



County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

ERIC GIBSON
INTERIM DIRECTOR

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
<http://landinfo.sdcountry.ca.gov>

May 28, 2008

CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G Rev. 10/04)

1. Project Number(s)/Environmental Log Number/Title:
TM 5511 RPL³, S07-019; ER 06-05-003 / KRS Development Vesting Major Subdivision (1 Commercial & 17 Residential Lots).
2. Lead agency name and address:
County of San Diego, Department of Planning and Land Use
5201 Ruffin Road, Suite B,
San Diego, CA 92123-1666
3.
 - a. Contact Tim Taylor, Project Manager
 - b. Phone number: (858) 694-3706
 - c. E-mail: Tim.Taylor@sdcounty.ca.gov.
4. Project location:

West of Hoberg Road at the northwest intersection with Palm Canyon Drive abutting the eastern boundary of Anza-Borrego Desert State Park in the unincorporated community of Borrego Springs.

Thomas Brothers Coordinates: Page 1078, Grid F/2
5. Project Applicant name and address:

KRS Development Inc; 8 Kiopa'a Street Suite 201; Pukalani, Hawai'i 96768
6. General Plan Designation
Community Plan: Desert Subregion

Land Use Designation: (2) Residential &
(26) Visitor-Serving Commercial
Density: 1 DU/ac in (2) Residential

- 7. Zoning Use Regulation: RS1 Single-Family Residential &
C42 Recreational Commercial
Minimum Lot Size: 1 ac in RS1 & 6,000 SF in C42
Special Area Regulation: none

8. Description of project:

The project proposes a Major Subdivision of a 50.09-acre property into 17 single-family residential lots of at least 2 acres each, along with one commercial lot. The property currently supports native vegetation consisting of Sonoran creosote bush scrub. Proposed earthwork quantities consist of 11,000 cubic yards of cut and 1,000 cubic yards of fill. Access is provided directly from Hoberg Road and Palm Canyon Drive, both publicly maintained roads, with all required utilities available.

9. Surrounding land uses and setting:

Lands surrounding the project site are used for single-family residences to the north and east, commercial uses to the southeast, and State parkland to the west and south. The project site and adjacent land lies within the Borrego Valley floodplain and is hence relatively level terrain.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
Tentative Map	County of San Diego
Grading Permit	County of San Diego
Improvement Plans	County of San Diego
Septic Tank Permit	County of San Diego
General Construction Storm water Permit	RWQCB
Water District Approval	Borrego Water District
Fire District Approval	Borrego Springs Fire District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a "Potentially Significant Impact" or a "Potentially Significant Impact Unless Mitigation Incorporated," as indicated by the checklist on the following pages.

- Aesthetics
- Biological Resources
- Hazards & Haz. Materials
- Mineral Resources
- Public Services
- Utilities & Service Systems
- Agriculture Resources
- Cultural Resources
- Hydrology & Water Quality
- Noise
- Recreation
- Mandatory Findings of Significance
- Air Quality
- Geology & Soils
- Land Use & Planning
- Population & Housing
- Transportation/Traffic

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

- On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, the Department of Planning and Land Use finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, the Department of Planning and Land Use finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.


Signature

May 28, 2008
Date

Tim Taylor
Printed Name

Land Use/Environmental Planner
Title

I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Scenic vistas are singular vantage points that offer unobstructed views of valued viewsheds, including areas designated as official scenic vistas along major highways or County designated visual resources. The proposed project is not located near or visible from a scenic vista and will not change the composition of an existing scenic vista. Therefore, the proposed project will not have any substantial adverse effect on a scenic vista.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is not located near or visible within the same composite viewshed as a State scenic highway.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: Visual character is the objective composition of the pattern elements of line, form, color, and texture within a viewshed. Visual character is based on the organization of the. Visual character is commonly discussed in terms of dominance, scale, diversity and continuity. Visual quality is the viewer's perception of the visual environment and varies based on exposure, sensitivity and expectation of the viewers. The existing visual character and quality of the project site and surrounding can be characterized as a level project site surrounding by level properties, but dominated by views of the nearby mountains and foothills to the west. The site contain native desert vegetation as does the adjacent parkland to the south.

The proposed project is a subdivision of the property into 17 residential lots and one commercial lot. The project is compatible with the existing visual environment's visual character and quality for the following reasons: the addition of 17 one story homes and a small commercial development will not degrade the overall visual quality because the surrounding properties to the north and south are developed and this project will be comparable in nature. The design of the project will use single story homes which will not block views of the nearby terrain. There will be little to no landform modification.

The project will not result in cumulative impacts on visual character or quality because the entire existing viewshed and a list of past, present and future projects within that viewshed were evaluated. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered. Those projects listed in Section XVII are located within the viewshed surrounding the project and will not contribute to a cumulative impact for the following reasons: the development will not result in landform modification and will consist of the type and design of development seen in the existing development in the area. Therefore, the project will not result in any adverse project or cumulative level effect on visual character or quality on-site or in the surrounding area.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The proposed project will use outdoor lighting and is located within Zone B as identified by the San Diego County Light Pollution Code. However, it will not adversely affect nighttime views or astronomical observations, because the project will conform to the Light Pollution Code (Section 59.101-59.115), including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights.

The project will not contribute to significant cumulative impacts on day or nighttime views because the project will conform to the Light Pollution Code. The Code was developed by the San Diego County Department of Planning and Land Use and Department of Public Works in cooperation with lighting engineers, astronomers, land use planners from San Diego Gas and Electric, Palomar and Mount Laguna observatories, and local community planning and sponsor groups to effectively address and minimize the impact of new sources light pollution on nighttime views. The standards in the Code are the result of this collaborative effort and establish an acceptable level for new lighting. Compliance with the Code is required prior to issuance of any building permit for any project. Mandatory compliance for all new building permits ensures that this project in combination with all past, present and future projects will not contribute to a cumulatively considerable impact. Therefore,

compliance with the Code ensures that the project will not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area, on a project or cumulative level

II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the project does not contain Farmland of Local Importance. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Farmland of Local Importance will be converted to a non-agricultural use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site is zoned RS & C42, which are not considered to be agricultural zones. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|---|---|

- Potentially Significant Unless Mitigation Incorporated
- No Impact

Discussion/Explanation:

No Impact: The project site and surrounding area do not contain any lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide, or Farmland of Local Importance will be converted to a non-agricultural use.

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

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- Potentially Significant Impact
- Less than Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less Than Significant Impact: The project proposes development that was anticipated in SANDAG growth projections used in development of the RAQS and SIP. Operation of the project will not result in emissions of significant quantities of criteria pollutants listed in the California Ambient Air Quality Standards or toxic air contaminants as identified by the California Air Resources Board. As such, the proposed project is not expected to conflict with either the RAQS or the SIP. In addition, the project is consistent the SANDAG growth projections used in the RAQS and SIP, therefore, the project will not contribute to a cumulatively considerable impact.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- Potentially Significant Impact
- Less than Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- No Impact

Discussion/Explanation:

In general, air quality impacts from land use projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such projects. The San Diego County Air Pollution Control District (SDAPCD) has

established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. For CEQA purposes, these screening-level criteria can be used as numeric methods to demonstrate that a project's total emissions (e.g. stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the CEQA Air Quality Handbook for the South Coast Air Basin (SCAB), which has stricter standards for emissions of ROCs/VOCs than San Diego's, is appropriate. However, the eastern portions of the county have atmospheric conditions that are characteristic of the Southeast Desert Air Basin (SEDAB). SEDAB is not classified as an extreme non-attainment area for ozone and therefore has a less restrictive screening-level. Projects located in the eastern portions of the County can use the SEDAB screening-level threshold for VOCs.

Less Than Significant Impact: Grading operations associated with the construction of the project would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures. Emissions from the construction phase would be minimal and localized, resulting in pollutant emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the South Coast Air Quality Management District (SCAQMD) CEQA Air Quality Handbook section 6.2 and 6.3. In addition, the vehicle trips generated from the project will result in 408 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 SDAPCD Rule 20.2 and by the SCAQMD CEQA Air Quality Handbook section 6.2 and 6.3 for criteria pollutants. As such, the project will not 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)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone (O₃). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM₁₀) under the CAAQS. O₃ is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM₁₀ in both urban and rural areas include: motor

vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

Less Than Significant Impact: Air quality emissions associated with the project include emissions of PM₁₀, NO_x and VOCs from construction/grading activities, and VOCs as the result of increase of traffic from operations at the facility. However, grading operations associated with the construction of the project would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures. Emissions from the construction phase would be minimal and localized, resulting in PM₁₀ and VOC emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the South Coast Air Quality Management District (SCAQMD) CEQA air quality handbook section 6.2 and 6.3. The vehicle trips generated from the project will result in 408 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 SDAPCD Rule 20.2 and by the SCAQMD CEQA air quality handbook section 6.2 and 6.3 for VOCs and PM₁₀.

In addition, a list of past, present and future projects within the surrounding area were evaluated and none of these projects emit significant amounts of criteria pollutants. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered. The proposed project as well as the past, present and future projects within the surrounding area, have emissions below the screening-level criteria established by SDAPCD Rule 20.2 and by the SCAQMD CEQA air quality handbook section 6.2 and 6.3, therefore, the construction and operational emissions associated with the proposed project are not expected to create a cumulatively considerable impact nor a considerable net increase of PM₁₀, or any O₃ precursors.

d) Expose sensitive receptors to substantial pollutant concentrations?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality.

Less Than Significant Impact: No sensitive receptors have been identified within a quarter-mile (the radius determined by the SCAQMD in which the dilution of pollutants is typically significant) of the proposed project. Further, no point-source emissions of air pollutants (other than vehicle emissions) are associated with the project. As such, the

project is not anticipated to expose sensitive populations to excessive levels of air pollutants.

e) Create objectionable odors affecting a substantial number of people?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project could produce objectionable odors, which would result from volatile organic compounds, ammonia, carbon dioxide, hydrogen sulfide, methane, alcohols, aldehydes, amines, carbonyls, esters, disulfides dust and endotoxins from the construction and operational phases. However, these substances, if present at all, would only be in trace amounts (less than 1 µg/m³). Subsequently, no significant air quality – odor impacts are expected to affect surrounding receptors. Moreover, the affects of objectionable odors are localized to the immediate surrounding area and will not contribute to a cumulatively considerable odor. A list of past, present and future projects within the surrounding area were evaluated and none of these projects create objectionable odors. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered.

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Unless Mitigation Incorporated: Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, a site visit by Ed Gowens, County staff, on September 1, 2006, Biological Letter Report dated December 31, 2007, and prepared by Pacific Southwest Biological Services, the site **and/or** surrounding area supports native vegetation, namely, Sonoran Creosote Bush. which can support special status species.

The project site is within Borrego Springs and is located adjacent to existing development to the south and east. County staff reviewed the past, present, and probable future projects as listed in Section XVII(b) and has determined that the

cumulative loss of Sonoran Creosote Bush may cause a significant impact on candidate, sensitive, or special status species. However, this project's contribution to the cumulative habitat loss will be less than cumulatively considerable because this and other projects with similar habitat losses will preserve Sonoran Creosote Bush and other sensitive vegetation types in areas that are biologically significant, connected and viable habitat for candidate, sensitive, or special status species.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact:

Based on a site visit conducted by Ed Gowens, County staff, on September 1, 2006 and as supported by the Biological Letter Report dated December 31, 2007, and prepared by Pacific Southwest Biological Services, it has been determined that the proposed project site does not contain any riparian habitats or other sensitive natural communities as defined by the **County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Game Code, Endangered Species Act, Clean Water Act**, or any other local or regional plans, policies or regulations. In addition, no riparian or otherwise sensitive habitat has been identified within or adjacent to the area proposed for off-site impacts resulting from road improvements, utility extensions, etc. Therefore, the project is not expected to have direct or indirect impacts from development on any riparian habitat or other sensitive natural community.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact:

Based on a site visit conducted by Ed Gowens, County staff, on September 1, 2006, and as supported by the Biological Letter Report dated December 31, 2007, and prepared by

Pacific Southwest Biological Services, it has been determined that the proposed project site does not contain any wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, stream, lake, river or water of the U.S., that could potentially be impacted through direct removal, filling, hydrological interruption, diversion or obstruction by the proposed development. Therefore, no impacts will occur to wetlands defined by Section 404 of the Clean Water Act in which the Army Corps of Engineers maintains jurisdiction over.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Unless Mitigation Incorporated: Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, a site visit by Ed Gowen, County staff, on September 1, 2006, a Biological Resources Report dated December 31, 2007, and prepared by Pacific Southwest Biological Services, staff biologist Meagan Hamilton has determined that the site would directly impact for 5.77 acres of Sonoran Creosote Bush, which can support special status species. In addition, the project contains shrubs that could be used by investing migratory birds protected under the federal Migratory Bird Treaty Act and the California Fish and Game Code.

Therefore, the project will be required to include the following mitigation measures:

1. Mitigation for the impacts to Sonoran Creosote Bush, pursuant to State and County guidelines.
2. Restrict unsupervised clearing or construction activities between February 1 and August 31.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Unless Mitigation Incorporated: Although the project site is not located within any existing wildlife corridors or linkages, the site contains vegetation communities that could provide nursery sites for native wildlife. To prevent impacts to nesting raptors and migratory birds, no brushing, clearing, and/or grading will be allowed during the avian breeding season. With the offsite habitat preservation and breeding season restriction required for mitigation of direct project impacts, this project's contribution to any cumulative impact will be rendered less than cumulatively considerable and will contribute to the preservation of large, biologically viable areas that provide wildlife corridors and native wildlife nursery sites.

V. 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: Based on an analysis of records and a survey of the property by a County of San Diego approved archaeologist/historian, Brian F. Smith of Brian F. Smith and Associates on November 20, 2006 and December 11, 2007, it has been determined that there it has been determined that there are eight historic resources (CA-SDI-18,267, -18269, -18,270,-18271, -18,272, -18,273, -18,274, and P-37-028079), one prehistoric site (CA-SDI-18,266), and one site that contains both prehistoric and historic artifacts (CA-SDI-18,268) within the project area. The historic sites consist of a combination of historic structures, partial historic structures and historic irrigation features. The prehistoric site consists of a ceramic scatter. Site CA-SDI-18,268 consists of a prehistoric ceramic scatter and some historic trash. An historical resources report entitled, "A Phase II Archaeological Assessment of TM 5511," dated January 2, 2008, prepared by Brian F. Smith of Brian F. Smith and Associates evaluated the significance of the historical resources based on a review of historical records including historic aerials, maps, historical photographs, scrapbooks, manuscripts and histories in the San Diego Historical Society, the Borrego Springs branch of the San Diego County Library, and the Begole Archaeological Research Center at Anza-Borrego State Park. Based on the results of this study, it has been determined that the historic resources are not significant pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, Section 15064.5. Moreover, if the resources are not considered significant historic resources pursuant to CEQA Section 15064.5 loss of these resources cannot contribute to a potentially significant cumulative impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: Based on an analysis of records and a survey of the property by a County of San Diego approved archaeologist/historian, Brian F. Smith of Brian F. Smith and Associates on November 20, 2006 and December 11, 2007, it has been determined that there are eight historic resources (CA-SDI-18,267, -18269, -18,270,-18271, -18,272, -18,273, -18,274, and P-37-028079), one prehistoric site (CA-SDI-18,266), and one site that contains both prehistoric and historic artifacts (CA-SDI-18,268) within the project area. The historic sites consist of a combination of historic structures, partial historic structures and historic irrigation features. The prehistoric site consists of a ceramic scatter. Site CA-SDI-18,268 consists of a prehistoric ceramic scatter and some historic trash. An archaeological technical study entitled, "A Phase II Archaeological Assessment of TM 5511," dated January 2, 2008, prepared by Brian F. Smith of Brian F. Smith and Associates, evaluated the significance of the archaeological resources based on subsurface testing, analysis of recovered artifacts, and other investigations and has determined that the archaeological resources are not significant pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, Section 15064.5. Moreover, if these resources are not considered significant archaeological resources, pursuant to CEQA Section 15064.5, loss of these resources cannot contribute to a potentially significant cumulative impact.

c) Directly or indirectly destroy a unique geologic feature?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Unique Geologic Features – The site does not contain any unique geologic features that have been catalogued within the Conservation Element (Part X) of the County’s General Plan (see Appendix G for a listing of unique geological features) or that support known geologic characteristics with the potential to support unique geologic features.

d) Directly or indirectly destroy a unique paleontological resource or site?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: A review of the County's Paleontological Resources Maps and data on San Diego County's geologic formations indicates that the project is located on geological formations that potentially contain unique paleontological resources. Excavating into undisturbed ground beneath the soil horizons may cause a significant impact if unique paleontological resources are encountered. Since an impact to paleontological resources does not typically occur until the resource is disturbed, monitoring during excavation is the essential measure to mitigate potentially significant impacts to unique paleontological resources to a level below significance.

The project has low potential for containing paleontological resources and will excavate the substratum and/or bedrock below the soil horizons.

A monitoring program implemented by the excavation/grading contractor will be required. Equipment operators and others involved in the excavation should watch for fossils during the normal course of their duties. In accordance with the Grading Ordinance, if a fossil or fossil assemblage of greater than twelve inches in any dimension is encountered during excavation, all excavation operations in the area where the fossil or fossil assemblage was found shall be suspended immediately, the County's Permit Compliance Coordinator shall be notified, and a Qualified Paleontologist shall be retained by the applicant to inspect the find to determine if it is significant. A Qualified Paleontologist is a person who has, to the satisfaction of the Planning and Land Use Director:

- A Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.);
- Demonstrated knowledge of southern California paleontology and geology; and
- Documented experience in professional paleontological procedures and techniques.

If the Qualified Paleontologist determines that the fossil or fossil assemblage is significant; a mitigation program involving salvage, cleaning, and curation of the fossil(s) and documentation shall be implemented. If no fossils or fossil assemblages of greater than 12 inches in any dimension are encountered during excavation, a "No Fossils Found" letter will be submitted to the County Department of Planning and Land Use identifying who conducted the monitoring and that no fossils were found. If one or more fossils or fossil assemblages are found, the Qualified Paleontologist shall prepare a report documenting the mitigation program, including field and laboratory methodology, location and the geologic and stratigraphic setting, list(s) of collected fossils and their paleontological significance, descriptions of any analyses, conclusions, and references cited.

Therefore, with the implementation of the above project requirements during project grading operations, potential impacts to paleontological resources will be less than significant. Furthermore, the project will not result in a cumulative impact to paleontological resources because other projects that require grading in sensitive paleontological resource areas will be required to have the appropriate level of

paleontological monitoring and resource recovery. In addition, other projects that propose any amount of significant grading would be subject to the requirements for paleontological monitoring as required pursuant to the County's Grading Ordinance. Therefore, the project would not result in a significant direct, indirect, or cumulatively significant loss of paleontological resources.

e) Disturb any human remains, including those interred outside of formal cemeteries?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: Based on an analysis of records and a survey of the property by a County of San Diego approved archaeologist Brian F. Smith of Brian F. Smith and Associates, on November 20, 2006 and December 11, 2007, 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 survey report entitled, "A Phase II Archaeological Assessment of TM 5511", dated January 2, 2008, prepared by Brian F. Smith of Brian F. Smith and Associates. Grading monitoring will be a required condition to insure that no human remains are encountered or impacted during ground disturbing activities.

VI. GEOLOGY AND SOILS -- Would the project:

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

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: 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. Therefore, there will be no impact from the

exposure of people or structures to adverse effects from a known hazard zone as a result of this project.

ii. Strong seismic ground shaking?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The Uniform Building Code (UBC) and the California Building Code (CBC) classifies all San Diego County with the highest seismic zone criteria, Zone 4. However, the project is not located within 5 kilometers of the centerline of a known active-fault zone as defined within the Uniform Building Code's Maps of Known Active Fault Near-Source Zones in California. In addition, the project will have to conform to the Seismic Requirements -- Chapter 16 Section 162- *Earthquake Design* as outlined within the California Building Code. Section 162 requires a soils compaction report with proposed foundation recommendations to be approved by a County Structural Engineer before the issuance of a building or grading permit. Therefore, there will be no impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking as a result of this project.

iii. Seismic-related ground failure, including liquefaction?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project site is located within a floodplain and is identified as quaternary alluvium. However, available data indicates that groundwater at the site is at a depth of 150 to 300 feet below surface, and the potential for liquefaction to occur is not likely at a groundwater depth greater than 50 feet. Therefore, there will be a less than significant impact from the exposure of people to adverse effects from a known area susceptible to ground failure.

iv. Landslides?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The site is not located within a landslide susceptibility zone. The geologic environment of the project area therefore has a very low to marginal probability to support potential or pre-existing conditions that could become unstable in the event of seismic activity.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: According to the Soil Survey of San Diego County, the soils on-site are identified as loamy coarse and very gravelly sand that has a soil erodibility rating "severe" as indicated by the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. However, the project will not result in substantial soil erosion or the loss of topsoil for the following reasons:

- The project will not result in unprotected erodible soils and will not develop steep slopes.
- The project has prepared a Storm water Management Plan dated August 7, 2006, prepared by Stevens Cresto Engineering. The plan includes the following Best Management Practices to ensure sediment does not erode from the project site: slope tarp covering, silt fencing, fiber rolls, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, stockpile and solid and concrete waste management, water conservation practices, paving and grinding operations, vehicle and equipment maintenance, street sweeping and vacuuming, and stabilized construction ingress/egress points.
- The project involves grading. However, the project is required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING). Compliance with these regulations minimizes the potential for water and wind erosion.

Due to these factors, it has been found that the project will not result in substantial soil erosion or the loss of topsoil on a project level.

In addition, the project will not contribute to a cumulatively considerable impact because all the of past, present and future projects included on the list of projects that involve grading or land disturbance are required to follow the requirements of the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING); Order 2001-01 (NPDES No. CAS 0108758), adopted by the San Diego Region RWQCB on February 21, 2001; County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9424); and County Storm water

Standards Manual adopted on February 20, 2002, and amended January 10, 2003 (Ordinance No. 9426). Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered.

- c) Will the project produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located on or near geological formations that are unstable or would potentially become unstable as a result of the project. No geological formations or features have been identified that would produce unstable geological conditions as a result of the project. For further information refer to VI Geology and Soils, Question a., i-iv listed above.

- 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?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not contain expansive soils as defined by Table 18-1-B of the Uniform Building Code (1994). The soils on-site are loamy coarse and very gravelly sand. These soils have a shrink-swell behavior of low and represent no substantial risks to life or property. Therefore, the project will not create a substantial risk to life or property. This was confirmed by staff review of the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973.

- 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?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project proposes to discharge domestic waste to on-site wastewater systems (OSWS), also known as septic systems. The project involves individual septic tank (minimum 1,000 gallon) located on each lot. 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 conditionally approved the project on September 26, 2007. 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.

VII. 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?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporation | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: 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.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project will not contain, handle, or store any potential sources of chemicals or compounds that would present a significant risk of accidental explosion or release of hazardous substances.

c) 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located within one-quarter mile of an existing or proposed school nor does the project propose the handling, storage, or transport of hazardous materials. Therefore, the project will not have any effect on an existing or proposed school.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located on a site listed in the State of California Hazardous Waste and Substances sites list compiled pursuant to Government Code Section 65962.5.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is not located within a Comprehensive Land Use Plan (CLUP) for airports; or within two miles of a public airport. 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. Therefore, the project will not constitute a safety hazard for people residing or working in the project area.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- Potentially Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

No Impact: The proposed project is not within one mile of a private airstrip. As a result, the project will not constitute a safety hazard for people residing or working in the project area.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- Potentially Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN:

Less Than Significant Impact: The Operational Area Emergency Plan is a framework document that provides direction to local jurisdictions to develop specific operational area of San Diego County. It provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The project will not interfere with this plan because it will not prohibit subsequent plans from being established.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

No Impact: The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the project due to the location of the project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a

to a significant risk of loss, injury or death involving hazardous wildland fires. Moreover, the project will not contribute to a cumulatively considerable impact, because all past, present and future projects in the surrounding area required to comply with the Consolidated Fire Code and Appendix II-A.

i) 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?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not involve or support uses that allow water to stand for a period of 72 hours (3 days) or more (e.g. artificial lakes, agricultural irrigation 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, none of these uses are present on adjacent properties. Therefore, the project will not substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any waste discharge requirements?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: In accordance with the project Storm Water Management Plan, the project proposes and will be required to implement the following site design measures and/or source control BMPs and/or treatment control BMPs to reduce potential pollutants to the maximum extent practicable from entering storm water runoff: slope tarp covering, silt fencing, fiber rolls, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, stockpile and solid and concrete waste management, water conservation practices, paving and grinding operations, vehicle and equipment maintenance, street sweeping and vacuuming, and stabilized construction ingress/egress points . These measures will enable the project to meet waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. 2001-01), as implemented by the San Diego County

The project proposes the following potential sources of polluted runoff: sediments, nutrients, heavy metals, organic compounds, trash and debris, oil and grease, oxygen-demanding substances, bacteria and viruses, and pesticides. However, the following site design measures and/or source control BMPs and/or treatment control BMPs will be employed to reduce potential pollutants in runoff to the maximum extent practicable, such that the proposed project will not cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses: slope tarp covering, silt fencing, fiber rolls, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, stockpile and solid and concrete waste management, water conservation practices, paving and grinding operations, vehicle and equipment maintenance, street sweeping and vacuuming, and stabilized construction ingress/egress points.

In addition, the proposed BMPs are consistent with regional surface water, storm water and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result, the project will not contribute to a cumulatively considerable exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses. Refer to Section VIII., Hydrology and Water Quality, Question b, for more information on regional surface water and storm water planning and permitting process.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: The project will obtain its water supply from the Borrego Water District. The District uses groundwater. The applicant proposes to reduce the project's impact to groundwater resources so that there will be "no net gain" in the amount of groundwater extracted from the Borrego Valley aquifer. The applicant will ensure that there is "no net gain" by recording an easement on off-site land that has been continuously used for agriculture or golf course purposes for at least the past five years and is being irrigated with at least 20 acre-feet of water annually from the Borrego Valley aquifer. The easement will be granted to the County and will permanently prohibit the use, extraction, storage, distribution or diversion of water from the Borrego Valley aquifer on the land subject to the easement. Implementation of this measure will mitigate the project's cumulatively considerable impact to groundwater resources. Therefore, no significant impact to groundwater resources is anticipated.

Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

Finally, the project's conformance to the waste discharge requirements listed above ensures the project will not create cumulatively considerable water quality impacts related to waste discharge because, through the permit, the project will conform to Countywide watershed standards in the JURMP and SUSMP, derived from State regulation to address human health and water quality concerns. Therefore, the project will not contribute to a cumulatively considerable impact to water quality from waste discharges.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project lies within the Anza-Borrego hydrologic unit, which is not tributary to an already impaired water body according to the Clean Water Act Section 303(d) list, July 2003.

- 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The Regional Water Quality Control Board has designated water quality objectives for waters of the San Diego Region as outlined in Chapter 3 of the Water Quality Control Plan (Plan). The water quality objectives are necessary to protect the existing and potential beneficial uses of each hydrologic unit as described in Chapter 2 of the Plan.

The project lies within the Anza-Borrego hydrologic unit and has existing and potential beneficial uses for inland surface waters and ground water as municipal and domestic supply; agricultural supply; groundwater recharge; and, wildlife habitat, including rare, threatened, or endangered species.

project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Oil Spill Contingency Element will not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

No Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

No Impact: The Dam Evacuation Plan will not be interfered with because the project is located outside a dam inundation zone.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The proposed project is adjacent to wildlands that have the potential to support wildland fires. However, 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 for the 17 Fire Protection Districts in San Diego County and Appendix II-A, as adopted and amended by the local fire protection district. Implementation of these fire safety standards will occur during the Tentative Map, Tentative Parcel Map, or building permit process. Also, a Fire Service Availability Letter and conditions, dated June 14, 2006, have been received from the Borrego Springs Fire Protection District. The conditions from the Borrego Springs Fire Protection District include: minimum 24-foot improved width of all access roads. The Fire Service Availability Letter indicates the expected emergency travel time to the project site to be 4 minutes. The Maximum Travel Time allowed pursuant to the County Public Facilities Element is 5 minutes. Therefore, based on the review of the project by County staff, through compliance with the Consolidated Fire Code and Appendix II-A and through compliance with the Borrego Springs Fire Protection District's conditions, it is not anticipated that the project will expose people or structures

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: As outlined in the Storm water Management Plan (SWMP) prepared by Stevens-Cresto and submitted August 7, 2006, the project will implement the following site design measures, source control, and/or treatment control BMPs to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff: slope tarp covering, silt fencing, fiber rolls, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, stockpile and solid and concrete waste management, water conservation practices, paving and grinding operations, vehicle and equipment maintenance, street sweeping and vacuuming, and stabilized construction ingress/egress points . These measures will control erosion and sedimentation and satisfy waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. 2001-01), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP). The SWMP specifies and describes the implementation process of all BMPs that will address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onsite and downstream drainage swales. The Department of Public Works will ensure that the Plan is implemented as proposed. Due to these factors, it has been found that the project will not result in significantly increased erosion or sedimentation potential and will not alter any drainage patterns of the site or area on- or off-site. In addition, because erosion and sedimentation will be controlled within the boundaries of the project, the project will not contribute to a cumulatively considerable impact. For further information on soil erosion refer to VI., Geology and Soils, Question b.

f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. DPW staff has approved the preliminary drainage study prepared by Terra Costa Consulting Group submitted August 7, 2006. The project design has demonstrated consistency with the design guidelines set forth in the Borrego Valley Flood Management Report (Boyle Engineering, 1989). The project will not contribute to cumulatively considerable alteration of a drainage pattern or increase in the rate or amount of runoff, because the project will not substantially increase water surface elevation or runoff on exiting the site.

g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: There are no existing or planned storm water drainage systems proposed by the project, nor does the project require such systems.

h) Provide substantial additional sources of polluted runoff?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project proposes the following potential sources of polluted runoff: streets and detached residential units. However, the following site design measures and/or source control BMPs and/or treatment control BMPs will be employed such that potential pollutants will be reduced in runoff to the maximum extent practicable: drainage through landscaping and swales, infiltration basin. Refer to VIII Hydrology and Water Quality Questions a, b, c, for further information.

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?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project site is located within an alluvial basin that is subject to inundation by a 100-year flood event as mapped on a FEMA floodplain map. Per a flood hazard evaluation report prepared by Terra Costa dated August 7, 2006, the project proposes pier- elevated residences that can accommodate scour. With this design incorporated, the project should not be detrimental to the human occupation of the property nor limit access during flood events.

j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project site is located within an alluvial basin that is subject to inundation by a 100-year flood event. Per a flood hazard evaluation report prepared by Terra Costa dated August 7, 2006, the project proposes pier- elevated residences that can accommodate scour and cut-off walls or thickened edges on asphalt concrete driveways. With the inclusion of these elements, the project should not impede or redirect flow of floodwaters in a flood event.

k) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site lies outside any 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. Therefore, the project will not expose people to a significant risk of loss, injury or death involving flooding.

l) Inundation by seiche, tsunami, or mudflow?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

i. SEICHE

No Impact: The project site is not located along the shoreline of a lake or reservoir; therefore, could not be inundated by a seiche.

ii. TSUNAMI

No Impact: The project site is located more than a mile from the coast; therefore, in the event of a tsunami, would not be inundated.

iii. MUDFLOW

No Impact: Mudflow is type of landslide. The site is not located within a landslide susceptibility zone. The geologic environment of the project area has a low probability to contain potential or pre-existing conditions that could become unstable in the event of seismic activity. In addition, though the project does propose land disturbance that will expose unprotected soils, the project is not located downstream from unprotected, exposed soils within a landslide susceptibility zone. Therefore, it is not anticipated that the project will expose people or property to inundation due to a mudflow.

IX. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not propose the introducing new infrastructure such major roadways or water supply systems, or utilities to the area. Therefore, the proposed project will not significantly disrupt or divide the established community.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The proposed project is subject to the Regional Land Use Element Policy 1.5 Country Town and General Plan Land Use Designations (2) Residential and (26) Visitor-Serving Commercial. The General Plan requires minimum gross parcel sizes of 1 acre and 6,000 square feet respectively per designation and not more than 1 dwelling unit per acre in the residential designation and not more than 5 dwelling units per acre in the commercial designation. The proposed project has gross parcel sizes and density that are consistent with the General Plan. The project is subject to and consistent with the policies of the Desert Subregional Plan, which includes exclusion of urban improvements, lower density adjoining the Anza-Borrego Desert State Park, and incorporation of appropriate flood control measures. The residential lots are consistent with the Zoning Ordinance minimum lot size requirement of 1 acre; no subdivision of the commercially zoned portion of the property is proposed.

X. 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?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The lands within the project site do not have a Mineral Land Classification from the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997), but the site is located within an alluvial valley basin. However, the location of the site in the midst of residential, commercial, and parkland uses would preclude any effective extraction; therefore, it has been determined that this is not a significant loss of availability of a known mineral resource of value to the region and the residents of the state. Moreover, if the resources are not considered significant mineral deposits, loss of these resources cannot contribute to a potentially significant cumulative impact.

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?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site is zoned RS and C42, neither of which is considered to be an Extractive Use Zone (S-82) nor does it have an Impact Sensitive Land Use

Designation (24) with an Extractive Land Use Overlay (25) (County Land Use Element, 2000). Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan will occur as a result of this project.

XI. NOISE -- Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project proposes to subdivide approximately 50.69 acres into eighteen (18) residential lots and one (1) commercial lot. Project is known as Borrego Springs 20 TM5511. Based on a site visit completed by Ed Gowen on September 1, 2006 and as described in the Noise Analysis prepared by Eilar associates received on April 12, 2007, the project site area is zoned RS1. The project will 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 and received on April 12, 2007, 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). Based on the Acoustical Analysis report, future traffic noise levels will be generated from Montezuma Valley Road (also known as County Route S22) and Palm Canyon Drive. Hoberg Road runs along the eastern edge of the project. This roadway is NOT considered a County Circulation Road and no traffic data is available through SANDAG. Due to low traffic volumes from Hoberg Road, its future noise levels are considered negligible and not modeled in the analysis. Combined Montezuma Valley Road and Palm Canyon Drive future traffic noise levels to the project site will be as high as 37.3 CNEL at Lot 12. Second story future traffic noise impacts will be as high as 40.8 CNEL at Lot 12. WITHOUT MITIGATION or proposed project structures, the future 60 CNEL traffic contour runs parallel to the centerline of Palm Canyon Drive approximately 22 feet to the north. The 60 CNEL curves slightly to the north as the contour nears the Hoberg and Monetezuma Valley Road intersection. For

future traffic noise impacts information, refer to Section 3.2 Future Noise Environment and Figures 7 & 8 in the Acoustical Analysis report prepared by Eilar Associates received on April 12, 2007. Project complies with the 60 CNEL sound level limit to noise sensitive land uses. 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 and will not exceed County Noise Standards.

Noise Ordinance – Section 36-404

Based on a Noise Analysis prepared by Eilar Associates and received on April 12, 2007, 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 RS1 that has a one-hour average daytime sound limit of 50. The project's noise levels will not exceed County Noise Standards.

Noise Ordinance – Section 36-410

Based on a Noise Analysis prepared by Eilar Associates and received on April 12, 2007, the project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36-410). Construction operations will occur only during permitted hours of operation pursuant to Section 36-410. Also, 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.

Finally, the project's conformance to the County of San Diego General Plan (Noise Element, Policy 4b) and County of San Diego Noise Ordinance (Section 36-404 and 36.410) ensures the project will not create cumulatively considerable noise impacts, because the project will not exceed the local noise standards for noise sensitive areas; and the project will not exceed the applicable noise level limits at the property line or construction noise limits, derived from State regulation to address human health and quality of life concerns. Therefore, the project will not contribute to a cumulatively considerable exposure of persons or generation of noise levels in excess of standards established in the local general plan, noise ordinance, and applicable standards of other agencies.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project proposes residences where low ambient vibration is essential for interior operation and/or sleeping conditions. 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, Rudy Hendriks, *Transportation Related Earthborne Vibrations* 2002). This setback insures that this project site will not be affected by any future projects that may support sources of groundborne vibration or groundborne noise related to the adjacent roadways.

Also, the project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels and impact vibration sensitive uses in the surrounding area.

Therefore, the project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels on a project or cumulative level.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project involves the following permanent noise sources that may increase the ambient noise level: vehicle traffic from Hoberg Road, Montezuma Valley Road, and Palm Canyon Drive. As indicated in the response listed under Section XI Noise, Question 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 the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control. Also, the project is not expected to expose existing or planned noise sensitive areas to noise 10 dB CNEL over existing ambient noise levels based on a Noise Analysis prepared by Eilar Associates received on April 12, 2007. Studies completed by the Organization of Industry Standards (ISO 362; ISO 1996 1-3; ISO 3095; and ISO 3740-3747) state an increase of 10 dB is perceived as twice as loud and is perceived as a significant increase in the ambient noise level.

The project will not result in cumulatively noise impacts because a list of past, present and future projects within in the vicinity were evaluated. It was determined that the project in combination with a list of past, present and future project would not expose existing or planned noise sensitive areas to noise 10 dB CNEL over existing ambient noise levels. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project does not involve any uses that may create substantial temporary or periodic increases in ambient noise levels in the project vicinity including but not limited to extractive industry; outdoor commercial or industrial uses that involve crushing, cutting, drilling, grinding, or blasting of raw materials; truck depots, transfer stations or delivery areas; or outdoor sound systems.

Also, general construction noise is not expected to exceed the construction noise limits of the County of San Diego Noise Ordinance (Section 36-410), which are derived from State regulations to address human health and quality of life concerns. Construction operations will occur only during permitted hours of operation pursuant to Section 36-410. Also, it is not anticipated that the project will operate construction equipment in excess of 75 dB for more than an 8 hours during a 24-hour period. Therefore, the project would not result in a substantial temporary or periodic increase in existing ambient noise levels in the project vicinity.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is not located within a Comprehensive Land Use Plan (CLUP) for airports or within 2 miles of a public airport or public use airport. Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is not located within a one-mile vicinity of a private airstrip; therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

XII. 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project proposes a residential subdivision. However, this physical change will not induce substantial population growth in an area, because it does not involve any regulatory change that would increase density or intensity of land use that would be inconsistent with the General Plan, nor does it require other regulatory changes including General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations, or LAFCO annexation actions.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project will not displace existing housing since the site is currently vacant. The addition of 33 dwelling units will yield a net gain of available housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project will not displace a substantial number of people since the site is currently vacant.

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Unless Mitigation Incorporated: Based on the service availability forms received for the project, the proposed project will not result in the need for significantly altered services or facilities, with the exception of Fire Services. Service availability forms have been provided which indicate existing services are available to the project from the following agencies/districts: Borrego Water District, and Borrego Springs Unified School District.

A service availability form from the Borrego Springs Fire Protection District indicates that services will not be adequate to serve the proposed project within five years. The project will cause direct and cumulative impacts to the provision of public (fire) services. The project will involve the construction of new or physically altered governmental facilities for fire protection facilities in order to maintain acceptable response times.

Prior to recordation of the Final Map for the first unit, applicant shall enter into a cost-sharing agreement with other Borrego Springs developers, Borrego Springs Fire Protection District, and the County of San Diego to construct and provide for the ongoing maintenance and operation of a new fire station at the intersection of Smoke Tree Lane and Yaqui Pass Road.

Implementation of this measure will mitigate the project's direct and cumulatively considerable impact to public services resources. Therefore, no significant impact to said resources is anticipated.

XIV. RECREATION

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project involves a residential subdivision that will increase the use of existing neighborhood and regional parks or other recreational facilities. To avoid substantial physical deterioration of local recreation facilities the project will be required to pay fees or dedicate land for local parks to the County pursuant to the Park Land Dedication Ordinance (PLDO). The Park Land Dedication Ordinance (PLDO) is the mechanism that enables the funding or dedication of local parkland in the County. The PLDO establishes several methods by which developers may satisfy their park requirements. Options include the payment of park fees, the dedication of a public park, the provision of private recreational facilities, or a combination of these methods. PLDO funds must be used for the acquisition, planning, and development of local parkland and recreation facilities. Local parks are intended to serve the recreational needs of the communities in which they are located. The project proposes to pay in lieu park fees at time of individual lot building permit issuance. Therefore, the project meets the requirements set forth by the PLDO for adequate parkland dedication and thereby reducing impacts, including cumulative impacts to local recreational facilities. The project will not result in significant cumulative impacts, because all past, present and future residential projects are required to comply with the requirements of PLDO. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered.

There is an existing surplus of County Regional Parks. Currently, there is over 21,765 acres of regional parkland owned by the County, which far exceeds the General Plan standard of 15 acres per 1,000 population. In addition, there are over one million acres of publicly owned land in San Diego County dedicated to parks or open space including Federal lands, State Parks, special districts, and regional river parks. Due to the extensive surplus of existing publicly owned lands that can be used for recreation the project will not result in substantial physical deterioration of regional recreational facilities or accelerate the deterioration of regional parkland. Moreover, the project will not result any cumulatively considerable deterioration or accelerated deterioration of regional recreation facilities because even with all past, present and future residential projects a significant surplus of regional recreational facilities will remain.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, the construction or expansion of recreational facilities cannot have an adverse physical effect on the environment.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant: A Traffic Impact Analysis (TIA), dated January 10, 2008, prepared by Linscott Law and Greenspan on file with the Department of Planning and Land Use under Environmental Review Number 06-05-003, was completed for the proposed project. The Traffic Impact Study concluded that the proposed project will result in an additional 204 ADT. The addition of 204 ADT will not result in a substantial increase in the number of vehicle trips, volume of capacity ratio on roads, or congestion at intersections in relation to existing conditions for the following reasons: the project's conditions of approval will require dedication and improvement of one-half right-of-way width on the project frontage for Hoberg Road and Palm Canyon Drive. The anticipated project traffic volumes will not negatively impact the level of service of surrounding streets and intersections. Therefore, the project will not have a significant direct project impact on traffic volume, which is considered substantial in relation to existing traffic load and capacity of the street system. Also refer to the answer for XV. b. below.

b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency and/or as identified by the County of San Diego Transportation Impact Fee Program for designated roads or highways?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Potentially Significant Impact Unless Mitigation Incorporated: A Traffic Impact Analysis (TIA), dated January 10, 2008, prepared by Linscott Law and Greenspan on file with the Department of Planning and Land Use under Environmental Review Number 06-05-003, was completed for the proposed project. The Traffic Impact Study concluded that the proposed project will result in an additional 204 ADT. The addition of 204 ADT will not result in a substantial increase in the number of vehicle trips, which would subsequently directly exceed a level of service (LOS) standards established by the County congestion management agency for designated roads or highways for the following reasons: the project's conditions of approval will require dedication and improvement of one-half right-of-way width on the project frontage for Hoberg Road and Palm Canyon Drive. The anticipated project traffic volumes will not negatively impact the level of service of surrounding streets and intersections. Therefore, the project will not have a direct significant project impact on LOS standards on the surrounding roads and highways.

However, the County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. This program includes the adoption of a Transportation Impact Fee (TIF) program to fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. This program is based on a summary of projections method contained in an adopted planning document, as referenced in the State CEQA Guidelines Section 15130 (b)(1)(B), which evaluates regional or area wide conditions contributing to cumulative transportation impacts. Based on SANDAG regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing circulation element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement projects funded by other public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from TransNet, state, and federal funding to improve freeways to projected level of service objectives in the RTP.

The proposed project generates 204 ADT. These trips will be distributed on circulation element roadways in the unincorporated county that were analyzed by the TIF program, some of which currently or are projected to operate at inadequate levels of service. These project trips therefore contribute to a potential significant cumulative impact and mitigation is required. The potential growth represented by this project was included in the growth projections upon which the TIF program is based. Therefore, payment of the TIF, which will be required at issuance of building permits, in combination with other

components of the program described above, will mitigate potential cumulative traffic impacts to less than significant.

For projects that will require building permits-

In order to mitigate its incremental contribution to significant cumulative traffic impacts, the proposed project will pay the TIF prior to obtaining building permits.

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?

- Potentially Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

No Impact: The proposed project is located outside of an Airport Master Plan Zone and is not adjacent to any public or private airports; therefore, the project will not result in a change in air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- Potentially Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

Less Than Significant: The proposed project will not significantly alter traffic safety on Hoberg Road, Palm Canyon Drive, or any other public road. A safe and adequate sight distance shall be required at all driveways and intersections to the satisfaction of DPW. Any and all road improvements will be constructed according to the County of San Diego Public and Private Road Standards. Roads used to access the proposed project site shall be to County standards. The proposed project will not place incompatible uses (e.g., farm equipment) on existing roadways. Therefore, the proposed project will not significantly increase hazards due to design features or incompatible uses.

e) Result in inadequate emergency access?

- Potentially Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

Less Than Significant: The proposed project will not result in inadequate emergency access. The Borrego Springs Fire Protection District has reviewed the proposed project and associated emergency access roadways. The project is not served by a dead-end road that exceeds the maximum cumulative length permitted by the Consolidated Fire Code for the 17 Fire Protection Districts in San Diego County; therefore, the project has adequate emergency access. Additionally, roads used will be required to be improved to County standards.

f) Result in inadequate parking capacity?

- Potentially Significant Impact
- Less than Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less Than Significant Impact: The County Zoning Ordinance, Section 6758 - Parking Schedule requires two on-site parking spaces for each dwelling unit. The proposed residential lots have sufficient area to provide at least two on-site parking spaces consistent with the Zoning Ordinance.

The County Zoning Ordinance, Section 6758 - Parking Schedule requires on-site parking spaces for commercial uses based on an type of use and the square footage, generally ranging from one space per 100 to 300 square feet. The proposed commercial lot has sufficient area to provide parking spaces consistent with the Zoning Ordinance.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

- Potentially Significant Impact
- Less than Significant Impact
- Potentially Significant Unless Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less Than Significant: The project does not propose any hazards or barriers for pedestrians or bicyclists. Any required improvements will be constructed to maintain existing conditions as it relates to pedestrians and bicyclists.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- Potentially Significant Impact
- Less than Significant Impact

Potentially Significant Unless Mitigation Incorporated

No Impact

Discussion/Explanation:

Less Than Significant Impact: The project proposes to discharge domestic waste to on-site wastewater systems (OSWS), also known as septic systems. The project involves individual septic tanks located on each lot. 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 conditionally approved the project on September 26, 2007. Therefore, the project is consistent with the wastewater treatment requirements of the RWQCB as determined by the authorized, local public agency.

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?

Potentially Significant Impact

Less than Significant Impact

Potentially Significant Unless Mitigation Incorporated

No Impact

Discussion/Explanation:

No Impact: The project does not include new or expanded water or wastewater treatment facilities. Based on the service availability forms received, the project will not require construction of new or expanded water treatment facilities. Service availability forms have been provided which indicate adequate water treatment facilities are available to the project from the following agencies/districts: Borrego Water District. Therefore, the project will not require any construction of new or expanded facilities, which could cause significant environmental effects.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Potentially Significant Impact

Less than Significant Impact

Potentially Significant Unless Mitigation Incorporated

No Impact

Discussion/Explanation:

Less Than Significant Impact: The project involves new storm water drainage facilities. The new facilities include infiltration basins. Refer to the Storm water Management Plan dated August 7, 2006 for more information. However, as outlined in this Environmental Analysis Form Sections VI and VIII, the new facilities will not result in adverse physical effect on the environment.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: The project will obtain its water supply from the Borrego Water District. The District uses groundwater. The applicant proposes to reduce the project's impact to groundwater resources so that there will be "no net gain" in the amount of groundwater extracted from the Borrego Valley aquifer. The applicant will ensure that there is "no net gain" by recording an easement on off-site land that has been continuously used for agriculture or golf course purposes for at least the past five years and is being irrigated with at least 20 acre-feet of water annually from the Borrego Valley aquifer. The easement will be granted to the County and will permanently prohibit the use, extraction, storage, distribution or diversion of water from the Borrego Valley aquifer on the land subject to the easement. Implementation of this measure will mitigate the project's cumulatively considerable impact to groundwater resources. Therefore, no significant impact to groundwater resources is anticipated.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project will rely completely on an on-site wastewater system (septic system); therefore, the project will not interfere with any wastewater treatment provider's service capacity.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project's solid waste disposal needs.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). The project will deposit all solid waste at a permitted solid waste facility and therefore, will comply with Federal, State, and local statutes and regulations related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation: Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. Resources that have been evaluated as significant would be potentially impacted by the project, particularly Sonoran Creosote Bush habitat. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes:

1. Mitigation for the impacts to Sonoran Creosote Bush, pursuant to State and County guidelines.
2. Restrictions on unsupervised clearing or construction activities between February 1 and August 31.
3. A grading monitoring program (and recovery, if applicable) for paleontological resources implemented by the excavation/grading contractor.

As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

The following list of past, present and future projects were considered and evaluated as a part of this Initial Study:

PROJECT NAME	PERMIT/MAP NUMBER
Borrego Springs Country Club	TM 5011
(Yaqui Pass area)	TM 5130

Santa Fe II of Rams Hill	TM 5135
Mesquite Trails Branch	TM 5373, SP 04-04
Borrego Springs Country Club Estates	TM 5487
Borrego Springs Senior Condos	TM 5512
Yaqui Pass Rancho	TM 5513
Borrego 138	TM 5528

Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XVI of this form. In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there is substantial evidence that there are cumulative effects associated with this project.

The project will obtain its water supply from the Borrego Water District. The District uses groundwater. The applicant proposes to reduce the project's impact to groundwater resources so that there will be "no net gain" in the amount of groundwater extracted from the Borrego Valley aquifer. Implementation of this measure will mitigate the project's cumulatively considerable impact to groundwater resources. Therefore, no significant impact to groundwater resources is anticipated.

A service availability form from the Borrego Springs Fire Protection District indicates that services will not be adequate to serve the proposed project within five years. The project will cause direct and cumulative impacts to the provision of public (fire) services.

Prior to recordation of the Final Map for the first unit, applicant shall enter into a cost-sharing agreement with other Borrego Springs developers, Borrego Springs Fire Protection District, and the County of San Diego to construct and provide for the ongoing maintenance and operation of a new fire station. Implementation of this measure will mitigate the project's cumulatively considerable impact to public services resources. Therefore, no significant impact to said resources is anticipated.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Potentially Significant Unless Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VII. Hazards and Hazardous Materials, VIII Hydrology and Water Quality XI. Noise, XII. Population and Housing, and XV. Transportation and Traffic. As a result of this evaluation, there

were determined to be potentially significant effects to human beings related to the following: cumulative traffic impacts. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes:

1. Payment, by the applicant, of the County's Transportation Impact Fee.
2. The permanent removal of existing groundwater usage by the applicant, within the aquifer area, such that there is "no net gain" in the amount of water extracted from the aquifer.

As a result of this evaluation, there is no substantial evidence that, after mitigation, there are adverse effects to human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

XVIII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to Federal, State and local regulation are available on the Internet. For Federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For State regulation refer to www.leginfo.ca.gov. For County regulation refer to www.amlegal.com. All other references are available upon request.

Traffic Impact Analysis (TIA), dated January 10, 2008, prepared by Linscott Law & Greenspan

Biological Letter Report dated December 31, 2007, and prepared by Pacific Southwest Biological Services

Phase II Archaeological Assessment of TM 5511, prepared by Brian F. Smith & Associates dated January 2, 2008

Stormwater Management Plan prepared by Stevens Presto Engineering dated February 28, 2007

Flooding Hazard Evaluation Terracota Consulting Group dated August 2, 2006

Acoustical Analysis Report prepared by Eilar Associates and received on April 12, 2007

AESTHETICS

California Street and Highways Code [California Street and Highways Code, Section 260-283. (<http://www.leginfo.ca.gov/>)

California Scenic Highway Program, California Streets and Highways Code, Section 260-283. (<http://www.dot.ca.gov/hq/LandArch/scenic/scpr.htm>)

County of San Diego, Department of Planning and Land Use. The Zoning Ordinance of San Diego County. Sections 5200-5299; 5700-5799; 5900-5910, 6322-6326. (www.co.san-diego.ca.us)

County of San Diego, Board Policy I-73: Hillside Development Policy. (www.co.san-diego.ca.us)

County of San Diego, Board Policy I-104: Policy and Procedures for Preparation of Community Design Guidelines, Section 396.10 of the County Administrative Code and Section 5750 et seq. of the County Zoning Ordinance. (www.co.san-diego.ca.us)

County of San Diego, General Plan, Scenic Highway Element VI and Scenic Highway Program. (ceres.ca.gov)

County of San Diego Light Pollution Code, Title 5, Division 9 (Sections 59.101-59.115 of the County Code of Regulatory Ordinances) as added by Ordinance No 6900, effective January 18, 1985, and amended July 17, 1986 by Ordinance No. 7155. (www.amlegal.com)

Design Review Guidelines for the Communities of San Diego County. (Alpine, Bonsall, Fallbrook, Julian, Lakeside, Ramona, Spring Valley, Sweetwater, Valley Center).

Federal Communications Commission, Telecommunications Act of 1996 [Telecommunications Act of 1996, Pub. LA. No. 104-104, 110 Stat. 56 (1996). (<http://www.fcc.gov/Reports/tcom1996.txt>)

Institution of Lighting Engineers, Guidance Notes for the Reduction of Light Pollution, Warwickshire, UK, 2000 (<http://www.dark-skies.org/file-gd-e.htm>)

International Light Inc., Light Measurement Handbook, 1997. (www.intl-light.com)

Rensselaer Polytechnic Institute, Lighting Research Center, National Lighting Product Information Program (NLPPI), Lighting Answers, Volume 7, Issue 2, March 2003. (www.lrc.rpi.edu)

US Census Bureau, Census 2000, Urbanized Area Outline Map, San Diego, CA. (<http://www.census.gov/geo/www/maps/ua2kmaps.htm>)

US Department of the Interior, Bureau of Land Management (BLM) modified Visual Management System. (www.blm.gov)

US Department of Transportation, Federal Highway Administration (FHWA) Visual Impact Assessment for Highway Projects.

US Department of Transportation, National Highway System Act of 1995 [Title III, Section 304. Design Criteria for the National Highway System. (<http://www.fhwa.dot.gov/legregs/nhsdatoc.html>)

AGRICULTURE RESOURCES

California Department of Conservation, Farmland Mapping and Monitoring Program, "A Guide to the Farmland Mapping and Monitoring Program," November 1994. (www.consrv.ca.gov)

California Department of Conservation, Office of Land Conversion, "California Agricultural Land Evaluation and Site Assessment Model Instruction Manual," 1997. (www.consrv.ca.gov)

California Farmland Conservancy Program, 1996. (www.consrv.ca.gov)

California Land Conservation (Williamson) Act, 1965. (www.ceres.ca.gov, www.consrv.ca.gov)

California Right to Farm Act, as amended 1996. (www.qp.gov.bc.ca)

County of San Diego Agricultural Enterprises and Consumer Information Ordinance, 1994, Title 6, Division 3, Ch. 4. Sections 63.401-63.408. (www.amlegal.com)

County of San Diego, Department of Agriculture, Weights and Measures, "2002 Crop Statistics and Annual Report," 2002. (www.sdcountry.ca.gov)

United States Department of Agriculture, Natural Resource Conservation Service LESA System. (www.nrcs.usda.gov, www.swcs.org)

United States Department of Agriculture, Soil Survey for the San Diego Area, California. 1973. (soils.usda.gov)

AIR QUALITY

CEQA Air Quality Analysis Guidance Handbook, South Coast Air Quality Management District, Revised November 1993. (www.aqmd.gov)

County of San Diego Air Pollution Control District's Rules and Regulations, updated August 2003. (www.co.san-diego.ca.us)

Federal Clean Air Act US Code; Title 42; Chapter 85 Subchapter 1. (www4.law.cornell.edu)

BIOLOGY

California Department of Fish and Game (CDFG). Southern California Coastal Sage Scrub Natural Community Conservation Planning Process Guidelines. CDFG and California Resources Agency, Sacramento, California. 1993. (www.dfg.ca.gov)

County of San Diego, An Ordinance Amending the San Diego County Code to Establish a Process for Issuance of the Coastal Sage Scrub Habitat Loss Permits and Declaring the Urgency Thereof to Take Effect Immediately, Ordinance No. 8365. 1994, Title 8, Div 6, Ch. 1. Sections 86.101-86.105, 87.202.2. (www.amlegal.com)

County of San Diego, Biological Mitigation Ordinance, Ord. Nos. 8845, 9246, 1998 (new series). (www.co.san-diego.ca.us)

Holland, R.R. Preliminary Descriptions of the Terrestrial Natural Communities of California. State of California, Resources Agency, Department of Fish and Game, Sacramento, California, 1986.

Memorandum of Understanding [Agreement Between United States Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), California Department of Forestry and Fire Protection (CDF), San Diego County Fire Chief's Association and the Fire District's Association of San Diego County.

Stanislaus Audubon Society, Inc. v County of Stanislaus (5th Dist. 1995) 33 Cal.App.4th 144, 155-159 [39 Cal. Rptr.2d 54]. (www.ceres.ca.gov)

U.S. Army Corps of Engineers Environmental Laboratory. Corps of Engineers Wetlands Delineation Manual. U.S. Army Corps of Engineers, Wetlands Research Program Technical Report Y-87-1. 1987. (<http://www.wes.army.mil/>)

U.S. Environmental Protection Agency. America's wetlands: our vital link between land and water. Office of Water, Office of Wetlands, Oceans and Watersheds. EPA843-K-95-001. 1995b. (www.epa.gov)

U.S. Fish and Wildlife Service and National Marine Fisheries Service. Habitat Conservation Planning Handbook. Department of Interior, Washington, D.C. 1996. (endangered.fws.gov)

U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation Handbook: Procedures for Conducting Consultation and Conference Activities Under Section 7 of the Endangered Species Act. Department of Interior, Washington, D.C. 1998. (endangered.fws.gov)

U.S. Fish and Wildlife Service. Environmental Assessment and Land Protection Plan for the Vernal Pools Stewardship Project. Portland, Oregon. 1997.

U.S. Fish and Wildlife Service. Vernal Pools of Southern California Recovery Plan. U.S. Department of Interior, Fish and Wildlife Service, Region One, Portland, Oregon, 1998. (ecos.fws.gov)

U.S. Fish and Wildlife Service. Birds of conservation concern 2002. Division of Migratory. 2002. (migratorybirds.fws.gov)

CULTURAL RESOURCES

California Health & Safety Code. §18950-18961, State Historic Building Code. (www.leginfo.ca.gov)

California Health & Safety Code. §5020-5029, Historical Resources. (www.leginfo.ca.gov)

California Health & Safety Code. §7050.5, Human Remains. (www.leginfo.ca.gov)

California Native American Graves Protection and Repatriation Act, (AB 978), 2001. (www.leginfo.ca.gov)

California Public Resources Code §5024.1, Register of Historical Resources. (www.leginfo.ca.gov)

California Public Resources Code. §5031-5033, State Landmarks. (www.leginfo.ca.gov)

- California Public Resources Code. §5097-5097.6, Archaeological, Paleontological, and Historic Sites. (www.leginfo.ca.gov)
- California Public Resources Code. §5097.9-5097.991, Native American Heritage. (www.leginfo.ca.gov)
- City of San Diego. Paleontological Guidelines. (revised) August 1998.
- County of San Diego, Local Register of Historical Resources (Ordinance 9493), 2002. (www.co.san-diego.ca.us)
- Demere, Thomas A., and Stephen L. Walsh. Paleontological Resources San Diego County. Department of Paleontology, San Diego Natural History Museum. 1994.
- Moore, Ellen J. Fossil Mollusks of San Diego County. San Diego Society of Natural history. Occasional; Paper 15. 1968.
- U.S. Code including: American Antiquities Act (16 USC §431-433) 1906. Historic Sites, Buildings, and Antiquities Act (16 USC §461-467), 1935. Reservoir Salvage Act (16 USC §469-469c) 1960. Department of Transportation Act (49 USC §303) 1966. National Historic Preservation Act (16 USC §470 et seq.) 1966. National Environmental Policy Act (42 USC §4321) 1969. Coastal Zone Management Act (16 USC §1451) 1972. National Marine Sanctuaries Act (16 USC §1431) 1972. Archaeological and Historical Preservation Act (16 USC §469-469c) 1974. Federal Land Policy and Management Act (43 USC §35) 1976. American Indian Religious Freedom Act (42 USC §1996 and 1996a) 1978. Archaeological Resources Protection Act (16 USC §470aa-mm) 1979. Native American Graves Protection and Repatriation Act (25 USC §3001-3013) 1990. Intermodal Surface Transportation Efficiency Act (23 USC §101, 109) 1991. American Battlefield Protection Act (16 USC 469k) 1996. (www4.law.cornell.edu)
- GEOLOGY & SOILS**
- California Department of Conservation, Division of Mines and Geology, California Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997. (www.consrv.ca.gov)
- California Department of Conservation, Division of Mines and Geology, Fault-Rupture Hazard Zones in California, Special Publication 42, revised 1997. (www.consrv.ca.gov)
- California Department of Conservation, Division of Mines and Geology, Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California, 1997. (www.consrv.ca.gov)
- County of San Diego Code of Regulatory Ordinances Title 6, Division 8, Chapter 3, Septic Ranks and Seepage Pits. (www.amlegal.com)
- County of San Diego Department of Environmental Health, Land and Water Quality Division, February 2002. On-site Wastewater Systems (Septic Systems): Permitting Process and Design Criteria. (www.sdcounty.ca.gov)
- County of San Diego Natural Resource Inventory, Section 3, Geology.
- United States Department of Agriculture, Soil Survey for the San Diego Area, California. 1973. (soils.usda.gov)
- HAZARDS & HAZARDOUS MATERIALS**
- American Planning Association, Zoning News, "Saving Homes from Wildfires: Regulating the Home Ignition Zone," May 2001.
- California Building Code (CBC), Seismic Requirements, Chapter 16 Section 162. (www.buildersbook.com)
- California Education Code, Section 17215 and 81033. (www.leginfo.ca.gov)
- California Government Code. § 8585-8589, Emergency Services Act. (www.leginfo.ca.gov)
- California Hazardous Waste and Substances Site List. April 1998. (www.dtsc.ca.gov)
- California Health & Safety Code Chapter 6.95 and §25117 and §25316. (www.leginfo.ca.gov)
- California Health & Safety Code § 2000-2067. (www.leginfo.ca.gov)
- California Health & Safety Code. §17922.2. Hazardous Buildings. (www.leginfo.ca.gov)
- California Public Utilities Code, SDCRAA. Public Utilities Code, Division 17, Sections 170000-170084. (www.leginfo.ca.gov)
- California Resources Agency, "OES Dam Failure Inundation Mapping and Emergency Procedures Program", 1996. (ceres.ca.gov)
- County of San Diego, Consolidated Fire Code Health and Safety Code §13869.7, including Ordinances of the 17 Fire Protection Districts as Ratified by the San Diego County Board of Supervisors, First Edition, October 17, 2001 and Amendments to the Fire Code portion of the State Building Standards Code, 1998 Edition.
- County of San Diego, Department of Environmental Health Community Health Division Vector Surveillance and Control. Annual Report for Calendar Year 2002. March 2003. (www.sdcounty.ca.gov)
- County of San Diego, Department of Environmental Health, Hazardous Materials Division. California Accidental Release Prevention Program (CalARP) Guidelines. (<http://www.sdcounty.ca.gov>, www.oes.ca.gov)
- County of San Diego, Department of Environmental Health, Hazardous Materials Division. Hazardous Materials Business Plan Guidelines. (www.sdcounty.ca.gov)
- County of San Diego Code of Regulatory Ordinances, Title 3, Div 5, CH. 3, Section 35.39100.030, Wildland/Urban Interface Ordinance, Ord. No.9111, 2000. (www.amlegal.com)
- Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended October 30, 2000, US Code, Title 42, Chapter 68, 5121, et seq. (www4.law.cornell.edu)
- Unified San Diego County Emergency Services Organization Operational Area Emergency Plan, March 2000.
- Unified San Diego County Emergency Services Organization Operational Area Energy Shortage Response Plan, June 1995.
- Uniform Building Code. (www.buildersbook.com)
- Uniform Fire Code 1997 edition published by the Western Fire Chiefs Association and the International Conference of Building Officials, and the National Fire Protection

Association Standards 13 & 13-D, 1996 Edition, and 13-R, 1996 Edition. (www.buildersbook.com)

HYDROLOGY & WATER QUALITY

California Department of Water Resources, California Water Plan Update. Sacramento: Dept. of Water Resources State of California. 1998. (rubicon.water.ca.gov)

California Department of Water Resources, California's Groundwater Update 2003 Bulletin 118, April 2003. (www.groundwater.water.ca.gov)

California Department of Water Resources, Water Facts, No. 8, August 2000. (www.dpla2.water.ca.gov)

California Disaster Assistance Act. Government Code, § 8680-8692. (www.leginfo.ca.gov)

California State Water Resources Control Board, NPDES General Permit Nos. CAS000001 INDUSTRIAL ACTIVITIES (97-03-DWQ) and CAS000002 Construction Activities (No. 99-08-DWQ) (www.swrcb.ca.gov)

California Storm Water Quality Association, California Storm Water Best Management Practice Handbooks, 2003.

California Water Code, Sections 10754, 13282, and 60000 et seq. (www.leginfo.ca.gov)

Colorado River Basin Regional Water Quality Control Board, Region 7, Water Quality Control Plan. (www.swrcb.ca.gov)

County of San Diego Regulatory Ordinance, Title 8, Division 7, Grading Ordinance. Grading, Clearing and Watercourses. (www.amlegal.com)

County of San Diego, Groundwater Ordinance. #7994. (www.sdcounty.ca.gov, <http://www.amlegal.com/>)

County of San Diego, Project Clean Water Strategic Plan, 2002. (www.projectcleanwater.org)

County of San Diego, Watershed Protection, Storm Water Management, and Discharge Control Ordinance, Ordinance Nos. 9424 and 9426. Chapter 8, Division 7, Title 6 of the San Diego County Code of Regulatory Ordinances and amendments. (www.amlegal.com)

County of San Diego. Board of Supervisors Policy I-68. Diego Proposed Projects in Flood Plains with Defined Floodways. (www.co.san-diego.ca.us)

Federal Water Pollution Control Act (Clean Water Act), 1972, Title 33, Ch.26, Sub-Ch.1. (www4.law.cornell.edu)

Freeze, Allan and Cherry, John A., Groundwater, Prentice-Hall, Inc. New Jersey, 1979.

Heath, Ralph C., Basic Ground-Water Hydrology, United States Geological Survey Water-Supply Paper; 2220, 1991.

National Flood Insurance Act of 1968. (www.fema.gov)

National Flood Insurance Reform Act of 1994. (www.fema.gov)

Porter-Cologne Water Quality Control Act, California Water Code Division 7. Water Quality. (ceres.ca.gov)

San Diego Association of Governments, Water Quality Element, Regional Growth Management Strategy, 1997. (www.sandag.org)

San Diego Regional Water Quality Control Board, NPDES Permit No. CAS0108758. (www.swrcb.ca.gov)

San Diego Regional Water Quality Control Board, Water Quality Control Plan for the San Diego Basin. (www.swrcb.ca.gov)

LAND USE & PLANNING

California Department of Conservation Division of Mines and Geology, Open File Report 96-04, Update of Mineral Land Classification: Aggregate Materials in the Western San Diego County Production Consumption Region, 1996. (www.consrv.ca.gov)

California Environmental Quality Act, CEQA Guidelines, 2003. (ceres.ca.gov)

California Environmental Quality Act, Public Resources Code 21000-21178; California Code of Regulations, Guidelines for Implementation of CEQA, Appendix G, Title 14, Chapter 3, §15000-15387. (www.leginfo.ca.gov)

California General Plan Glossary of Terms, 2001. (ceres.ca.gov)

California State Mining and Geology Board, SP 51, California Surface Mining and Reclamation Policies and Procedures, January 2000. (www.consrv.ca.gov)

County of San Diego Code of Regulatory Ordinances, Title 8, Zoning and Land Use Regulations. (www.amlegal.com)

County of San Diego, Board of Supervisors Policy I-84: Project Facility. (www.sdcounty.ca.gov)

County of San Diego, Board Policy I-38, as amended 1989. (www.sdcounty.ca.gov)

County of San Diego, Department of Planning and Land Use. The Zoning Ordinance of San Diego County. (www.co.san-diego.ca.us)

County of San Diego, General Plan as adopted and amended from September 29, 1971 to April 5, 2000. (ceres.ca.gov)

County of San Diego. Resource Protection Ordinance, compilation of Ord.Nos. 7968, 7739, 7685 and 7631. 1991.

Design Review Guidelines for the Communities of San Diego County.

Guide to the California Environmental Quality Act (CEQA) by Michael H. Remy, Tina A. Thomas, James G. Moore, and Whitman F. Manley, Point Arena, CA: Solano Press Books, 1999. (ceres.ca.gov)

MINERAL RESOURCES

National Environmental Policy Act, Title 42, 36.401 et. seq. 1969. (www4.law.cornell.edu)

Subdivision Map Act, 2003. (ceres.ca.gov)

U.S. Geologic Survey, Causey, J. Douglas, 1998, MAS/MILS Mineral Location Database.

U.S. Geologic Survey, Frank, David G., 1999, (MRDS) Mineral Resource Data System.

NOISE

California State Building Code, Part 2, Title 24, CCR, Appendix Chapter 3, Sound Transmission Control, 1988. (www.buildersbook.com)

County of San Diego Code of Regulatory Ordinances, Title 3, Div 6, Chapter 4, Noise Abatement and Control, effective February 4, 1982. (www.amlegal.com)

County of San Diego General Plan, Part VIII, Noise Element, effective December 17, 1980. (ceres.ca.gov)

Harris Miller Miller and Hanson Inc., *Transit Noise and Vibration Impact Assessment*, April 1995. (<http://ntl.bts.gov/data/rail05/rail05.html>)

International Standard Organization (ISO), ISO 362; ISO 1996 1-3; ISO 3095; and ISO 3740-3747. (www.iso.ch)

U.S. Department of Transportation, Federal Highway Administration, Office of Environment and Planning, Noise and Air Quality Branch. "Highway Traffic Noise Analysis and Abatement Policy and Guidance," Washington, D.C., June 1995. (<http://www.fhwa.dot.gov>)

POPULATION & HOUSING

Housing and Community Development Act of 1974, 42 USC 5309, Title 42--The Public Health And Welfare, Chapter 69--Community Development, United States Congress, August 22, 1974. (www4.law.cornell.edu)

National Housing Act (Cranston-Gonzales), Title 12, Ch. 13. (www4.law.cornell.edu)

San Diego Association of Governments Population and Housing Estimates, November 2000. (www.sandag.org)

RECREATION

County of San Diego Code of Regulatory Ordinances, Title 8, Division 10, Chapter PLDO, §810.101 et seq. Park Lands Dedication Ordinance. (www.amlegal.com)

TRANSPORTATION/TRAFFIC

California Aeronautics Act, Public Utilities Code, Section 21001 et seq. (www.leginfo.ca.gov)

California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, January 2002.

California Department of Transportation, Environmental Program Environmental Engineering – Noise, Air Quality, and Hazardous Waste Management Office. "Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects," October 1998. (www.dot.ca.gov)

California Public Utilities Code, SDCRAA. Public Utilities Code, Division 17, Sections 170000-170084. (www.leginfo.ca.gov)

California Street and Highways Code. California Street and Highways Code, Section 260-283. (www.leginfo.ca.gov)

County of San Diego, Alternative Fee Schedules with Pass-By Trips Addendum to Transportation Impact Fee Reports, March 2005. (<http://www.sdcounty.ca.gov/dpw/land/pdf/TransImpactFee/attach.pdf>)

County of San Diego Transportation Impact Fee Report. January 2005. (<http://www.sdcounty.ca.gov/dpw/permits-forms/manuals.html>)

Office of Planning, Federal Transit Administration, Transit Noise and Vibration Impact Assessment, Final Report, April 1995.

San Diego Association of Governments, Comprehensive Land Use Plan for Borrego Valley Airport (1986). (www.sandag.org)

UTILITIES & SERVICE SYSTEMS

California Code of Regulations (CCR), Title 14. Natural Resources Division, CIWMB Division 7; and Title 27, Environmental Protection Division 2, Solid Waste. (ccr.oal.ca.gov)

California Integrated Waste Management Act. Public Resources Code, Division 30, Waste Management, Sections 40000-41956. (www.leginfo.ca.gov)

Unified San Diego County Emergency Services Organization Annex T Emergency Water Contingencies, October 1992. (www.co.san-diego.ca.us)

United States Department of Agriculture, Natural Resource Conservation Service LESA System.

United States Department of Agriculture, Soil Survey for the San Diego Area, California. 1973.

US Census Bureau, Census 2000.

US Code of Federal Regulations, Federal Aviation Regulations (FAR), Objects Affecting Navigable Airspace, Title 14, Chapter 1, Part 77.

US Department of the Interior, Bureau of Land Management (BLM) modified Visual Management System.

US Department of Transportation, Federal Highway Administration (FHWA) Visual Impact Assessment for Highway Projects.

**The REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH
ORDINANCES/POLICIES**

**FOR PURPOSES OF CONSIDERATION OF
TM 5511, S07-019, ER 06-05-003 Borrego 50 Acres**

April 30, 2008

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES

NO

NOT APPLICABLE/EXEMPT

Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES

NO

NOT APPLICABLE/EXEMPT

Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES

NO

NOT APPLICABLE/EXEMPT

Discussion:

Pursuant to Section 67.720 of the San Diego County Groundwater Ordinance, no groundwater investigation is required for the subject property. Based on the anticipated groundwater usage of the project, there are adequate supplies to meet the needs of the project.

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

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) 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 (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) 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 (Article IV, Section 7) 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.

Floodways and Floodplain Fringe: The project site is located within an alluvial basin that is subject to inundation by a 100-year flood event. Per a flood hazard evaluation report prepared by Terra Costa dated August 7, 2006, the project proposes pier- elevated residences that can accommodate scour and cut-off walls or thickened edges on asphalt concrete driveways. With the inclusion of these elements, the project will not unduly accelerate the velocity of floodwaters in a flood event that would increase erosion or downstream sedimentation, nor be detrimental to the health and safety of persons or property or adversely affect wetlands or riparian habitat.

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). There are no steep slopes on the property. The project is in conformance with the RPO.

Sensitive Habitats: No sensitive habitat lands were identified on the site as determined on a site visit conducted by Ed Gowens, County staff, on September 1, 2006. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites: The property has been surveyed and tested by a County of San Diego certified archaeologist and it has been determined there are ten archaeological/historical sites. Previous testing of the sites and other investigations determined the archaeological/historical sites do not meet the definition of significant sites. They do not need to be preserved under the Resource Protection Ordinance.

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 submitted a Stormwater Management Plan (SWMP) prepared by Stevens Cresto Engineering dated August 7, 2006, which identifies potential construction and post-construction pollutants that may result from the project and also identifies best management practices (BMPs) to address the pollutants. As such the project is not anticipated to result in any substantial increase in polluted runoff or any significant adverse effects to water quality. The SWMP received for the project has been approved by DPW and it has been found that the project will reduce adverse effects to water quality to the maximum extent practicable and as such complies with the requirements of 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.

Based on a Noise Analysis prepared by Eilar Associates and received on April 12, 2007, 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). Based on the Acoustical Analysis report, future traffic noise levels will be generated from Montezuma Valley Road (also known as County Route S22) and Palm Canyon Drive. Hoberg Road runs along the eastern edge of the project. This roadway is NOT considered a County Circulation Road and no traffic data is available through SANDAG. Due to low traffic volumes from Hoberg Road, its future noise levels are considered negligible and not modeled in the analysis. Combined Montezuma Valley Road and Palm Canyon Drive future traffic noise levels to the project site will be as high as 37.3 CNEL at Lot 12. Second story future traffic noise impacts will be as high as 40.8 CNEL at Lot 12. WITHOUT MITIGATION or proposed project structures, the future 60 CNEL traffic contour runs parallel to the centerline of Palm Canyon Drive approximately 22 feet to the north. The 60 CNEL curves slightly to the north as the contour nears the Hoberg and Monetezuma Valley Road intersection. For future traffic noise impacts information, refer to Section 3.2 Future Noise Environment and Figures 7 & 8 in the Acoustical Analysis report prepared by Eilar Associates received on April 12, 2007. Project complies with the 60 CNEL sound level limit to noise sensitive land uses. 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 and will not exceed County Noise Standards.