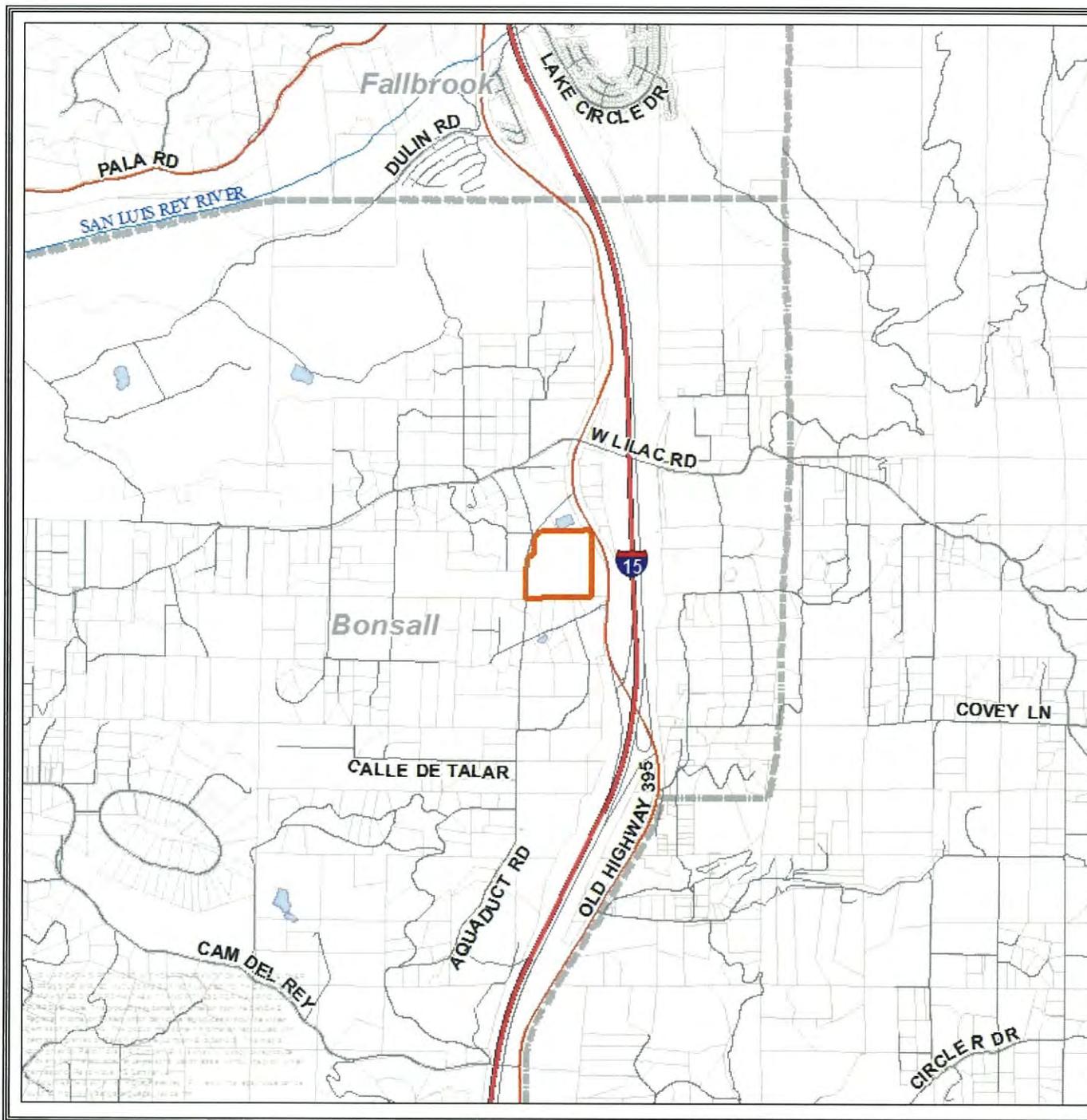
Bonsall
Community Plan Area



1:3,500,000



Date: 10/22/2015
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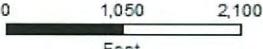
DABBS TENTATIVE MAP
PDS2003-3100-5346

Aerial
Bonsall Community Plan Area

~ Roads
□ Site

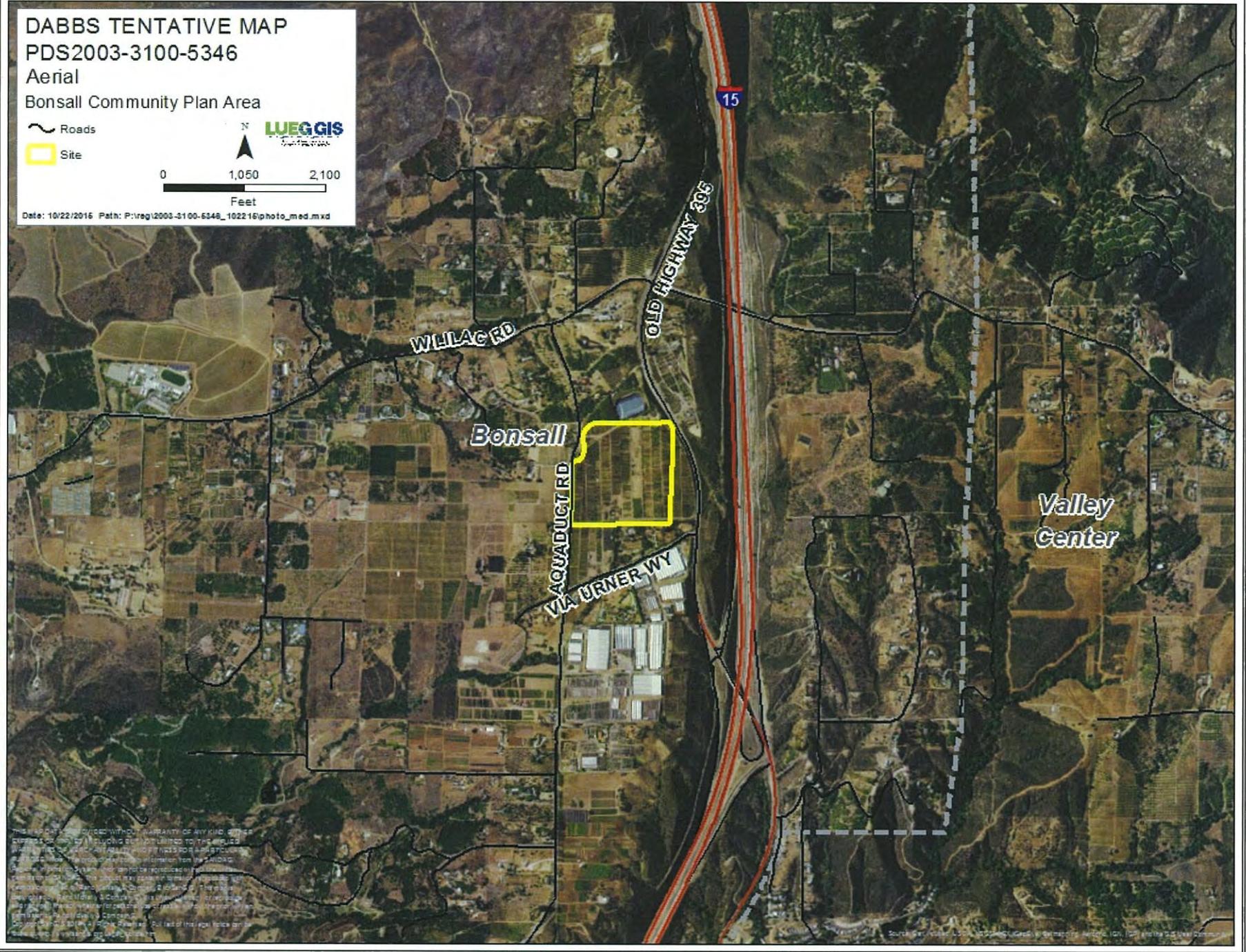


LUFGIS
Landscape User Feedback GIS



0 1,050 2,100
Feet

Date: 10/22/2016 Path: P:\reg\2003-3100-5346_102216\photo_med.mxd



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DABBS TENTATIVE MAP
PDS2003-3100-5346

Aerial
Bonsall Community Plan Area

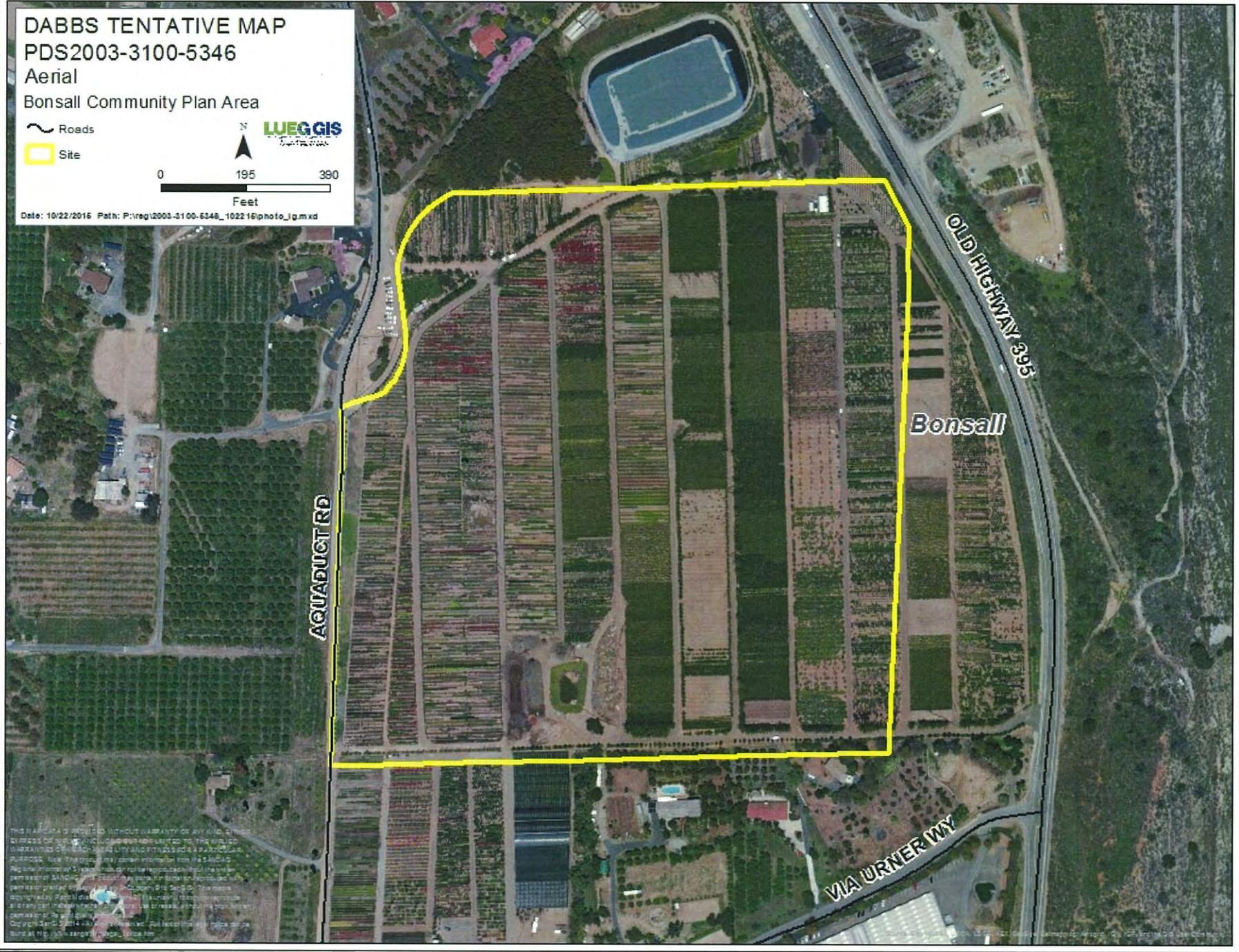
~ Roads
□ Site



LUEGGIS
GIS SOLUTIONS

0 195 390
Feet

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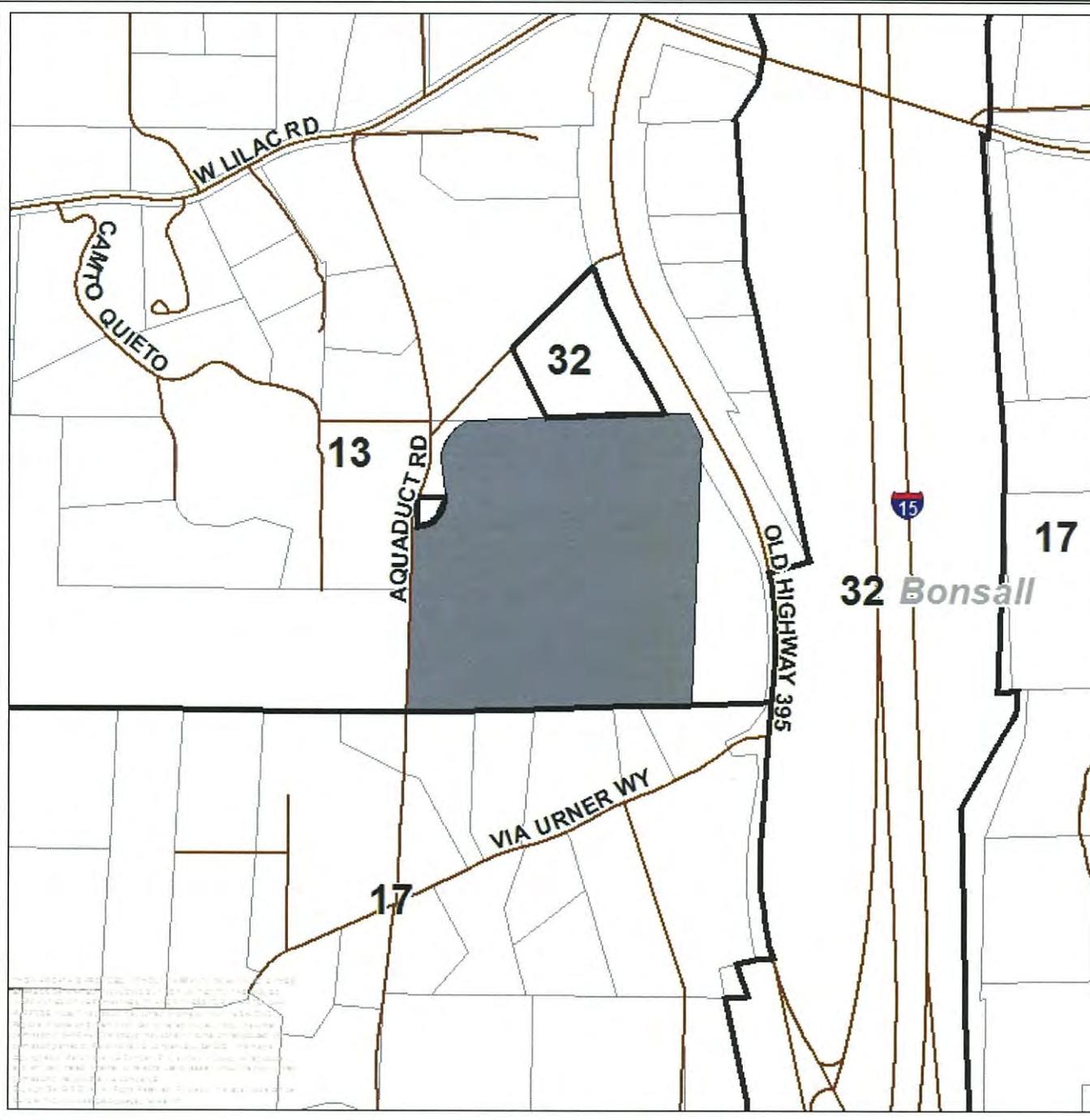


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DABBS TENTATIVE MAP
PDS2003-3100-5346
General Plan Map

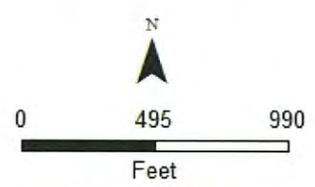
*Bonsall
Community Plan Area*

- (13) Semi-Rural Residential (SR-4)
- (17) Semi-Rural Residential (SR-10)
- (32) Public/Semi-Public Facilities



Legend:

- Roads
- Site
- Parcels
- Planning



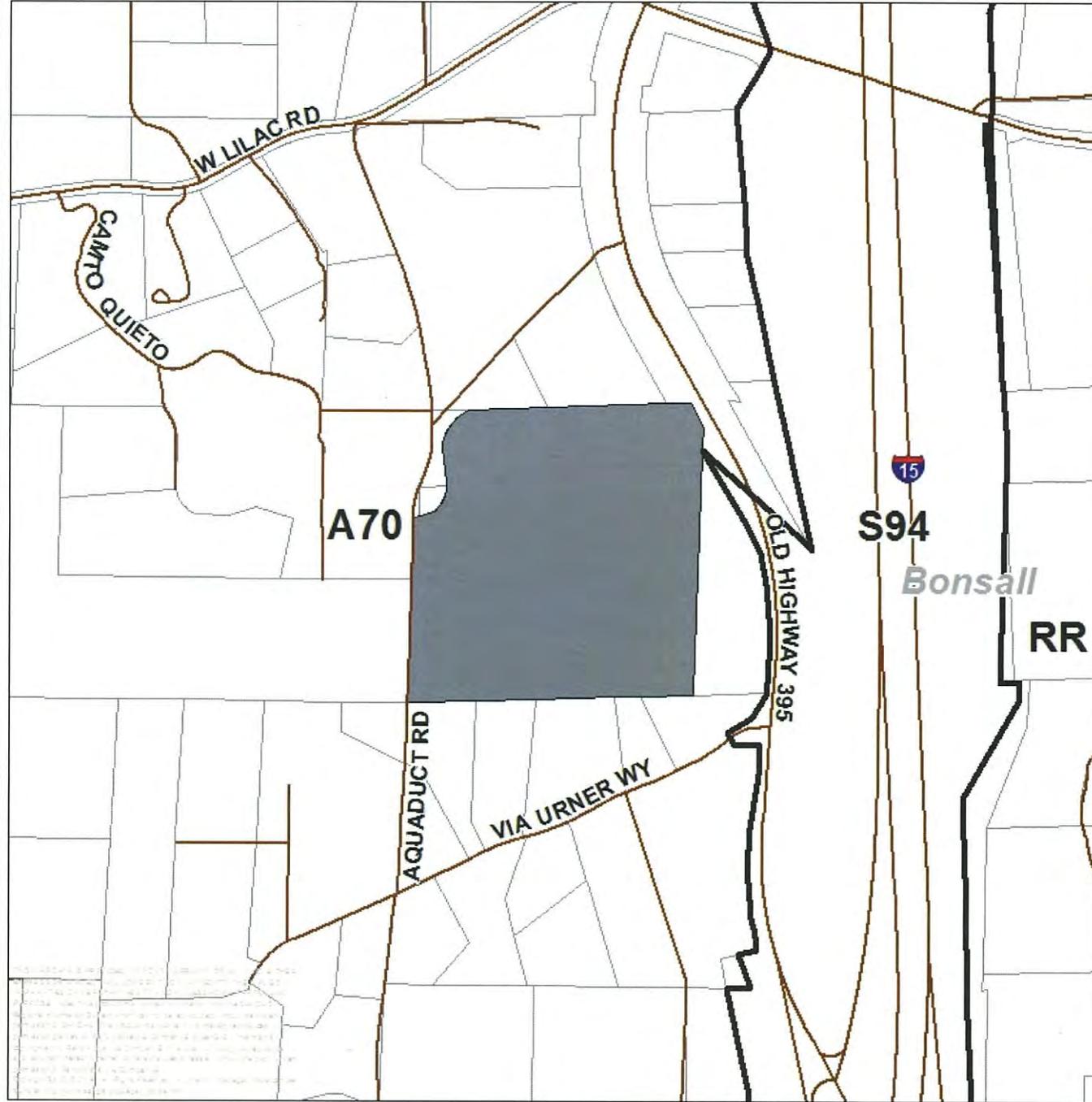
LUEGGIS
LAND USE & ENVIRONMENTAL CONSULTANTS
www.lueggis.com

Date: 10/22/2015
Path: P:\reg\2003-3100-5346_102215\plan.mxd

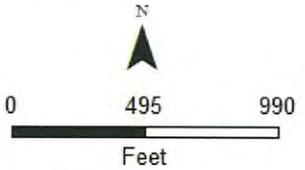
DABBS TENTATIVE MAP
PDS2003-3100-5346
Zoning Map

*Bonsall
Community Plan Area*

- A70 - Limited Agricultural
- RR - Rural Residential
- S94 - Transportation/Utility Corridor



	Roads
	Site
	Parcels
	Zoning



Date: 10/22/2015
Path: P:\reg\2003-3100-5346_102215\zoning.mxd

COUNTY OF SAN DIEGO TRACT MAP NO. 5346 (ENVIRONMENTAL LOG NO. 02-03-067)

OWNER/SUBDIVIDER: SHEET 1 OF 1 SHEETS

NAME: DONALD R. AND DEBRA A. DARBS
ADDRESS: P.O. BOX 968
BONSALL, CA 92003
PHONE NO: (760) 727-7371

Donald R. Darbs *Debra A. Darbs*
SIGNATURE: DONALD R. DARBS SIGNATURE: DEBRA A. DARBS

- COMPLETE TAX ASSESSOR'S NUMBER IS 127-071-38
- LEGAL DESCRIPTION SW 1/4 of NW 1/4, T10S, R3W, S80W
- GENERAL PLAN REGIONAL CATEGORY **Semi-Rural**
- COMMUNITY/SUBREGIONAL PLAN AREA: BONSALL
- LAND USE DESIGNATION (S) **RESIDENTIAL (R) (D) (C) (F) (B) (M) (S)**
Semi-Rural 4 (SR-4)
- EXISTING ZONING

ZONING INFORMATION		
USE	REGULATIONS	APPLICABLE
DEVELOP	DEVELOP	YES
CP	BUILDING TYPE	C
MENT	MAX FLOOR AREA	-
REGU	FLOOR AREA RATIO	-
LA	CEILING	-
THOS	SCREEN SPACE	-
SPECIAL AREA RULES		

- ASSOCIATED PERMITS: REMANDMENT OF RELINQUISHED ACCESS RIGHTS 2010-00002
- STATUS OF EXISTING LEGAL ACCESS TO SUBJECT PROPERTY FROM A PUBLICLY MAINTAINED ROAD: BY PRIVATE ROAD EASEMENT FROM HIGHWAY 395
- WATER DISTRICT: RAINBOW M.W.D.
- SEWER DISTRICT: SEPTIC
- FIRE DISTRICT: DEER SPRINGS F.P.D.
- SCHOOL DISTRICT (S): BONSALL ELEMENTARY & FALLBROOK HIGH SCHOOL DISTRICTS
- GRADING AS SHOWN FOR ROADS ONLY
- SAN DIEGO TOPO SHEET NO: 410-1719
- TAX RATE AREA: 37025
- TOTAL LOTS: 9
- TOTAL AREA: 38.3 Ac. Gross, 36.2 Ac. Net
- MINIMUM LOT SIZE: 2 AC. GROSS
- TOPO DATA: FROM COUNTY 200 SCALE ORTHO PHOTOGRAPHY 410-1719
- FEES PAID IN LIEU OF PARK DEDICATION
- NO STREET LIGHTS ARE PROPOSED
- NO SPECIAL ASSESSMENT ACTS ARE PROPOSED

THIS IS A SOLAR SUBDIVISION AS REQUIRED BY THE SECTION 01401 (a) OF THE SUBDIVISION ORDINANCE. ALL LOTS HAVE AT LEAST 100 SQUARE FEET OF UNOBSTRUCTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT

TENTATIVE MAP PREPARED BY:

PIRO ENGINEERING
930 BOARDWALK, SUITE "D"
SAN MARCOS, CA. 92069
(760) 744-3700

GARY K. PIRO R.C.E. 24000

DEPARTMENT OF PUBLIC WORKS WAIVER REQUESTS

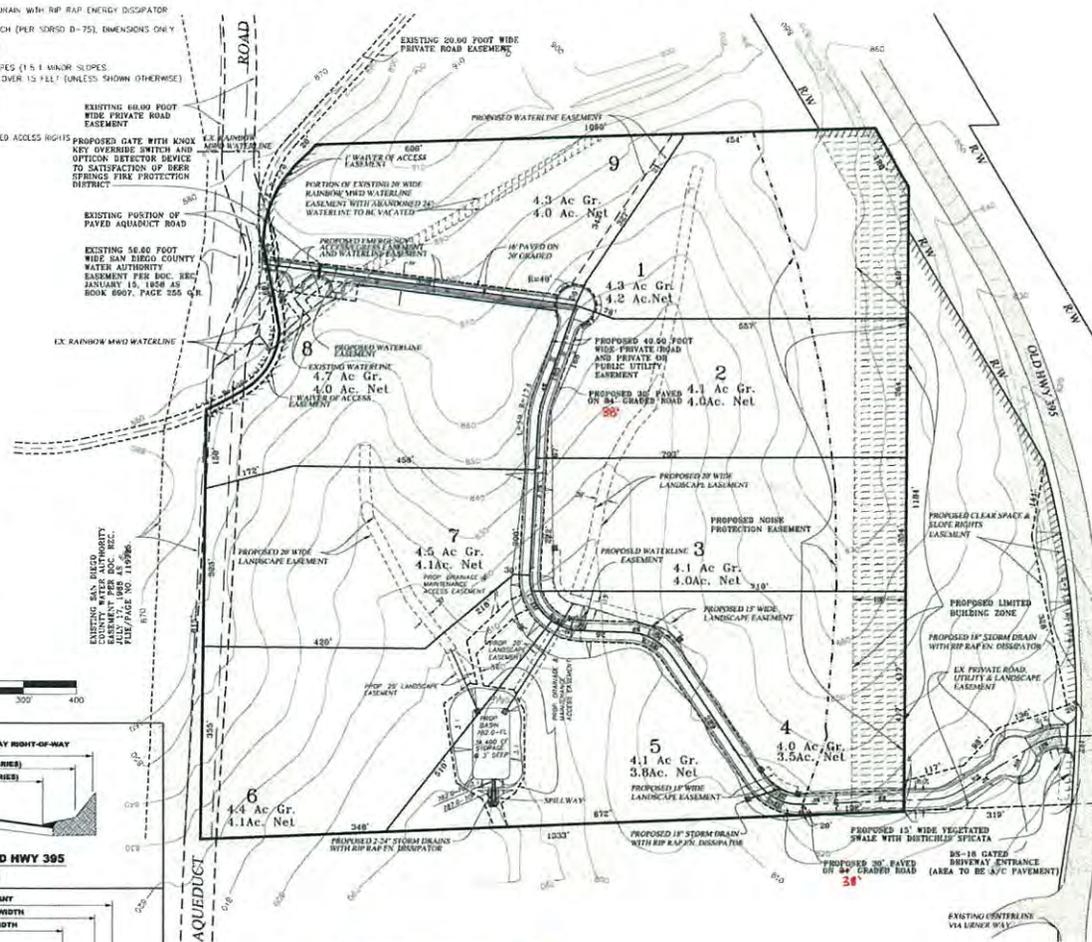
REDUCE MINIMUM RADIUS FROM 150' TO 100'
SEE DPW APPROVED WAIVER REQUEST DATED 2/02/2011



VICINITY MAP
SCALE 1:500 N.T.S.

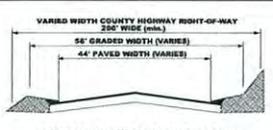
LEGEND

- PROPOSED STORM DRAIN WITH RIP RAP ENERGY DISSIPATOR
- UNPAVED BROAD DITCH (PER SORSO D-751 DIMENSIONS ONLY)
- DIRECTION OF FLOW
- PROPOSED CUT SLOPES (1.5:1 MINOR SLOPES)
- 2:1 MAJOR SLOPES OVER 15 FEET (UNLESS SHOWN OTHERWISE)
- EXISTING 8.00 FOOT WIDE PRIVATE ROAD EASEMENT
- EXISTING 56.00 FOOT WIDE PRIVATE ROAD EASEMENT
- EXISTING 56.00 FOOT WIDE SAN DIEGO COUNTY WATER AUTHORITY EASEMENT PER REC. REC. JANUARY 15, 1958 AS BOOK 6907, PAGE 258 & 4
- EXISTING 56.00 FOOT WIDE SAN DIEGO COUNTY WATER AUTHORITY EASEMENT PER REC. REC. JULY 17, 1957 AS REC. FILE #PAGE NO. 14986
- INDICATES RELINQUISHED ACCESS RIGHTS

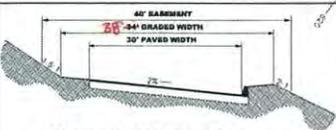


THIS DOES NOT CONSTITUTE APPROVAL OR DISAPPROVAL OF ANY INFORMATION RELAYED BY THE VENDOR. THE USER OF THIS DOCUMENT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION. THE USER OF THIS DOCUMENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Created on 02/03/2011
San Diego Department of Environmental Health
By: *[Signature]* Date: 2/3/2011



TYPICAL SECTION OLD HWY 395
(NO SCALE)



TYPICAL ON SITE ROAD SECTION
(NO SCALE)

NOTE: ALL DRIVEWAYS TO BE 16' ON 20' GRADED OR CURED FERREABLE PAVES.

2-25

**Attachment B – Resolution
Approving PDS2003-3100-5346**

December 11, 2015

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. 5346)

WHEREAS, Tentative Map No. 5346 proposing the division of property located at east corner of Aquaduct Road and north of Via Urner Way and generally described as:

SW ¼ of the NW 1/4, T10S, R3W, SBBM, in the County of San Diego, State of California

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on November 21, 2003; and

WHEREAS, on December 11, 2015, the Planning Commission of the County of San Diego pursuant to Section 81.304 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

WHEREAS, the Planning Commission of the County of San Diego has determined that the conditions hereinafter enumerated are necessary to ensure that the subdivision and the improvement thereof will comply with the Subdivision Map Act and conform to all ordinances, plans, rules, standards, and improvement and design requirements of San Diego County.

IT IS RESOLVED, DETERMINED, AND ORDERED, that based on the findings, said Tentative Map is hereby approved subject to the following conditions:

MAP EXPIRATION: The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.308 of the County Subdivision Ordinance.

STANDARD CONDITIONS: The "Standard Conditions (1-29) for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk, as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only the following exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized. **The following Standard Subdivision Conditions are here by waived:**

- (1) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification allows the use of high pressure sodium (HPS) vapor light sources at the project site if

desired or required. HPS vapor light sources are only prohibited within a 15 mile radius of Palomar or Mount Laguna observatories pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].

- (2) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (3) Standard Condition 19(e): Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (4) Standard Condition 27: Said condition states that the Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units or groups of units. The Final Map for this Tentative Map may be filed in units.

PRELIMINARY GRADING PLAN: The approval of this Tentative Map here by adopts the Preliminary Grading and Improvement Plan consisting of one sheet pursuant to Section 81.303 of the County Subdivision Ordinance. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.)

APPROVAL OF MAP: THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

1-29. The “Standard Conditions (1-29) for Tentative Subdivision Maps” approved by the Board of Supervisors on June 16, 2000, with the exception of those “Standard Conditions” waived above.

30. COST RECOVERY: [PDS, DEH, DPR], [MA, GP, IP]

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5 existing deficit accounts associated with processing this map shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this map. **DOCUMENTATION:** The applicant shall provide a receipt to Planning & Development Services, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No map can be issued if there are deficit

deposit accounts. **TIMING:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and discretionary deposit accounts shall be paid. **MONITORING:** The PDS Zoning Counter shall review the receipts and verify that all PDS, DEH, and DPR deposit accounts have been paid.

31. GRADING PLAN CONFORMANCE: [DPW, ESU] [DPR, TC PP] [GP, IP, MA]

INTENT: In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **DESCRIPTION OF REQUIREMENT:** The grading and or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: archaeological monitoring. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [PDS, PP, or PDS, BD for PDS Minor Grading, [DPR, TC for trails and PP for park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

32. PUBLIC ROAD IMPROVEMENTS: [PDS, LDR], [DPR, TC] [MA]

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404 and the Community Trails Master Plan, Old Highway 395 shall be improved. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for Old Highway 395.

- a. Restripe Old Highway 395 from Via Urner Way northerly to approximately 300 feet north of the proposed private road easement. Restripe the road to provide 11 feet wide for each travel lane, 11 feet in width for a left turn lane and minimum 5 feet for bike lanes.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, the DPW Land Development Improvement Plan Checking Manual and the Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- b. Process and obtain approval of Striping Plans to improve Old Highway 395.
- c. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.408

- d. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDCI].
- e. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to the approval of the map the plans, agreements, and securities shall be approved. **MONITORING:** The [PDS, LDR] and [DPR, TC, PP] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

33. PRIVATE ROAD IMPROVEMENTS: [PDS, LDR], [MA]

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404, a proposed on-site private road easement shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for the proposed on-site and off-site private road easement from Old Highway 395 westerly then northerly to the proposed cul-de-sac, to a graded width of thirty-four feet (34') and to an improved width of thirty feet (30') with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one to seven hundred fifty (101 – 750) trips shall apply. Reductions in the horizontal radii from the standard requirements 150 feet to 100 feet are allowed at the following stations: 3+08.89 to 4+32.12; 6+53.19 to 7+54.89; 10+45.54 to 11+38.02; and 12+29.98 to 13+89.28 along the proposed on-site private road easement serving the project. (See approved letter dated February 2, 2011).
- b. Improve or agree to improve and provide security for the proposed on-site private road easement identified on the tentative map as "Proposed Emergency Access/Egress Easement and Waterline Easement" from Aqueduct Road easterly to the proposed cul-de-sac, to a graded width of twenty feet (20') and to an improved width of sixteen feet (16') with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one to seven hundred fifty (101 – 750) trips shall apply. Hammerhead turnarounds, as shown on the tentative map shall be installed on both sides of the proposed gate. The above improvements shall be constructed to the satisfaction of the Director of Planning & Development Services and the Deer Springs Fire Protection District.

- c. The unnamed private road easement shall terminate with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike at thirty-six feet (36') from the radius point.
- d. If gated access is used, it shall be in accordance with San Diego County Design Standards DS-17, DS-18, and DS-19, to the satisfaction of the Director of Planning & Development Services and the Deer Springs Fire Protection District.

All plans and improvements shall be completed pursuant to the County of San Diego Private Road Standards, and the PDS Land Development Improvement Plan Checking Manual. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- e. Process and obtain approval of Improvement Plans to improve the listed private road easements above.
- f. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.408.
- g. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- h. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to the approval of the Final Map, plans, agreements, and securities shall be approved. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

34. PAVEMENT CUT POLICY: [PDS, LDR] [GP, IP, MA]

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering

development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of PDS, Pavement Cut Policy to the satisfaction of the Department of Planning and Development Services (PDS), and submit it to the [PDS LDR] for review. **TIMING:** Prior to the approval improvement plans and the approval of the Map, letters shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the signed letters.

35. SIGHT DISTANCE: [PDS, LDR] [MA]

INTENT: In order to comply with the Design Standards of Section 6.1.E, of the County of San Diego Public Road Standards, an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:** Have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a certified signed statement that: "Physically, there is minimum unobstructed sight distance in both directions along Old Highway 395 from the proposed off-site private road easement, based upon prevailing traffic speed of Old Highway 395, per Section 6.1.E of the County of San Diego Public Road Standards (approved March 2012). For southerly direction, the line of sight fall within the existing right-of-way and a clear space easement is not required. For northerly direction, the line of sight fall within the private property and a clear space easement is required."

DOCUMENTATION: The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Final Map, sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

36. CLEAR SPACE EASEMENT MARKERS: [PDS, LDR] [MA]

INTENT: In order to promote orderly development necessary for public health and safety of the area, and to comply with the County of San Diego Public Road Standards and San Diego Regional Standards Drawing, a clear space easement markers for an unobstructed view for safety while exiting the property and accessing a public road from the site shall be installed. **DESCRIPTION OF REQUIREMENT:**

- a. Show clear space easement on the Non-Title sheet of the Map.
- b. Install the clear space easement markers per DS-16 to the satisfaction of Director of Planning and Development Services.

DOCUMENTATION: The applicant shall have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a signed

statement that the clear space easement markers have been installed per DS-16 along with pictures, and plan. Show the clear space easement on the Non-Title Sheet and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Parcel Map, the clear space easement markers, and clear space easement on the Non-Title Sheet shall be verified. **MONITORING:** The [PDS, LDR] shall verify the clear space easement markers certifications and clear space easement on the Non-Title Sheet.

37. STORMWATER FACILITIES MAINTENANCE AGREEMENTS: [PDS, LDR], [MA]

INTENT: In order to promote orderly development and to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10096, County Code Section 67.801 et. seq., the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:**

- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of PDS.
- b. Establish a maintenance agreement / mechanism (to include easements) to assure maintenance of the Category 2 post-construction best management practices (BMP's). Provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall process the agreement forms with [PDS, LDR] and pay the deposit and applicable review fees. **TIMING:** Prior to the approval of the map, execution of the agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

38. PRIVATE ROAD MAINTENANCE AGREEMENT: [PDS, LDR] [MA].

INTENT: In order to ensure that the private roads approved with this subdivision are maintained, the applicant shall assume responsibility of the private roads. **DESCRIPTION OF REQUIREMENT:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS.
- b. The Director of Planning and Development Services shall be notified as to the final disposition of title (ownership) to the unnamed private easement access road, and place a note on the Final Map as to the final title status of said road.

- c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

DOCUMENTATION: The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of PDS and indicate the ownership on the map as indicated above. **TIMING:** Prior to the approval of the map, the agreement shall be executed and the ownership shall be indicated on the map. **MONITORING:** The [PDS, LDR] shall review the executed agreement and the map for compliance with this condition.

39. ONE FOOT ACCESS DEDICATION: [PDS, LDR] [MA].

INTENT: In order to limit access from the proposed subdivision an offer of dedication shall be granted to the County. **DESCRIPTION OF REQUIREMENT:** A one-foot (1') wide strip shall be offered for dedication along the westerly property lines of proposed Lots 6, 7, 8, and 9 (Aqueduct Road). The one-foot (1') wide strip shall be made a portion of the adjacent lots and designated as "Reserved For Future Street" with access rights relinquished. **DOCUMENTATION:** The applicant shall show the one (1') dedication for future relinquishment on the Map. **TIMING:** Prior to the approval of the Map, this requirement shall be completed. **MONITORING:** The County of San Diego, Director of Planning and Development Services shall recommend that the Board of Supervisors accept the one foot (1') offer of dedication with rights for future relinquishment. The dedication shall be reserved for future streets and access rights.

40. REMAND RELINQUISHED ACCESS: [PDS, LDR] [MA].

INTENT: In order to ensure that only the subdivision's accesses comply with the County Subdivision Ordinance Section 81.1106, the previously relinquished access shall be remanded. **DESCRIPTION OF REQUIREMENT:** Access rights onto Old Highway 395 shall be obtained by remanding of previous relinquishment of access rights onto Old Highway 395 to accommodate a minimum 40 feet private road easement. **DOCUMENTATION:** The applicant shall obtain a remandment of previously relinquishment of access rights onto Old Highway 395 for the proposed private road easement. **TIMING:** Prior to the approval of the Map, this requirement shall be completed and shown on the Map. **MONITORING:** The [PDS, LDR] shall review the approved remandment and the map for compliance with this condition.

41. EROSION CONTROL: [PDS, LDR] [PDS, PDCI] [MA, IP, GP].

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10096 and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The

applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Protection Plan (SWPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to Subdivision Ordinance 81.408, for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the County of San Diego Grading Ordinance Section 87.304(e). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of PDS authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of PDS to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of PDS by the date agreed.

DOCUMENTATION: The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [PDS, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **TIMING:** Prior to approval of the map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of these conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and rosin control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

42. HYDROMODIFICATION NOTE: [PDS, LDR] [MA]

INTENT: In order to acknowledge future processing requirements for projects which were deemed complete, pursuant to Subdivision Map Act Section 66474.2, prior to January 8, 2011, a note shall be placed on the parcel map. This project has provided acknowledgement from the owner and professional that hydromodification needs have been reviewed, based on the project's technical studies, and can be accommodated on the project. Furthermore the acknowledgement states that hydromodification requirements will be complied with prior to development of the lots and that any changes that result from implementing hydromodification requirements may require changes to the project design or processing a revision. **DESCRIPTION OF REQUIREMENT:** The

following note shall be shown as the first note in the Non-Title sheet of the parcel map and labeled "Hydromodification Note".

"Approval of a parcel map does not guarantee that subsequent governmental permits and approvals needed to develop the property can be issued based on laws, regulations or standards in place at the time the subdivision was approved. Changes in the law, regulations or standards that occur or become effective prior to the time development permits are sought can adversely impact the ability to develop a subdivision. In some instances, it may be necessary to redesign or remap a subdivision to address these changes, which can be a costly and time consuming process.

Without limiting the generality of the foregoing, it is specifically noted that starting on January 8, 2011 updated storm water requirements required by the California Regional Water Quality Control Board, San Diego Region, became applicable to priority development projects in the County pursuant to Regional Board Order No. R9-2007-0001, NPDES No. CAS0108758. Subdivisions in process prior to this date may not have been designed to address these new requirements. In order to issue grading, building and other development permits, it may be necessary to address these new requirements even if such considerations were not required to approve the parcel map. "

DOCUMENTATION: The applicant shall add the Hydromodification Note on the Non-Title sheet of the parcel map as indicated above. **TIMING:** Prior to the approval of the parcel map, the note shall be shown on the parcel map. **MONITORING:** The [PDS, LDR] shall verify that the note has been added to the parcel map pursuant to this condition.

- 43. STRMWTR#1 - STORMWATER FACILITIES MAINTENANCE AGREEMENTS:**
INTENT: In order to promote orderly development and to comply with the County Flood Damage Prevention Ordinance (County Code Title 8, Division 11), and County Watershed Protection Ordinance (WPO) C (County Code Section 67.801 et. seq.), the maintenance agreements shall be completed.
DESCRIPTION OF REQUIREMENT:

- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of Planning & Development Services.

DOCUMENTATION: The applicant shall process the agreement forms with [PDS, LDR] and pay the deposit and applicable review fees. **TIMING:** Prior to the approval of the Final Map, execution of the agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements / mechanisms for consistency with the condition and County Standards.

44. STRMWTR#2 – STORMWATER NOTE:

INTENT: In order to acknowledge future processing requirements for projects which were deemed complete pursuant to Subdivision Map Act Section 66474.2 prior to the implementation date of the County BMP Design Manual, a note shall be placed on the map. **DESCRIPTION OF REQUIREMENT:** The following note shall be shown as the first note in the Non-Title sheet of the map and labeled “Storm Water Note”.

“Approval of a map does not guarantee that subsequent governmental permits and approvals needed to develop the property can be issued based on laws, regulations or standards in place at the time the subdivision was approved. Changes in the law, regulations or standards that occur or become effective prior to the time development permits are sought can adversely impact the ability to develop a subdivision. In some instances, it may be necessary to redesign or remap a subdivision to address these changes, which can be a costly and time consuming process.

Without limiting the generality of the foregoing, it is specifically noted that starting on the implementation date of the County BMP Design Manual, updated storm water requirements implemented by the California Regional Water Quality Control Board, San Diego Region, became applicable to priority development projects in the County pursuant to Regional Board Order No. R9-2013-0001, NPDES No. CAS0109266. Subdivisions in process prior to this implementation date may not have been designed to address these requirements which may include updated Hydromodification criteria, and avoidance of critical coarse sediment yield areas or implementation of mitigation measures. In order to issue grading, building, and other development permits, it may be necessary to address these new requirements even if such considerations were not required to approve the map.”

DOCUMENTATION: The applicant shall add the Storm Water Note on the Non-Title sheet of the map as indicated above. **TIMING:** Prior to the approval of the map, the note shall be shown on the map. **MONITORING:** The [PDS, LDR] shall verify that the note has been added to the map pursuant to this condition.

45. STRMWTR#3 - EROSION CONTROL:

INTENT: In order to comply with all applicable stormwater regulations, the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code section 67.801 et seq.) and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Protection Plan (SWPP) including, but not limited

to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to Subdivision Ordinance Section 81.408, for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the County of San Diego Grading Ordinance Section 87.304(e). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Planning & Development Services authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Planning & Development Services to unilaterally withdraw any part or all of the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Planning & Development Services by the date agreed.

DOCUMENTATION: The applicant shall provide the agreement and any additional security and or cash deposit to the [PDS, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **TIMING:** Prior to approval of the map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of these conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

- 46. LBZ EASEMENT: [PDS, PCC, LDR] [DGS, RP][MA, GP, IP] [PDS, FEEX 2]**
INTENT: In order to protect sensitive biological resources, a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area.
DESCRIPTION OF REQUIREMENT: Grant to the County of San Diego a Limited Building Zone Easement as shown on the approved Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
- a. Decking, fences, and similar facilities.

- b. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the map or on the map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** For recordation on the map, the [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to map recordation OR for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] and [DPR, GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition - OR - if recorded on the map, the [PDS, LDR] shall satisfy the condition after map recordation.

47. **OFF-SITE MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM]**
INTENT: In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource, off-site mitigation shall be acquired.
DESCRIPTION OF REQUIREMENT: The applicant shall purchase habitat credit, or provide for the conservation of habitat of 3.5 acres of Diegan coastal sage scrub, located in North San Diego County as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount

required by this project and the amount remaining after utilization by this project.

- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in North San Diego County as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
 3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
 4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
 5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

DOCUMENTATION: The applicant shall purchase the off-site mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS, PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **TIMING:** Prior to the approval

of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

48. **ARCHAEOLOGICAL GRADING MONITORING: [PDS, PCC] [DPW, ESU] [MA, GP, IP] [PDS, FEE X 2] INTENT:** In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, a grading monitoring program and potential data recovery program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and CEQA Section 15064.5 and 15064.7. **DESCRIPTION OF REQUIREMENT:** A County approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities, and shall sample fill materials to confirm that the fill soils are clean of cultural resources. The following shall be completed:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources, and this map. The contract provided to the County shall include an agreement that the grading monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a Native American of the appropriate tribal affiliation has also been contracted to perform Native American Grading Monitoring for the project.
- c. The cost of the monitoring shall be added to grading bonds or bonded separately with PDS.

DOCUMENTATION: The applicant shall provide a copy of the Grading Monitoring Contract, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of the map for PDS2003-3100-5346, and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **MONITORING:** The [PDS, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition.

The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds. [PDS, LDR] shall add the cost of the monitoring to the grading bond costs, and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

49. CULTURAL RESOURCES REPORT: [PDS, PCC] [UO, FG] [PDS, FEE X2].

INTENT: In order to ensure that Grading Monitoring occurred during the grading phase of the project, a final report shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Grading Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all prehistoric cultural resources collected during the grading monitoring program have been repatriated to an appropriate Luiseno tribe. Evidence shall be in the form of a letter from the Luiseno tribe receiving the artifacts that the materials have been received.

or

Evidence that all prehistoric cultural material have been curated at a San Diego curation facility or culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to an appropriate curation facility in San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Historic materials shall be curated at a San Diego curation facility as identified above and shall not be repatriated or curated with a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to the [PDS, PCC] for approval. **TIMING:** Prior to any occupancy or final grading release, the final report shall be prepared. **MONITORING:** The [PDS, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, [PDS, PCC] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS, FISCAL] to release the bond back to the applicant.

50. **NOISE RESTRICTION EASEMENT: [DPLU, BPPR] [DPLU, PCC] [MA] [DPLU, FEE X 4] INTENT:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the entire areas of Lots 1, 2, 3 and 4 to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **DESCRIPTION OF REQUIREMENT:** A Noise Restriction Easement as indicated on the approved Tentative Map, shall be granted on the map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by the General Plan Noise Element (Policy 4.b).
- i. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a Rural Collector roadway for Old Highway 395 , which is its designated General Plan Circulation Element buildout roadway classification.
- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.

- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [DPLU, BD] for review and approval before the building permits can be issued. To the satisfaction of the [DPLU, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

DOCUMENTATION: The applicant shall indicate the noise restriction easement on the map as indicated on the tentative map. **TIMING:** Prior to the approval of the map for Lots 1, 2, 3, and 4, the requirements of this condition shall be completed. **MONITORING:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

PRE-CONSTRUCTION MEETING: (Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

51. **ARCHAEOLOGICAL MONITORING:** [DPW, PDC] [PDS, PCC] [PC] [PDS, FEE X2] **INTENT:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2003-3100-5346, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved 'Project Archaeologist,' Native American Monitor, and the PDS Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements and shall sample fill soils (import and onsite) to make the determination that fill is clean of cultural resources. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [PDS, PCC] shall

attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.

DURING CONSTRUCTION: *(The following actions shall occur throughout the duration of the grading construction).*

52. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [PDS, PCC] [PDS, FEE X2]

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2003-3100-5346, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources, Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseno Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist, or the Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseno Native American monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist in consultation with the Luiseno Native American monitor and approved by the Staff Archaeologist, then carried out using professional archaeological methods. The Research Design and Data Recovery Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites pursuant to CEQA §21083.2(g) as the preferred option, (2) the capping of identified Sacred Sites or unique cultural resources and placement of development

over the cap, if avoidance is infeasible, and (3) data recovery for non-unique cultural resources.

- c. If any human remains are discovered, the Project Archaeologist shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. Upon conclusion of the Coroner's determination, the human remains are to remain in place ("in situ") and any analysis shall be conducted on site in the presence of a Luiseno Native American monitor. If 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 by the Project Archaeologist in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed.
- d. The Project Archaeologist and Luiseno Native American monitor shall sample the fill soils (import and onsite) to confirm that they are clean of cultural resources.

DOCUMENTATION: The applicant shall implement the grading monitoring program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Archeologist or applicant fails to comply with this condition.

ROUGH GRADING: *(Prior to rough grading approval and issuance of any building permit).*

53. ARCHAEOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].
INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2003-3100-5346, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the grading activities that require monitoring:

- a. If **no archaeological resources** are encountered during grading, then submit a final Negative Monitoring Report substantiating that grading

activities are completed and no cultural resources were encountered. Monitoring logs showing the date and time that the monitor was on site must be included in the Negative Monitoring Report.

- b. If archaeological resources were encountered during grading, the Project Archaeologist shall provide a Monitoring Report stating that the field grading monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the Monitoring report to the [PDS, PCC] for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** The [PDS, PCC] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

FINAL GRADING RELEASE: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

- 54. ARCHAEOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE]. INTENT:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2003-3100-5346, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all prehistoric cultural resources collected during the grading monitoring program has been repatriated to an appropriate Luiseno tribe. Evidence shall be in the form of a letter from the Luiseno tribe receiving the artifacts that the materials have been received.

or

Evidence that all prehistoric cultural material has been curated at a San Diego curation facility or culturally affiliated Tribal curation facility that

meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to an appropriate curation facility in San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Historic materials shall be curated at a San Diego curation facility as identified above, and shall not be repatriated or curated with a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant shall submit the report to the [PDS, PCC] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of PDS2003-3100-5346, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the final report shall be completed. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

IT IS FURTHER RESOLVED, THEREFORE, that the Planning Commission of the County of San Diego hereby makes the following findings as supported by the minutes, maps, exhibits, and documentation of said Tentative Map all of which are herein incorporated by reference:

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the Semi-Rural Residential SR-4 Land Use Designation of the Bonsall Community Plan because it proposes a single-family residential use type at a density of 1 dwelling units per 4 acres and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a single-family residential use type with a minimum net lot size of 3.5 acres in the in the A70 (Limited Agriculture) Use Regulation;

3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Bonsall Community Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the proposed residential type of development because the slope is moderate and minimal grading is needed to provide appropriately sized residential pads which do not require setback variances or impact sensitive resources.;
5. The site is physically suitable for the proposed density of development because the site is located along a public road, in close proximity to the freeway and a fire station, with existing water lines in the road adjacent to the site;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of CEQA Section 15183 findings dated July 24, 2014;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

The division and development of the property in the manner set forth on the approved Tentative Map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement;
9. The discharge of sewage waste from the subdivision into the individual private subsurface septic system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

11. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Planning Commission.

WAIVER(S) AND EXCEPTION(S): This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the:

WAIVERS AND EXCEPTIONS: This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the County Subdivision Ordinance, County Public Road and Private Road Standards:

County Public and Private Road Standards to permit:

- (1) County Private Road Standards, Section 3.1.C. requires a minimum 150 feet horizontal radius for the private road easement serving 101 ADT to 750 ADT. The Department of Planning and Development Services (PDS) has received and supported a request to allow a reduction in the horizontal radius from the standard requirements to 100 feet at the following stations: 3+08.89 to 4+32.12; 6+53.19 to 7+54.89; 10+45.54 to 11+38.02; and 12+29.98 to 13+89.28 along the proposed on-site private road easement serving the project. (See approved letter dated February 2, 2011).
- (2) Public Road Standards, Section 4.4, Table 2A requires a minimum twelve-foot (12') wide for each travel lane. The Department of Planning and Development Services has received and supported a request to reduce the lane width from 12 feet to 11 feet for each travel lane and the proposed left turn lane along Old Highway 395, in the vicinity of the entrance for TM 5346. (See approved letter dated March 23, 2012).

MITIGATION MONITORING OR REPORTING PROGRAM (MMRP): Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Monitoring or Reporting Program for any project approved with the adoption of a Mitigated Negative Declaration or with the certification of an Environmental Impact Report, for which changes in the project are required in order to avoid significant impacts.

Section 21081.6(a)(1) states, in part:

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Section 21081(b) further states:

A public agency shall provide [that] the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.

As indicated above, a Mitigation Monitoring or Reporting Program is required to assure that a project is implemented in compliance with all required mitigation measures. The Mitigation Monitoring or Reporting Program (MMRP) for this project is incorporated into the mitigation measures adopted as project conditions of approval. Each mitigation measure adopted as a condition of approval (COA) includes the following five components.

Intent: An explanation of why the mitigation measure (MM) was imposed on the project.

Description: A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.

Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.

Timing: The specific project milestone (point in progress) when the specific required actions are required to implemented.

Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

The conditions of approval required to mitigate or avoid significant impacts on the environment are listed below and constitute the MMRP for this project:

Conditions 46 through 54

MAP PROCESSING REQUIREMENTS: The parcel map shall comply with the following processing requirements pursuant to the Sections 81.801 through 81.811 of the Subdivision Ordinance and the Subdivision Final Map Processing Manual.

- The Final map shall show an accurate and detailed vicinity map.
- The Basis of Bearings for the Final Map shall comply with Section 81.506 of the Subdivision Ordinance.
- Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.
- The following notes shall appear on the Final Map:

- All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
- At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
- The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.
- Certification by the Department of Environmental Health with respect to sewage disposal shall be shown on the Final Map.
- The Zoning regulations require that each parcel shall contain a minimum net area of 2 acres and the Semi- Rural 4 (SR-4) Designation of the General Plan and each parcel shall contain a minimum gross area of 4 acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.

ORDINANCE COMPLIANCE AND NOTICES: The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

STORMWATER ORDINANCE COMPLIANCE: In order to comply with all applicable stormwater regulations, the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control (County Code section 67.801 et seq.) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This requirement includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. The owner of projects that involve areas of one acre or greater shall, during construction, keep the Storm Water Pollution Prevention

Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf.

<http://www.sandiegocounty.gov/content/sdc/dpw/watersheds/susmp/lid.html>

The County has prepared a LID Handbook as a source for LID information, and it is to be utilized by County staff and outside consultants for implementing LID in our region. See link above.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact Planning & Development Services, Construction/Road Right-of-Way Permits Services Section at (858) 694-3275 to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit from the Permit Services Section to remove, plant or trim shrubs or trees.

ENCROACHMENT PERMIT REQUIRED: An Encroachment Permit from the Department of Planning & Development Services is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Planning & Development Services.

EXCAVATION PERMIT REQUIRED: An excavation permit from the County Department of Planning & Development Services is required for undergrounding and/or relocation of utilities within the County right-of-way.

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance (County Code section 77.201 et seq.). The TIF shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [DPW, Land Development Counter] and provide a copy of the receipt to the [PDS, Building Division Technician] at time of permit issuance.

NOTICE: This subject property is known to contain Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant's property.

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: - The project was found to be "Exempt" from the California Environmental Quality Act (CEQA), therefore no fee is required.

NOTICE: The project will be required to pay Planning & Development Services Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to PDS, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the first submittal and is based on the number of PDS conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the **[PDS, FEE]** designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

NOTICE: Time Extension requests cannot be processed without updated project information including new Department of Environmental Health certification of septic systems. Since Department of Environmental Health review may take several months, applicants anticipating the need for Time Extensions for their projects are advised to submit applications for septic certification to the Department of Environmental Health several months prior to the expiration of their Tentative Maps.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

APPEAL PROCEDURE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.307 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this Resolution AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

ON MOTION of Commissioner _____, seconded by Commissioner _____, this Resolution is passed and approved by the Planning Commission of the County of San Diego, State of California, at a regular meeting held on this 11th day of December 2015, in Planning & Development Services Conference Center Hearing Room, 5520 Overland Avenue, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

DPL/WP 001-TM (06/29/09)

cc: Piro Engineering, Gary Piro, 930 Boardwalk, Suite D, San Marcos, CA 92069
Donald and Debra Dabbs, P.O. Box 966, Bonsall, CA 92003

email cc:

Ed Sinsay, Team Leader, Land Development/Engineering, PDS
Ashley Smith, Project Manager, Planning & Development Services

Attachment C – Environmental Documentation



County of San Diego

MARK WARDLAW
DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

DARREN GRETLER
ASSISTANT DIRECTOR
PHONE (858) 694-2962
FAX (858) 694-2555

Statement of Reasons for Exemption from Additional Environmental Review and 15183 Checklist Pursuant to CEQA Guidelines §15183

Date: July 24, 2014
Project Title: Dabbs Tentative Map
Record ID: PDS2003-3100-5346, PDS2003-3910-03-02-067
Plan Area: Bonsall
GP Designation: Semi-Rural Residential (SR-4)
Density: 1du / 4, 8, or 16 acres
Zoning: A70, Limited Agriculture
Min. Lot Size: 2 acres
Special Area Reg.: N/A
Lot Size: 38.4
Applicant: Don Dabbs
Staff Contact: Ashley Smith, (858) 495-5375
ashley.smith2@sdcounty.ca.gov

Project Description

The project is a major subdivision to divide a 38.4-acre property into nine (9) lots. The project site is located east of Aqueduct Road and north of Via Urner Road in the Bonsall Community Plan Area. Access to the site would be provided by Old Highway 395. On-site waste water systems are proposed and water will be provided by the Rainbow Municipal Water District. Earthwork will consist of 15,800 cubic yards of cut and 17,400 cubic yards of fill for pads and driveways. Offsite roads will require an additional 6,500 cubic yards of cut and 6,300 cubic yards of fill.

The project site consists of an active agricultural nursery which was expanded onto the adjacent parcel through which the project access will traverse. Surrounding land uses consist of rural residential and agricultural land uses with Interstate 15 to the east.

The project site is subject to the Semi-Rural General Plan Regional Category, Land Use Designation Semi-Rural 4 (SR-4). Zoning for the site is A70, Limited Agriculture. The project is consistent with density and lot size requirements of the General Plan and Zoning Ordinance.

Overview

California Public Resources Code section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be

necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent, (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

General Plan Update Program EIR

The County of San Diego General Plan Update (GPU) establishes a blueprint for future land development in the unincorporated County that meets community desires and balances the environmental protection goals with the need for housing, agriculture, infrastructure, and economic vitality. The GPU applies to all of the unincorporated portions of San Diego County and directs population growth and plans for infrastructure needs, development, and resource protection. The GPU included adoption of new General Plan elements, which set the goals and policies that guide future development. It also included a corresponding land use map, a County Road Network map, updates to Community and Subregional Plans, an Implementation Plan, and other implementing policies and ordinances. The GPU focuses population growth in the western areas of the County where infrastructure and services are available in order to reduce the potential for growth in the eastern areas. The objectives of this population distribution strategy are to: 1) facilitate efficient, orderly growth by containing development within areas potentially served by the San Diego County Water Authority (SDCWA) or other existing infrastructure; 2) protect natural resources through the reduction of population capacity in sensitive areas; and 3) retain or enhance the character of communities within the unincorporated County. The SDCWA service area covers approximately the western one third of the unincorporated County. The SDWCA boundary generally represents where water and wastewater infrastructure currently exist. This area is more developed than the eastern areas of the unincorporated County, and would accommodate more growth under the GPU.

The GPU EIR was certified in conjunction with adoption of the GPU on August 3, 2011. The GPU EIR comprehensively evaluated environmental impacts that would result from Plan implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts.

Summary of Findings

The Dabbs Tentative Map, TM 5346 is consistent with the analysis performed for the GPU EIR. Further, the GPU EIR adequately anticipated and described the impacts of the proposed project, identified applicable mitigation measures necessary to reduce project specific impacts, and the project implements these mitigation measures (see http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_7.00_-_Mitigation_Measures_2011.pdf for complete list of GPU Mitigation Measures).

A comprehensive environmental evaluation has been completed for the project as documented in the attached §15183 Exemption Checklist. This evaluation concludes that the project qualifies for an exemption from additional environmental review because it is consistent with the development density and use characteristics established by the County of San Diego General Plan, as analyzed by the San

Diego County General Plan Update Final Program EIR (GPU EIR, ER #02-ZA-001, SCH #2002111067), and all required findings can be made.

In accordance with CEQA Guidelines §15183, the project qualifies for an exemption because the following findings can be made:

- 1. **The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.**

The project would subdivide a 38.4-acre property into nine lots, which is consistent with the SR-4 development density established by the General Plan and the certified GPU EIR.

- 2. **There are no project specific effects which are peculiar to the project or its site, and which the GPU EIR Failed to analyze as significant effects.**

The subject property is no different than other properties in the surrounding area, and there are no project specific effects which are peculiar to the project or its site. The project site is located in an area developed with similarly sized, estate residential lots with associated accessory uses. The property does not support any peculiar environmental features, and the project would not result in any peculiar effects.

In addition, as explained further in the 15183 Checklist below, all project impacts were adequately analyzed by the GPU EIR. The project could result in potentially significant impacts to biological and cultural resources. However, applicable mitigation measures specified within the GPU EIR have been made conditions of approval for this project.

- 3. **There are no potentially significant off-site and/or cumulative impacts which the GPU EIR failed to evaluate.**

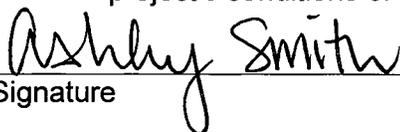
The proposed project is consistent with the density and use characteristics of the development considered by the GPU EIR and would represent a small part of the growth that was forecast for build-out of the General Plan. The GPU EIR considered the incremental impacts of the proposed project, and as explained further in the 15183 Exemption Checklist below, no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.

- 4. **There is no substantial new information which results in more severe impacts than anticipated by the GPU EIR.**

As explained in the 15183 exemption checklist below, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the GPU EIR.

- 5. **The project will undertake feasible mitigation measures specified in the GPU EIR.**

As explained in the 15183 exemption checklist below, the project will undertake feasible mitigation measures specified in the GPU EIR. These GPU EIR mitigation measures will be undertaken through project design, compliance with regulations and ordinances, or through the project's conditions of approval.


Signature

July 24, 2014
Date

Ashley Smith
Printed Name

Project Manager
Title

CEQA Guidelines §15183 Exemption Checklist

Overview

This checklist provides an analysis of potential environmental impacts resulting from the proposed project. Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the project would result in a potentially significant impact triggering additional review under Guidelines section 15183.

- Items checked “Significant Project Impact” indicates that the project could result in a significant effect which either requires mitigation to be reduced to a less than significant level or which has a significant, unmitigated impact.
- Items checked “Impact not identified by GPU EIR” indicates the project would result in a project specific significant impact (peculiar off-site or cumulative that was not identified in the GPU EIR).
- Items checked “Substantial New Information” indicates that there is new information which leads to a determination that a project impact is more severe than what had been anticipated by the GPU EIR.

A project does not qualify for a §15183 exemption if it is determined that it would result in: 1) a peculiar impact that was not identified as a significant impact under the GPU EIR; 2) a more severe impact due to new information; or 3) a potentially significant off-site impact or cumulative impact not discussed in the GPU EIR.

A summary of staff’s analysis of each potential environmental effect is provided below the checklist for each subject area. A list of references, significance guidelines, and technical studies used to support the analysis is attached in Appendix A. Appendix B contains a list of GPU EIR mitigation measures.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
1. AESTHETICS – Would the Project:			
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 1(a) The project would be visible from public roads and trails; however, the site is not located within a viewshed of a scenic vista.
- 1(b) The property is not within the viewshed of a County or state scenic highway. The project site also does not support any significant scenic resources that would be lost or modified through development of the property.
- 1(c) The project would be consistent with existing community character. The project is located in Bonsall in an area characterized by agricultural uses. The addition of nine new residential lots would not substantially degrade the visual quality of the site or its surroundings.
- 1(d) Residential lighting would be required to conform with the County's Light Pollution Code to prevent spillover onto adjacent properties and minimize impacts to dark skies.

Conclusion

As discussed above, the project would not result in any significant impacts to aesthetics; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
2. Agriculture/Forestry Resources			
– Would the Project:			
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to a non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15183 Exemption Checklist

- c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?
- d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?
- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?

Discussion

- 2(a) An agricultural conversion analysis was completed for the project (TRS Consultants, April 2011), which included a Local Agricultural Resource Assessment (LARA) model. Approximately 3.3 acres of prime soils occur on site and 0.8 of the site is classified as Farmland of Statewide Importance. The LARA determined the site is not an important agricultural resource. Of the 38 acres of agricultural uses on the site, approximately seven acres of the agriculture will be impacted by the development. Since each proposed lot will be four acres in size, it will continue to support local agriculture.
- 2(b) The project site is not located within or adjacent to a Williamson Act contract or agriculturally zoned land.
- 2(c) There are no timberland production zones on or near the property.
- 2(d) The project site is not located near any forest lands.
- 2(e) An agricultural conversion analysis was completed for the project (TRS Consultants, April 2011), which included a Local Agricultural Resource Assessment (LARA) model. As discussed in the report, the project does not propose other changes which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use.

Conclusion

As discussed above, the project would not result in any significant impacts to agricultural resources; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
3. Air Quality – Would the Project:			
a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Discussion

- 3(a) The project proposes development that was anticipated and considered by SANDAG growth projections used in development of the RAQS and SIP. As such, the project would not conflict with either the RAQS or the SIP. In addition, the operational emissions from the project are below screening levels, and will not violate any ambient air quality standards.
- 3(b) Grading operations associated with the construction of the project would be subject to the Grading Ordinance, which requires the implementation of dust control measures. Emissions from the construction phase would be minimal, temporary and localized, resulting in pollutant emissions below the screening level criteria established by County air quality guidelines for determining significance. In addition, the vehicle trips generated from the project will result in 108 Average Daily Trips (ADTs). According to the Bay Area Air Quality Management District CEQA Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADT are below the screening-level criteria established by the guidelines for criteria pollutants.
- 3(c) The project would contribute PM10, NOx, and VOCs emissions from construction/grading activities; however, the incremental increase would not exceed established screening thresholds (see question 3(b) above).
- 3(d) The project will introduce additional residential homes which are considered new sensitive receptors; however, the project site is not located within a quarter-mile of any identified point source of significant emissions. Similarly, the project does not propose uses or activities that would result in exposure of these sensitive receptors to significant pollutant concentrations and will not place sensitive receptors near any carbon monoxide hotspots.
- 3(e) The project could produce objectionable odors during construction and operation; however, these substances, if present at all, would only be in trace amounts (less than 1 µg/m3).

Conclusion

As discussed above, the project would not result in any significant impacts to air quality; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
4. Biological Resources – Would the Project:			
a) Have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

4(a) Biological resources on the project site were evaluated in a Biological Resources Report prepared by Pacific Southwest Biological Services, Inc., dated June 22, 2010. The site contains an existing agricultural operation. Lands directly adjacent to the site contain Diegan coastal sage scrub. A portion of the adjacent Diegan coastal sage scrub was removed by an adjacent property owner for the installation of an agricultural operation in the area of the projects proposed access. Sensitive wildlife species identified on site include the red tailed hawk. No sensitive plant species were identified onsite. Impacts resulting from offsite impacts to Diegan coastal sage scrub will be mitigated at a 3:1 ratio.

As considered by the GPU EIR, project impacts to sensitive habitat and/or species will be mitigated through ordinance compliance and through implementation of the following

mitigation measures: preservation of 3.5 acres of Diegan coastal sage scrub habitat. The GPU EIR identified these mitigation measures as Bio 1.5, Bio 1.6 and Bio 1.7.

- 4(b) Based on the Biological Resources report, no wetlands or jurisdictional waters were found onsite or offsite. No sensitive habitats were identified on the site, but Diegan coastal sage scrub was identified in offsite impact areas, a portion of which has previously been cleared by an adjacent property owner. Because the project's access will cross this adjacent site, impacts to the previously cleared Diegan coastal sage scrub have been considered. As detailed in response a) above, direct and indirect impacts to sensitive natural communities identified in the RPO, NCCP, Fish and Wildlife Code, and Endangered Species Act are mitigated through implementation of offsite habitat purchases.

As considered by the GPU EIR, project impacts to sensitive habitats will be mitigated through ordinance compliance and through implementation of the following mitigation measures: preservation of 3.5 acres of Diegan coastal sage scrub habitat. The GPU EIR identified these mitigation measures as Bio 1.5, Bio 1.6 and Bio 1.7.

- 4(c) The proposed project site does not contain any wetlands as defined by Section 404 of the Clean Water Act, therefore, no impacts will occur.
- 4(d) Based on a GIS analysis, the County's Comprehensive Matrix of Sensitive Species, site photos, a site visit by County staff, and a Biological Resources Letter Report, it was determined that the site is not part of a regional linkage/corridor due to the historical agricultural use of the site. Although the site is in close proximity to Interstate 15 which is an important corridor for movement of the California gnatcatcher, due to the lack of habitat, the site would not assist in local wildlife movement as it lacks connecting vegetation and visual continuity with other potential habitat areas in the general project vicinity. In addition, adjoining properties to the north, south and west are already developed with residential and agricultural uses.
- 4(e) The project is consistent with local, regional and State plans including the Resource Protection Ordinance (RPO) and the Southern California Coastal Sage Scrub NCCP guidelines because off-site mitigation for coastal sage scrub will provided at a ratio of 3:1 (three acres of mitigation for every one acre impacted).

Conclusion

The project could result in potentially significant impacts to biological resources; however, further environmental analysis is not required because:

1. No peculiar impacts to the project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
4. Feasible mitigation measures contained within the GPU EIR will be applied to the project.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
5. Cultural Resources – Would the Project:			
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Directly or indirectly destroy a unique paleontological resource or site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

5(a) Based on an analysis of records and a survey of the property by County of San Diego staff archaeologists on October 9, 2008, it has been determined that there are no impacts to historical resources because they do not occur within the project site. The results of the survey are provided in an archaeological resources report titled, “*Negative Findings-Cultural Resources Survey Report for Dabbs TM 5346, APN 127-071-38*”, prepared by County Staff, dated February 20, 2014.

5(b) No archaeological resources were found on the property during archaeological surveys. Stacy Mojado of the San Luis Rey Band of Mission Indians served as Native American monitor for the survey. A Sacred Lands check was initiated on October 17, 2008 to the Native American Heritage Commission (NAHC). The Native American Heritage Commission (NAHC) was contacted for a listing of Native American Tribes whose ancestral lands may be impacted by the project. The NAHC provided a list of tribes and individuals to contact regarding cultural resources. Staff communicated with the listed Native American groups and individuals provided by the NAHC to further investigate whether they have knowledge of Sacred Lands occurring on the subject parcels. Only one response was received which was from the Pala tribe. They requested that they be provided with information during the processing of the project and that grading monitoring including a Native American monitor be made a condition of project approval. Grading monitoring, consisting of a County-approved archaeologist and Native American observer (San Luis Rey Band of Mission Indians, if possible), is a condition of project approval because large portions of the parcel were inaccessible due to densely potted nursery plants that obscured ground cover.

As considered by the GPU EIR, potential impacts to cultural resources will be mitigated through ordinance compliance and through implementation of the following mitigation measures: grading monitoring under the supervision of a County-approved archaeologist and a Native American observer and conformance with the County’s Cultural Resource Guidelines if resources are encountered. The GPU EIR identified this mitigation measure as Cul 1.1.

- 5(c) The site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.
- 5(d) A review of the County's Paleontological Resources Maps and data on San Diego County's geologic formations indicates that the project is located in an area with no potential to contain paleontological resources.
- 5(e) Based on an analysis of records and a survey of the property by County of San Diego staff archaeologists on October 9, 2008, it has been determined that the project will not disturb any human remains because the project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. The results of the survey are provided in an archaeological resources report titled, "*Negative Findings-Cultural Resources Survey Report for Dabbs TM 5346, APN 127-071-38*", prepared by County Staff, dated February 20, 2014. The project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

Conclusion

The project could result in potentially significant impacts to cultural resources; however, further environmental analysis is not required because:

- 1. No peculiar impacts to the project or its site have been identified.
- 2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU EIR.
- 3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU EIR.
- 4. Feasible mitigation measures contained within the GPU EIR will be applied to the project.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
6. Geology and Soils – Would the Project:			
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, liquefaction, and/or landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or off-site landslide, lateral	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

spreading, subsidence, liquefaction or collapse?

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

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

Discussion

6(a)(i) The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault.

6(a)(ii) To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. Compliance with the California Building Code and the County Building Code will ensure that the project will not result in a significant impact.

6(a)(iii) The project site is not within a "Potential Liquefaction Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. In addition, the site is not underlain by poor artificial fill or located within a floodplain.

6(a)(iv) The site is not located within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards.

6(b) According to the Soil Survey of San Diego County, the soils on-site are identified as Fallbrook sandy loams, Cienega coarse sandy loams and Placentia sandy loam that has a soil erodibility rating of severe. However, the project will not result in substantial soil erosion or the loss of topsoil because the project will be required to comply with the Watershed Protection Ordinance (WPO) and Grading Ordinance which will ensure that the project would not result in any unprotected erodible soils, will not alter existing drainage patterns, and will not develop steep slopes. Additionally, the project will be required to implement Best Management Practices (BMPs) to prevent fugitive sediment.

6(c) The project is not located on or near geological formations that are unstable or would potentially become unstable as a result of the project.

6(d) The project is underlain by expansive soil as defined within Table 18-1-B of the Uniform Building Code (1994). However, the project will not result in a significant impact because compliance with the Building Code and implementation of standard engineering techniques will ensure structural safety.

6(e) The project will rely on public water for the disposal of wastewater. The project proposes to discharge domestic waste to on-site wastewater systems (OSWS), also known as septic systems. Discharged wastewater must conform to the Regional Water Quality Control Board's (RWQCB) applicable standards, including the Regional Basin Plan and the California Water Code. California Water Code Section 13282 allows RWQCBs to authorize a local public agency to issue permits for OSWS "to ensure that

systems are adequately designed, located, sized, spaced, constructed and maintained.” The RWQCBs with jurisdiction over San Diego County have authorized the County of San Diego, Department of Environmental Health (DEH) to issue certain OSWS permits throughout the County and within the incorporated cities. DEH has reviewed the OSWS lay-out for the project pursuant to DEH, Land and Water Quality Division’s, “On-site Wastewater Systems: Permitting Process and Design Criteria.” DEH approved the project’s OSWS on July 5, 2011. Therefore, the project has soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems as determined by the authorized, local public agency. In addition, the project will comply with the San Diego County Code of Regulatory Ordinances, Title 6, Div. 8, Chap. 3, Septic Tanks and Seepage Pits.

Conclusion

As discussed above, the project would not result in any significant impacts to/from geology/soils; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
7. Greenhouse Gas Emissions – Would the Project:			
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

7(a) The project would produce greenhouse gas (GHG) emissions through construction activities, vehicle trips, electricity consumption, residential fuel combustion, water use and solid waste generation. The project would not generate more than the 2,500 metric tons of carbon dioxide equivalent (MT CO₂e) Bright Line threshold established by the County’s Guidelines for Determining Significance for Climate Change. The screening level for single-family residential development based on compliance with the Bright Line threshold is 86 units. Therefore, because the project would be below the screening criterion for this land use type, it is concluded that the construction and operational GHG emissions for that project would not exceed 2,500 MT CO₂e per year, and there would be a less-than-cumulatively considerable impact. Furthermore, projects that generate less than 2,500 MT CO₂e per year of GHGs will also participate in emission reductions because air emissions including GHGs are regulated either by the California Air Resources Control Board (CARB) the Federal Government, or other entities.

7(b) The County has an adopted Climate Action Plan (CAP) (http://www.sdcounty.ca.gov/pds/advance/Climate_Action_Plan.pdf) and numerous goals and policies in the County General Plan that address greenhouse gas reductions. Implementation of these measures will ensure that the County can achieve an emissions reduction target consistent with the state-mandated reduction target of Assembly Bill 32, the Global Warming Solutions Act. Through compliance with the General Plan and the

County's CAP, as discussed in additional detail in 7(a) above, the project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gas emissions.

Conclusion

As discussed above, the project would not result in any significant impacts to greenhouse gas emissions; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
8. Hazards and Hazardous Materials – Would the Project:			
a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

Discussion

- 8(a) The project will not create a significant hazard to the public or the environment because it does not propose the storage, use, transport, emission, or disposal of Hazardous Substances, nor are Hazardous Substances proposed or currently in use in the immediate vicinity. In addition, the project does not propose to demolish any existing structures onsite which could produce a hazard related to the release of asbestos, lead based paint or other hazardous materials.
- 8(b) The project is not located within one-quarter mile of an existing or proposed school.
- 8(c) Based on a site visit and a comprehensive review of regulatory databases (see attached Hazards/Hazardous Materials references), the project site has not been subject to a release of hazardous substances. Additionally, the project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), and is not on or within 1,000 feet of a Formerly Used Defense Site.
- 8(d) The proposed project is not located within an Airport Land Use Compatibility Plan (ALUCP), an Airport Influence Area, or a Federal Aviation Administration Height Notification Surface. Also, the project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport.
- 8(e) The proposed project is not within one mile of a private airstrip.
- 8(f)(i) OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN: The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.
- 8(f)(ii) SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN: The property is not within the San Onofre emergency planning zone.
- 8(f)(iii) OIL SPILL CONTINGENCY ELEMENT: The project is not located along the coastal zone.
- 8(f)(iv) EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN: The project would not alter major water or energy supply infrastructure which could interfere with the plan.
- 8f)(v) DAM EVACUATION PLAN: The project is not located within a dam inundation zone.
- 6(g) The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations

relating to emergency access, water supply, and defensible space specified in the Consolidated Fire Code, as described in the approved Fire Protection Plan- Letter Report prepared for the project by Piro Engineering, (May 7, 2015). Also, a Fire Service Availability Letter dated April 15, 2014 has been received from the Deer Springs Fire Protection District which indicates the expected emergency travel time to the project site to be 5 minutes which is within the 10 maximum travel time allowed by the County Public Facilities Element.

- 6(h) The project does not involve or support uses that would allow water to stand for a period of 72 hours or more (e.g. artificial lakes, agricultural ponds). Also, the project does not involve or support uses that will produce or collect animal waste, such as equestrian facilities, agricultural operations (chicken coops, dairies etc.), solid waste facility or other similar uses. Moreover, based on a site visit conducted by County staff, there are none of these uses on adjacent properties.

Conclusion

As discussed above, the project would not result in any significant impacts to/from hazards/hazardous materials; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
9. Hydrology and Water Quality – Would the Project:			
a) Violate any waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?
- h) Provide substantial additional sources of polluted runoff?
- i) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps?
- j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- k) Expose people or structures to a significant risk of loss, injury or death involving flooding?
- l) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?
- m) Inundation by seiche, tsunami, or mudflow?

Discussion

- 9(a) The project will require a NPDES General Permit for Discharges of Storm Water Associated with Construction Activities. The project applicant has provided a Stormwater Management Plan (SWMP) which demonstrates that the project will comply with all requirements of the WPO. The project will be required to implement site design measures, source control BMPs, and/or treatment control BMPs to reduce potential pollutants to the maximum extent practicable. These measures will enable the project to meet waste discharge requirements as required by the San Diego Municipal Permit, as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).
- 9(b) The project lies in the Lower San Luis hydrologic subareas, within the San Luis Rey hydrologic unit. According to the Clean Water Act Section 303(d) list, a portion of this watershed is impaired for sediments, nutrients, trash & debris, oxygen demanding substances, oil & grease, bacteria & viruses and pesticides. The project could contribute to release of these pollutants; however, the project will comply with the WPO and implement site design measures, source control BMPs, and treatment control BMPs to prevent a significant increase of pollutants to receiving waters.
- 9(c) As stated in responses 9(a) and 9(b) above, implementation of BMPs and compliance with required ordinances will ensure that project impacts are less than significant.

- 9(d) The project will obtain its water supply from the Rainbow Municipal Water District that obtains water from surface reservoirs or other imported sources. The project will not use any groundwater. In addition, the project does not involve operations that would interfere substantially with groundwater recharge.
- 9(e) As outlined in the project's SWMP, the project will implement source control and/or treatment control BMP's to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff.
- 9(f) The project will not significantly alter established drainage patterns or significantly increase the amount of runoff for the following reasons: based on a Drainage Study prepared by Piro Engineering dated January 31, 2008, drainage will be conveyed to either natural drainage channels or approved drainage facilities.
- 9(g) The project does not propose to create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems.
- 9(h) The project has the potential to generate pollutants; however, site design measures, source control BMPs, and treatment control BMPs will be employed such that potential pollutants will be reduced to the maximum extent practicable.
- 9(i) No FEMA mapped floodplains, County-mapped floodplains or drainages with a watershed greater than 25 acres were identified on the project site or off-site improvement locations.
- 9(j) No 100-year flood hazard areas were identified on the project site or offsite improvement locations.
- 9(k) The project site lies outside any identified special flood hazard area.
- 9(l) The project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County. In addition, the project is not located immediately downstream of a minor dam that could potentially flood the property.
- 9(m)(i) SEICHE: The project site is not located along the shoreline of a lake or reservoir.
- 9(m)(ii) TSUNAMI: The project site is not located in a tsunami hazard zone.
- 9(m)(iii) MUDFLOW: Mudflow is type of landslide. See response to question 6(a)(iv).

Conclusion

As discussed above, the project would not result in any significant impacts to/from hydrology/water quality; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
10. Land Use and Planning – Would the Project:			
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion

10(a) The project does not propose the introduction of new infrastructure such as major roadways, water supply systems, or utilities to the area.

10(b) The project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including policies of the General Plan and Community Plan.

Conclusion

As discussed above, the project would not result in any significant impacts to land use/planning; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
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11. Mineral Resources – Would the Project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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

11(a) The project site has been classified by the California Department of Conservation – Division of Mines and Geology as MRZ-3. However, the project site is surrounded by residential uses which are incompatible to future extraction of mineral resources on the project site. A future mining operation at the project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Therefore, the project will not result in the loss of a known mineral resource because the resource has already been lost due to incompatible land uses.

11(b) The project site is not located in an Extractive Use Zone (S-82), nor does it have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25).

Conclusion

As discussed above, the project would not result in any significant impacts to mineral resources; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
12. Noise – Would the Project:			
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

12(a) The project is a nine lot subdivision and will be occupied by residential use. Based on a Noise Analysis prepared by Eilar Associates dated December 1, 2009, incorporation of a Noise Restriction Easement dedication would ensure that the project would not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable standards for the following reasons:

General Plan – Noise Element

The County of San Diego General Plan, Noise Element, Policy 4b addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive area to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Moreover, if the project is excess of CNEL 60 dB(A), modifications must be made to project to reduce noise levels. Noise sensitive areas include residences, hospitals, schools, libraries or similar facilities where quiet is an important attribute. Based on a Noise Analysis prepared by Eilar Associates dated December 1, 2009, project implementation will not expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the CNEL 60 dB(A). Primary noise sources to potentially impact the proposed project subdivision are from future traffic from Old Highway 395 and Interstate 15. The project proposes a nine lot residential subdivision which is considered the proposal of noise

sensitive land uses (NSLU). The project is subject to the County Noise Element which requires an exterior NSLU sound level of 60 dBA CNEL. Based on the noise report, future traffic ground level 60 dBA CNEL noise contours would be located outside of all proposed level pad areas. Noise levels at the exterior pad would be as high as 59.1 dBA on Pad 2 which is below the exterior 60 dBA CNEL requirement. The future second story exterior noise levels would experience levels above 60 dBA CNEL on Pads 1, 2, 3, and 4. Future noise calculations show that the second story receptor on Pad 2 would be as high as 63.5 dBA CNEL. The project subdivision would require a Noise Restriction Easement dedication to ensure the interior noise levels meet the 45 dBA requirement. An acoustical interior noise analysis would be required at the time building plans are available for Pads 1, 2, 3, and 4. Therefore, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element.

Noise Ordinance – Section 36.404

Based on a Noise Analysis prepared by Eilar Associates dated December 1, 2009, non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36.404) at or beyond the project's property line. The site is zoned A70 which allows a one-hour average daytime sound limit of 50 dBA. The adjacent properties are also zoned A70. The Noise Analysis states the project would not exceed County Noise Standards.

Noise Ordinance – Section 36.409

Based on a Noise Analysis prepared by Eilar Associates dated December 1, 2009 the project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36.409). Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. Noise report calculations show that the primary noise sources associated with temporary construction equipment operations would be generated from individual lot grading. This would involve a dozer, backhoe, paver, and dump truck. Temporary construction noise would be as high as 72.8 dBA at the southern property line at a modeled 40% duty cycle within an eight hour average. It is not anticipated that the project will operate construction equipment in excess of an average sound level of 75dB between the hours of 7 AM and 7 PM.

- 12(b) The project proposes residential uses which are sensitive to low ambient vibration. However, the facilities are typically setback more than 50 feet from any County Circulation Element (CE) roadway using rubber-tired vehicles with projected groundborne noise or vibration contours of 38 VdB or less; any property line for parcels zoned industrial or extractive use; or any permitted extractive uses. A setback of 50 feet from the roadway centerline for heavy-duty truck activities would insure that these proposed uses or operations do not have any chance of being impacted significantly by groundborne vibration or groundborne noise levels (Harris, Miller Miller and Hanson Inc., Transit Noise and Vibration Impact Assessment 1995).
- 12(c) As indicated in the response listed under Section 12(a), the project would not expose existing or planned noise sensitive areas in the vicinity to a substantial permanent increase in noise levels that exceed the allowable limits of any applicable noise standards. Also, the project is not expected to expose existing or planned noise sensitive areas to noise 10 dB CNEL over existing ambient noise levels.

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- 12(d) The project does not involve any operational uses that may create substantial temporary or periodic increases in ambient noise levels in the project vicinity. Also, general construction noise is not expected to exceed the construction noise limits of the Noise Ordinance. Construction operations will occur only during permitted hours of operation. Also, the project will not operate construction equipment in excess of 75 dB for more than an 8 hours during a 24 hour period.
- 12(e) The project is not located within an Airport Land Use Compatibility Plan (ALUCP) for airports or within 2 miles of a public airport or public use airport.
- 12(f) The project is not located within a one-mile vicinity of a private airstrip.

Conclusion

As discussed above, the project would not result in any significant impacts to/from noise; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
13. Population and Housing – Would the Project:			
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 13(a) The project will not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area.
- 13(b) The project will not displace existing housing.
- 13(c) The proposed project will not displace a substantial number of people since the site is currently vacant.

Conclusion

As discussed above, the project would not result in any significant impacts to populations/housing; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
14. Public Services – Would the Project:			
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios for fire protection, police protection, schools, parks, or other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

14(a) Based on the project's service availability forms, the project would not result in the need for significantly altered services or facilities.

Conclusion

As discussed above, the project would not result in any significant impacts to public services; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
15. Recreation – Would the Project:			
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

15(a) The project would incrementally increase the use of existing parks and other recreational facilities; however, the project will be required to pay fees or dedicate land for local parks pursuant to the Park Land Dedication Ordinance.

15(b) The project does not include trails and/or pathways.

Conclusion

As discussed above, the project would not result in any significant impacts to recreation; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
16. Transportation and Traffic – Would the Project:			
a) Conflict with an applicable plan, ordinance or policy establishing measures of the 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

16(a) The project will result in an additional 108 ADT. However, the project will not conflict with any established performance measures because the project trips do not exceed the thresholds established by County guidelines. In addition, the project would not conflict with policies related to non-motorized travel such as mass transit, pedestrian or bicycle facilities.

16(b) The additional 108 ADTs from the project do not exceed the 2400 trips (or 200 peak hour trips) required for study under the region’s Congestion Management Program as developed by SANDAG.

16(c) The proposed project is located outside of an Airport Influence Area and is not located within two miles of a public or public use airport.

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- 16(d) The proposed project will not alter traffic patterns, roadway design, place incompatible uses (e.g., farm equipment) on existing roadways, or create curves, slopes or walls which would impede adequate sight distance on a road.
- 16(e) The Deer Springs Fire Protection District and the San Diego County Fire Authority have reviewed the project and its Fire Protection Plan and have determined that there is adequate emergency fire access.
- 16(f) The project will not result in the construction of any road improvements or new road design features that would interfere with the provision of public transit, bicycle or pedestrian facilities. In addition, the project does not generate sufficient travel demand to increase demand for transit, pedestrian or bicycle facilities.

Conclusion

As discussed above, the project would not result in any significant impacts to transportation/traffic; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

	Significant Project Impact	Impact not identified by GPU EIR	Substantial New Information
17. Utilities and Service Systems – Would the Project:			
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 17(a) The project proposes to discharge domestic waste to on-site wastewater systems (OSWS), also known as septic systems. Discharged wastewater must conform to the Regional Water Quality Control Board's (RWQCB) applicable standards, including the Regional Basin Plan and the California Water Code. California Water Code Section 13282 allows RWQCBs to authorize a local public agency to issue permits for OSWS "to ensure that systems are adequately designed, located, sized, spaced, constructed and maintained." The RWQCBs with jurisdiction over San Diego County have authorized the County of San Diego, Department of Environmental Health (DEH) to issue certain OSWS permits throughout the County and within the incorporated cities. DEH has reviewed the OSWS lay-out for the project pursuant to DEH, Land and Water Quality Division's, "On-site Wastewater Systems: Permitting Process and Design Criteria." DEH approved the project's OSWS on July 5, 2011. Therefore, the project is consistent with the wastewater treatment requirements of the RWQCB as determined by the authorized, local public agency.
- 17(b) The project does not include new or expanded water or wastewater treatment facilities. In addition, the project does not require the construction or expansion of water or wastewater treatment facilities. Based on the service availability forms received, the project will not require construction of new or expanded water or wastewater treatment facilities. Service availability forms have been provided which indicate adequate water facilities are available to the project from the following agencies/districts: Rainbow Municipal Water District. Therefore, the project will not require any construction of new or expanded facilities, which could cause significant environmental effects
- 17(c) The project involves new storm water drainage facilities. However, these extensions will not result in additional adverse physical effects beyond those already identified in other sections of this environmental analysis.
- 17(d) A Service Availability Letter from the Rainbow Municipal Water District has been provided which indicates that there is adequate water to serve the project.
- 17(e) The project will rely on a private septic system for each parcel. Therefore, a Service Availability Letter from a sewer district is not required.
- 17(f) All solid waste facilities, including landfills require solid waste facility permits to operate. There are five, permitted active landfills in San Diego County with remaining capacity to adequately serve the project.
- 17(g) The project will deposit all solid waste at a permitted solid waste facility.

Conclusion

As discussed above, the project would not result in any significant impacts to utilities and service systems; therefore, the project would not result in an impact which was not adequately evaluated by the GPU EIR.

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Attachments:

Appendix A – References

Appendix B – Summary of Determinations and Mitigation within the Final Environmental Impact Report, County of San Diego General Plan Update, SCH # 2002111067

Appendix A

The following is a list of project specific technical studies used to support the analysis of each potential environmental effect:

Acoustical Analysis Report, Eilar Associates, Inc., December 1, 2009

Agricultural Conversion Analysis, TRS Consultants, April, 2011

Cultural Resources Survey Report, County Staff (Donna Beddow), February 20, 2014

Drainage Study, Piro Engineering, January 31, 2008

Fire Protection Plan-Letter Report, Piro Engineering, May 7, 2015

Stormwater Management Plan (Major SWMP), Piro Engineering, October 11, 2010

For a complete list of technical studies, references, and significance guidelines used to support the analysis of the General Plan Update Final Certified Program EIR, dated August 3, 2011, please visit the County's website at:

http://www.sdcounty.ca.gov/PDS/gpupdate/docs/BOS_Aug2011/EIR/FEIR_5.00_-_References_2011.pdf

Appendix B

A Summary of Determinations and Mitigation within the Final Environmental Impact Report, County of San Diego General Plan Update, SCH # 2002111067 is available on the Planning and Development Services website at:

http://www.sdcounty.ca.gov/pds/gpupdate/GPU_FEIR_Summary_15183_Reference.pdf

Discussion:

The project will obtain its water supply from the Rainbow Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The <u>Steep Slope</u> section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers: The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe: The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

Steep Slopes: Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). The average slope on the property is approximately 10 percent and there are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats: No sensitive habitat lands were identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites: The property has been surveyed by a County of San Diego staff archaeologists on October 9, 2008 and it has been determined that the property does not contain any archaeological/ historical sites. In addition, the project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

Grading monitoring, consisting of a County-approved archaeologist and Native American observer (San Luis Rey Band of Mission Indians, if possible), will be a required condition of project approval because large portions of the parcel were inaccessible due to densely potted nursery plants that obscured ground cover.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

NO

NOT APPLICABLE

Discussion:

The project Storm Water Management Plan has been reviewed and is found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

NO

NOT APPLICABLE

Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

The project is a nine lot subdivision. The site is currently a farm operation. Primary noise sources to impact the proposed project subdivision are from future traffic from Old Highway 395 and Interstate 15. The project proposes a nine lot residential subdivision which is considered the proposal of noise sensitive land uses (NSLU). The project is subject to the County Noise Element which requires an exterior NSLU sound level of 60

dBa CNEL. Based on the noise report, future traffic ground level 60 dBA CNEL noise contours would be located outside of all proposed level pad areas. Noise levels at the exterior pad would be as high as 59.1 dBA on Pad 2 which is below the 60 dBA CNEL requirement. The future second story exterior noise levels would experience levels above 60 dBA CNEL on Pads 1, 2, 3, and 4. Future noise calculations show that the second story receptor on Pad 2 would be as high as 63.5 dBA CNEL. The project subdivision would require a Noise Restriction Easement dedication to ensure the interior noise levels meet the 45 dBA requirement. An acoustical interior noise analysis would be required at the time building plans are available for Pads 1, 2, 3, and 4. The project is also subject to the construction equipment noise requirement pursuant to the County Noise Ordinance, Section 36.410. Noise report calculations show that the primary noise sources associated with temporary construction equipment operations would be generated from individual lot grading. This would involve a dozer, backhoe, paver, and dump truck. Temporary construction noise would be as high as 72.8 dBA at the southern property line at a modeled 40% duty cycle within an eight hour average. This worst-case anticipated temporary construction noise level is below the County noise threshold. Therefore, with the incorporation of a Noise Restriction Easement to Lots 1, 2, 3 and 4, the project would comply with County noise standards.



County of San Diego

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PLEASE NOTE THAT A FORMAL APPLICATION FOR A HABITAT LOSS PERMIT HAS NOT BEEN FILED AT THIS TIME. THE FOLLOWING IS A DRAFT FORM OF DECISION FOR A HABITAT LOSS PERMIT SHOWING THE FORMAT AND POSSIBLE CONDITIONS FOR A FUTURE HABITAT LOSS PERMIT. BECAUSE A FORMAL APPLICATION HAS NOT BEEN FILED, CERTAIN DATES, FINDINGS AND OTHER INFORMATION IS ABSENT FROM THE DRAFT FORM OF DECISION, THIS INFORMATION WILL BE INCLUDED IN THE FINAL FORM OF DECISION.

DATE (to be determined)

Donald Dabbs
P.O. Box 966
Bonsall, CA 92003

DRAFT Habitat Loss Permit

APPLICATION NUMBER: HLP XX-XXX

ASSOCIATED PERMITS: PDS2003-3100-5346; PDS2003-3910-03-02-067

NAME OF APPLICANT: Donald Dabbs

DESCRIPTION/LOCATION OF LOSS:

The project is a major subdivision to divide a 38.4-acre property into nine (9) lots. The project site is located east of Aqueduct Road and north of Via Urner Road in the Bonsall Community Plan Area, as indicated on the attached USGS map. Access to the site would be provided by Highway 395. On-site waste water systems are proposed and water will be provided by the Rainbow Municipal Water District. Earthwork will consist of 15,800 cubic yards of cut and 17,400 cubic yards of fill for pads and driveways. Offsite roads will require an additional 6,500 cubic yards of cut and 6,300 cubic yards of fill.

Biological resources on and adjacent to the project site were evaluated in a biology report and resources map prepared by Pacific Southwest Biological Services, Inc. (2010). The project site is a fully developed nursery and contains intensive agriculture and a small area of Diegan

coastal sage scrub in the northeastern corner of the site. Between the eastern boundary of the site and Old Highway 395, the adjacent parcel (127-071-09) previously supported Diegan coastal sage scrub which was cleared without a permit for the installation of agriculture. The proposed project includes a private road over the southern portion of this property in order to access the project site.

No sensitive plants or sensitive wildlife species were identified onsite or within the offsite impact areas. The proposed project will impact the entire project site in addition to a portion of the adjacent site for access to the project as detailed in Table 1 below.

The Diegan coastal sage scrub habitat is considered to be of Intermediate Quality as determined by the criteria established under the Natural Community Conservation Planning (NCCP) Logic Flow Chart. Mitigation ratios and off-site mitigation acreages are listed in Table 1. Therefore, all impacts associated with the development of the Dabbs property have been mitigated to a level below significance. The proposed project is in conformance with all standards and guidelines outlined in the NCCP Process Guidelines.

Table 1. Habitat, Impacts, and Mitigation

Habitat Type	Onsite Acreage	Offsite Acreage	Impacted Acreage	Mitigation Ratio	Required Mitigation
Diegan Coastal Sage Scrub	0.52 acre	0.62 acre	1.16 acres	3:1	3.5 acres
Intensive Agriculture	37.88 acres	---	37.88 acres	N/A	N/A
TOTAL	38.40 acres	0.62 acre	39.04 acres	--	3.5 acres

DECISION:

The Director of Planning & Development Services has approved your application for a HABITAT LOSS PERMIT. This Habitat Loss Permit approval does not become final until both the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) concur with the Director's approval, by the either of the following:

1. Concurrence implied by allowing a 30-day period, initiated by their receipt of this decision, to lapse without presenting written notification to the County that the decision is inconsistent with the Southern California Coastal Sage Scrub (CSS) Natural Community Conservation Planning (NCCP) Process Guidelines (CDFW, November 1993) or any approved subregional mitigation guidelines; or
2. Granting concurrence through written notification to the County prior to the conclusion of the 30-day period, initiated by their receipt of this decision, that the project is consistent with the Southern California CSS NCCP Process Guidelines or any approved subregional mitigation guidelines.

Pending the issuance of an associated Grading Permit, Clearing Permit or Improvement Plan from the County of San Diego, this Habitat Loss Permit allows for the loss of the above-described coastal sage scrub habitat (see attached Habitat Loss Exhibit) and incidental take of the California gnatcatcher for a period of one calendar year commencing the day concurrence is given by both the USFWS and CDFW. If the loss of habitat, as authorized by this Habitat

Loss Permit, has not occurred within this one-year period, this Habitat Loss Permit and the authorization for the loss of coastal sage scrub habitat expires.

Also, pending the issuance of an associated Grading Permit, Clearing Permit or Improvement Plan from the County of San Diego, this Habitat Loss Permit acknowledges the loss of the above-described coastal sage scrub habitat that was previously cleared, graded or removed without a valid permit (see attached Habitat Loss Exhibit). However, no take authorization for incidental take of sensitive species, including the California gnatcatcher, shall be conveyed by the County of San Diego for previous clearing, grading, or removal of coastal sage scrub habitat that was accomplished without a valid permit or authorization.

This Habitat Loss Permit cannot be relied upon for the clearing, grading or removal of any vegetation until a valid Grading Permit, Clearing Permit or Improvement Plan has been issued from the County of San Diego authorizing such vegetation removal. Furthermore, use and reliance upon this Habitat Loss Permit cannot occur until all of the requirements as specified within the "Conditions of Approval" section of this permit have been satisfied.

CONDITIONS OF APPROVAL:

The following conditions are being placed on TM 5346. For the final Habitat Loss Permit, the list of conditions will be modified to require satisfaction of all conditions prior to use and reliance on the HLP.

APPROVAL OF MAP: The conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to approval of any plans, and issuance of any grading or other permits as specified):

1. **LBZ EASEMENT: [PDS, PCC, LDR] [DGS, RP][MA, GP, IP] [PDS, FEEX 2] INTENT:** In order to protect sensitive biological resources, a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the approved Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
 - a. Decking, fences, and similar facilities.
 - b. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR
 - The applicant shall prepare the draft plats and legal descriptions of the easements,

then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the map or on the map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** For recordation on the map, the [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to map recordation OR for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] and [DPR GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition - OR - if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

2. OFF-SITE MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM]

INTENT: In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource, off-site mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 3.5 acres of Diegan coastal sage scrub, located in North San Diego County as indicated below.

a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in North San Diego County as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the

offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

DOCUMENTATION: The applicant shall purchase the off-site mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

ENVIRONMENTAL FINDINGS:

A. CEQA Findings

TO BE PROVIDED

B. FINDINGS MADE IN SUPPORT OF THE ISSUANCE OF THE HABITAT LOSS PERMIT:

The following findings are made based upon all of the documents contained in the record for this project, and pursuant to Section 86.104 of County of San Diego Ordinance No. 8365 (N.S.) and Section 4.2.g of the CSS NCCP Process Guidelines (CDFW, November 1993):

Finding 1.a: The habitat loss does not exceed the five percent guideline.

The proposed project will impact 1.16 acres of coastal sage scrub and no pairs of California gnatcatcher (*Poliioptia californica*). Approved coastal sage scrub losses as of the date of June 30, 2014 and including this approval, for the entire unincorporated County, outside the boundaries of the Multiple Species Conservation Program (MSCP), are presented in the following table:

Unincorporated Area Coastal Sage Scrub Cumulative Losses	
Total loss allowed under five percent guideline:	2953.30 acres
Cumulative loss of Coastal sage scrub to date:	1187.52 acres
Net loss due to this project:	1.16 acres
Total cumulative loss:	1188.68 acres
Remaining loss under five percent guideline:	1764.62 acres

Finding 1.b: The habitat loss will not preclude connectivity between areas of high habitat values.

The County habitat evaluation model ranks the site as predominantly agriculture and low value habitat. The majority of the site is not located in a pre-approved mitigation area of the draft North County MSCP. A small area in the eastern portion of the property and the offsite private road are located in a pre-approved mitigation area of the draft North County MSCP in association with the I-15 archipelago.

The majority of the project site and surrounding areas are developed with agricultural and residential uses which would preclude the connectivity of the site to high value habitat. The closest high value habitat to the site is located to the east of Old Highway 395 between Old Highway 395 and Interstate 15.

The proposed project will not preclude the connectivity with high value habitat area as it does not contain sizable patches of habitat which provide connectivity with other habitat.

Finding 1.c: The habitat loss will not preclude or prevent the preparation of the subregional NCCP.

While the majority of the site is outside the draft Pre Approved Mitigation Area (PAMA) of the draft North County MSCP as small portion of the site as well as the adjacent parcel through which access will be taken is designated as Pre Approved Mitigation Area (PAMA) land in the draft North County MSCP. While the project site contains areas of draft PAMA, implementation of the Dabbs project will not adversely affect the ongoing MSCP planning process as the coastal sage scrub is not suitable for long-term preservation due to its patchy dispersal and surrounding existing development and road infrastructure. Since the acreage of the coastal sage scrub habitat is small and patchy and not contiguous with other large areas of habitat, the habitat loss will not preclude or prevent the preparation of the subregional NCCP.

Finding 1.d: The habitat loss has been minimized and mitigated to the maximum extent practicable in accordance with Section 4.3 of the NCCP Process Guidelines.

A total of 1.16 acres of Diegan coastal sage scrub habitat will be impacted by the project. The habitat is considered of "intermediate" value, pursuant to the NCCP Logic Flow Chart. The project will impact two small areas of habitat which have no connectivity to the north, south, east or west with other blocks of habitat. In addition, the entire project site as well as surrounding lands currently contain agricultural and residential uses. The loss of Diegan coastal sage scrub will be mitigated to the maximum extent practicable in accordance with Section 4.3 the NCCP Process Guidelines. The following mitigation measures have been incorporated into the project:

- Dedication of a Limited Building Zone easement in order to prevent construction of buildings that would require fire-clearing into additional CSS habitat.
- Implementation of grading and clearing restrictions during the breeding season of California gnatcatchers.

With the mitigation measures incorporated into the Dabbs project, it has been found that the area proposed for habitat loss has been minimized and mitigated to the maximum extent practicable.

Finding 2 The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

No sensitive plants or sensitive wildlife species were identified onsite or within the offsite impact areas. Therefore, the project would not appreciably reduce species populations given the dedication of a limited building zone easement and the implementation of breeding season avoidance for the California gnatcatcher.

To mitigate for the loss of coastal sage scrub habitat due to the project, offsite purchase of coastal sage habitat will be required at a 3:1 ratio equivalent to no less than 3.5 acres. The offsite purchase of habitat will preserve habitat with long-term viability that has connectivity to high value districts and potential to support listed species. Through this mitigation measure, the proposed residential development of the project site will not appreciably reduce the likelihood of the survival and recovery of listed species.

Finding 3: The habitat loss is incidental to otherwise lawful activities.

The project will require grading and/or improvements plans for road improvements and building pad preparation. The issuance of a Habitat Loss Permit by the County of San Diego, with the concurrence of the Department of Fish and Wildlife and U.S. Fish and Wildlife Service and approval by the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan is required prior to the clearing of any coastal sage scrub supported on the project site and is required to permit the loss of coastal sage scrub habitat that was previously cleared, graded or removed without a valid permit and to allow for conformance with Sections 86.102 and 86.104 of the San Diego County Code. No state or federal permits other than those mentioned above are identified as being required at this time. Construction and/or land use modification will not commence until all appropriate permits have been issued. The project has been found to be in

conformance with Section 86.104 of the San Diego County Code. As such, the anticipated loss will be incidental to "otherwise lawful activities".

NCCP FLOWCHART

1. Is natural vegetation present? **Yes.**
2. Is Coastal sage scrub present? **Yes.**
3. Is Coastal sage scrub the most dense in the subregion? **No.**
4. Is the land close to high value district. **Yes.**
5. Is the land located in a corridor between higher value districts. **Yes.**
6. Does the land support high density of target species? **No.**

Based on the NCCP Logic Flow Chart, the quality of habitat supported on the Dabbs project is defined as being "Intermediate Value."

MITIGATION MONITORING AND REPORTING PROGRAM:

The following shall be the Mitigation Monitoring or Reporting Program for this Habitat Loss Permit:

Public Resources Code Section 21081.6 requires the County to adopt a mitigation reporting or monitoring program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The mitigation monitoring program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

- **Subsequent Project Permits**

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

1, 2

NOTICE: The issuance of this permit by the County of San Diego does not authorize the applicant for said permit to violate any federal, state, or county laws, ordinances, regulations, or policies, including but not limited to, the federal Endangered Species Act and any amendments thereto.

NOTICE: The subject property contains habitat which may be used for nesting by migratory birds. Any grading, brushing or clearing conducted during the migratory bird breeding season, February 1 – August 31, has a potential to impact nesting or breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Wildlife, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467-4201, <http://www.dfg.ca.gov/>; and United States Fish and Wildlife Service, 6010 Hidden Valley Rd, Carlsbad, CA 92011-4219, (760) 431-9440, <http://www.fws.gov/>.

JUDICIAL REVIEW TIME LIMITATIONS: The time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which has been made applicable in the County of San Diego by San Diego County Code Section 11.120. Any petition or other paper seeking judicial review must be filed in the appropriate court not later than the 90th day following the date on which this decision becomes final; however, if within 10 days after the decision becomes final a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the party, or the party's attorney of record. A written request for the preparation of the record of the proceedings shall be filed with the Director, Planning & Development Services, 5510 Overland Avenue, Suite 110, San Diego, California 92123.

The foregoing decision was approved by the Director of Planning & Development Services on TO BE DETERMINED. A copy of this decision, and the documentation supporting the decision, is on file in the Planning & Development Services office at 5510 Overland Avenue, Suite 110, San Diego, California.

PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, DIRECTOR

BY:

SAMI REAL, Chief
Project Planning Division

Attachments

Biological Survey Letter Report, Pacific Southwest Biological Services Inc., June 22, 2010

cc: To be provided at issuance of Habitat Loss Permit

email cc:

Ashley Gungle, Project Manager, Project Planning, Planning & Development Services
Mindy Fogg, Planning Manager, Project Planning, Planning & Development Services

Attachment D – Environmental Findings

ENVIRONMENTAL FINDINGS

DABBS TENTATIVE MAP; PDS2003-3100-5346

December 11, 2015

1. In accordance with State CEQA Guidelines section 15183, find the project is exempt from further environmental review for the reasons stated in the Notice of Exemption dated September 16, 2015, because the project is consistent with the General Plan for which an Environmental Impact Report dated August 2011 on file with Planning & Development Services as Environmental Review Number 02-ZA-001 (GPU EIR) was certified, there are no project specific effects which are peculiar to the project or its site, there are no project impacts which the GPU EIR failed to analyze as significant effects, there are no potentially significant off-site and/or cumulative impacts which the GPU EIR failed to evaluate, there is no substantial new information which results in more severe impacts than anticipated by the GPU EIR, and that the application of uniformly applied development standards and policies, in addition to feasible mitigation measures included as project conditions would substantially mitigate the effects of the project, as explained in the 15183 Statement of Reasons dated September 8, 2015.
2. In accordance with State CEQA Guidelines section 15183(e)2, find that feasible mitigation measures identified in the General Plan Update EIR will be undertaken.
3. Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 et seq.).
4. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

Attachment E – Public Documentation



San Diego County Archaeological Society, Inc.

Environmental Review Committee

26 July 2014

To: Ms. Ashley Gungle
Planning and Development Services Department
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Intent to Adopt Findings Pursuant to CEQA Section 15183
Dabbs Tentative Map
PDS2003-3100-5346, Log No. PDS2003-3910-03-02-067

Dear Ms. Gungle:

I have reviewed the subject document on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the Statement of Reasons for Exemption, we have the following comments:

1. The project has off-parcel impacts, as disclosed in the Statement of Reasons. The cultural resources survey report for the project addressed only the parcel itself. The County needs to confirm any potential for off-site impacts and also provide mitigation for any that are identified.
2. The details of the monitoring program needs to incorporate the details requirements for such mitigation as is included in the County's *Report Format and Content Requirements: Cultural Resources: Archaeological and Historic Resources*, as revised December 5, 2007, on pages 48-52.

Thank you for the opportunity to participate in the public review of this project's environmental documents.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

8258 Via Urner Way
Bonsall, California 92003-4809
September 2, 2014

Planning and Development Services
5510 Overland Avenue Suite 310
San Diego, California 92123

I am writing in response to the enclosed PUBLIC DISCLOSURE NOTICE INTENT TO ADOPT FINDINGS PURSUANT TO SECTION 15183 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

I am referencing PROJECT NUMBER : PDS2003-3100-5346; LOG NO. PDS2003-3910-03-02-067; DABBS TENTATIVE MAP.

I live at 8258 Via Urner Way , Bonsall California 92003-4809. The parcel number of my property is 127-060-77-00.

The north boundary of my property abuts a portion of the south boundary of the property, parcel numbers 127-071-38-00 and 127-171-09-00, which is the subject of the notice,

I have included maps A,B, C and D to show relative locations.

I have expressed concerns about various aspects of this development several times when it came before the Bonsall Community Sponsor Group and have shared some of the enclosed photos with them. The issue directly affecting me is that of runoff and how my property stands to be further affected by the proposed project after the impact of the grading and slope change already done.

In 1968 my father-in-law Melvin Brazier purchased 10 acres, previously divided into 3 parcels. I own and since 1989 have resided on the middle parcel, mentioned above.

In 2002 I decided to fence the entire parcel for safety reasons. There had been some thefts of avocados from trees growing near the northern property line and accessed by the old farm road. I had the property surveyed by Karn Engineering and Surveying Inc. in Fallbrook. I photographed the stakes at the corners to memorialize the locations. I hired Creative Fence Company to construct and install a six foot chain link fence - level with the ground and 4-6 inches inside my property lines. I had two pedestrian gates installed in the northern boundary fence as emergency exits during a potential fire. I had a drive through gate installed in the southern boundary and also a pedestrian gate near the southeast corner of the property, also for potential fire escape purposes.

Photographs 1,2,3,and4 (copies included in fastened papers) show the boundary area between the two properties in 2002, in advance of the fence construction and subsequent slope change. The boundary between the two properties is a atop a very low rock hard berm, which had been there since at least the late 60's and which served to divert runoff . A comparison between photos 1-5 and 12-16 will show the dramatic change in slope and elevation of the area between the two properties. The reason for my concern should be obvious.

In 2003, grading was begun and dirt was moved onto the Dabbs property. See Photos 5,6,7,8,9,10, and 11.

At first I was not concerned, but then the level of the farm road began to rise until eventually there was a steep slope from it down to my fence. Dirt began piling up against my fence and coming through. I expressed concern to Mr. Dabbs. His only reaction was to have some plastic put up along the fence. That did nothing to halt the dirt, which continued to build up and put a portion of my fence a foot underground. Photos 12,13,14,15, and 16.

The current situation is that the road now in use is at least 3 feet higher than the bottom of my fence (buried) which was level with the land behind it before the dirt was brought in. That is a three foot elevation increase in just a few horizontal feet. The land now slopes steeply toward my buried fence, The established and effective runoff patterns pre-2003 have been changed. The drought and the fact that all plant material is in pots has created a situation of unnaturally little runoff. With the construction of a road and residence (the leach field of which has also not been shown) that will undoubtedly change. There will surely be some irrigation. A year of normal rainfall, as scant as that is, could send runoff washing through my grove and eroding the ground covering the shallow roots of my trees, an event that has never happened in the 46 years I have been familiar with this property.

Nobody erects a fence expecting it to be buried by a neighbor's actions. I didn't. The change of elevation and slope of the land behind me has subjected me to the probability of future runoff problems. This property had never before suffered washing or indeed any runoff when the acreage was in agricultural use, planted with lemon trees.

This potentially serious runoff problem should be addressed before it gets lost in the bureaucratic shuffle. There are certainly several solutions that would restore my property and prevent it from the runoff problems presented by the slope and elevation change as well as the dirt encroachment on my property. Thank you for your attention to this matter.

Sincerely yours,



Helene Brazier

LAW OFFICES OF WESLEY W. PELTZER

Wesley W. Peltzer, Attorney at Law

81273 Andalusia

La Quinta, CA 92253-8220

Tel. No. (760)771-2300

Email: WWPeltzer@aol.com

September 8, 2014

Sent Via E-mail

Ashley Gungle
Planning & Development Services-County of San Diego
5510 Overland Ave., Suite 310
San Diego, CA 92123

Re: Dabbs Tentative Map; PDS 2003-3100-5346; Log No. PDS 2003-3910-03-02-067

Dear Ms. Gungle:

Our office represents the Pardee family and the 92.8 acre West Lilac parcels located near the Dabbs proposed tentative map. The Dabbs tentative map (Tract Map 5346) proposes the use of Aqueduct Road and an unnamed 30-foot wide private road easement for access to the nine lot subdivision. However, the County conditions on the tentative map do not require any improvements at all to Aqueduct Road. As noted in the final environmental impact report for the West Lilac subdivision certified by the County (TM 5276) Aqueduct Road "is approximately 20 feet wide which does not meet the County's Private Road Standards". (West Lilac FEIR p. 2.1-2). An analysis of Aqueduct Road by Larry Walsh, the engineer for the West Lilac project documented this road is currently in a dangerous condition as a result of an unsafe sight distance at the existing high point on Aqueduct Road right near where the Dabbs intersection is proposed. The County Public Works Department previously determined that this high point in Aqueduct Road needs to be lowered five feet to provide safe sight distance.

We recently asked Larry Walsh to examine Aqueduct Road to determine if these unsafe conditions on it still existed. On September 4, 2014 Larry Walsh wrote a letter noting that Aqueduct Road is still in an unsafe and dangerous condition until the high point is lowered five feet to achieve a minimum 25 mph design speed. I am providing you with a copy of the September 4, 2014 letter from Larry Walsh documenting these unsafe conditions on Aqueduct Road and the fact the Dabbs subdivision has not been required to improve Aqueduct Road to a width of 24 feet as mandated by the County's Consolidated Fire Code and the County Private Road Standards. Mr. Walsh also notes an unsafe condition at the intersection of the unnamed private road and Aqueduct Road. A locked gate at the intersection will cause vehicles not having access to back up creating an unsafe condition on Aqueduct Road.

Page 2

Section 503.2.1 of the Consolidated Fire Code clearly mandates fire apparatus roads have an unobstructed improved width of not less than 24 feet. Section 503.2.1(a) of the Consolidated Fire Code provides: "(a.) Fire apparatus access roads shall have an unobstructed improved width of not less than 24 feet, except for single-family residential driveways serving no more than 2 single-family dwellings which shall have a minimum of 16 feet of unobstructed improved width." The County Private Road Standards also clearly mandate that private access roads be no less than 24 feet in width.

In approving the Dabbs tentative map the County is relying upon the exemption from CEQA provided by CEQA Guidelines Section 15183. CEQA Section 21083.3 does not exempt analysis of impacts that are peculiar to the parcel or the project if those impacts were not addressed as significant impacts in the previous EIR. (Public Resources Code § 21083.3(a)-(b); Guidelines § 15183(b)(1)-(2)). Thus, significant impacts peculiar to the parcel or project that were not evaluated or that were not treated as insignificant in the previous EIR are not exempt from further CEQA review.

The County's prior EIR for GP 2020 did not evaluate at all the adequacy of Aqueduct Road. Aqueduct Road is a private and not a public road. Since the Dabbs tentative map had not been required to correct the dangerous and unsafe sight distance that presently exists on Aqueduct Road and the Dabbs tentative map has not been required to widen Aqueduct Road to 24 feet as mandated by the Consolidated Fire Code and the County's Private Road Standards the project clearly results in a significant environmental impact requiring preparation of an EIR or a mitigated negative declaration. If the initial study for the proposed project identifies potentially significant impacts that were not analyzed in the prior General Plan EIR, the lead agency must adopt either a mitigated negative declaration for the project or prepare an EIR. (Public Resources Code §21157.5(a), (d); Guidelines § 15178(b)(c)).

In this case, the dangerous and unsafe sight distance on Aqueduct Road was well documented in the prior West Lilac EIR certified by the County. At this juncture the Pardee family is farming the West Lilac parcels and does not intend to proceed with the West Lilac tentative map for a number of years. Given this situation, Aqueduct Road will remain in a dangerous and unsafe condition unless the Dabbs tentative map is required to correct the dangerous and unsafe sight distance by lowering the high point on Aqueduct Road right near where the Dabbs intersection is proposed and by widening Aqueduct Road to 24 feet as mandated by the Consolidated Fire Code and the County's Private Road Standards. Since Aqueduct Road is currently in an unsafe condition this results in a significant traffic safety impact requiring preparation of either a mitigated negative declaration or an EIR under both CEQA and the CEQA Guidelines.

We also note that the July 2014 agricultural report prepared for the Dabbs tentative map documents the project will result in the loss of .2 acres of Farmland of Statewide Importance Soils and one acre of Prime Farmland Soils (Agricultural Report p. 2.4). Collectively, the project will result in the loss of 1.2 acres of Prime Farmland or Farmland of Statewide Significance with no mitigation required to mitigate this impact. The project should be required

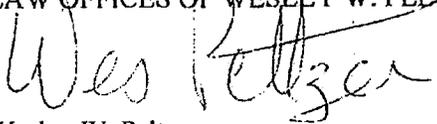
Page 3

to mitigate for this loss of 1.2 acres of Prime or Statewide Significance Farmland by requiring the preservation of not less than 1.2 acres of these types of farmland on the project site.

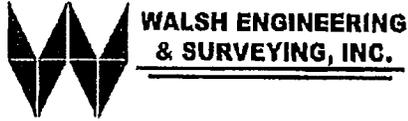
If you have any questions on this letter or the attached letter of Larry Walsh please give us a call.

Sincerely,

LAW OFFICES OF WESLEY W. PELTZER

A handwritten signature in cursive script that reads "Wes Peltzer". The signature is written in black ink and is positioned below the typed name.

Wesley W. Peltzer



September 4, 2014

Ashley Gungle
Land Use/ Environmental Planner
County of San Diego
Planning and Development Services
5510 Overland Avenue, 3rd Floor
San Diego, CA 92123

Subject: Dabbs TM 5346

Dear Ms. Gungle:

I am in receipt of your Public Disclosure Notice dated July 24, 2014. I received a copy from Jim Pardee, my client for TM 5278 adjacent to Dabbs project on the west side of Aqueduct Road. Mr. Pardee asked me to review the Dabbs project and provide you with this letter in response to Aqueduct Road safety concerns.

Mr. Pardee's TM 5276 is very similar to Mr. Dabb's TM 5346 in that both have two means of ingress and egress via offsite private roads. Mr. Pardee's offsite private roads are Aqueduct Road and Via Ararat Drive and Mr. Dabbs are Aqueduct Road and his proposed unnamed road. The similarities stop there. Mr. Pardee was conditioned to have adequate sight distance at the intersection with Aqueduct Road and to improve Aqueduct Road to private road standards all the way to West Lilac Road. Whereas, Mr. Dabbs' Application Amendment Form has no such conditions. In addition to Mr. Pardee being required to widening the existing Aqueduct Road to a full 24 feet of asphalt pavement, poor sight distance at the existing high point on Aqueduct Road (right near where Dabb's intersection is proposed)

requires that we lower the existing grade approximately five feet. And that is only to achieve a 25 mph design speed; for which we received an Exception Request dropping it from the standard 30 mph design speed. That alone will tell you the dangerous condition of the existing road, if you have to lower it 5 feet just to achieve a minimum 25 mph design speed. Having driven Aqueduct Road many times during the tentative map phase for Mr. Pardee's project, I can tell you that I share the same concerns Mr. Pardee has of the unsafe sight distance condition of the existing road. All you have to do is drive the road now to understand the concern. There is a grade break at the high point of Aqueduct Road that until you are right up to it you can't see beyond it. That is why the high point needs to come down the five feet or so and replaced with a 25 mph curve. I emailed you our TM's Preliminary Grading Plan and Resolution of Approval for your review and comparison to Dabbs' project.

Section 503.2.1 of the Consolidated Fire Code requires fire apparatus access roads to have an unobstructed improved width of 24 feet, while the County Private Road Standards also requires 24 feet of improved width.

The Fire Protection Plan obtained from the County website link provided on your Public Disclosure Notice describes a project with a dead end road (that exceeds the maximum length) that will be paved 30 feet wide instead of 24 feet wide to mitigate for being longer than the fire code allows. Interestingly the Fire Protection Plan goes on to say, "A second access was explored to the north and it has been determined that it cannot be constructed due to the existing access points for the properties on the opposite side of the roads and was not allowed by the Department of Public Works. In addition the site distance at the northerly access point was not able to comply with site distance design standards making that option impracticable."

In addition to our concerns for sight distance safety and adherence to the Consolidated Fire Code and County Private Road Standards, the lack of conditioning the Dabbs project has to improve Aqueduct Road begs the question of fairness (although pale in comparison to the safety concern); Mr. Dabbs project will benefit from an improved Aqueduct Road just as

Mr. Pardee's project will yet currently Mr. Pardee has 100% of the financial burden to improve Aqueduct Road.

Another safety concern we have is with the geometry of the intersection of Dabbs' proposed unnamed private road with Aqueduct Road. The TM shows a gate located right on the edge of the Aqueduct Road easement requiring vehicles to have to back out onto Aqueduct Road if they cannot get through the gate and into the project from Aqueduct Road. That would be a very, very unsafe condition.

In conclusion we request the following:

- That the Dabbs project be conditioned to improve Aqueduct Road to County Private Road Standards including adequate sight distance both horizontally and vertically as well as the full 24 feet of paved width.
- That the Dabbs TM and PGP be revised to show a standard DS-17, 18 or 19 gated turnaround at the intersection of the proposed unnamed private road with Aqueduct Road.

Thank you in advance for your attention to this important matter.

Sincerely,



Lawrence W. Walsh, RCE, PLS
President

SAN LUIS REY BAND OF MISSION INDIANS

1889 Sunset Drive • Vista, California 92081

760-724-8505 • FAX 760-724-2172

www.slrmissionindians.org

September 8, 2014

Ashley Gungle
Project Manager
Planning & Development Services
County of San Diego
5510 Overland Ave., Ste. 110
San Diego, CA 92123

VIA ELECTRONIC MAIL
Ashley.Gungel@sdcounty.ca.gov

**RE: COMMENTS ON THE NOTICE OF INTENT TO ADOPT FINDINGS
PURSUANT TO SECTION 15183 OF THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT REGARDING THE DABBS TENTATIVE MAP (PDS2003-3100-
5346) (LOG NO. PDS2003-3910-03-02-067)**

Dear Ms. Gungle:

We, the San Luis Rey Band of Mission Indians ("Tribe"), have received and reviewed the County of San Diego's ("County's") Notice of Intent to Adopt Findings Pursuant to Section 15183 of the California Environmental Quality Act ("Section 15183 Notice") and all of its supporting documentation as it pertains specifically to the protection and preservation of cultural resources that are located within the parameters of the Dabbs Tentative Map project's ("Project's") property boundaries. The Tribe is not satisfied with the limited cultural resource mitigation measures provided for by the County's General Plan Update ("GPU") and Environmental Impact Review ("EIR"), and do not believe that the GPU and EIR adequately protect and preserve known significant cultural resources and areas of cultural significance (aka cultural landscapes and traditional cultural properties). Furthermore, prior to be granted a grading permit for the Project, mandatory incorporation of additional measures of mitigation for cultural resources as proposed in this comment letter should be required of the Project Applicant.

We are a San Diego County Tribe whose traditional territory includes Camp Pendleton, the current cities of Oceanside, Carlsbad, Vista, San Marcos and Escondido, as well as the unincorporated communities of North San Diego County, such as, but not limited to, Fallbrook and Bonsall. The Tribe is resolute in the preservation and protection of cultural, archaeological and historical sites within all these jurisdictions.

It is the Tribe's understanding that the Project proposes a major subdivision to divide a 38.4 acre property into nine (9) lots. The Project is located east of Aqueduct Road and north of Via Urner Road in the Bonsall Community Plan Area ("Project Location"). The proposed earthwork for the project will consist of 15,800 cubic yards of cut and 17,400 cubic yards of fill for pads and driveways. In addition, offsite roads will require an additional 6,500 cubic yards of cut and 6,300 cubic yards of fill. The Project Site consists of an active agricultural nursery.

Furthermore, the Tribe understands that the County is proceeding under a Section 15183 review of this project due to its compliance with the GPU and associated EIR. However, given the low visibility during the cultural resource survey, the high number of sacred sites within close proximity to the Project, and the undeveloped nature of the topography, the Tribe has serious concerns regarding the County's evaluation of the impact to cultural resources and proposed treatment. The Tribe entreats the County to require additional cultural resource mitigation measures to the Project outside those already required under the GPU and associated EIR in order to truly minimize the negative impact this Project will have on our history and California's Native American past.

I. THE PRESENCE OF A LUISEÑO NATIVE AMERICAN MONITOR DURING ALL GROUND DISTURBING ACTIVITIES IS JUSTIFIED, AND AS SUCH, LUISEÑO NATIVE AMERICAN MONITORS SHOULD BE CONTRACTED WITH DURING THIS PROJECT.

As discussed in our previous communications with the County¹, the Tribe demands that Luiseño Native American monitors be utilized during all ground disturbing activities for this Project and not limited to "grading activities". The Tribe has reviewed the Section 15183 Notice for this Project, as well as conducted our own research of the Tribe's Sacred Land Files, and has spoken with our Tribal Elders regarding the significance of the Project Area. As the County is aware, there are a multitude of cultural resource/habitation sites within close proximity to the Project boundaries. And although, the Tribe supports the Section 15183 Notice requiring the presence of Native American monitors during the grading operations of the Project, the Tribe insists that a Luiseño Native American monitor be present during ALL ground disturbing activities, such as, during vegetation removal, grubbing, preparation of infrastructure, excavation, installation of fencing around archaeological and non-archaeological sites, geological testing, and other grading-type activities.

Furthermore, the Tribe proposes the following language to be added to the Section 15183 Notice Discussion 5(b) to include the following responsibilities of the County-approved archaeologist and Luiseño Native American monitor:

- a. The development of a pre-excavation agreement between the Project Applicant and the appropriate Luiseño tribe.
- b. Both the archaeological and Native American monitor should be granted the authority to temporarily halt and divert ground disturbing activities when cultural resources are discovered.
- c. The presence of a qualified archaeologist and a Luiseño Native American monitor at the pre-construction meeting.
- d. Any and all artifacts of Native American cultural importance should be returned to the Tribe, and/or the Most Likely Descendent, if appropriate, and not be curated.
- e. The Tribe must be consulted if significant cultural resource(s) and/or unique archaeological resource(s) are discovered during ground disturbing activities.
- f. Any proposed use of fill for the Project be "clean" of cultural resources and documented as such.

¹ SLR meets regularly with the County for SB 18 and Sacred Lands Check Consultations.

A. A Cultural Resource Treatment And Monitoring Agreement (Pre-Excavation Agreement) Should Be Entered Into Prior To The Commencement Of Any Ground Disturbing Activities.

The pre-excavation agreement, otherwise known as a Cultural Resources Treatment and Monitoring Agreement, will contain provisions to address the proper treatment of any cultural resources or Native American human remains inadvertently uncovered during the course of the Project. Such an agreement is necessary, as the County is aware, to guarantee the proper treatment of cultural resources and Native American human remains displaced during a project development. Currently, the County Resource Guidelines do not state with any specificity how these sacred Luiseño resources should be treated. The Cultural Resource Treatment and Monitoring Agreement will provide the Project Applicant much needed guidance and a reasonable expectation of what is to occur if Native American human remains and/or associated burial goods are found during ground disturbing activities for their project. The Tribe acknowledges that it is imperative that this agreement and the conditions contained within the County Resource Guidelines do not contradict one another. Therefore, the inclusion of the additional protective measures as stated herein will coincide with said agreement.

If the County does not incorporate the requirement of a Cultural Resource Treatment and Monitoring Agreement, then the Tribe must be consulted with regarding the development of any Grading Monitoring Plan and/or Data Recovery Program for the Project. These resources are evidence of our ancestors' habitation, customs and traditions. Luiseño tribes must have a voice in how our resources are treated, protected and preserved.

B. Both The Archaeological and Luiseño Native American Monitor Should Be Granted The Authority To Temporarily Halt and Divert Ground Disturbing Activities When Cultural Resources Are Discovered.

If cultural resources are discovered during construction, all ground disturbing activity within and around the immediate discovery area must be diverted until a County-approved archaeologist and a Luiseño Native American monitor can assess the nature and significance of the find. Native American monitors and archaeologist approach culturally sensitive finds very differently. An archaeologist looks at the deposits value for research purposes and its scientific worth. Whereas, a Native American monitor looks at the deposits importance as it relates to its religious significance and cultural relevance. Each opinion is equally important and both should be taken in equal consideration. Neither process of evaluation is more significant than the other; therefore both must be given the same amount of respect from the County. Therefore, the Luiseño Native American and archaeological monitors must be given joint-authority to temporarily divert or halt ground disturbing operations when cultural resources are discovered so each may access the nature and significance of such find.

C. The Section 15183 Should Reflect That Any and All Uncovered Artifacts of Native American Cultural Importance Should Be Returned to the Tribe, and/or the Most Likely Descendent and NOT BE CURATED.

It is the religious belief, custom, and practice of the Tribe to repatriate all cultural resources that are unearthed during ground disturbing activities. Therefore, any plans to curate any such items would

blatantly disregard the respect due to these cultural resources. Instead, any such items should be returned to the Tribe and/or the Most Likely Descendant, if applicable, as determined by the Native American Heritage Commission. This Project is located within the traditional and aboriginal territory of our Tribe and our sister tribes. The Tribe considers all cultural items found in this area to belong to their ancestors, and the ancestors of their sister tribes. If, however, the County is steadfast in its belief that all cultural resources must be curated, then those resources should only be curated at a Luiseño curation facility, such as the Pechanga Curation Facility.

D. The Tribe Must Be Consulted If A Significant Cultural Resource And/or Unique Archaeological Resource Is Discovered During Ground Disturbing Activities.

If a significant cultural resource and/or unique archaeological resource are unearthed during ground disturbing activities for this Project, the Tribe must be notified and consulted with in regards to the respectful and dignified treatment of those resources. The Tribe's preference will always be for avoidance and that the resource be protected and preserved in perpetuity. A majority of the resources located within and around this Project are, in theory, protected by the County's Resource Protection Ordinance ("RPO"), as well as the California Environmental Quality Act ("CEQA").

Therefore, if unique archaeological resources and/or significant resources are discovered during ground disturbing activities and avoidance or other protective measures are not feasible and the County approves a data recovery plan as the Lead Agency, the Tribe respectfully requests that as a condition of any authorization, the Tribe be consulted regarding the drafting and finalization of any such recovery. As stated earlier, these irreplaceable resources are our resources, our connection to our ancestors and the lives they lead, and we must be part of this process to ensure that our ancestors and their belongings are treated with dignity and respect.

In addition, when cultural resources are discovered during the Project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor, may in their discretion, collect said resources and provide them to the Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions.

E. When Suspected Native American Remains Are Unearthed, Those Remains Should Remain In Situ And Protected Until The Most Likely Descendant Can Be Determined By The Native American Heritage Commission.

If Native American remains and/or associated burial goods are unearthed during the Project, and prior to a Most Likely Descendant being determined by the Native American Heritage Commission, it is the Tribe's request that the ancestral remains be kept *in situ* (in place), or in a secure location in close proximity to their discovery and that a forensic anthropologist perform their analysis of the remains on-site in the presence of a Luiseño Native American monitor. Any transportation of the ancestral remains would be considered by the Tribe as disrespectful and undignified treatment. Therefore, the Tribe

requests that in addition to the strict adherence to the protocol stated in the California Health and Safety Code Section 7050.5 and California Public Resource Code Section 5097.98, the Section 15183 Notice reflect that if Native American remains are discovered, the Native American remains shall be kept in situ, or in a secure location in close proximity to where they were found, and that the analysis of the remains occur only on-site in the presence of a Luiseño Native American monitor.

F. Only "Clean Fill" Should Be Utilized During This Project

Lastly, the Tribe is opposed to any undocumented fill being used during the proposed development. In the event the "fill" will be imported into the Project area, the Tribe requests that any proposed use of fill be clean of cultural resources and documented as such. It has been a practice of many in the construction profession to utilize fill materials that contained cultural resources from other "unknown" areas thereby contaminating the potential cultural landscape of the area being filled. This type of fill material is unacceptable. Moreover, if the fill material is to be utilized from areas within the Project boundaries, then we ask that that fill be analyzed and confirmed by an archeologist and/or Luiseño Native American monitor that such fill material does not contain cultural resources. A requirement that fill material be absent of any and all cultural resources should therefore be included as an additional mitigation measure contained in the Section 15183 Notice.

II. CONCLUSION

The San Luis Rey Band of Mission Indians appreciates this opportunity to provide the County of San Diego with our comments and recommendations on the Dabbs Tentative Map. The Tribe hopes the County will amend the Section 15183 Notice to incorporate our additional measures of protection as herein stated. As always, we look forward to working with the County to guarantee that the requirements of the CEQA, the laws of California and the County's Cultural Resource Guidelines are rigorously applied to this Project and all projects. We thank you for your continuing assistance in protecting our invaluable Luiseño cultural resources.

Sincerely,

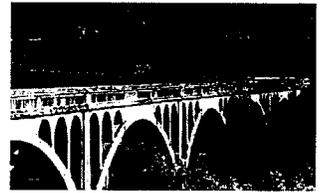


Merri Lopez-Keifer
Tribal Legal Counsel

cc: Melvin Vernon, Tribal Captain
Carmen Mojado, Secretary of Government Relations and President of Saving Sacred Sites

BONSALL COMMUNITY SPONSOR GROUP

Dedicated to enhancing and preserving a rural lifestyle



COUNTY OF SAN DIEGO BONSALL COMMUNITY SPONSOR GROUP

REGULAR MEETING MINUTES

TUESDAY, MARCH 6, 2012

7:00 P.M.

31505 Old River Road
Bonsall, California 92003

1. ADMINISTRATIVE ITEMS:

A. ROLL:

PRESENT: MORGAN, DAVIS, LINTNER, ZALES

ABSENT: ROSIER, NORRIS

B. Corrections to Agenda:

- None.

C. Approval of Minutes for the Design Review Board and the Regular Meeting Minutes for Tuesday, February 7, 2012.

- Motion to approve the minutes, as written, was made by Zales. Members present approved the motion.

D. Public Communication on non-agenda items:

- None.

E. Reports of Meetings:

- PACE Update: The next PACE meeting will be scheduled during the latter part of March. The evaluation methodology for applicant parcels was recently changed to include a fair market appraisal of land value for all submissions.

2. PLANNING AND LAND USE:

A. TM5346 Dabbs Tentative Map. Mr. Gary Piro, presented a proposed change to the emergency access road. The road will be paved with DG. Lintner moved to approve the emergency access road as described by Mr. Piro. The motion passed 3 to 1, (Davis opposed).

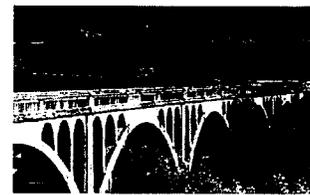
B. AD 12-005 Vista Havens, AD Oversized Structure A request for an outdoor kitchen at 28414 Spa Havens Way, off of Gopher Canyon. This project was previously approved by the County.

3. PERMITS AND VARIANCES:

- No items submitted for review.



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4. COUNTY ITEMS:

A. Design Review Compliance Checklist:

- The Group made numerous minor changes, corrections and deletion recommendations during this follow-up review regarding site layout design standards that included; Building Location & Orientation, Parking Lot Location, Access & Connections, Architectural Design Standards, Landscape Design Standards, Signage and Lighting Standards, Building Equipment and Services Standards, and Multi-family Residential Standards. County Department of Planning and Land Use representatives agreed to return to present the final draft of the Compliance Checklist to the Group for approval.

B. Cal Trans Community Based Transportation Grant:

- Lintner moved that the Group seek to obtain a grant to obtain Community Right-of-Way Development Standards for Bonsall. The motion carried unanimously.

C. Red Tape Task Force:

- The Chair discussed the February 29th Board of Supervisors meeting. Concern was expressed by all Group members present that any action taken to limit or restrict the scope of review by Planning and Sponsor Groups would be detrimental to local communities.

D. Climate Action Plan:

- The Chair provided the web-site for the plan and she noted that the public review of the plan ends on March 19, 2012.

E. Single Family Residential Design Guidelines:

- The Chair stated that she and Steve Norris provided the Group's comments in a letter sent on February 23, 2012.

F. North TIF Region Stakeholders meeting:

The Chair noted the this meeting will be hosted by the Bonsall Sponsor Group on March 7, 2010 at 10:00 AM.

5. BRISA DEL MAR TM 5492:

- The County supplied a 72 page review of screencheck of the EIR. This project is located at Camino Del Rey and Luis Rey Heights Road in Bonsall. The revised proposal has reduced the number of homes to 18 and recommended a cluster arrangement as well as a revised road within the project.

6. ADJOURN:

- Meeting was adjourned at 9:10 P.M.



Attachment F – Ownership Disclosure



COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP INTERESTS ON APPLICATION FOR LAND USE AMENDMENTS AND PERMITS PURSUANT TO ORDINANCE NO. 4544 (N.S.)

The ordinance requires that the following information must be disclosed at the time of filing of this discretionary permit.

A. List the names of all persons having an *interest* in the application.

DONALD R. DABBS

DEBRA A. DABBS

List the names of all persons having any *ownership interest* in the property involved.

DONALD R. DABBS

DEBRA A. DABBS

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

NOTE: Section 1127 of The Zoning Ordinance defines *Person* as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

NOTE: Attach additional pages if necessary.

Don R. Dabbs
Signature of Applicant

10/31/03
Date