

# ATTACHMENT B

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## FINDINGS REGARDING SIGNIFICANT EFFECTS

### LAS COLINAS DETENTION FACILITY PROJECT

JFCF-00012

SCH # 2006091036

June 24, 2009

A. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects identified in the Final Environmental Impact Report (FEIR), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen (“mitigate”) each significant environmental effect. The significant effects and mitigation measures are stated fully in the FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

#### 1. Cultural Resources

The Environmental Impact Report evaluated the proposed site for both archaeological and paleontological resources. No archaeological resources have been identified within the proposed project site. One prehistoric isolate has been previously mapped at the western end of the Town Center Specific Plan area, on the west side of Cuyamaca Drive; however no evidence of this archaeological site was found. In addition, three flakes were located off-site in the agricultural fields north of the Edgemoor complex. A prehistoric isolate is not a significant resource. The City of Santee General Plan does identify the San Diego River floodplain as an area of moderate potential for California Register of Historic Resources and National Register of Historic Resources buried prehistoric and historic sites. Therefore, the potential to uncover buried resources does exist during grading or other earth disturbing activities. The discussion below summarizes the potential impacts and proposed mitigation for such potential cultural resources.

**Significant Effect: Impact CR-2** - The proposed project could potentially impact unknown buried cultural resources during project grading activities. Based on information provided in the FEIR, this would be a potentially significant impact. (FEIR, p. 2.1-7)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with unknown buried cultural resources, as identified in the FEIR. (FEIR, p. 2.1-12)

**Mitigation Measures: Mitigation M-CR-2a and M-CR-2b** - The mitigation measures specified in the FEIR require monitoring by a qualified archaeologist for grading in areas with previously undisturbed deposits or in areas with previously disturbed deposits as determined by the Project Archaeologist. If a cultural feature is encountered, preparation and implementation of a data recovery program would be required. For grading phases involving Pleistocene soils, a Native American monitor shall be present during such operations. (FEIR, pp. 2.1-10 to -11) Additionally, for any potentially significant resources discovered, a data recovery program shall be developed and implemented by a qualified archaeologist and as approved by the County. (FEIR, pp. 2.1-11)

**Rationale:** Implementation of mitigation measures M-CR-2a and M-CR-2b would reduce potential impacts to unknown cultural resources to less than significant, because earth disturbing activities in areas determined necessary by the Project Archaeologist would be monitored. If a cultural feature is encountered, a data recovery program would be implemented, including curation of artifacts in an approved facility. Data recovery, if necessary, would ensure that information for research of cultural sites affected by the development would be maintained. Implementation of these mitigation measures would maintain the informational and research value of cultural resources if encountered during project construction activities, so that impacts of the proposed project would be reduced to below a level of significance. (FEIR, p. 2.1-12)

## 2. Biological Resources

The 45-acre project site contains urban/developed areas, and the following four vegetation communities: disturbed coastal sage scrub, disturbed land, agriculture, and non-native grassland. The project has the potential to directly impact biological resources detected onsite or considered to have a moderate to high potential to occur onsite. Potentially direct and indirect impacts to nesting birds/raptors could occur and would be considered potentially significant. Additionally, direct impacts to sensitive natural communities, federal wetlands, and the removal of one coast live oak tree were identified as potentially significant impacts. The discussion below summarizes the significant impacts and proposed mitigation for biological resources within the proposed project.

**Significant Effect: Impact BI-1** - The proposed project could potentially impact nesting birds and raptors due to habitat removal. According to information provided in the FEIR, this could be a potentially significant impact. (FEIR, p. 2.3-11)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential impact to nesting birds and raptors due to habitat removal, as identified in the FEIR. (FEIR, p. 2.3-16)

**Mitigation Measures: Mitigation M-BI-1** - Mitigation specified in the FEIR requires restrictions to be placed on construction activities to avoid impacts on active nest locations during the appropriate breeding season (January 15 to September 15). To ensure that no direct impacts to nesting birds and raptors occur, a qualified biologist will conduct appropriate pre-construction surveys within 10 days of the start of construction. Nests that are detected within the proposed impact areas shall be flagged and monitored, and no construction activity shall occur within 300 feet of these nests until nesting is completed. (FEIR, p. 2.3-16)

**Rationale:** The mitigation measure would preclude construction activities within 300 feet of active nest locations to ensure that no direct impacts on the species would occur if nesting birds/raptors are detected during pre-construction surveys. The 300-foot distance is commonly requested from resource agencies as the distance intended to keep nesting birds and raptors from abandoning nests as a result of construction noise and activity and human presence. With implementation of this mitigation measure, significant direct impacts to nesting birds/raptors would be reduced to less than significant. (FEIR, p. 2.3-18)

**Significant Effect: Impact BI-2** - The proposed project could cause indirect noise impacts to offsite sensitive nesting birds. According to information provided in the FEIR, this would be a potentially significant short-term impact. (FEIR, p. 2.3-12)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential impact to offsite nesting birds due to indirect noise impacts during construction, as identified in the FEIR. (FEIR, p. 2.3-17)

**Mitigation Measures: Mitigation M-BI-2a and M-BI-2b** - If construction is to occur during the appropriate breeding season, the mitigation measures specified in the FEIR require a qualified biologist to determine whether sensitive bird species are present within areas where demolition and construction noise would reach 60 db(A) Leq. If sensitive bird species are present, these mitigation measures would require temporary noise attenuating measures to reduce this temporary impact to less than significant. The measures, such as noise walls or berms, would reduce the level of noise within the habitat to less than 60 dB(A) Leq and would require monitoring and documentation by a qualified acoustician to ensure that the maximum noise level is not exceeded. (FEIR, pp. 2.3-17)

## **Findings Regarding Significant Effects**

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**Rationale:** Mitigation measures M-BI-2a through M-BI-2b would ensure that construction noise impacts on sensitive nesting birds would not exceed 60 dB(A). Noise below this level is not a significant impact on the birds. If any such birds are present within 500 feet of the project site, temporary noise attenuating measures, such as noise walls or berms, would be installed to reduce this temporary noise to a less than significant level. A qualified acoustician would periodically monitor the site to ensure that the noise did not exceed 60 dB(A). Significant demolition and construction impacts from noise would, therefore, be reduced to less than significant. (FEIR, pp. 2.3-17 through 2.3-19)

**Significant Effect: Impact BI-3** - The proposed project would result in the permanent removal of 0.6 acres of disturbed coastal sage scrub and 4.8 acres of non-native grassland. According to information provided in the FEIR, this would be a significant impact. (FEIR, p. 2.3-12)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential impacts due to the permanent removal of disturbed coastal sage scrub and non-native grassland, as identified in the FEIR. (FEIR, p. 2.3-17)

**Mitigation Measures: Mitigation M-BI-3a and M-BI-3b** - The mitigation measures specified in the FEIR require the off-site preservation of 2.4 acres Diegan coastal sage scrub and 1.2 acres non-native grassland at the Rancho San Diego Mitigation Bank, an approved County mitigation bank, at a 2:1 ratio for Diegan coastal sage scrub, and 0.5:1 ratio for non-native grassland. (FEIR, p. 2.3-17)

**Rationale:** Significant impacts to Diegan coastal sage scrub and non-native grassland would be reduced to less than significant by preserving the same type of resources at the Rancho San Diego Mitigation Bank, an approved County mitigation bank, at a 2:1 ratio for Diegan coastal sage scrub, and 0.5:1 ratio for non-native grassland. A Habitat Loss Permit in accordance with Section 4(d) of the Endangered Species Act would be obtained by the County. The Section 4(d) Special Rule allows a loss of five percent of coastal sage scrub habitat in any individual subregion during the preparation of a regional NCCP. The wildlife agencies must concur with the Section 4(d) findings prior to allowing the impacts to coastal sage scrub habitat. The Habitat Loss Permit specifies appropriate mitigation ratios and mitigation location. The mitigation ratios are consistent with guidelines developed by the County for impacts to habitat outside of approved habitat conservation plans. These ratios are effective in mitigating the impact because preservation within a contiguous, managed preserve system provides a higher biological value to species than can be provided in fragmented habitat that is subject to potential ongoing disturbance. Therefore, this potential impact will be reduced to less than significant. (FEIR, p. 2.3-19)

## Findings Regarding Significant Effects

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**Significant Effect: Impact BI-4** - The proposed project would result in the loss of 0.04 acres of ACOE/CDFG/RWQCB-jurisdictional ephemeral waters. According to information provided in the FEIR, this would be a significant impact. (FEIR, p. 2.3-14)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential impacts due to the permanent loss of jurisdictional ephemeral waters, as identified in the FEIR. (FEIR, p. 2.3-18)

**Mitigation Measures: Mitigation M-BI-4** - The mitigation measure specified in the FEIR requires the creation of 0.037 acre (0.04 acre when rounded) of a jurisdictional resource (a creation ratio of 1:1), or by purchasing mitigation credits for this impact, to the satisfaction of ACOE, CDFG and RWQCB. A conceptual wetland mitigation plan will be created by the County, and a suitable mitigation site, to be located in the vicinity of the drainage impact or the watershed of the San Diego River, shall be selected and approved by the appropriate resource agencies. (FEIR, p. 2.3-18)

**Rationale:** The impacts to ACOE/CDFG/RWQCB jurisdictional resources would be reduced to less than significant by the creation of a similar amount of the same type of resource (a creation ratio of 1:1), or by purchasing mitigation credits to ensure the preservation of a similar amount of this type of resource to the satisfaction of ACOE, CDFG and RWQCB. The proposed mitigation requires preparation of a plan that will ensure that the project results in no net loss of jurisdictional resources. Therefore, this potential impact will be reduced to less than significant. (FEIR, p. 2.3-19)

**Significant Effect: Impact BI-5** - The proposed project would result in the removal of one coast live oak tree on the existing LCDF site. According to information provided in the FEIR, this would be a significant impact. (FEIR, p. 2.3-15)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential impacts due to the removal of one coast live oak tree, as identified in the FEIR. (FEIR, p. 2.3-18)

**Mitigation Measures: Mitigation M-BI-5** - The mitigation measure specified in the FEIR requires the planting of two replacement trees on site. The replacement trees would be at least 5-gallon in size and will be monitored for five years. If any of the trees die during the monitoring period, such trees shall be replaced. (FEIR, p. 2.3-18)

**Rationale:** Two replacement oak trees would be planted on site. The trees would be monitored for five years to ensure their survival. If either tree dies during this time, it would be replaced.

Over time the new trees would replace the value of the individual oak that would be removed. Therefore, any potential impacts related to the removal of the existing oak tree will be less than significant. (FEIR, p. 2.3-19)

### **3. Geology and Soils**

The project site is located within the seismically active Southern California. The site is not located within an earthquake fault zone, and there are no active, potentially active, or inactive faults that transect the project site. However, the presence of shallow groundwater combined with loose, sandy, alluvial deposits indicates conditions prone to liquefaction. Liquefaction analyses revealed isolated layers within the alluvium that are potentially liquefiable. Moreover, the site is underlain by previously placed fill and alluvium which are typically unsuitable to support above-grade structures. Unstable and expansive soils could result in damage to facilities and therefore would be a significant direct impact. The discussion below summarizes the significant impacts and proposed mitigation related to geology and soils.

**Significant Effect: Impact GE-1** - The proposed project would result in indirect impacts related to liquefaction effects due to the presence of shallow groundwater and onsite alluvial deposits. According to information provided in the FEIR, this could be a potentially significant impact. (FEIR, p. 2.4-8)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with potential impacts due to liquefaction, as identified in the FEIR. (FEIR, p. 2.4-13 and -14)

**Mitigation Measures: Mitigation M-GE-1** - The mitigation measure specified in the FEIR requires the County to comply with remediation recommendations as listed in the June 28, 2004 Geotechnical Investigation for the Town Center Specific Plan prepared by Geocon (2004). These measures are designed to avoid the potential significant effects of liquefaction. Such recommendations would include: (1) the removal and appropriate recompaction of previously placed fill and alluvium within areas of planned new grading or improvements; (2) the removal and recompaction of the upper five feet of Younger and Older Alluvium in order to provide uniform bearing; (3) finish-grade elevations for building pads shall be designed so that at least 10 feet of properly compacted fill exists above the groundwater to provide a sufficient thickness of non-liquefiable soil; and (4) prior to placing new fill, the base of overexcavations shall be scarified to a depth of at least 12 inches, heavily moisture conditioned, and compacted which should result in densification of the upper two to three feet of existing soil at the base of the excavation. The layers shall be no thicker than will allow for adequate bonding and compaction, and all fill shall be compacted to at least 90 percent of maximum dry density at near-optimum moisture content or slightly above. (FEIR, pp. 2.4-13 and 14)

**Rationale:** Previously placed fill and alluvium within areas of planned new grading or improvements would be removed and recompacted. Removal and recompaction of fill and alluvium significantly reduces the potential effects of liquefaction. These same steps would also reduce potential impacts from unstable soils to less than significant. Therefore, all potential geological impacts would be reduced to less than significant through the implementation of the mitigation measures listed above and adherence with the recommendations of the Geotechnical Investigation Reports prepared by Geocon in 2004. (FEIR, p. 2.4-14)

**Significant Effect: Impact GE-2** - The proposed project would result in damage to facilities due to unstable and expansive soils. According to information provided in the FEIR, this could be a potentially significant impact. (FEIR, p. 2.4-9)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential to damage facilities due to unstable and expansive soils, as identified in the FEIR. (FEIR, p. 2.4-14)

**Mitigation Measures: Mitigation M-GE-2** - The mitigation measure specified in the FEIR requires the County to comply with remediation recommendations as listed in the June 28, 2004 Geotechnical Investigation for the Town Center Specific Plan prepared by Geocon (2004), as discussed under Impact GE-1 above. Such recommendations include the removal and recompaction of previously placed fill and alluvium within areas of planned new grading or improvements. (FEIR, pp. 2.4-13 and 14)

**Rationale:** Compliance with the remediation recommendations as listed in the June 28, 2004 report prepared by Geocon, including the removal and recompaction of previously placed fill and alluvium, will ensure that all potential impacts related to unstable and expansive soils will be reduced to a less than significant level. (FEIR, p. 2.4-14)

#### 4. Hazards and Hazardous Materials

Storage of hazardous substances at the existing LCDF and three Edgemoor buildings would be discontinued and removed prior to demolition. During the demolition and construction phase of the proposed project, gasoline, diesel fuel, lubricating oil, grease, solvents, caulking and paint would be used at the site, which are typical substances used for construction projects. In general, small amounts of these materials would be onsite at any one time. No acutely hazardous materials would be used on site during construction of the project. The materials handled would not pose a significant risk to offsite residents or workers. Unintended accidental spills of hazardous materials during construction activities could potentially cause soil or groundwater

contamination, resulting in a significant hazard to the environment. This would result in a significant indirect impact.

Twenty-eight mapped sites and twenty-nine unmapped sites affiliated with hazardous or toxic substances and or waste were identified within 1.5 miles of the project site. While it does not appear that these sites have impacted environmental conditions within the construction area, existing contaminants such as residual pesticides may occur on the proposed project site. During demolition and construction, contaminants could be mobilized if contaminated soil is exposed to runoff that could transport hazardous substances outside the work area, which could cause a threat to the public and waters in the vicinity of the project. This could result in a significant indirect impact. In addition, given their age, the existing LCDF and Edgemoor structures may contain hazardous materials such as asbestos and lead paint, and these substances could be released during demolition, also resulting in a significant indirect impact.

Therefore, indirect hazardous materials impacts related to project construction (including demolition) and operation would be significant, as would potential indirect hazardous materials impacts to two vicinity schools. The discussion below summarizes the significant impacts and proposed mitigation related to hazards and hazardous materials.

**Significant Effect: Impact HZ-1** - The proposed project could result in potential soil or groundwater contamination due to accidental spills of hazardous materials during construction activities. According to information provided within the FEIR, this would be a significant impact. (FEIR, p. 2.5-11)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with potential soils or groundwater contamination due to hazardous materials spills during construction, as identified in the FEIR. (FEIR, p. 2.5-15)

**Mitigation Measures: Mitigation M-HZ-1a, M-HZ-1b, M-HZ-1c, and M-HZ-1d** - The mitigation measures specified in the FEIR require that construction contractors and subcontractors be given appropriate training on hazardous materials spill prevention, response and removal and that a hazardous substance management, handling, storage, disposal and emergency response plan be prepared and implemented. The mitigation measures also require hazardous materials spill kits to be kept on site for potential small spills and require all trash to be kept in an enclosed containment. (FEIR, pp. 2.5-15)

**Rationale:** Implementation of mitigation measures M-HZ-1a through M-HZ-1d would reduce significant indirect impacts to less than significant by requiring appropriate training and practices for construction contractors and subcontractors related to risk of upset and release or disposal of

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hazardous materials during construction. It will also ensure that an appropriate hazardous substance management plan is in place prior to any potential impacts and that spill kits will be available onsite in order to quickly clean up any small spills during construction. Therefore, any potential impacts would be reduced to less than significant. (FEIR, p. 2.5-18)

**Significant Effect: Impact HZ-2** - The proposed project would result in a potential threat to the public and water in the vicinity if contaminated soil is exposed to runoff that could transport hazardous substances outside the work area. According to information provided within the FEIR, this is a potentially significant impact. (FEIR, p. 2.5-11)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential for contaminated soils to be exposed to runoff that could transport hazardous substances outside of the project site, as identified in the FEIR. (FEIR, p. 2.5-15 and 16)

**Mitigation Measures: Mitigation M-HZ-2a, M-HZ-2b, and M-HZ-2c** - The mitigation measures specified in the FEIR require specific protocols to be followed if hazardous waste or hazardous materials are encountered. The County will ensure compliance with the requirements of California Code of Regulations, titles 23 and 26. Any soil that appears to be impacted by hazardous materials must be handled in accordance with the San Diego County DEH Site Assessment and Mitigation (SAM) manual. Soil samples must be analyzed by a certified laboratory for organochlorine pesticides and must be submitted to the County Department of Environmental Health (DEH) for review. If pesticides above permissible exposure limits for residential uses are detected, remediation would be implemented as necessary in accordance with the San Diego County DEH Site Assessment and Mitigation (SAM) manual. Any septic systems and above ground storage tanks located onsite must be removed and/or closed under permit and approval of County DEH prior to grading. (FEIR, pp. 2.5-15 through -16)

**Rationale:** Implementation of mitigation measures M-HZ-2a through M-HZ-2c would ensure that impacts related to release of hazardous materials during demolition and/or construction would be reduced to less than significant by specifying the protocol to follow if hazardous waste or hazardous materials are encountered. Also, soil samples would be submitted to DEH for review, and remediation would be implemented if necessary. Such mitigation measures will ensure that any impacts related to contaminated soil being exposed to runoff would be reduced to a less than significant level. (FEIR, p. 2.5 -18)

**Significant Effect: Impact HZ-3** - The proposed project could result in a potential threat to the public if the existing structures contain asbestos and/or lead based paint and these substances were released during demolition. According to information provided in the FEIR, this is a potentially significant impact. (FEIR, p. 2.5-11)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with the potential threat due to asbestos or lead based paint contained within the existing structures, as identified in the FEIR. (FEIR, p. 2.5-16 and -17)

**Mitigation Measures: Mitigation M-HZ-3a and M-HZ-3b** - The mitigation measures specified in the FEIR require specific protocols to be followed to survey and remediate asbestos and lead based paint. Before starting demolition and/or construction, an asbestos and lead based paint survey shall be performed for all onsite structures that will be disturbed by demolition and/or construction activities. Those conducting the surveys shall thoroughly inspect the buildings to be demolished, document the location and types of asbestos or lead found, and shall determine whether any onsite abatement of asbestos or lead containing materials is necessary. If such contaminants are located during the survey, an abatement work plan shall be prepared by County DEH in compliance with local, state, and federal regulations for removal of such materials. In addition, any required Air Pollution Control District and California Occupational Safety and Health Administration notifications pertaining to the disturbance of asbestos containing materials shall be provided. (FEIR, pp. 2.5-16 and -17)

**Rationale:** Asbestos and lead based paint surveys will determine if these substances are present in the buildings to be demolished. If asbestos and/or lead paint are present, they will be removed in accordance with the protocols that are designed for safely handling these potentially hazardous materials. Any potentially significant impacts will, therefore, be less than significant. (FEIR, p. 2.5-18)

**Significant Effects: Impacts HZ-4 and HZ-5** - The proposed project would result in potential indirect impacts if the Business Emergency Plan (BEP) document was not updated to account for the additional hazardous materials that could be used, as well as potentially significant impacts to schools due to the project's potential to emit and/or handle hazardous materials within one-quarter mile of a school. (FEIR, p. 2.5-12)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with potential indirect impacts due to a lack of appropriate inventory and documentation of post-construction hazardous materials and the possible threat to any schools located within one-quarter mile of the site, as identified in the FEIR. (FEIR, p. 2.5-17 and -18)

**Mitigation Measures: Mitigation M-HZ-4 & M-HA-5** - The mitigation measures specified in the FEIR require the SDSD to update its BEP to account for hazardous materials that would be stored onsite at the new facility. Coordination with the County DEH is also required to ensure

that the BEP is prepared in compliance with applicable regulations. All chemicals would be managed in accordance with the California Hazardous Waste Control Law and the Hazardous Waste Control Regulations. Also, prior to construction, the State Department of Toxic Substances Control (DTSC) shall be contacted to determine if a DTSC permit is required. (FEIR, p. 2.5-17 and -18)

**Rationale:** The SDSA would be required to update its BEP to account for hazardous materials that would be stored onsite at the new facility. Coordination with the County DEH is also required to ensure that the BEP is prepared in compliance with applicable regulations. By implementing these measures, the proper equipment and training would be provided to SDSA personnel to detect, respond to, mitigate, and abate hazards that would occur during an accidental release, and impacts would be reduced to less than significant levels. (FEIR, p. 2.5-18)

### **5. Hydrology and Water Quality**

The project site is located within the Santee Hydrologic Subarea of the Lower San Diego Hydrologic Area within the San Diego Hydrologic Unit. The San Diego Hydrologic Unit is one of 11 drainage areas designated in the 1994 San Diego RWQCB Water Quality Control Plan for the San Diego Basin Plan. The San Diego Basin encompasses approximately 3,900 square miles, including most of the County and portions of southwestern Riverside and Orange Counties. The San Diego Hydrologic Unit is comprised of the following four hydrologic areas; Lower San Diego, San Vicente, El Capitan and Boulder Creek Hydrologic Areas.

Runoff from the project site generally flows westward and northward and ultimately reaches the San Diego River through existing storm water conveyance systems. An improved drainage swale is located to the north of the existing LCDF that connects to the San Diego River. A graded channel is also located to the west of the existing detention facility running north-south that connects with the San Diego River. Existing drainage improvements in the project vicinity include storm drains and drainage pipes located in Mission Gorge Road, Town Center Parkway, Transit Way, Civic Center Drive, Cottonwood Avenue and Magnolia Avenue as discussed in the Santee Town Center Specific Plan Final Master Environmental Impact Report.

As discussed in the FEIR, most potential impacts due to hydrology and water quality are less than significant and do not require mitigation. However, significant direct impacts could occur to existing storm water conveyance systems from increases in impervious surfaces and the associated increases in runoff rates and volumes. Also, increased runoff from the site, if left unmitigated, would contribute to localized and regional surface flows which would be considered cumulatively significant. The discussion below summarizes these potentially significant impacts and proposed mitigation related to hydrology and water quality.

**Significant Effects: Impact HY-1** - The proposed project would potentially exceed the capacity of existing storm water conveyance systems due to increased impervious surfaces and resulting increases in runoff rate and volume. According to information provided in the FEIR, this is a potentially significant impact. (FEIR, p. 2.6-11)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with increased runoff rates and volume due to increased impervious surfaces, as identified in the FEIR. (FEIR, p. 2.6-15)

**Mitigation Measures: Mitigation M-HY-1** - The mitigation measure specified in the FEIR reduce runoff by using Low Impact Development Integrated Management Practices (LID IMPs) to achieve a net zero discharge in stormwater runoff rates and quantities. Specific measures to achieve this reduction in stormwater runoff rates will include the following: vegetated roof systems; infiltration trench/islands/beds; vegetated or rock swales/filter strips; rain water harvesting (cisterns/rain barrels); bioretention; and permeable pavement and materials. (FEIR, p. 2.6-15 and -16)

**Rationale:** The LID IMPs described above are designed to provide at least a 19.1 percent reduction in storm water runoff rates to achieve no net increase in flow quantities and rates discharged from the project site. They will be implemented at the project site to achieve a net zero increase in stormwater runoff rates and quantities. These measures would reduce significant impacts to hydrology and water quality due to the increase of impervious surface and runoff rates to a level that would be less than significant. (FEIR, p. 2.6-16)

**Significant Effects: Impact HY-2:** If left unmitigated, the proposed project would increase runoff levels from the site that would cumulatively contribute to localized and regional surface flows. According to information provided in the FEIR, this is a potentially significant impact. (FEIR, p. 2.6-14)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect associated with cumulative contribution of runoff levels from the site, as identified in the FEIR. (FEIR, p. 2.6-16)

**Mitigation Measures: Mitigation M-HY-1 and M-HY-2** - The mitigation measures specified in the FEIR require the County to pay the applicable drainage impact fees to offset contributions to the regional drainage system. The fee will be based on the City's development impact fee worksheet, and the County shall pay the fee prior to the start of construction. Additionally, as discussed under Impact HY-1, LID IMPs will be implemented to achieve a net zero discharge in stormwater runoff rates and quantities which would further reduce the potential for cumulative flooding or impact to storm water drainage systems. (FEIR, p. 2.6-16)

**Rationale:** Paying the drainage impact fee would help offset the City’s costs to maintain the drainage facilities and would reduce the project’s incremental contribution to the cumulative impacts to hydrology and water quality to a level that would be less than significant. (FEIR, p. 2.6-16)

**B.** Pursuant to Section 15091(a)(3) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects and project alternatives as identified in the FEIR, specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. These findings are explained below and are supported by substantial evidence in the record of proceedings.

### **1. Cultural Resources**

The project site is part of the original approximately 500-acre Edgemoor Farm, which was acquired by the County of San Diego in 1923 for use as a poor farm and home for the aged and indigent. Prior to that time frame, the property had been used for dairy ranching beginning in 1902. The Edgemoor site contains more than twenty buildings representing three important periods in local history: the Dairy and Polo Pony Farm Era (1913-1921), the Poor Farm Era (1923-1949), and the Edgemoor Hospital Era (1950-1961).

The “Edgemoor Hospital Era” area of the Edgemoor facility is represented by nine minimally altered buildings that were constructed between 1950 and 1961. These buildings constitute a potential Historic District under criteria established pursuant to the National Register of Historic Places and the California Register of Historical Resources.

The LCDF itself is not a historical resource. However, the additional 29-acre area proposed for the expansion of the LCDF contains three buildings that are part of the Edgemoor facility and are part of the “Edgemoor Hospital Era”, which qualifies for listing under criteria established pursuant to the National Register of Historic Places and the California Register of Historical Resources. Specifically, the three buildings that would be demolished by the proposed project (the Santa Maria Building, Dietary Building and Rehabilitation Building) would qualify under the Criterion A (National) and Criterion 1 (State) for representing a “broad pattern” in the state and national development of publicly-funded nursing and rehabilitation care for the dependent aged and indigent and under Criterion C (National) and Criterion 3 (State) for embodying the distinctive characteristics of a type, period, and method of construction (Heritage Architecture and Planning 2008). Impacts to these buildings would therefore be significant. The discussion below summarizes the potential impacts and proposed mitigation for the loss of these potentially historic resources.

**Significant Effect: Impacts CR-1 and CR-3** - The proposed project would result in both direct and cumulative impacts due to the demolition of three buildings that could qualify as historic under criteria established by the National Register of Historic Places and the California Register of Historical Resources. According to the FEIR, this is a significant impact. (FEIR, pp. 2.1-7; 2.1-9)

**Finding:** Changes or alterations have been required in, or incorporated into, the project that lessen the significant environmental effect associated with the demolition of the three buildings, but not to a level of insignificance. Specific economic, legal, social, technological, or other considerations make other mitigation measures or the project alternatives identified in the Final EIR infeasible. Therefore, impacts are expected to remain directly and cumulatively significant and unavoidable despite mitigation. (FEIR, pp. 2.1-10 to -11) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations.

**Mitigation Measures M-CR-1 and M-CR-3** - The mitigation measures specified in *Section 2.1.5* of the FEIR would reduce both direct and cumulative impacts to historical resources, but not to a less than significant level. Mitigation will include the preparation of a Historic American Buildings Survey (HABS) documentation, written findings and photographs of the history of the site, and salvaging features that can be archived or incorporated into a future County facility as appropriate. (FEIR p. 2.1-10 to -11)

**Rationale:** Implementation of mitigation measure M-CR-1 would reduce impacts (both direct and cumulative) to historical resources, but not to a less than significant level. Preparation of documentation eliminates one adverse impact of demolition (the loss of historical information), but it does not prevent the physical loss of the historically significant resource. Loss of the Santa Maria Building, Dietary Building and Rehabilitation Building would be significant. Adaptive re-use of the buildings would not avoid the significant effect, because the buildings would need to be incorporated into the new LCDF facility, and would be separated from the remaining Historic District buildings by security fencing and buffers. Therefore, adaptive re-use of the buildings within the LCDF project would destroy the context that the buildings have with the overall Edgemoor facility, which is the primary contributing factor to their historical significance. In addition, adaptive reuse would not allow for the LCDF project's proposed open campus design, an important feature of the project. Similarly, relocation of the buildings would require removal of the buildings from the Historic District, which would destroy the context of the buildings. Relocation within the Historic District is not feasible because sufficient acreage does not exist. Additionally, relocation of only some of the buildings would not retain the context the buildings have to the remaining buildings. Therefore, no other feasible mitigation measures are available to mitigate this impact, and the impact would be significant and not mitigated. (FEIR, pp. 2.1-11 to -12) In addition, the loss of these three historical buildings in conjunction with the loss of historical resources associated with the demolition of the remainder of the Edgemoor Facility

(proposed Edgemoor Demolition Project), would be cumulatively significant and not mitigated. (FEIR, p. 2.1-12 to -13)

### **Project Alternatives and Cultural Resources Impacts:**

#### *Mid-rise Alternative*

The Mid-rise Alternative would be located on the east part of the proposed project site. This alternative would impact at least one of the three historical buildings, the Santa Maria Building. This impact cannot be avoided due to the location of the building and the site planning needs for the Mid-rise Alternative. To avoid this building, the east boundary of the project would have to jog in and around this building, which would cause security problems. This alternative would reduce, but not eliminate significant impacts to historic resources.

In addition, this alternative would not meet project objective number 4. Development of a mid-rise facility would inhibit implementation of the SDSD's inmate management philosophy because it requires a physical layout with clear lines-of-sight. Without clear lines-of-sight, some independent inmate movement would not be permitted, and SDSD's "choice and change" management approach that requires an open campus style facility could not be implemented.

The campus-style facility would allow the SDSD to offer programs and services which are central to its behavioral management philosophy and are a critical part of the County's effort to reduce repeat offending and recidivism. Behavior management for female inmates relies on a rewards system that is based in part on mobility privileges. In order to provide such privileges, and at the same time ensure adequate security, the facility must be designed so that inmates can have some freedom of movement while under efficient visual surveillance. A campus-style facility can be designed to provide the necessary space that is under efficient visual surveillance. In contrast, a standard mid-level jail requires the vertical movement of inmates up and down stairwells or elevators, which cannot be efficiently monitored. A mid-rise facility would require additional deputies to monitor inmates as they get on and off elevators, and would require at least one elevator solely for inmates. Therefore, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

#### *20-Acre Alternative*

The 20-Acre Alternative would be located on 20 acres of the east part of the proposed project site. This alternative would impact at least one of the three historical buildings, the Santa Maria Building. This impact cannot be avoided due to the location of the building and the site planning needs for the Mid-rise Alternative. To avoid this building, the east boundary of the project would have to jog in and around this building, which would cause security problems. This alternative would reduce, but not eliminate significant impacts to cultural resources. In

addition, this alternative would not meet project objective number 2. An 800-bed facility would not provide the 1,216 beds that the County has projected would be needed for female inmates at this facility through the year 2020. Therefore, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *Otay Mesa Alternative*

The Otay Mesa Alternative would avoid or substantially reduce impacts to historical resources. However, this alternative would not meet project objective numbers 3 and 4. Under this alternative, the new facility would not be built in a location that facilitates the transporting of arrested female offenders/inmates from throughout the County to the detention facility, court facilities and other service providers, such as hospitals. Constructing the facility at this alternative site would result in an inefficient booking process. Law enforcement officers would have to travel to Otay Mesa to book female offenders at the new facility. Driving to Otay Mesa, rather than Santee, would result in a net increase in the amount of time law enforcement officers would spend transporting female offenders and would correspondingly decrease the time these officers are available in their respective communities. The public safety needs are best met when law enforcement officers spend their time patrolling communities and responding to calls for service and less time in transit to and from the detention facility.

In addition, the Sheriff's Prisoner Transportation detail is housed at the County Operations Center in Kearny Mesa. All bus trips begin and end at this location, where the busses are fueled, maintained and stored. The Operations Center is significantly closer to Santee location than to the Otay Mesa location. When compared to an Otay Mesa location, Santee offers overall savings in drive time and mileage due to the shorter distance between the County Operations Center, the proposed project site, El Cajon Courthouse, the Downtown Courthouse, the Vista Courthouse and health, mental health and emergency medical providers. Furthermore, locating a new women's detention facility in Otay Mesa would make some legs of existing inmate transportation runs prohibitively long, which could result in the need to add an additional morning run (and another bus to the fleet) to get the inmates to court on time. Similarly, in the evenings, the delay due to the length of the run could require overtime (and added costs) for Court deputies staying late with female inmates and overtime for Transportation Detail deputies to finish a run before returning the bus to Kearny Mesa. Finally, inmates with pending trials at the Vista Courthouse are frequently housed at LCDF because of classification issues (gang conflicts, co-defendant conflicts, etc.) or due to the location of arrest being closer to LCDF. The Sheriff's Department runs a trip between the women's facility and Vista Courthouse twice each day that the Vista courts are in session. If the women's facility were located in Otay Mesa or another remote location, substantial time would be added to these court runs.

In addition, medical and mental health facilities that provide services to female inmates are located closer to Santee than to Otay Mesa.

A new facility constructed at the Otay Mesa Alternative site would also not meet project objective number 4. The Sheriff's inmate behavioral management philosophy is designed to reduce repeat offending and recidivism. An important part of the philosophy is a visitation program. Visits with dependent children are especially important because they support the rehabilitation of women and reinforce principles taught in parenting and life skills courses. To encourage visitation, the new facility should be located where there is convenient access to multiple modes of public transportation. The only public transportation available to this alternative site is one MTS bus stop approximately 1.1 miles to the southwest of the Otay Mesa Alternative site which is not convenient access because the pedestrian route between the site and the bus stop does not have continuous sidewalks or street lighting for safe pedestrian access. No other public transportation is available within the vicinity. In contrast, the proposed project has easy access to a MTS bus route, which has a stop at the corner of Cottonwood Avenue and Mission Gorge Road, approximately 1,130 feet from the project site. The proposed project site is also located less than 0.5 mile from the Santee Transit Center which provides both bus and trolley service and service to other MTS bus routes.

Since the County does not own the alternative site, the County would need to acquire the property at the estimated cost of \$8.5 million to \$14 million. Also, sewer capacity is not available at this site until the City of San Diego resolves funding issues for major improvements that must be made to the existing sewer infrastructure in Otay Mesa. Increased costs for site acquisition and sewer infrastructure improvements were not included in the estimated cost for the project.

Although this alternative would avoid or significantly reduce the project's historical impacts, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *Camp Elliott Alternative*

The Camp Elliott Alternative would avoid the impacts to historical resources of the proposed project. However, this alternative would have greater impacts to other resources. This alternative would have greater impacts to biological resources because the site is undeveloped, is dominated by sensitive biological resources and would require extensive grading due to its hilly terrain. In addition, this alternative would require construction of an access road that would result in increased impacts to biological resources. This alternative could have increased hazards impacts due to the potential for the site to contain munitions residue from unexploded ordnance and would have increased impacts to aesthetics due to lighting impacts on undeveloped areas.

## **Findings Regarding Significant Effects**

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A new facility constructed at this alternative site would not meet project objective number 4. The Sheriff's inmate management philosophy is designed to reduce repeat offending and recidivism. An important part of the philosophy is a visitation program. Visits with dependent children are especially important because they support the rehabilitation of women and reinforce principles taught in parenting and life skills courses. To encourage visitation, the new facility should be located where there is convenient access to multiple-modes of public transportation. The only public transportation available to this alternative site is one MTS bus stop approximately 1 mile to the east of the alternative site. No other public transportation is available within the vicinity. In contrast, the proposed project has easy access to a MTS bus route, which has a stop at the corner of Cottonwood Avenue and Mission Gorge Road, approximately 1,130 feet from the project site. The proposed project site is also located less than 0.5 mile from the Santee Transit Center which provides both bus and trolley service.

Since the County does not own the alternative site, the County would need to acquire the property at the estimated cost of \$10 million to \$25 million. There is no sewer or water service at this site. Therefore, new infrastructure for both sewer and water service would need to be extended to the site, and a 1,800 foot access road would also need to be constructed. Increased costs for site acquisition, grading, and infrastructure construction were not included in the estimated cost for the project.

Although this alternative would avoid or significantly reduce the project's historical impacts, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *Campo Alternative*

The Campo Alternative would avoid or substantially reduce impacts to historical resources. However, this alternative would not meet project objective numbers 3 and 4. Under this alternative, the new facility would not be built in a location that facilitates the transporting of arrested female offenders/inmates from throughout the County to the detention facility, court facilities and other service providers, such as hospitals. Constructing the facility at this alternative site would result in an inefficient booking process. Law enforcement officers would have to travel to Campo to book female offenders at the new facility. Driving to Campo, rather than Santee, would require many law enforcement officers to spend more time in transit and less time on their beats. The public safety needs are best met when law enforcement officers spend their time patrolling communities and responding to calls for service and less time in transit to and from the detention facility. In addition, medical and mental health facilities that provide services to female inmates are located closer to Santee than to Campo.

In addition, this alternative site would not meet project objective 4, since it would not permit the implementation of the Sheriff to implement the inmate management philosophy and visitation

program, the purpose of which is to reduce repeat offending and recidivism. Public bus service is available in Campo from MTS (route 888), but would not provide convenient access to this alternative site because the closest bus stop is 2.5 miles to the north and the bus runs only on Mondays and Fridays. No other public transportation is available within the vicinity of the site. To implement the visitation program, it is important to maximize public transportation options at the new facility to encourage visitation. Visits from dependent children are especially important to the Sheriff's inmate management philosophy because these visits support rehabilitation of women and reinforce the principles taught in parenting and life skills courses. In contrast, the proposed project has easy access to a MTS bus route, which has a stop at the corner of Cottonwood Avenue and Mission Gorge Road, approximately 1,130 feet from the project site. The proposed project site is also located less than 0.5 mile from the Santee Transit Center which provides both bus and trolley service.

The existing wastewater treatment plant at campo is currently operating at full capacity. A new treatment plant would need to be built to serve a new detention facility at this location. The cost of a new treatment plant would be approximately \$5 million to \$7 million. Increased costs for the new wastewater treatment plant were not included in the estimated cost for the project.

Although this alternative would avoid or significantly reduce the project's historical impacts, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *No Project Alternative*

The No Project Alternative would avoid or substantially reduce impacts to historical resources. However, the No Project Alternative would not meet any of the project objectives. The No Project Alternative would not replace the old and deficient structures at the existing facility with a larger, modern facility that would meet the County's projected future needs for a multi-custody women's detention facility. In addition, the No Project Alternative would not allow the Sheriff's Department to implement its inmate behavioral management philosophy that is designed to reduce repeat offenders and recidivism. This alternative is rejected because it is infeasible.

## **2. Transportation/Traffic**

The study area for the proposed project was determined using guidelines for Traffic Impact Analysis prepared by the County of San Diego (County of San Diego, Report Format & Content Requirements for Transportation and Traffic, September 26, 2006 and revised effective December 5, 2007). All segments receiving over 200 ADT and all intersections receiving over 20 peak hour trips were included in the study area. The County of San Diego Guidelines include guidance for determining a project's study area and indicate that any intersection or road segment for which the project would contribute a minimum of 25 peak hour trips should be

## **Findings Regarding Significant Effects**

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analyzed. However, the County's Guidelines for determining the significance of a project's impact indicate that contribution of 20 peak hour trips or more would be significant. Since the impact threshold of 20 peak hour trips is more conservative than the number of trips used to define the study area (25 trips), the traffic impact analysis in the FEIR used the 20- peak-hour-trip threshold to determine both the extent of the study area and the significance of project impacts. Existing average daily traffic (ADT) volumes on arterial roadways in the study area were calculated using a.m. and p.m. peak hour turning movement counts that were collected in April 2007.

The proposed project does not result in a direct significant impact to the study area roadway segments under existing plus project conditions. All segments within the study area are expected to operate acceptably at LOS D or better under existing plus project, existing plus cumulative and existing plus project plus cumulative conditions. Overall growth in the study area, cumulative development, and project traffic would significantly impact the segment of Magnolia Avenue between Mission Gorge Road and Riverview Parkway under Horizon Year 2030 with project scenario.

The proposed project would not result in direct significant impacts to study area intersections under existing plus project conditions. In the near-term cumulative with project scenario (existing plus cumulative plus project conditions), with implementation the 2-lane project access road, the intersections of Cuyamaca Street/Mission Gorge Road (p.m. peak hour) and Prospect Avenue/Magnolia Avenue (p.m. peak hour) would operate unacceptably at LOS F. If the four-lane Riverview Parkway is constructed in the near-term cumulative with project scenario (existing plus cumulative plus project conditions), the same intersections of Cuyamaca Street/Mission Gorge Road (p.m. peak hour) and Prospect Avenue/Magnolia Avenue (p.m. peak hour) would operate unacceptably at LOS F. Overall growth in the study area, cumulative development, and proposed project traffic are expected to result in cumulatively significant impacts to the intersections of Cuyamaca Street/Mission Gorge Road, Magnolia Avenue/Mission Gorge Road, and Prospect Avenue/Magnolia Avenue under the Horizon Year 2030 with project scenario.

The discussion below summarizes these significant impacts and mitigation measures related to traffic. The information provided in the EIR and associated traffic studies illustrate that the mitigation measures would reduce the impacts to a level of less than significant. However, the mitigate measures are not roughly proportional to the small amount of traffic that the proposed project would contribute to the cumulative impacts. Therefore, the mitigation measures are infeasible, and the potential impacts remain significant and unavoidable.

**Significant Effects: Impact TR-1** - The proposed project would contribute to near-term cumulatively significant traffic impacts to the Cuyamaca Street/Mission Gorge Road intersection

during the p.m. peak hour. According to information provided in the FEIR, this is a significant cumulative impact. (FEIR, p. 2.2-12)

**Finding:** Specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. Thus, the impact is considered to be significant and not mitigated. (FEIR, p. 2.2-15) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations.

**Mitigation Measures: Mitigation M-TR-1** – Improvements to the intersection described in *Section 2.2.5* of the FEIR would mitigate the cumulative impact. Upgrading traffic signal equipment would provide better trolley and vehicle traffic flow through the Cuyamaca Street corridor as a mid-range and long term improvement for the intersection of Cuyamaca Street and Mission Gorge Road. Constructing an additional northbound right turn lane as a long term capacity enhancement would improve the level of service at this intersection. The anticipated cost of both improvements is \$382,000. (FEIR, p. 2.2-15)

**Rationale:** A mitigation measure must be roughly proportional to the impact caused by the project. CEQA Guidelines, section 15126.4(a)(4)(B). The project would contribute 3.6% of the cumulative traffic at this intersection. (Note: this percentage would be 2.9% under the 4-lane Riverview Parkway scenario). Given the small percentage of traffic that the project would contribute, a mitigation measure requiring the County to construct these intersection improvements would not be roughly proportional to the project's impact. Therefore, this mitigation measure is infeasible.

Nonetheless, the County is willing to enter into an agreement with the City of Santee to pay the County's fair share of the cost of constructing the improvements to this intersection. Based on the project's contribution of 3.6% of the cumulative traffic at this intersection, the County's share of the cost would be \$13,790. Under the 4-lane Riverview Parkway scenario, the numbers would be 2.9% and \$11,078 respectively. (FEIR p. 2.2-16)

**Significant Effects: Impact TR-2** - The proposed project would contribute to near-term cumulatively significant impacts to the Prospect Avenue/Magnolia Avenue intersection during the p.m. peak hour. According to information provided in the FEIR, this is a significant cumulative impact. (FEIR, p. 2.2-12)

**Finding:** Specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. Thus, the impact is considered to be significant and not mitigated. (FEIR, p. 2.2-15) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations.

**Mitigation Measures: Mitigation M-TR-2** - Improvements to the intersection specified in *Section 2.2.5* of the FEIR would mitigate the cumulative impact. Changing the existing intersection controller to a Caltrans-compliant controller would provide better communications with Caltrans signal and a smoother traffic flow at the intersection of Prospect Avenue and Magnolia Avenue. The anticipated cost of such improvements is \$338,000. (FEIR, p. 2.2-15)

**Rationale:** A mitigation measure must be roughly proportional to the impact caused by the project. CEQA Guidelines, section 15126.4(a)(4)(B). The proposed project would contribute 2.4% of the traffic that would result in the cumulative impact at this intersection. Given the small percentage of traffic that the project would contribute, a mitigation measure requiring the County to construct these intersection improvements would not be roughly proportional to the project's impact. Therefore, this mitigation measure is infeasible.

Nonetheless, the County is willing to enter into an agreement with the City of Santee to pay the County's fair share of the cost of constructing the improvements to this intersection. Based on the project's contribution of 2.4% of the cumulative traffic at this intersection, the County's share of the cost would be \$8,112. (FEIR, p. 2.2-16)

**Significant Effects: Impact TR-3:** The proposed project would contribute to cumulatively significant impacts to the Magnolia Avenue roadway segment between Mission Gorge Road and Riverview Parkway at the 2030 horizon year cumulative level. According to information provided in the FEIR, this is a significant cumulative impact. (FEIR, p. 2.2-13)

**Finding:** Specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. Thus, the impact is considered to be significant and not mitigated. (FEIR, p. 2.2-15 and 2.2-16) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations.

**Mitigation Measures: Mitigation M-TR-3** - Widening Magnolia Avenue between Mission Gorge Road and Chubb Lane as specified in *Section 2.2.5* of the FEIR would mitigate the cumulative impacts. The anticipated cost of such improvements is \$3,395,300. (FEIR, p. 2.2-15 and -16)

**Rationale:** A mitigation measure must be roughly proportional to the impact caused by the project. CEQA Guidelines, section 15126.4(a)(4)(B). The project would contribute 2.1% of the cumulative traffic. (Note: this percentage would be 1.37% under the 4-lane Riverview Parkway scenario). Given the small percentage of traffic that the project would contribute, a mitigation measure requiring the County to widen this road segment would not be roughly proportional to the project's impact. Therefore, this mitigation measure is infeasible.

Nonetheless, the County is willing to enter into an agreement with the City of Santee to pay the County's fair share of the cost of widening this road segment. Based on the project's contribution of 2.1% of the cumulative traffic, the County's share of the cost would be \$69,604. Under the 4-lane Riverview Parkway scenario, the numbers would be 1.37% and \$46,515.61 respectively. (FEIR p. 2.2-17)

**Significant Effects: Impact TR-4:** The proposed project would contribute to 2030 horizon year cumulatively significant impacts to the Cuyamaca Street/Mission Gorge Road intersection during the p.m. peak hour. According to information provided in the FEIR, this is a significant cumulative impact. (FEIR, p. 2.2-13)

**Finding:** Specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. Thus, the impact is considered to be significant and not mitigated. (FEIR, p. 2.2-16) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations.

**Mitigation Measures: Mitigation M-TR-1** - The improvements to the intersection of Cuyamaca Street and Mission Gorge Road described in mitigation measure M-TR-1 in *Section 2.2.5* of the FEIR would also mitigate this cumulative impact. As discussed in the findings under Impact TR-1 above, upgrading traffic signal equipment would provide better trolley and vehicle traffic flow through the Cuyamaca Street corridor as a mid-range and long term improvement for the intersection of Cuyamaca Street and Mission Gorge Road. Also constructing an additional northbound right turn lane as long term capacity enhancement would improve the level of service as this intersection. The anticipated cost of such improvements is \$382,000. (FEIR, p. 2.2-15)

**Rationale:** A mitigation measure must be roughly proportional to the impact caused by the project. CEQA Guidelines, section 15126.4(a)(4)(B). The proposed project would contribute 3.6% of the traffic that would result in the cumulative impacts at this intersection. (Note: this percentage would be 2.9% under the 4-lane Riverview Parkway scenario.) Given the small percentage of traffic that the project would contribute, a mitigation measure requiring the County to construct the intersection improvements would not be roughly proportional to the project's impact. Therefore, this mitigation measure is infeasible.

Nonetheless, the County is willing to enter into an agreement with the City of Santee to pay the County's fair share of the cost of the intersection improvements. Based on the project's contribution of 3.6% of the cumulative traffic at this intersection, the County's share of the cost would be \$13,790. Under the 4-lane Riverview Parkway scenario, the numbers would be 2.9% and \$11,078 respectively. (FEIR, p. 2.2-16)

**Significant Effects: Impact TR-5** - The proposed project would contribute to the 2030 horizon year cumulatively significant impacts to the Magnolia Avenue/Mission Gorge Road intersection in the a.m. and p.m. peak hours. According to information provided in the FEIR, this is a significant cumulative impact. (FEIR, p. 2.2 -13)

**Finding:** Specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. Thus, the impact is considered to be significant and not mitigated. (FEIR, p. 2.2-17) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations.

**Mitigation Measures: Mitigation M-TR-4** - The intersection improvements specified in mitigation measure M-TR-4 in *Section 2.2.5* of the FEIR would also mitigate this cumulative impact. By relocating the westbound advanced loop detectors to the Caltrans suggested minimum setback distance of 285 feet as a minor modification at the Magnolia Avenue/Mission Gorge Road intersection, signal coordination would be improved, as specified in the City of Santee Transportation Improvement Master Plan. (FEIR, p. 2.2-16)

**Rationale:** A mitigation measure must be roughly proportional to the impact caused by the project. CEQA Guidelines, section 15126.4(a)(4)(B). The proposed project would contribute 2% of the traffic that would result in the cumulative impacts at this intersection. (Note: this percentage would be 0.24% under the 4-lane Riverview Parkway scenario.). Given the small percentage of traffic that the project would contribute, a mitigation measure requiring the County to construct the intersection improvements would not be roughly proportional to the project's impact. Therefore, this mitigation measure is infeasible.

Nonetheless, the County is willing to enter into an agreement with the City of Santee to pay the County's fair share of the cost of the intersection improvements. Based on the project's contribution of 2% of the cumulative traffic at this intersection, the County's share of the cost would be \$65,522. Under the 4-lane Riverview Parkway scenario, the numbers would be 0.24% and \$7,942.08 respectively. (FEIR, p. 2.2-17)

**Significant Effects: Impact TR-6** - The proposed project would contribute to the 2030 horizon year cumulatively significant impacts to the Magnolia Avenue/Prospect Avenue intersection in the p.m. peak hours. According to information provided in the FEIR, this is a significant and cumulative impact. (FEIR, p. 2.2-13)

**Finding:** Specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. Thus, the impact is considered to be significant and not mitigated. (FEIR, p. 2.2-17) This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations.

**Mitigation Measures: Mitigation M-TR-2** - The intersection improvements specified in mitigation measure M-TR-2 in *Section 2.2.5* of the FEIR would also mitigate this cumulative impact. Changing the existing intersection controller to a Caltrans-compliant controller would provide better communications with Caltrans signal and a smoother traffic flow at the intersection of Prospect Avenue and Magnolia Avenue. (FEIR, p. 2.2-15)

**Rationale:** A mitigation measure must be roughly proportional to the impact caused by the project. CEQA Guidelines, section 15126.4(a)(4)(B). The proposed project would contribute 2.4% of the traffic that would result in the cumulative impacts at this intersection. Given the small percentage of traffic that the project would contribute, a mitigation measure requiring the County to construct the intersection improvements would not be roughly proportional to the project's impact. Therefore, this mitigation measure is infeasible.

Nonetheless, the County is willing to enter into an agreement with the City of Santee to pay the County's fair share of the cost of the intersection improvements. Based on the project's contribution of 2.4% of the cumulative traffic to this intersection, the County's share of the cost would be \$8,112. (FEIR, p. 2.2-18)

### **Project Alternatives and Transportation/Traffic Impacts:**

#### *Mid-Rise Alternative*

The Mid-Rise Alternative would cause traffic impacts similar to those of the proposed project because this alternative would be at the same location as the proposed project and would have the same number of beds and the same number of staff as the proposed project. Therefore, this alternative would not avoid or substantially lessen the cumulative traffic impacts of the project. In addition, this alternative would not meet project objective number 4. Development of a mid-rise facility would inhibit implementation of the SDSD's inmate management philosophy because it requires a physical layout with clear lines-of-sight. Without clear lines-of-sight, some independent inmate movement would not be permitted, and SDSD's "choice and change" management approach that requires an open campus style facility could not be implemented.

The campus-style facility would allow the SDSD to offer programs and services which are central to its behavioral management philosophy and are a critical part of the County's effort to reduce repeat offending and recidivism. Behavior management for female inmates relies on a rewards system that is based in part on mobility privileges. In order to provide such privileges, and at the same time ensure adequate security, the facility must be designed so that inmates can have some freedom of movement while under efficient visual surveillance. A campus-style facility can be designed to provide the necessary space that is under efficient visual surveillance. In contrast, a standard mid-level jail requires the vertical movement of inmates up and down

stairwells or elevators, which cannot be efficiently monitored. A mid-rise facility would require additional deputies to monitor inmates as they get on and off elevators and would require at least one elevator solely for inmates.

Therefore, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *20-Acre Alternative*

The 20-Acre Alternative would be at the same location as the proposed project, but would generate less traffic because this alternative would have only 800 beds. However, because only small increases in traffic can be cumulatively significant, this alternative would not be likely to avoid or substantially reduce the cumulative traffic impacts of the project. In addition, this alternative would not meet project objective number 2. An 800-bed facility would not provide the 1,216 beds that the County has projected would be needed for female inmates at this facility through the year 2020. Therefore, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *Otay Mesa Alternative*

The Otay Mesa alternative would avoid the cumulative traffic impacts of the proposed project. However, this alternative would not meet project objective numbers 3 and 4. Under this alternative, the new facility would not be built in a location that facilitates the transporting of arrested female offenders/inmates from throughout the County to the detention facility, court facilities and other service providers, such as hospitals. Constructing the facility at this alternative site would result in an inefficient booking process. Law enforcement officers would have to travel to Otay Mesa to book female offenders at the new facility. Driving to Otay Mesa, rather than Santee, would result in an increase in the amount of time law enforcement officers would spend transporting female offenders and would correspondingly decrease the time these officers are available in their respective communities. The public safety needs are best met when law enforcement officers spend their time patrolling communities and responding to calls for service and less time in transit to and from the detention facility.

In addition, the Sheriff's Prisoner Transportation detail is housed at the County Operations Center in Kearny Mesa. All bus trips begin and end at this location, where the busses are fueled, maintained and stored. The Operations Center is significantly closer to Santee location than to the Otay Mesa location. When compared to an Otay Mesa location, Santee offers overall savings in drive time and mileage due to the shorter distance between the County Operations Center, the proposed project site, El Cajon Courthouse, the Downtown Courthouse, the Vista Courthouse and health, mental health and emergency medical providers. Furthermore, locating a new women's detention facility in Otay Mesa would make some legs of existing inmate

## **Findings Regarding Significant Effects**

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transportation runs prohibitively long, which could result in the need to add an additional morning run (and another bus to the fleet) to get the inmates to court on time. Similarly, in the evenings, the delay due to the length of the run could require overtime (and added costs) for Court deputies staying late with female inmates and overtime for Transportation Detail deputies to finish a run before returning the bus to Kearny Mesa. Finally, inmates with pending trials at the Vista Courthouse are frequently housed at LCDF because of classification issues (gang conflicts, co-defendant conflicts, etc.) or due to the location of arrest being closer to LCDF. The Sheriff's Department runs a trip between the women's facility and Vista Courthouse twice each day that the Vista courts are in session. If the women's facility were located in Otay Mesa or another remote location, substantial time would be added to these court runs.

Also, medical and mental health facilities that provide services to female inmates are located closer to Santee than to Otay Mesa.

A new facility constructed at the Otay Mesa Alternative site would also not meet project objective number 4. The Sheriff's inmate behavioral management philosophy is designed to reduce repeat offending and recidivism. An important part of the philosophy is a visitation program. Visits with dependent children are especially important because they support the rehabilitation of women and reinforce principles taught in parenting and life skills courses. To encourage visitation, the new facility should be located where there is convenient access to multiple modes of public transportation. The only public transportation available to this alternative site is one MTS bus stop approximately 1.1 miles to the southwest of the Otay Mesa Alternative site which is not convenient access because the pedestrian route between the site and the bus stop does not have continuous sidewalks or street lighting for safe pedestrian access. No other public transportation is available within the vicinity. In contrast, the proposed project has easy access to a MTS bus route, which has a stop at the corner of Cottonwood Avenue and Mission Gorge Road, approximately 1,130 feet from the project site. The proposed project site is also located less than 0.5 mile from the Santee Transit Center which provides both bus and trolley service and service to other MTS bus routes.

Since the County does not own the alternative site, the County would need to acquire the property at the estimated cost of \$8.5 million to \$14 million. Also, sewer capacity is not available at this site until the City of San Diego resolves funding issues for major improvements that must be made to the existing sewer infrastructure in Otay Mesa. Increased costs for site acquisition and sewer infrastructure improvements were not included in the estimated cost for the project.

Although this alternative would avoid or significantly reduce the project's cumulative traffic impacts, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *Camp Elliott Alternative*

The Camp Elliott Alternative would avoid the cumulative traffic impacts of the proposed project. However, this alternative would have greater impacts to other resources. This alternative would have greater impacts to biological resources because the site is undeveloped, is dominated by sensitive biological resources and would require extensive grading due to its hilly terrain. In addition, this alternative would require construction of an access road that would result in increased impacts to biological resources. This alternative could have increased hazards impacts due to the potential for the site to contain munitions residue from unexploded ordnance and would have increased impacts to aesthetics due to lighting impacts on undeveloped areas.

A new facility constructed at this alternative site would not meet project objective number 4. The Sheriff's inmate management philosophy is designed to reduce repeat offending and recidivism. An important part of the philosophy is a visitation program. Visits with dependent children are especially important because they support the rehabilitation of women and reinforce principles taught in parenting and life skills courses. To encourage visitation, the new facility should be located where there is convenient access to multiple-modes of public transportation. The only public transportation available to this alternative site is one MTS bus stop approximately 1 mile to the east of the alternative site. No other public transportation is available within the vicinity. In contrast, the proposed project has easy access to a MTS bus route, which has a stop at the corner of Cottonwood Avenue and Mission Gorge Road, approximately 1,130 feet from the project site. The proposed project site is also located less than 0.5 mile from the Santee Transit Center which provides both bus and trolley service.

Since the County does not own the alternative site, the County would need to acquire the property at the estimated cost of \$10 million to \$25 million. There is no sewer or water service at this site. Therefore, new infrastructure for both sewer and water service would need to be extended to the site, and a 1,800 foot access road would also need to be constructed. Increased costs for site acquisition, grading, and infrastructure construction were not included in the estimated cost for the project.

Although this alternative would avoid or significantly reduce the project's cumulative traffic impacts, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *Campo Alternative*

The Campo Alternative would avoid the cumulative traffic impacts of the proposed project. However, this alternative would not meet project objective numbers 3 and 4. Under this alternative, the new facility would not be built in a location that facilitates the transporting of arrested female offenders/inmates from throughout the County to the detention facility, court

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facilities and other service providers, such as hospitals. Constructing the facility at this alternative site would result in an inefficient booking process. Law enforcement officers would have to travel to Campo to book female offenders at the new facility. Driving to Campo, rather than Santee, would require many law enforcement officers to spend more time in transit and less time on their beats. The public safety needs are best met when law enforcement officers spend their time patrolling communities and responding to calls for service and less time in transit to and from the detention facility. In addition, medical and mental health facilities that provide services to female inmates are located closer to Santee than to Campo.

In addition, this alternative site would not meet project objective 4, since it would not permit the Sheriff to implement the inmate management philosophy and visitation program, the purpose of which is to reduce repeat offending and recidivism. Public bus service is available in Campo from MTS (route 888), but would not provide convenient access to this alternative site because the closest bus stop is 2.5 miles to the north, and the bus runs only on Mondays and Fridays. No other public transportation is available within the vicinity of the site. To implement the visitation program, it is important to maximize public transportation options at the new facility to encourage visitation. Visits from dependent children are especially important to the Sheriff's inmate management philosophy because these visits support rehabilitation of women and reinforce the principles taught in parenting and life skills courses. In contrast, the proposed project has easy access to a MTS bus route, which has a stop at the corner of Cottonwood Avenue and Mission Gorge Road, approximately 1,130 feet from the project site. The proposed project site is also located less than 0.5 mile from the Santee Transit Center which provides both bus and trolley service.

The existing wastewater treatment plant at campo is currently operating at full capacity. A new treatment plant would need to be built to serve a new detention facility at this location. The cost of a new treatment plant would be approximately \$5 million to \$7 million. Increased costs for the new wastewater treatment plant were not included in the estimated cost for the project.

Although this alternative would avoid or significantly reduce the project's cumulative traffic impacts, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.

### *No Project Alternative*

Under the No Project Alternative, the potential impact to traffic would be greater due to increased vehicle trips associated with commercial development on 29 acres of the project site (i.e., approximately 200 trips per acre, or 9,000 ADT) compared to traffic generated by the Proposed Project (i.e., 1,312 ADT). In addition, the No Project Alternative would not meet any of the project objectives. The No Project Alternative would not replace the old and deficient structures at the existing facility with a larger, modern facility that would meet the County's

## **Findings Regarding Significant Effects**

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projected future needs for a multi-custody women's detention facility. The No Project Alternative would not allow the Sheriff's Department to implement its inmate behavioral management philosophy that is designed to reduce repeat offenders and recidivism. Therefore, specific economic, legal, social, technological, or other considerations make this project alternative infeasible. This alternative is rejected because it is infeasible.