



County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services

KATHLEEN FLANNERY
ASSISTANT DIRECTOR

December 10, 2021

TO: Planning Commission

FROM: Dahvia Lynch, Director
Planning & Development Services

SUBJECT: Notice of Preliminary Decision of the Director of Planning & Development Services and Final Notice of Action of the Planning Commission Approving a Six-Year Time Extension and Revised Tentative Map for Fallbrook Oaks Tentative Map 5449RPL¹ (District: 5)

REVISED TENTATIVE MAP AND TIME EXTENSION INFORMATIONAL ITEM G-1

PURPOSE

The purpose of this informational report is to provide the Planning Commission notice of a decision of the Director of Planning & Development Services (PDS) to extend the period of time (Time Extension) of the Fallbrook Oaks Tentative Map (TM 5449RPL¹) for an additional six years to allow completion of the Final Map. If approved, this would be the final time extension allowed. The decision also includes a Revised Tentative Map to eliminate one lot, move a lot line between two other lots, and revise several conditions in the Resolution of Approval to reflect the changed map and current requirements such as stormwater. If approved, this would be the final time extension allowed.

The Director's decision will become final and effective unless the Planning Commission takes action to schedule the Time Extension and Revised Tentative Map for the Planning Commission's consideration at a noticed hearing. If the Planning Commission schedules the matter for a public hearing, the Planning Commission will be the decision-making authority for the Time Extension and Revised Tentative Map.

BACKGROUND

On December 7, 2011, the Board of Supervisors (Board) approved the Fallbrook Oaks Major Subdivision to subdivide 27 acres into 18 residential lots. The approval included a Rezone (REZ 05-015), Tentative Map (TM 5449RPL¹), Site Plan (STP 07-009), and Administrative Permit for Lot Area Averaging (AD 08-054). The project is located on the north side of Reche Road between Ranger Road and Valley Oaks Boulevard in the Fallbrook Community Plan Area.

The Board approved the Fallbrook Oaks Major Subdivision for three years with an expiration date of December 7, 2014. Assembly Bill 116 automatically extended TM 5449RPL¹ for two additional years to December 7, 2016, and before then an application for a Revised Tentative Map was submitted in November 2015. A Time Extension application for a six-year extension was submitted in November 2016 and Section 81.313 of the Subdivision Ordinance allows for a Time Extension to be approved for a maximum of six years. The six-year time extension would expire December 7, 2022.

The Revised Tentative Map and the Time Extension required a new Storm Water Quality Management Plan and Drainage Study to comply with new State stormwater standards that went into effect in 2016. The applicant requests the Time Extension to allow more time to satisfy project conditions of approval. PDS staff considered these circumstances in their analysis of the Time Extension and supports the requests for a six-year time extension.

The Revised Tentative Map application proposes to redesignate the previously approved Lot 17, on the east boundary of the site along Ranger Road, as a remainder lot. Improvements to Ranger Road along that frontage that were included in the original approval will not be included in the revised project. The lot located at the south corner of the site at Reche Road and proposed Trinity View Place, previously numbered Lot 18, will be renumbered as Lot 17. In addition, the lot line between Lot 1 and Lot 17 will be revised so that the driveway for Lot 17 will not bisect Lot 1 as originally approved. Various conditions have been updated to reflect the changes and to include the current requirements noted above for stormwater. The Site Plan and the Administrative Permit will be revised with Minor Deviations to reflect these changes.

The County of San Diego Subdivision Ordinance requires that properties within 300 feet are notified that the time extension and revised map applications were filed. Properties within 900 feet were notified for this project which ensured the minimum number of property owners were notified. The notice for the Revised Tentative Map was mailed on November 13, 2015, and the notice for the Time Extension was mailed on November 30, 2016. The mailings were also sent to the Fallbrook Community Planning Group (CPG). In January 2020, staff was informed by the Fallbrook CPG Chair that the change to the original project was not significant enough to warrant further review.

The Director reviewed the Time Extension and Revised Tentative Map applications and evaluated the following requirements: conformance with all federal, State, and County regulations, including the County General Plan, Fallbrook Community Plan, Zoning Ordinance, Subdivision Ordinance, and California Environmental Quality Act (CEQA). The project is consistent with the General Plan. No significant changes were found to density, zoning, or CEQA requirements. The project is required to comply with all updated requirements such as the municipal separate storm sewer system (MS4) stormwater regulations. The Time Extension and Revised Tentative Map will not introduce new impacts or a change in circumstances that that will require major revisions to the previous Mitigated Negative Declaration (MND) due to significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Therefore, the previously adopted MND is adequate upon completion of an Addendum, which has been prepared.

In accordance with the County of San Diego Subdivision Ordinance Section 81.317(c), the November 30, 2021 Notice of Preliminary Decision of the Director of Planning & Development Services to Approve Time Extension PDS2016-TM-5449TE and Tentative Map Revision

G1 - 3

PDS2015-TM-5449R (Attachment B) has been issued and filed with the Planning Commission as an Administrative Item. If the Planning Commission so chooses, it can take action to schedule the Time Extension and Revised Tentative Map for the Planning Commission's consideration at a noticed hearing. If the Planning Commission schedules the matter for a public hearing, the Planning Commission will be the decision-making authority for the Time Extension and Revised Tentative Map.

ATTACHMENTS:

Attachment A – Planning Documentation

Attachment B – Notice of Preliminary Decision of the Director of Planning & Development Services and Final Notice of Action of the Planning Commission Approving a Time Extension and Tentative Map Revision for PDS2005-3100-5449

Attachment C – Environmental Documentation

Attachment D – Ownership Disclosure

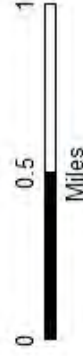
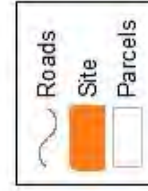
Attachment A – Planning Documentation

Fallbrook Oaks
PDS2016-TM-5449TE
Vicinity Map

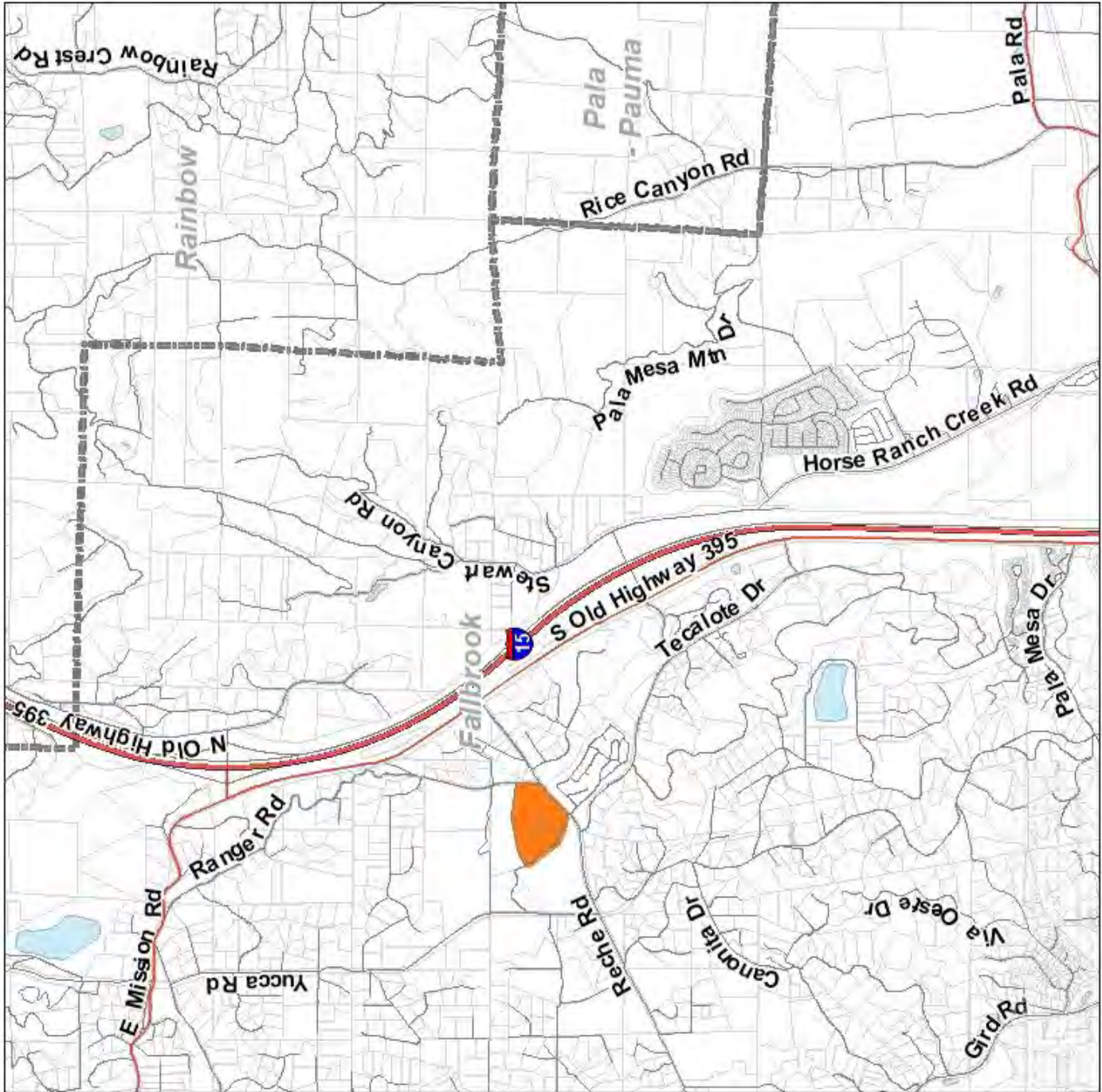
Fallbrook
Community Plan Area



1:3,500,000



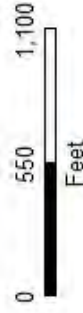
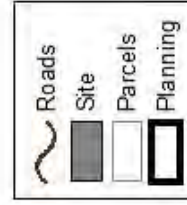
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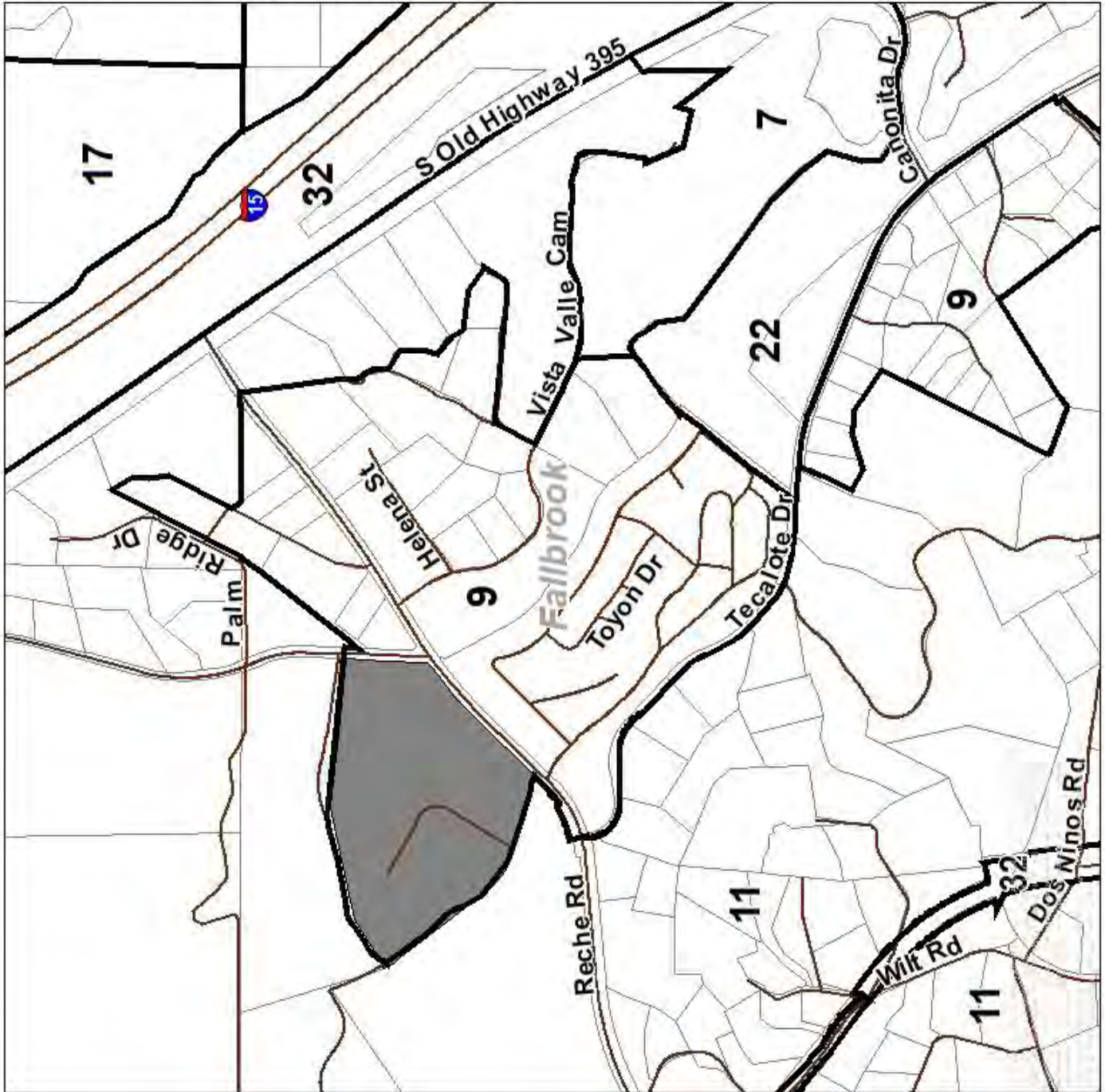
Fallbrook Oaks
PDS2016-TM-5449TE
General Plan

Fallbrook
Community Plan Area

- (7) Village Residential (VR-2.9)
- (9) Semi-Rural Residential (SR-1)
- (11) Semi-Rural Residential (SR-2)
- (17) Semi-Rural Residential (SR-10)
- (22) Specific Plan Area
- (32) Public/Semi-Public Facilities



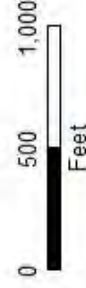
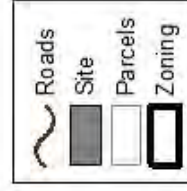
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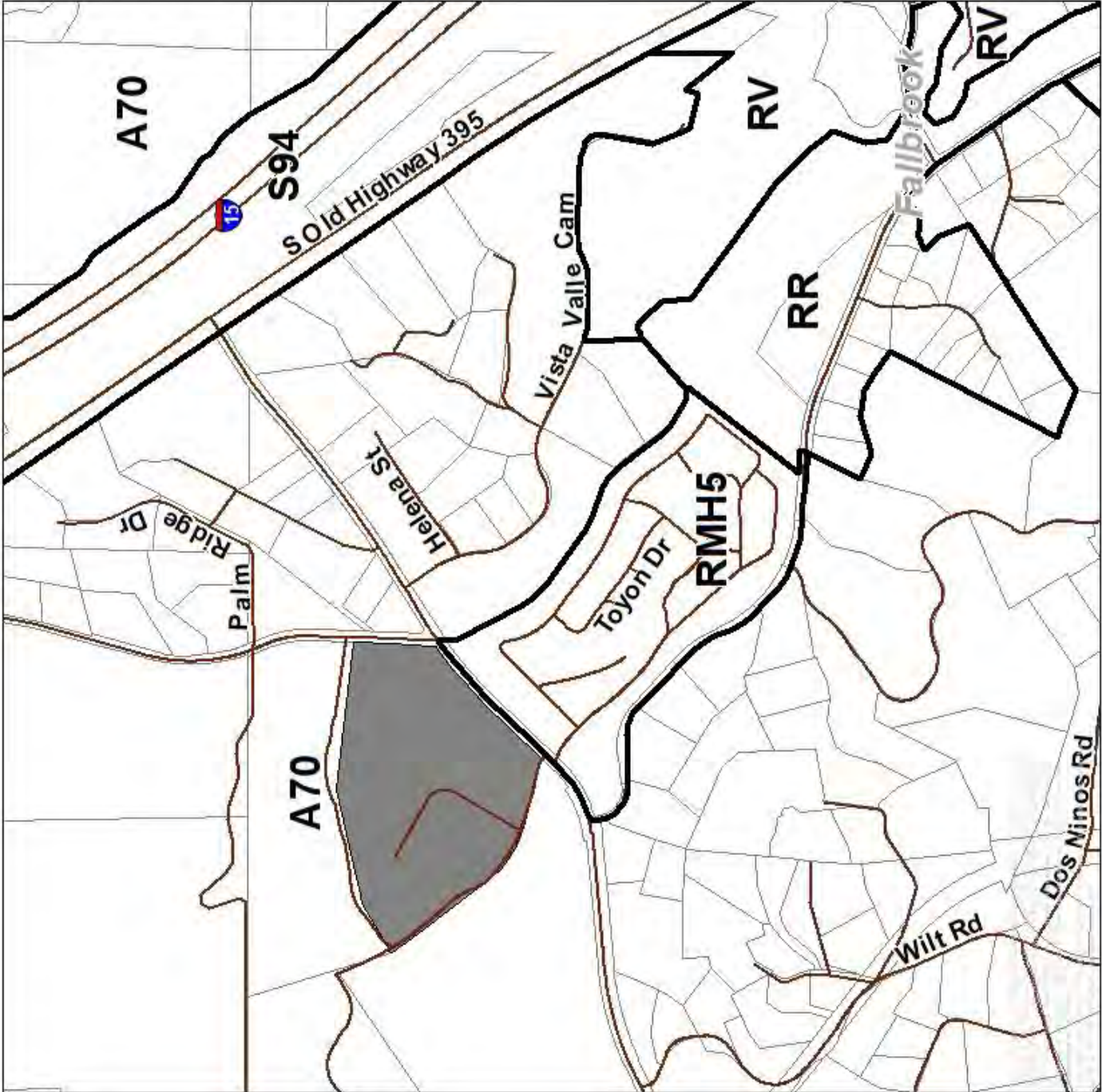
**Fallbrook Oaks
PDS2016-TM-5449TE
Zoning**

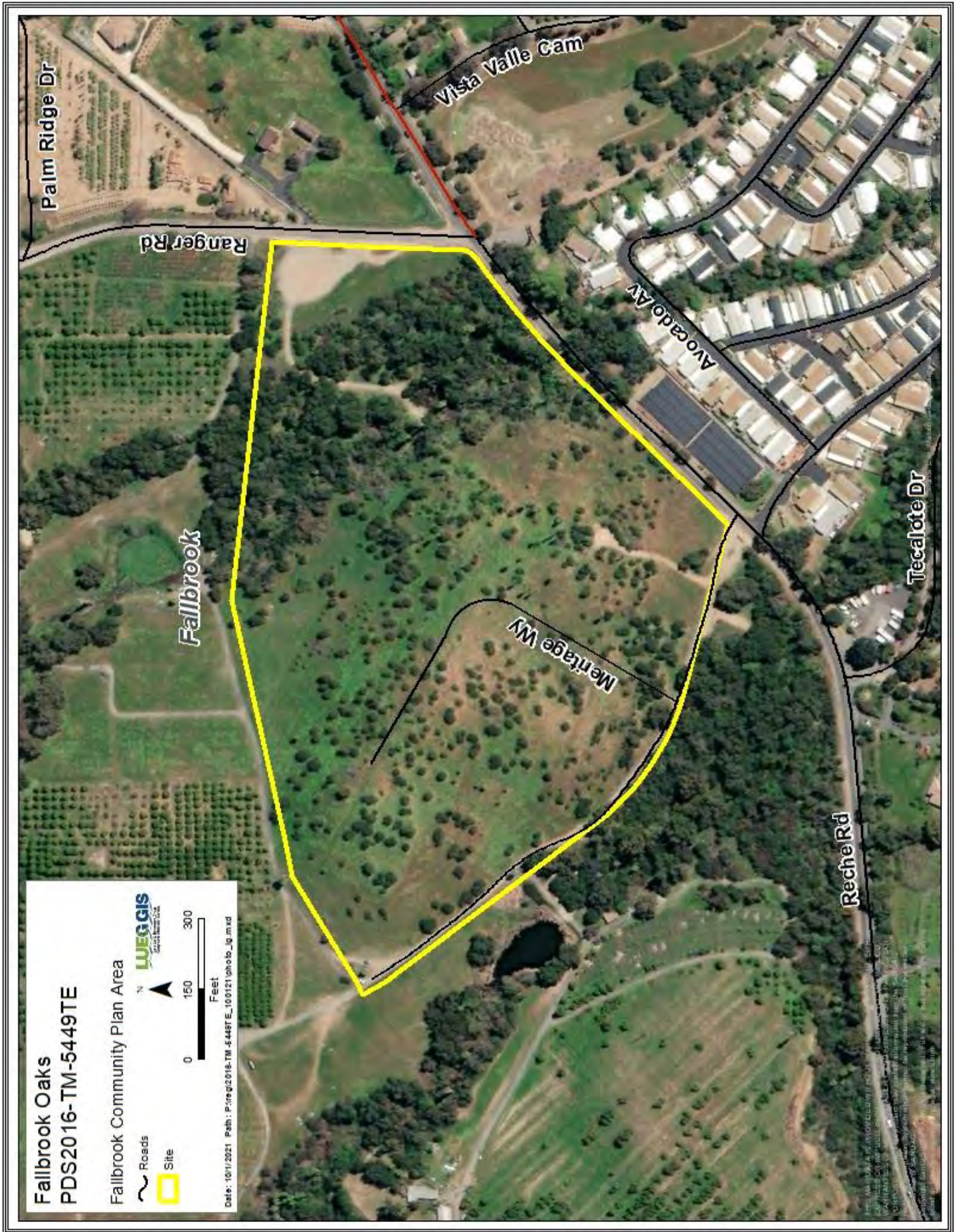
*Fallbrook
Community Plan Area*

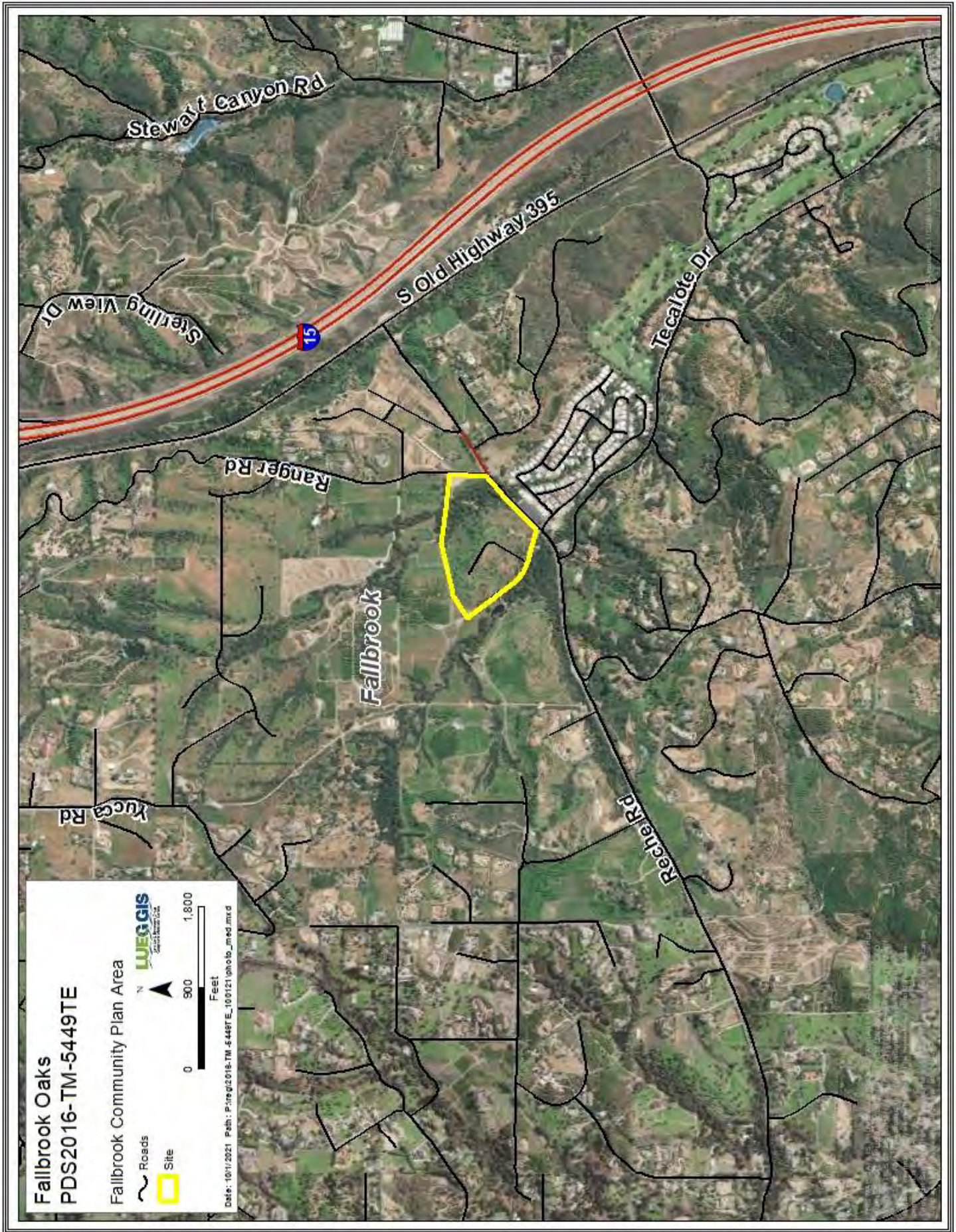
- A70 - Limited Agricultural
- RMH5 - Mobilehome Residential
- RR - Rural Residential
- RV - Variable Family Residential
- S94 - Transportation/Utility Corridor

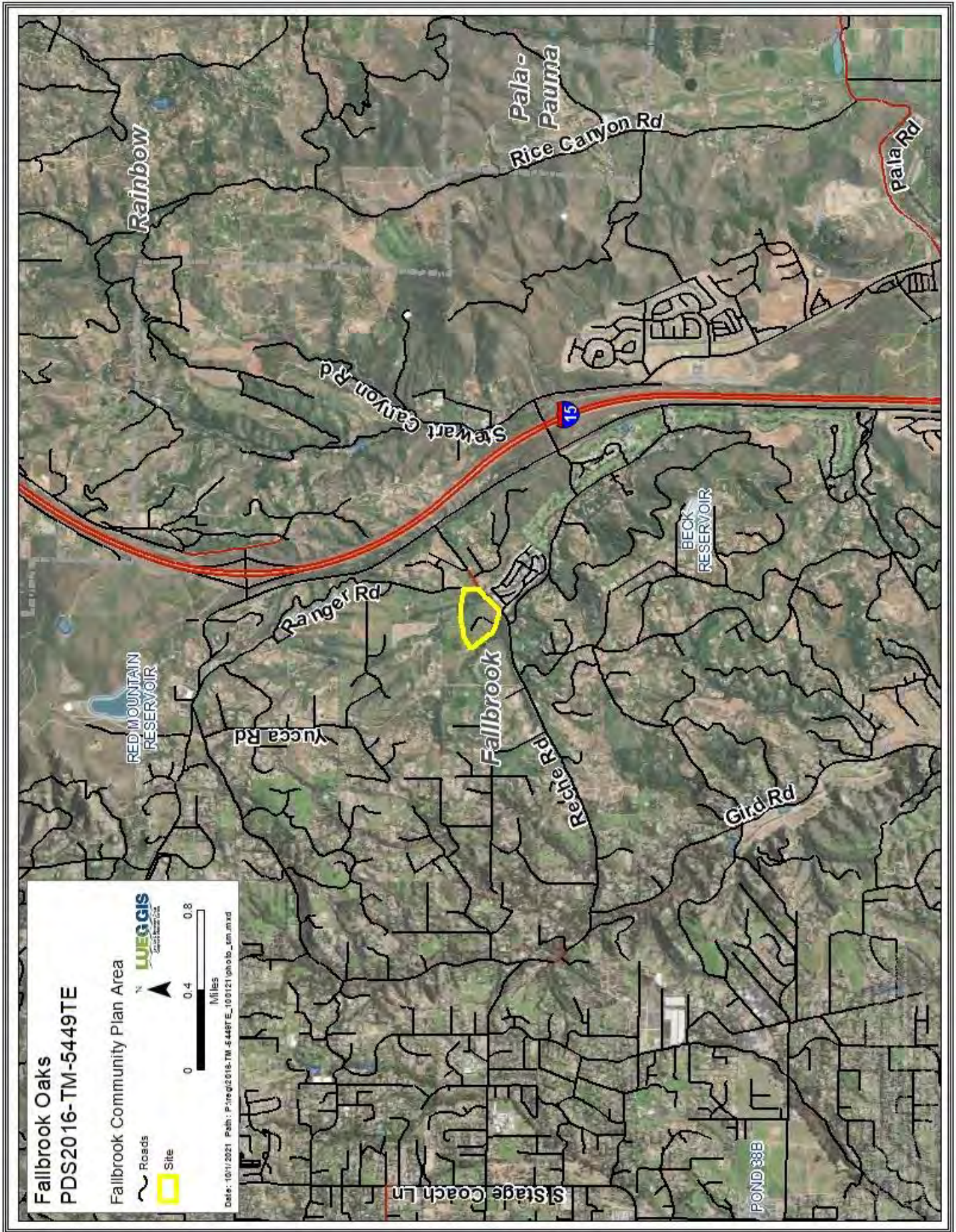


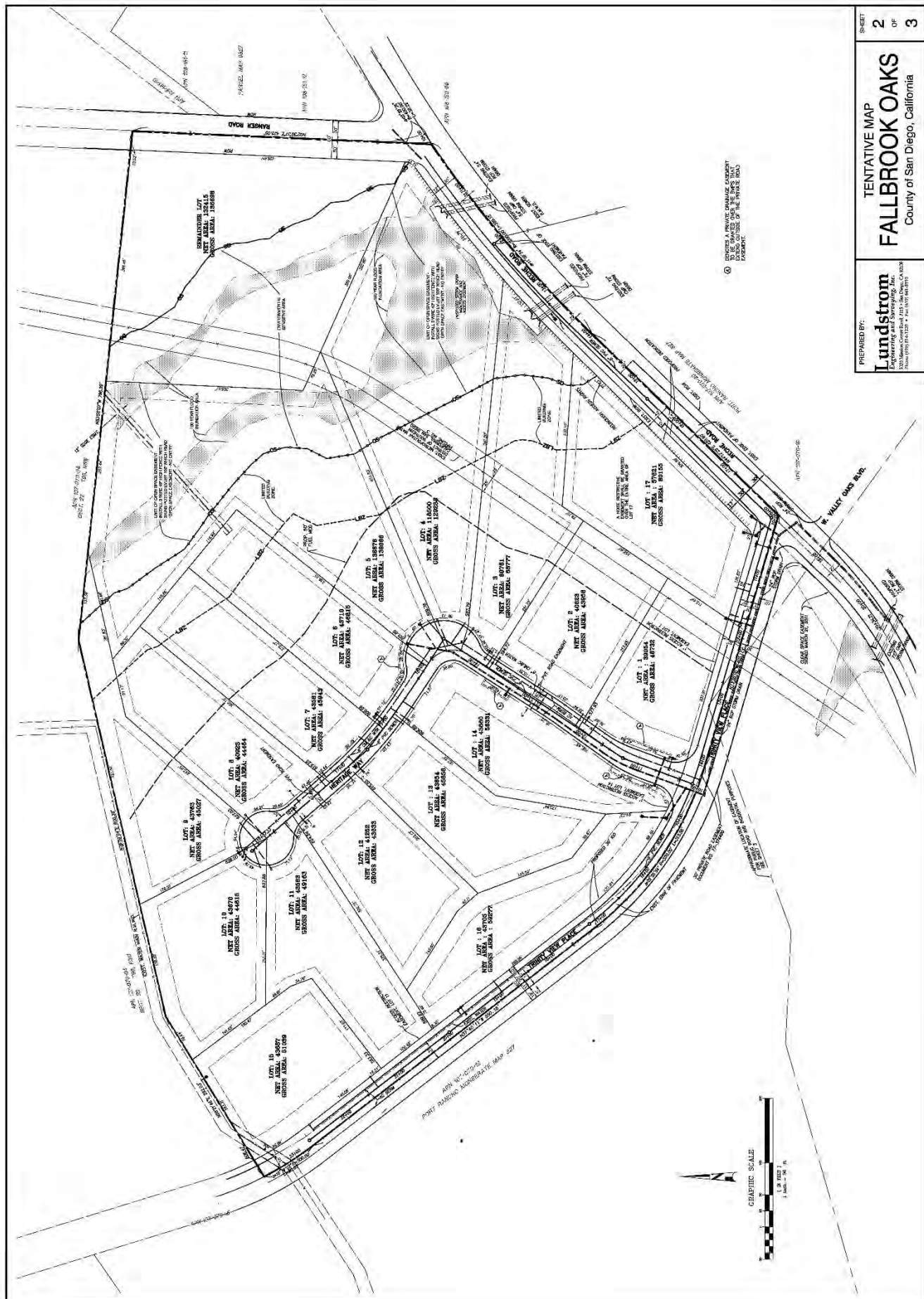
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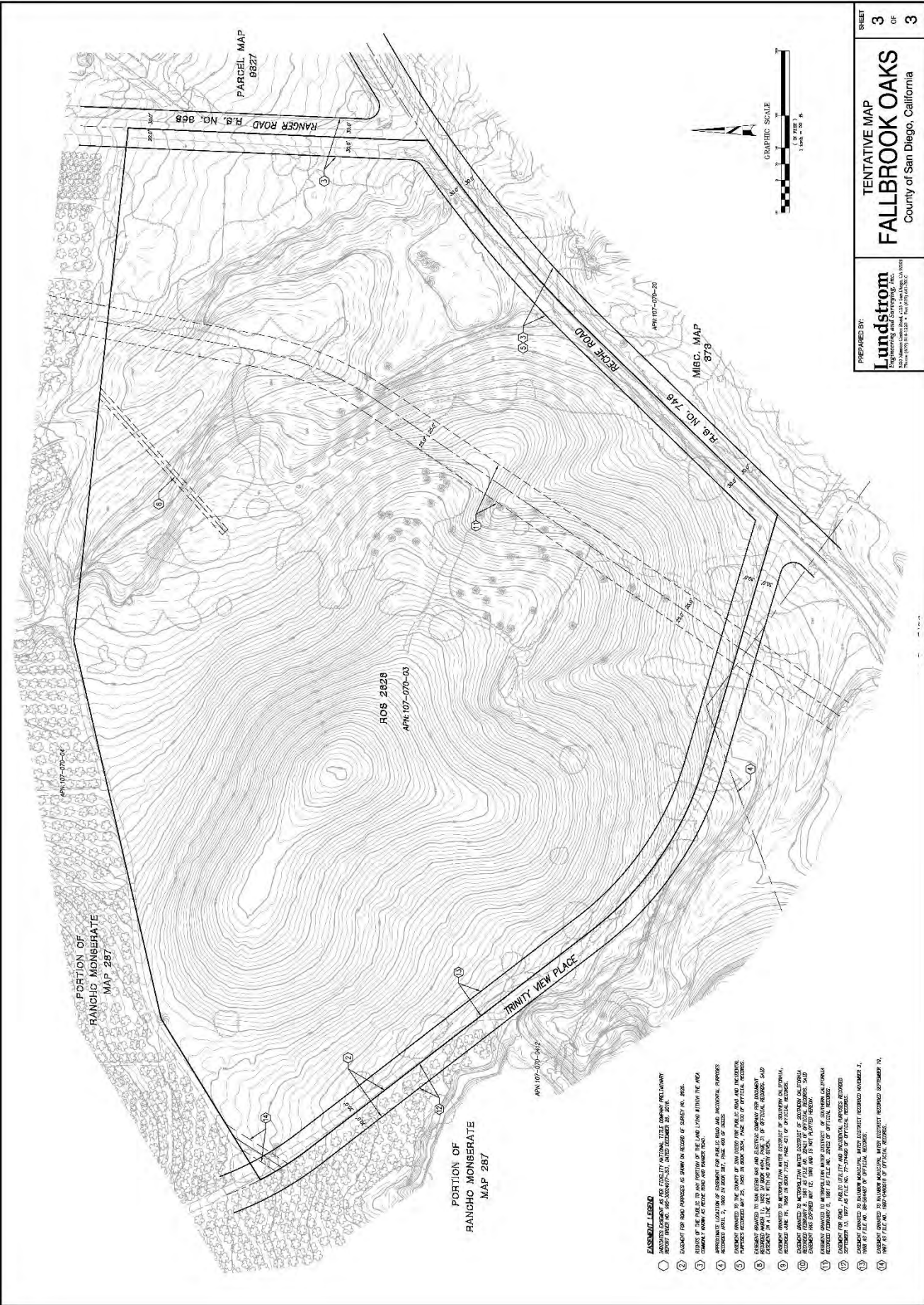










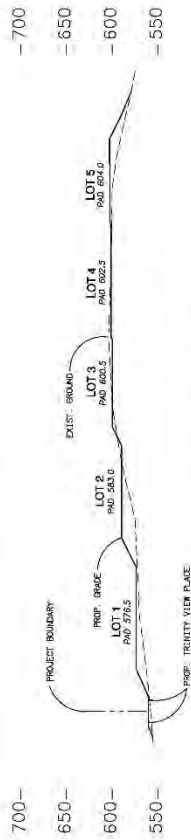


- EASEMENT LEGEND**
- ① INDICATES EASEMENT OF THE UTILITY NATIONAL TITLE COMPANY NEIGHBORLY ADJUTANT (SEE FILE NO. 100-10000-001, DATED DECEMBER 21, 2001).
 - ② EASEMENT FOR ROAD PURPOSES AS SHOWN ON RECORD OF SURVEY NO. 1000.
 - ③ RIGHTS OF THE PUBLIC TO ANY PORTION OF THE LAND LING WITHIN THE AREA CURRENTLY KNOWN AS STATE ROAD AND HANOVER ROAD.
 - ④ APPROXIMATE LOCATION OF EASEMENT FOR PUBLIC ROAD AND NEIGHBORLY ADJUTANT (SEE FILE NO. 100-10000-001, DATED DECEMBER 21, 2001).
 - ⑤ EASEMENT GRANTED TO SAN JUAN RANCH AND ELECTRIC COMPANY FOR EASEMENT GRANTED JANUARY 11, 1902 TO SAN JUAN RANCH AND ELECTRIC COMPANY. SAID EASEMENT WAS RECORDED JANUARY 11, 1902 IN BOOK 1000, PAGE 100 OF OFFICIAL RECORDS.
 - ⑥ EASEMENT GRANTED TO SAN JUAN RANCH AND ELECTRIC COMPANY FOR EASEMENT GRANTED JANUARY 11, 1902 TO SAN JUAN RANCH AND ELECTRIC COMPANY. SAID EASEMENT WAS RECORDED JANUARY 11, 1902 IN BOOK 1000, PAGE 100 OF OFFICIAL RECORDS.
 - ⑦ EASEMENT GRANTED TO METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR EASEMENT GRANTED JANUARY 11, 1902 TO SAN JUAN RANCH AND ELECTRIC COMPANY. SAID EASEMENT WAS RECORDED JANUARY 11, 1902 IN BOOK 1000, PAGE 100 OF OFFICIAL RECORDS.
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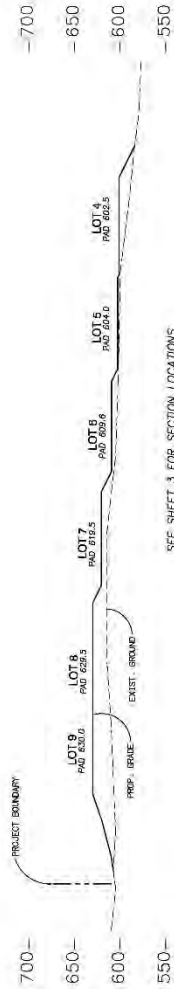
PREPARED BY:
Lundstrom
Surveyors & Engineers, Inc.
1000 Mission Center Road, Suite 200, San Diego, CA 92108
(619) 594-1000 • Fax (619) 594-1001

TENTATIVE MAP
FALLBROOK OAKS
County of San Diego, California

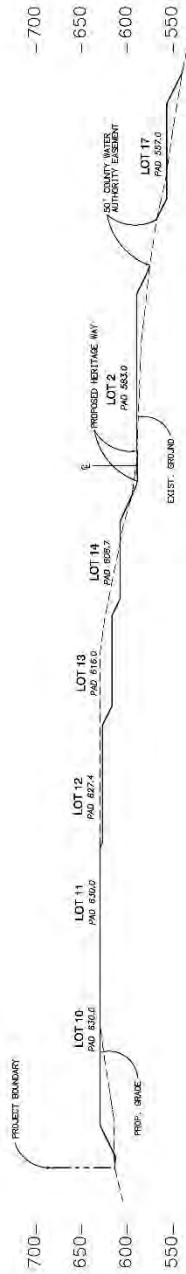
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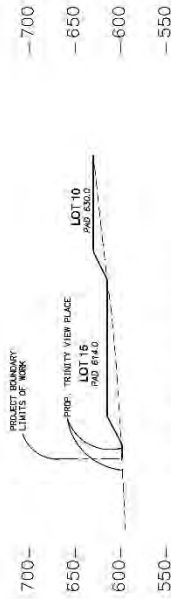
SEE SHEET 3 FOR SECTION LOCATIONS
SECTION A-A
SCALE: 1" = 50' HORIZ. & VERT.



SEE SHEET 3 FOR SECTION LOCATIONS
SECTION B-B
SCALE: 1" = 50' HORIZ. & VERT.

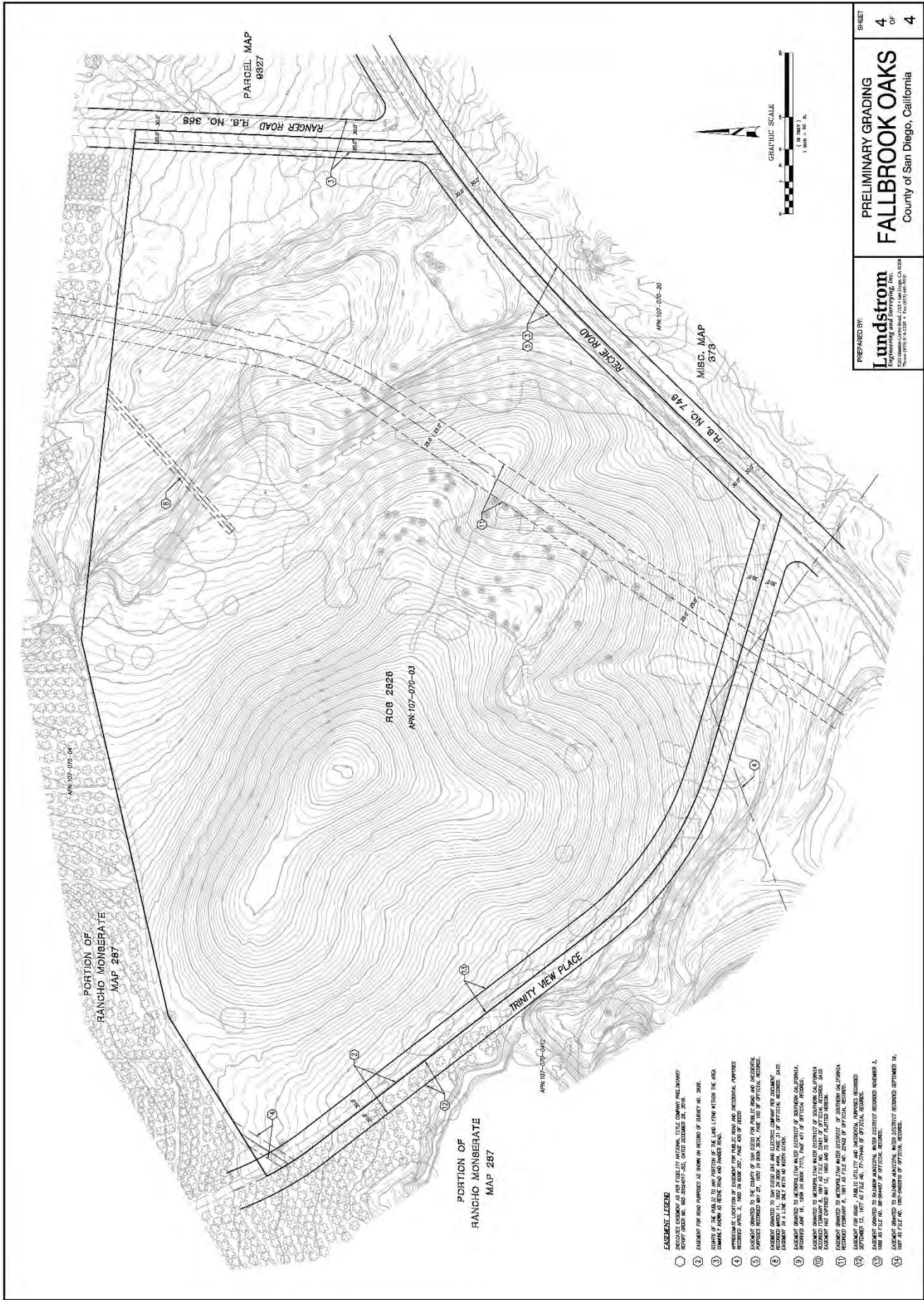


SEE SHEET 3 FOR SECTION LOCATIONS
SECTION C-C
SCALE: 1" = 50' HORIZ. & VERT.



SEE SHEET 3 FOR SECTION LOCATIONS
SECTION D-D
SCALE: 1" = 50' HORIZ. & VERT.





- EXHIBIT LEGEND**
- 1. EXHIBIT LEGEND
 - 2. EXHIBIT LEGEND
 - 3. EXHIBIT LEGEND
 - 4. EXHIBIT LEGEND
 - 5. EXHIBIT LEGEND
 - 6. EXHIBIT LEGEND
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 - 14. EXHIBIT LEGEND

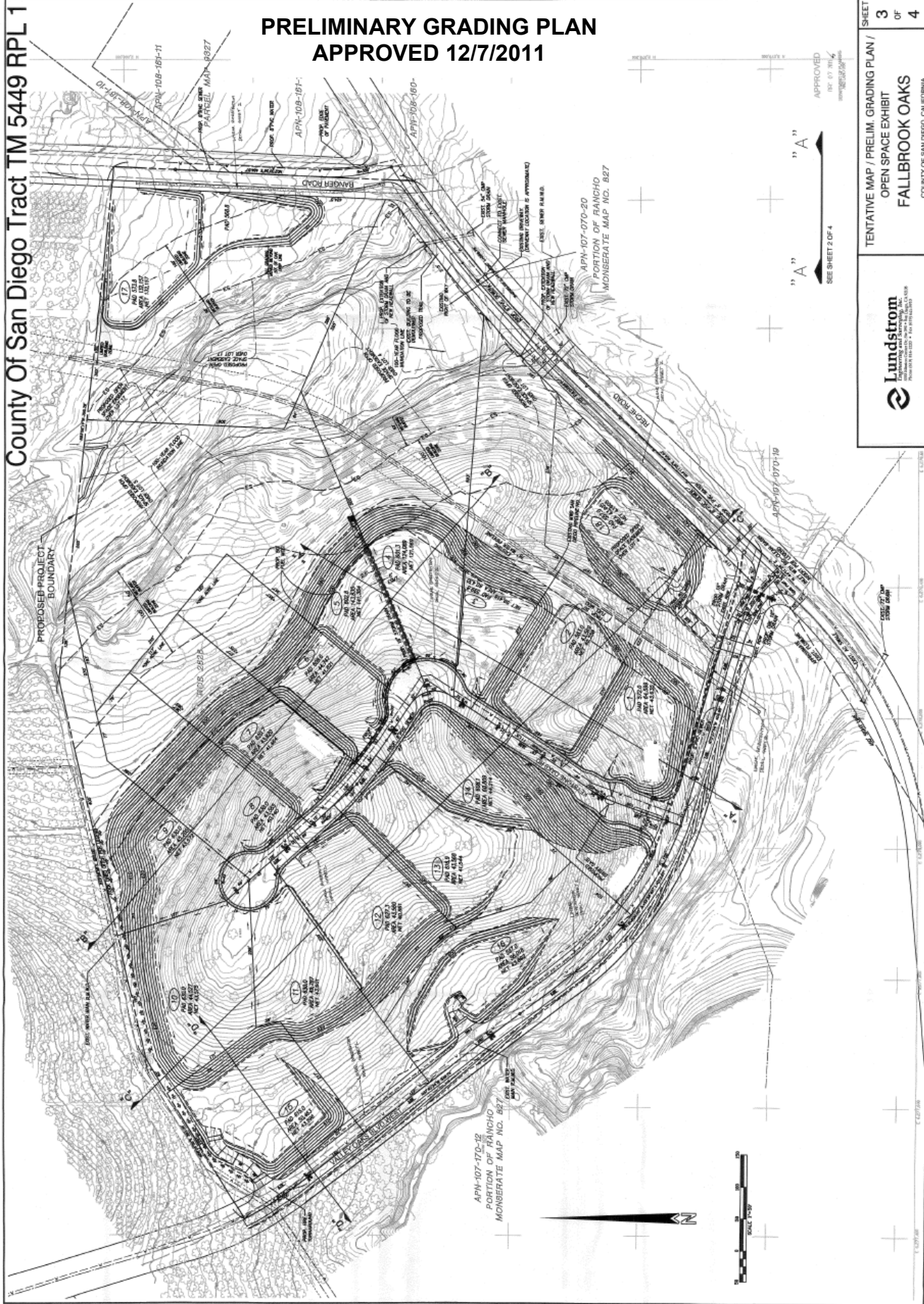
PREPARED BY:
Lundstrom
Lundstrom Engineering & Surveying, Inc.
2200 Main Street, Suite 200, San Diego, CA 92108
Phone: (619) 594-1234 • Fax: (619) 594-1235

PRELIMINARY GRADING
FALLBROOK OAKS
County of San Diego, California

SHEET
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OF
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County Of San Diego Tract TM 5449 RPL 1

PRELIMINARY GRADING PLAN
APPROVED 12/7/2011



SEE SHEET 2 OF 4
13 A 13 A 13 A
APPROVED
12/7/11
[Signature]



TENTATIVE MAP / PRELIM. GRADING PLAN /
OPEN SPACE EXHIBIT
FALLBROOK OAKS
COUNTY OF SAN DIEGO, CALIFORNIA

SHEET
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OF
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**Attachment B – Notice of Preliminary Decision of
the Director of Planning & Development Services
and
Final Notice of Action of the Planning
Commission Approving a Time Extension and
Tentative Map Revision for TM 5449**

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County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
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(858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services

KATHLEEN FLANNERY
ASSISTANT DIRECTOR

November 30, 2021

REFERENCE: TENTATIVE MAP TIME EXTENSION AND REVISED TENTATIVE MAP
PDS2016-TM-5449TE, PDS2015-TM-5449R

NOTICE OF PRELIMINARY DECISION OF THE DIRECTOR OF PLANNING & DEVELOPMENT SERVICES

On the above date, the Director of Planning & Development Services (PDS) adopted this preliminary decision approving a Time Extension and Revised Tentative Map for Fallbrook Oaks Tentative Map (TM 5449RPL¹). A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on December 10, 2021. In the event the Planning Commission takes no action to initiate a public hearing on the preliminary decision, the preliminary decision shall become a final decision of the Planning Commission that is effective immediately.

I, Dahvia Lynch, Director of PDS, San Diego County, State of California, hereby certify that this is a copy of the official document authorizing an amendment to the referenced Tentative Map.

PLANNING & DEVELOPMENT SERVICES
DAHVIA LYNCH, DIRECTOR

By:

A handwritten signature in blue ink, appearing to read "Mark Slovick", with a stylized flourish at the end.

MARK SLOVICK, DEPUTY DIRECTOR
PLANNING & DEVELOPMENT SERVICES

December, 2011

December 10, 2021

~~RESOLUTION OF SAN DIEGO COUNTY) CONDITIONALLY APPROVING) TENTATIVE
MAP NO. 5449RPL¹)~~

REFERENCE: TENTATIVE MAP TIME EXTENSION AND REVISED TENTATIVE MAP
PDS2016-TM-5449TE, PDS2015-TM-5449R

FINAL NOTICE OF ACTION OF THE PLANNING COMMISSION APPROVING
A TIME EXTENSION AND REVISION , PDS2016-TM-5449TE, PDS2015-TM-5449R

On the above date, the Planning Commission adopted this decision approving a Time Extension and Revised Map for the above referenced Tentative Map.

PLEASE NOTE: THIS LETTER EXTENDS THAT DATE UPON WHICH THE TENTATIVE MAP WILL EXPIRE AND MAKES CERTAIN OTHER CHANGES AS LISTED BELOW. ALL OTHER RESOLUTION LANGUAGE AND CONDITIONS REMAIN AS ORIGINALLY ADOPTED. [Strikeout indicates deletion, underline indicates addition.]

1. The approval of this Tentative Map expires on December 7, 2022 at 4:00 p.m.

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

The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. TM 5449RPL¹ dated December 7, 2011 are still applicable with the following revisions:

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

- A. The approval of this Tentative Map expires 36 months from the date of this resolution, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance. The original expiration date was December 7, 2014. AB116 granted a 24-month extension, to December 7, 2016. Time Extension PDS2016-TM-5449TE approves an additional 72 months as allowed by Section 81.313(b) of the San Diego County Subdivision Ordinance. The Tentative Map expires on December 7, 2022.

PLEASE NOTE: Condition compliance, preparation of grading and improvement plans and final mapping may take a year or more to complete. Applicants are advised to begin this process at least one year prior to expiration of this Tentative Map.

December, 2011

December 10, 2021

~~RESOLUTION OF SAN DIEGO COUNTY) CONDITIONALLY APPROVING) TENTATIVE
MAP NO. 5449RPL¹)~~

REFERENCE: TENTATIVE MAP TIME EXTENSION AND REVISED TENTATIVE MAP
PDS2016-TM-5449TE, PDS2015-TM-5449R

FINAL NOTICE OF ACTION OF THE PLANNING COMMISSION APPROVING
A TIME EXTENSION AND REVISION , PDS2016-TM-5449TE, PDS2015-TM-5449R

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PLEASE NOTE: THIS LETTER EXTENDS THAT DATE UPON WHICH THE TENTATIVE MAP WILL EXPIRE AND MAKES CERTAIN OTHER CHANGES AS LISTED BELOW. ALL OTHER RESOLUTION LANGUAGE AND CONDITIONS REMAIN AS ORIGINALLY ADOPTED. [Strikeout indicates deletion, underline indicates addition.]

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PLEASE NOTE: Condition compliance, preparation of grading and improvement plans and final mapping may take a year or more to complete. Applicants are advised to begin this process at least one year prior to expiration of this Tentative Map.

- 2 -

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

- B. The "Standard Conditions for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

- 1. Standard Conditions 1 through 10 and 12.
- 2. Specific Conditions:
 - a. Improve or agree to improve and provide security for the construction of **Reche Road (SF 1416)** along the project's southeasterly boundary in accordance with the Public Rural Collector Road Standards for a 2.2C Light Collector Road with Intermittent Turn Lanes, to a one-half graded width of forty-two feet (42') from centerline with twenty feet (20') of asphalt concrete pavement over approved base, with six inch (6") asphalt concrete (AC) dike berm and ten foot (10') disintegrated granite (DG) trailpathway, with face of 6" AC dike berm at twenty feet (20') from centerline, and with dike berm returns at the intersections with Ranger Road/Reche Road and Trinity View Place/Reche Road Valley Oaks Boulevard North. The bike lane shall will be a minimum eight feet (8') wide to serve to be as a combination bike lane/emergency parking shoulder, with parking restriction. The dry utilities shall be located under or behind the ten foot (10') foot-DG trailpathway with no obstruction to trail users. Provide grading and improvements to meet County Type A TrailPathway Standards of the Community Trails Master Plan. All of the above shall be to the satisfaction of the Director of Public Works/Planning and Development Services (PDS).
 - b. Improve or agree to improve and provide security for **Reche Road** on the south side from West Valley Oaks Boulevard to Trinity View Place in accordance with

Public Road Standards for a 2.2C Light Collector Road with Intermittent Turn Lanes, to an improved width of forty feet (40') to provide one (1) twelve-foot (12') wide eastbound through lane with two-foot (2') shoulder, one (1) twelve-foot (12') wide two-way left turn lane, one (1) twelve-foot (12') wide westbound through lane with two-foot (2') shoulder with asphalt concrete pavement over approved base. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of Public Work/PDS. Improve, or agree to improve and provide security for **Ranger Road** along the project frontage, in accordance with Public Residential Collector Road Standards, to a graded on-half width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base, with 6" AC berm, with face of 6" AC berm at twenty feet (20') from centerline. Provide transitions, drainage and other provisions on- and offsite to meet: intersectional improvements including curb returns with Reche Road on the south end and on the north end meet the existing improvements of Ranger Road. All of the above shall be to the satisfaction of the Director of Public Works.

- c. Improve or agree to improve and provide security for the to-be-named private easement road, **Trinity View Place**, "**Valley Oaks Boulevard West**" from Reche Road northerly to northwest corner of Lot 15, to a graded width of forty feet (40') with thirty-two feet (32') of asphalt concrete pavement over approved base with asphalt concrete dike; and face of dike at with twenty-feet feet (20') on east side of the centerline and twelve feet (12') on west side of the centerline. The improvement and design standards of Section 3.1(B) of the County Standards for Private Streets for seven hundred fifty (750) trips or less shall apply, to the satisfaction of the Director of Public Works PDS, and the North County Fire Protection District.
- d. Improve or agree to improve and provide security for the private easement road, **Heritage Way Keystone Oaks Road**, northeasterly and thence northwesterly to a terminus cul-de-sac at Lot 10, to a graded width of forty feet (40') with thirty-two feet (32') of asphalt concrete pavement over approved base with asphalt concrete dike at sixteen feet (16') from centerline. The minimum improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply to the satisfaction of the Director of Public Works. The street knuckle in the vicinity of Lots 3, 4, 5, and 14 shall comply with San Diego County Design Standard DS-15. All of the above shall be to the satisfaction of the Director of Public Works PDS, and the North County Fire Protection District.
- e. **Heritage Way** ~~Keystone Oaks Road~~ shall terminate at Lot 10 with a cul-de-sac graded to a radius of forty-four feet (44') and surfaced to a radius of forty-two feet (42') with asphalt concrete pavement over approved base with asphalt concrete dike with face of dike at forty-two feet (42') from radius point. All of the above shall be to the satisfaction of the Director of PDS, and the North County Fire Protection District.

- f. ~~Improve or agree to improve and provide security for the private easement road, from **Trinity View Place Valley Oaks Blvd West** northerly to Lot 17 18, to a graded width of twenty feet (20') with sixteen feet (16') of asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply To the satisfaction of the North County Fire Protection District and Director of PDS Public Works.~~
- fg. **Trinity View Place "Valley Oaks Boulevard West"** shall have a hammerhead turnaround installed at the project's northwest corner (driveway of lot 15), and ~~a hammerhead turnaround installed at private road easement serving lot 1718 and~~ shall be graded and improved with asphalt concrete pavement over approved base ~~with asphalt concrete, to the satisfaction of the Director of Public Works PDS, and the North County Fire Protection District.~~
- h. ~~A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along **Valley Oaks Boulevard West** from Keystone Oaks Road, driveway of Lot 15, 16, and private road easement serving lot 18 for the prevailing operating speed of traffic on Valley Oaks Boulevard North, per Section 6.1 Table 5 of the County Public Road Standards (approved March 3, 2010)." Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."~~
- gi. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is _____ feet of a minimum unobstructed intersectional sight distance in both directions along **Reche Road (SF 1416)** from the proposed onsite private easement road **Trinity View Place** Valley Oaks Boulevard North and Ranger Road for the prevailing operating speed of traffic on **Reche Road (SF 1416)**, per in accordance with the methodology described in Section 6.1.(E) Table 5 of the March 2012 County of San Diego Public Road Standards (approved March 3, 2010) These sight distances exceed the required intersectional Sight Distance requirements of _____ as described in Table 5 based on a speed of _____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.". Any vegetation currently obstructing sight distance shall be removed or cut back. ~~If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."~~

- ~~j.~~ A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along **Ranger Road** from driveway of Lot 17 for the prevailing operating speed of traffic on Ranger Road, per Section 6.1. table 5 of the County Public Road Standards (approved March 3, 2010)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- hk. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works/PDS.
- il. If guarded access is used along **Heritage Way** Keystone Oaks Road, it shall be in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works/PDS. Gate installed across **Heritage Way** Keystone Oaks Road, if any, is to conform to North County Fire Protection District Standards.

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
 - a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works/PDS.
 - ~~b.~~ A flowage easement shall be granted to the County of San Diego for those portions of all lots subject to inundation by a 100-year flood, from a drainage area in excess of one (1) square mile.
 - b.e. Lines of inundation to the limits of the 100-year flood along the watercourse, which flows through the property, line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map and labeled "Subject to Inundation By The 100-Year Flood." Each lot shall have a flood free building site, to the satisfaction of the Director of PDS. If any of the lots are found to be devoid of a buildable, flood free site for a residence, the subdivider shall take appropriate action so that each lot does have a buildable flood free site. This pertains to watersheds having area of one hundred (100) or more acres.

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- c. Improve or agree to improve and provide security for onsite private storm drain system.
- d. **DRAINAGE–WAIVER AND RELEASE LETTERS**
INTENT: In order to comply with the [County Flood Damage Prevention Ordinance \(Title 8, Division 11\), County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), adjacent property owners downstream shall be notified that there will be changes to the drainage features that could have effects on their property; letter(s) of permission shall be obtained. **DESCRIPTION OF REQUIREMENT:** A recorded waiver and release letter shall be obtained from each property owner impacted by significant changes (including diversion and concentration) in downstream flow characteristics resulting from grading, private roads, or other improvements. **DOCUMENTATION:** The applicant shall obtain the letters of approval from each downstream neighbor, and submit them to , the [PDS, LDR].for review and approval. Upon approval, the letters shall be recorded by the County recorder. **TIMING:** Prior to the recordation of the Final Map for and prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the letters shall obtained. **MONITORING:** The letters of permission shall be reviewed by the [PDS, LDR] for compliance with this condition.

(Stormwater)

- 5. The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013 and amended in November 2015. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

[http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION PROGRAM/susmppdf/lid_handbook_2014sm.pdf](http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf)

~~Low Impact Development (LID) requirements apply to all priority development projects as of January 24, 2008. These requirements are found on page 19 (Section D.1.d. (4) a & b) of the Municipal Storm water Permit:~~

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

The County has provided a LID Handbook as ~~draft LID Handbook~~ is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. You can access the Handbook at the following DPLU web address: <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

~~<http://www.sdcountry.ca.gov/dplu/docs/LID-Handbook.pdf>~~.

~~The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. For more information contact Stephanie Gaines, DPW, Watershed Planning Division at 858-694-3493 [Stephanie.Gaines@sdcounty.ca.gov].~~

6. ~~On February 26, 2016 January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. Project design shall be in compliance with the new Municipal Permit regulations. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):~~

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

~~All priority projects must minimize directly connected impervious areas and promote biofiltration. D.1.d(4) subsections (a) and (b) are the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements:~~

- ~~1) Disconnect impervious surfaces.~~
- ~~2) Design impervious surfaces to drain into properly designed pervious areas.~~
- ~~3) Use pervious surfaces wherever appropriate.~~
- ~~4) Implement site design BMP's.~~

~~The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.~~

7. Specific Conditions

- a. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance ([Ordinance No. 10410 40096](#)) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Quality Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre

- or greater than 1-acre require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) additional and updated information onsite and update it as needed concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above. This requirement shall be to the satisfaction of the Director of Public Works/PDS.
- b. The project includes Category 2 Structural ~~post-construction~~ BMPs, the applicant will be required to establish a Stormwater Facilities Maintenance Agreement (SWMA) maintenance agreement/mechanism (to include easements) to assure maintenance of the Category 2 Structural ~~these~~ BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works and/or PDS. The SWMA shall be signed and notarized by the applicant and recorded by the County.
 - c. The project includes Category 2 Structural ~~post-construction~~ BMPs for proposed BMPs within ~~Ranger Road~~ and Reche Road's right of way along the project frontage. The applicant will be required to establish a Stormwater Facilities Maintenance Agreement (SWMA) maintenance agreement/mechanism to assure maintenance of the Category 2 Structural ~~these~~ BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works and/or PDS.
 - d. The project includes Category 1 Structural BMPs, the applicant will be required to process a Maintenance Notification Agreement to assure maintenance of the Category 1 Structural BMPs to the satisfaction of the Director of Department of Public Works (DPW) and/or PDS. The Maintenance Notification Agreement shall be signed, notarized and recorded by the applicant.

(Grading Plans)

8. Standard Conditions 19 (a-d).
9. Specific Conditions:
 - a. Obtain letters of permission for all offsite grading.
 - b. The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipaters, and silt control measures. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipaters, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal

to the cost of this work as determined or approved by the County Department of Planning and Development Services (PDS) ~~Public Works~~, in accordance with the County of San Diego Grading Ordinance Section 87.304. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County ~~Department of Public Works~~ to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County ~~PDS and/or Department of Public Works~~ by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of ~~PDS Public Works~~ authorizing the use of this deposit for emergency measures.

- c. Prior to the recordation of the Final Map, have a Registered Civil Engineer or licensed Traffic Control Contractor prepare a Traffic Control Plan and submit it for approval, to the satisfaction of the Director of Public Works/PDS.
- d. A Haul Route Plan (HRP) shall be prepared that addresses the following, but is not limited to: haul routes, truck types and capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.
 - (1) The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is responsible for the road maintenance, sweeping as necessary, and the repair of any damage caused as a result of project's construction activities, to the on-site and offsite roads that serve the property either during construction or subsequent operations.
 - (2) The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the roads that serve the project during the construction phase on the route identified; and (3) all the roads as identified on the haul route plan shall be returned to the pre-construction condition or better.
 - (3) Prior to import/export, all affected property owners in the residential neighborhood shall be notified; no equipment or material storage on public roads will be allowed, and sweeping to be performed at the end of each week or more regularly depending on the frequency of hauling.
 - (4) The applicant shall also execute a secured agreement for any potential damages caused by project related heavy trucks on the construction route. The agreement and securities shall be approved to the satisfaction of the Director of DPW/PDS.

e. In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. The project is required to divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: (1) non-residential excavation and grading projects; (2) residential projects that require Major Grading permits. Grading projects greater than 5,000 cubic yards shall prepare a Debris Management Plan (DMP) prior to plan approval. All documentation must be submitted and approved by a DPW Compliance Official. Specific requirements are as follows:

(1) Prior to Grading plan approval, a Debris Management Plan (DMP) is required, consisting of:

- The type of project.
- The total cubic yardage for the project.
- The estimated weight of grading or land clearing debris, by material type, that the project is expected to generate.
- The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
- The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
- The name of the facility (or facilities) which debris will be exported to.

(2) During grading activities, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed, must be prepared and retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. Daily logs shall include:

- Identify the project location.
- Log the date that material was transported off site.
- Log the type of graded or cleared material.
- Estimated material weight, tonnage, or cubic yards.
- Name of entity transporting the material.
- Name of the receiving facility or exporter, and detailing whether the material was salvaged, recycled, or disposed of in a landfill.

- Daily log entries shall correspond to receipts by materials transporter or receiving facility. If grading contractor exported materials off-site, receipts shall be compiled with in 90 days of the receipts.
- Daily logs shall include separate entries for each occurrence of materials reused on site.
- Daily logs and all receipts shall be maintained at the project site and made available to any County Inspector for compliance with this condition.

(3) Exemption:

- Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (I) the County Agricultural Commissioner has made a determination of disease or pest contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code

(4) The applicant shall prepare the Debris Management Plan (DMP) and submit the plan for review and approval by the DPW Recycling Compliance Official. During grading operations a daily log shall be prepared and kept on-site. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at: https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html. Prior to approval of any plan or issuance of any permit, the Debris Management Plan shall be prepared and submitted to the DPW Recycling Official for review and approval.

f. Prior to Rough Grade Inspection and release, and prior to issuance of any building permit, a Final Debris Management Report must be submitted for review and approval by the DPW Recycling Compliance Official. The report shall include:

- Project name.
- List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- Provide copies of receipts for export facilities, haulers, or materials reused on site.
- Signed self-certification letter (see template).

g. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "DPW Recycling Notes" have been placed on the grading, and or improvement plans:

(1) “DURING CONSTRUCTION: For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts or other vendor or disposal or transfer station facility information that accepted grading material from the approved grading project. Daily Logs shall be prepared and kept on-site for inspection and include the following:

- A. Identify the project location.
- B. Log date that material was transported off the site
- C. Log type of grading or clearing material
- D. Weight of the material or its approximate tonnage or cubic yards
- E. Name of the party transporting the materials
- F. Name of the receiving facility or exporter, and whether the material was disposed of in a landfill, salvaged for future use off-site, or recycled.
- G. Each log entry shall correspond with a receipt issued by the party that transported the material off-site or by facility that accepted the materials. If the materials were hauled by the grading contractor, export receipts shall be compiled within 90 days of the date of the log entry.
- H. The Daily Log shall include separate entries for each occurrence of materials reused on-site.
- I. The Daily Log and all receipts shall be maintained at the project site and made available to any County inspector responsible to ensure compliance with this requirement

The following actions and logs shall occur throughout the duration of the earth disturbing activities. The [DPW, PDCI] shall ensure that the grading contractor is preparing and maintaining the daily logs on-site. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.”

(2) “ROUGH GRADING: (Prior to rough grading approval and prior to issuance of any building permit). In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. At the conclusion of the grading activities and prior to the release of Rough Grade Inspection, and prior to issuance of any building permit, the Final Debris Management Report (DMR) must be prepared and submitted for review and approval. The DMR final report (see template) shall be prepared and submitted for review and approval by the [DPW, CO] and shall include:

- A. Project name.

- B. List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- C. Provide copies of receipts for export facilities, haulers, or materials reused on site.
- D. Signed self-certification letter (see template).

The final report shall be prepared and submitted at Rough Grade inspection.
MONITORING: The [DPW, PDCI] shall ensure that the grading contractor has prepared and submitted the final report to [DPW, CO]. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

10. Specific Environmental Conditions: [DPLUPDS]

- a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that **the following “Specific Environmental Notes” have been placed on the grading, and or improvement plans:**

(Paleontological Resources)

- (1) “The Qualified Paleontologist or Qualified Paleontological Resources Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the Paleontological Resources Mitigation Program.”
- (2) “During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist.”
- (3) “If paleontological resources are encountered during grading/excavation:
 - (a) The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 - (b) The Qualified Monitor shall immediately contact the Qualified Paleontologist.
 - (c) The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.

- (d) The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume.”
- (4) “If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:
 - (a) Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 - (b) Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
 - (c) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).
- (5) “Prior to Rough Grading Inspection Sign-off, provide evidence that monitoring for paleontological resources has been completed. Evidence shall be in the form of a letter from the Qualified Paleontologist to the Director of Planning and Land Use.” ~~[DPLU, FEE]~~.
- (6) “Prior to Final Grading Release:”
 - (a) “If **no** paleontological resources were discovered, submit a letter report from the Qualified Paleontologist to the director of Planning and Land Use stating that the monitoring has been completed and that no paleontological resources were discovered.” ~~[DPLU FEE]~~
 - (b) “If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Qualified Paleontologist:
 - (i) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - (ii) Curate, catalog and identify all fossil remains

to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;

- (iii) Submit a detailed report prepared by the Qualified Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils." **[DPLU-FEE]**
- (iv) "Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution." **[DPLU-FEE]**

(Biological)

- (7) "Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. ~~The temporary fencing shall be removed after the conclusion of such activity.~~ The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **[PDS, FEE]**
- (8) "~~There shall be no Restrict~~ all brushing, clearing and/or grading such that none will be allowed within 300 feet of ~~eak woodland~~ migratory bird nesting habitat and 500 feet of raptor nesting habitat during the breeding

season of migratory birds and ~~the raptors~~. ~~This~~ The breeding season is defined as occurring between January 1 and August 31 ~~January 15 and July 15~~. The Director of Planning and & Development Services Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing, or grading as demonstrated by a survey completed no more than 72-hours prior to the start of clearing or grading. **[DPLU, FEE]**
[PDS, FEE X2]

- (9) "Prior to occupancy, final grading release, or use of the premise in reliance of this permit the conclusion of grading activities and Final Grading Release, provide evidence to the satisfaction of the Director of Planning and & Development Services Land Use that the permanent fences or walls, and open space signs have been placed along the biological open space boundary of ~~lots(s) 3, 4, 5, 17 and 18~~ as shown on these plans and the Preliminary Grading Plan dated ~~September 1, 2014~~ October 13, 2021 on file with the Department of Planning & Development Services and Land Use as Environmental Review Number ER 05-02-029B. " **[DPLU, PDS, FEE]**
- (a) Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- (b) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**"Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. ~~Unauthorized Entry is Restricted.~~ To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Department of Planning and Development Services Land Use
Reference: (05-02-029B)"

- (10) The grading, and or improvement plans, shall indicate permanent fences or walls along the open space boundary of ~~lots(s) 3, 4, 5, 17 and 18~~ as shown on the Preliminary Grading Plan dated ~~September 1, 2014~~ October 13, 2021 on file with the Department of Planning & Development Services and Land Use as Environmental Review Number ER 05-02-029B.
- (11) The fence or wall shall be a minimum of four feet (4') high and consist of three strand wire or split rail fencing. Any change in construction materials

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and fence or wall design shall be approved by the Department of Planning & Development Services ~~and Land Use~~ prior to installation.

- (12) The grading, and or improvement plans shall indicate open space signs along the open space boundary of ~~lots(s) 3, 4, 5, 17 and 18~~ as shown on the Preliminary Grading Plan dated ~~September 1, 2014~~ October 13, 2021 on file with the Department of Planning & Development Services ~~and Land Use~~ as Environmental Review Number ER 05-02-029B.
- (a) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**"Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. ~~Unauthorized Entry is Restricted.~~ To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, ~~Department of Planning & Development Services Land Use~~
Reference: (ER 05-02-029B)"

The grading, and or improvement plans, shall indicate Temporary Orange Construction fencing to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. The fencing shall be placed along the open space boundary of ~~lots(s) 4, 5, 17, and 18~~ as shown on the Preliminary Grading Plan dated ~~September 1, 2014~~ October 13, 2021 on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029B.

(Cultural)

- (13) The County ~~certified~~ approved archaeologist/historian and Luiseno Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
- (14) The project archaeologist shall monitor all areas identified for development including off-site improvements.
- (15) During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Luiseno Native American monitor(s) shall be onsite full-time to perform full-time monitoring. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and

location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.

- (16) In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) or the Luiseno Native American monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.
- (17) The archaeological monitor(s) and Luiseno Native American monitor shall monitor all areas identified for development.
- (18) If any Native American burials, human skeletal or other remains including associated grave goods are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Principal Investigator in order to determine proper treatment and disposition of the remains.
- (19) The Principal Investigator shall submit monthly status reports to the Director of PDS Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction. ***[DPLU, FEE]***
- (20) Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Principal Investigator. ***[DPLU, FEE]***

- (21) Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall include the following:
- (a) Department of Parks and Recreation Primary and Archaeological Site forms.
 - (b) Evidence that all cultural collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Or

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of ~~PDS Planning and Land Use~~ by the Principal Investigator that the grading monitoring activities have been completed.

(Noise)

(22) TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers
- d. Minimize the use of back up alarm.

- e. Equipment staging areas should be placed at locations away farthest away from noise sensitive receivers as deemed feasible.
- f. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

DEVELOPMENT IMPACT FEES

11. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the public and private road improvements.

FAIR HOUSING

12. Standard Condition 20.

SANITATION

13. Standard Condition 21.

FIRE PROTECTION AND WATER SUPPLY

14. Standard Condition 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

15. Specific Conditions:

- a. Obtain a Zone Reclassification (R05-015) to the A70, Limited Agricultural Use Regulations or more restrictive use regulation by the Board of Supervisors. [DPLU – Project Planning]
- b. Obtain an Administrative Permit for Lot Area Averaging from the Board of Supervisors. [DPLU - Project Planning]
- c. Submit to and receive approval from ~~PDS~~~~the Director of Planning and Land Use~~ a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual using the Landscape Documentation Package Checklist (PDS Form #404), and pay all applicable review fees. Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
 - (1) Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to PDS ~~the Department of Planning and Land Use~~.
 - (2) A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
 - (3) A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent, and/or temporary irrigation system. ~~For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.~~
 - (4) The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures,

walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.

- (5) Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
- (56) The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans.
- (7) No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- (8) Landscape Documentation Package plans shall be compliant with the Water Conservation in Landscaping Ordinance (Ord. No. 10675 as amended June 24, 2020), the Water Efficient Landscape Design Manual (as amended June 24, 2020) and all amended Forms as indicated on the PDS Landscape Ordinance web page (<https://www.sandiegocounty.gov/content/sdc/pds/LandscapeOrdinance.html>).
- (9) Plans shall be compliant with the most current version of the projects' Fire Protection Plan and all applicable requirements within Section 4907 (Defensible Space) of the 2020 Consolidated Fire Code, including Home Ignition Zones. Show locations and provide dimensions of all fuel management zones.
- (10) **Provide a note on the plans that indicates all future building permit applications for each lot with 2500 sq. ft. or more of landscaped area shall require submittal of a Landscape Documentation Package.** Landscape plans shall be compliant with all Fuel Modification Zones and notes as approved on this plan.
- (11) Provide a note on the plans that indicates who is responsible for planting and maintaining all landscaped areas shown on these plans, including fuel management zones, common area landscapes, storm water basins, and how developer installed slopes will be turned over to individual homeowners when lots are sold.
- (12) Irrigation plans shall demonstrate how developer installed irrigation for slopes will be converted over to the individual lot owner.
- (13) Plans shall demonstrate that the planting of all slopes over 3' in vertical height and storm water bmp basins will not contain any invasive species (as identified within the Water Efficient Landscape Design Manual and the California Invasive Plant Council's website) or fire prone species (as

identified within the County's 'Fire Defensible Space and You' brochure and the most current version of the projects' Fire Protection Plan).

- (14) Each single-family lot shall provide two trees in compliance with Section 86.709 (b) (10) of the Water Conservation in Landscaping Ordinance and Section 5 (Tree Planting Guidelines) of the Water Efficient Landscape Design Manual. All trees shall be a minimum 24" box container size.
- (15) Water budget calculations shall be provided for each lot individually for slopes, tree planting, and any associated storm water bmp's in order to include these allowances with future building permit landscape plan applications.
- (16) Lot configurations on the landscape plan must be consistent with the Tentative Map and Site Plan. All plans shall match in layout and configuration.
- (d) All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the *[PDS, LA, PCC] [DPR, TC, PP]*. The applicant shall submit to the *[PDS LA, PCC]*, a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed.
- de. Prior to approval of a Final Map, the subdivider shall provide evidence that all existing structures shown on the Tentative Map "to be removed or relocated on the site" have been removed/relocated to the satisfaction of the Director of Public Works.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works/PDS prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

16. Standard Conditions 25, 26, 27, and 28.
17. Specific Conditions:
 - a. With the Final Map, dedicate the project half of **Reche Road (SF 1416)**, along the project frontage in accordance with County of San Diego Public Rural Collector Road Standards for a 2.2C Light Collector Road with intermittent turn lanes with Bike Lane for to a one-half width of forty-two feet (42'), {including a twenty-foot (20') property line radii corner rounding at the intersections with of Trinity View Place/Reche Road Valley Oaks Boulevard North and Ranger Road/Reche Road} together with right to extend construct and maintain slopes and drainage facilities beyond the limits of said right-of-way. All of the above shall be to the satisfaction of the Director of Public Works/PDS.
 - ~~b. With the Final Map, dedicate the project half of **Ranger Road**, along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'), {including a twenty-foot (20') property line radii corner rounding at the intersection with Reche Road} together with the right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.~~
 - ~~be.~~ With the Final Map, execute an Irrevocable Offer to Dedicate Real Property, the project half of **Trinity View Place** "~~Valley Oaks Boulevard West~~", along the project frontage in accordance with Public Road Standards for a Residential Collector Road Standards for a one-half width of thirty feet (30'), together with right to extend construct and maintain slopes and drainage facilities beyond the limits of said right-of-way. All of the above shall be to the satisfaction of the Director of Public Works/PDS.
 - ~~cd.~~ Relinquish access rights along **Reche Road (SF 1416)** along the project frontage except for the proposed onsite private road easement, **Trinity View Place**. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, to the satisfaction of the Director of Public Works/PDS.
 - ~~de.~~ Show one foot (1') access restriction easement along **Trinity View Place** ~~Valley Oaks Blvd West~~ (frontage on Lot 1, 11, and 14).
 - ~~ef.~~ Contact PDS Route Locations of the Department of Public Works to determine the desired location of the centerline of **Reche Road (SF 1416)**, which is shown on the Mobility Circulation Element of the County General Plan as a 2.2C Light Collector Road with intermittent turn lanes ~~Bike~~. The following shall be shown on the Final Map:

The centerline location as approved by the Department of Public Works/PDS.

- fg. Because private roads are approved as a condition of this subdivision, the following shall apply:
- (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS ~~Public Works~~.
 - (2) The Director of PDS ~~Public Works~~ shall be notified as to the final disposition of title (ownership) to **Heritage Way** and **Trinity View Place** each private road easements, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- gh. ~~Prior to approval of improvement and/or grading plans or the recordation of the Final Map, whichever comes first, issuance of excavation permits, and issuance of any further grant of approval,~~ the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy. ~~and that they have contacted~~ All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their and solicited their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface to the satisfaction of the Director of DPW/PDS.
- hi. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- ih. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).
- jk. Prior to recordation of the Final Map, the applicant shall provide to the County the original signed Clear Space Easement executed by Diane Lyn Garrett, as Grantor,

and Cabrillo Medical LLC, as Grantee, on March 21, 2011. The applicant shall also submit the fees for recording the document. After the recordation of the Final Map, the Clear Space Easement document will be recorded by the County. This shall be done to the satisfaction of the Director of Public Works/PDS.

18. Specific Conditions:

- a. No lot shall contain a net area of less than one acre except for Lots 1, 2, 8 and 12, which shall not contain a net area of less than 0.90 acres. [~~DPLU~~PDS - Project Planning]
- b. No lot shall contain a gross area of less than one acre. [~~DPLU~~PDS- Project Planning]

(Miscellaneous)

19. Specific Paleontological Resource Conditions: [PDS~~DPLU~~]

- a. Prior to recordation of the final map, and prior to approval of any grading or improvement plans, or issuance of any grading permits, the subdivider shall implement the following relating to the paleontological grading monitoring program, to mitigate potential impacts to undiscovered buried paleontological resources on the Project site. The following implementation shall be to the satisfaction of the Director of PDS~~Planning and Land Use~~: [~~DPLU, FEE X2~~]
- (1) Provide evidence that a County approved Paleontologist ("Project Paleontologist") has been contracted to implement a grading monitoring and potential data recovery program which complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use.
- (2) The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.

20. Specific Noise Protection Conditions [DPLU]

- a. On the Final Parcel Map, grant to the County of San Diego a perpetual Noise Protection Easement, as shown on the Revised Tentative Map 5449R. The easement shall be placed over the entire area of Lot ~~48~~ 17. The easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected Lot. [~~DPLU, FEE X2~~]

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“Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement located on Lot 48 17”, the applicant shall:

- (1) Complete to the satisfaction of the Director of the Department of Planning and ~~Land Use~~ Development Services, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Reche Road shall use a traffic flow equivalent to a Level of Service “C” traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.
- (2) Incorporate to the satisfaction of the Director of the Department of Planning and ~~Land Use~~ Development Services all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.
- (3) The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- (4) Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [PDS, BD] for review and approval before the building permits can be issued. To the satisfaction of the [PDS, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

Documentation: The applicant shall indicate the noise restriction easement on the map as indicated on the Revised Tentative Map. **Timing:** Prior to the approval of the Final Map, the requirements of this condition shall be completed. **Monitoring:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

21. Specific Biological Conditions:

- a. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, ~~the applicant shall grant to the County of San Diego by separate document,~~ an open space easement, as shown on the Preliminary Grading Plan dated ~~September 1, 2014~~ October 13, 2021 on file with the

Department of Planning & Development Services and ~~Land Use~~ as Environmental Review Number ER 05-02-029B. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. **DPLU, FEE] [PDS, FEE X 2]**

The sole exception(s) to this prohibition are is:

- (1) Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the applicable fire code of the Fire Authority Having Jurisdiction and ~~Uniform Fire Code~~ and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
 - (2) Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of PDS, DPR, and DPW ~~Planning and Land Use or the Director of Public Works~~.
 - (3) Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the County of San Diego DEH ~~Department of Environmental Health of the County of San Diego~~.
 - (4) Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
- b. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Preliminary Grading Plan dated ~~September 1, 2014~~ October 13, 2021 on file with the Department of Planning & Development Services and ~~Land Use~~ as Environmental Review Number ER 05-02-029B. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent

biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**

- (1) Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.
 - (2) Decking, fences, and similar facilities.
 - (3) Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
- c. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), ~~provide evidence to the satisfaction of the Director of Planning and Land the applicant shall purchase habitat credit, or provide for the conservation of that 4.8 acres of coast live oak woodland habitat, located credit has been secured in a County approved mitigation bank in North County as indicated below. approved by the California Department of Fish & Game, located in the northern foothills eco region.. Evidence of purchase shall include the following information to be provided by the mitigation bank:~~ **[DPLU, FEE X2] [PDS, FEE X 2]**
- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish and Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
 - (1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - (2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - (3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

- (4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in North San Diego County as indicated below:
- (1) The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
 - (2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
 - (3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
 - (4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

-OR-

~~Provide for the conservation and habitat management of a minimum of 4.8 acres of coast live oak woodland habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the coast live oak woodland habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open~~

~~space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.~~

- d. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), ~~provide evidence to the satisfaction of the Director of Planning and Land~~ the applicant shall purchase habitat credit, or provide for the conservation of habitat of that 8.6 acres of ~~Non-native non-native grassland or sage scrub/chaparral habitat, located credit has been secured in a County approved mitigation bank in North County as indicated below.~~ approved by the California Department of Fish & Game, located in the northern foothills eco region. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X2] [PDS, FEE X 2]**
- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish and Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
- (1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - (2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - (3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 - (4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in North San Diego County as indicated below:
- (1) The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.

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

~~-OR-~~

~~Provide for the conservation and habitat management of a minimum of 8.6 acres of non native grassland or sage scrub/chaparral habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the non native grassland or sage scrub/chaparral habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.~~

- e. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), the applicant shall purchase habitat credit, or provide for the conservation of habitat or provide evidence to the satisfaction of the Director of Planning and Land that 0.3 acres of southern coast live oak riparian forest, including at least 1:1 creation component, located in a County approved

~~mitigation bank in North County as indicated below. habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region.. Evidence of purchase shall include the following information to be provided by the mitigation bank: [DPLU, FEE X2] [PDS, FEE X 2]~~

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

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

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

- (1) The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
- (2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
- (3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

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

~~-OR-~~

~~Provide for the conservation and habitat management of a minimum of 0.3 acres of southern coast live oak riparian forest habitat located in the northern foothills eco-region. A Resource Management Plan (RMP) for the southern coast live oak riparian forest habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.~~

- f. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, the following permit and agreement shall be obtained, or provide evidence from the perspective resource agency satisfactory to the Director of PDS that such agreement or permit is not required: [DPLU, FEE] [PDS, FEE X 2]~~provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained:~~

- (1) A Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all projects related disturbances of waters of the U.S. and/or associated wetlands. Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the

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~~Director of Planning and Land Use that such permit is not required.~~
[DPLU, FEE]

- (2) A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Wildlife for all project related disturbances of any streambed. ~~Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required.~~ **[DPLU, FEE]**

22. Specific Cultural Resource Conditions:

- a. Provide evidence to the satisfaction of the Director of ~~PDS~~Planning and Land Use ~~(DPLU)~~ that a County certified archaeologist has been contracted to implement a grading monitoring and data recovery program. A letter from the Principal Investigator shall be submitted to the Director of ~~PDS~~Planning and Land Use ~~(DPLU)~~. The letter shall include the following guidelines: **[DPLU, FEE]**
- b. The project archaeologist shall contract with a Luiseno Native American monitor to be involved with the grading monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- c. The County ~~approved-certified~~ archaeologist/historian and Luiseno Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- d. The project archaeologist shall monitor all areas identified for development including off-site improvements.
- e. An adequate number of monitors (archaeological/historical/Luiseno Native American) shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored.
- f. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Luiseno Native American monitor(s) shall be onsite full-time to perform full-time monitoring. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
- g. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.

- h. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal Investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.
- i. If any Native American burials, human skeletal or other remains including associated grave goods are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the Principal Investigator in order to determine proper treatment and disposition of the remains.
- j. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
- k. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program shall be processed and curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.
- l. Monthly status reports shall be submitted to the Director of PDS Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction. (~~Note: use this condition only if grading will take more than 1 month.~~)

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- m. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of PDS Planning and Land Use prior to the issuance of any building permits. The report shall include Department of Parks and Recreation Primary and Archaeological Site forms.
- n. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of PDS Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

WAIVER AND EXCEPTIONS

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

- a. Standard Conditions for Tentative Maps:
 - (1) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification allows the use of LED light fixtures per County of San Diego Street Lighting Specifications dated April 2019.
 - (2)(4) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
 - (3)(2) Standard Condition 22: Said condition pertains to projects that propose to utilize private subsurface sewage disposal systems and this project proposes to receive sewer service from the Rainbow Municipal Water District.
 - (4)(3) Standard Condition 23.3 and 24: Said conditions pertain to projects that are located outside of the boundaries of a fire protection district and require conditions of approval from the California Department of Forestry. Said project is located within the boundaries of the North County Fire Protection District and the California Department of Forestry has no such conditions.
 - (5)(4) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

- b. County Subdivision Ordinance design requirements:
- (1) 81.401(d) - For lots 3, 4, 5, 9, 10, 11 waive the requirement that all lots shall have 50-feet of frontage, exclusive of side yard setbacks. These lots deviate slightly from the requirement for 50-feet of frontage exclusive of side yard setbacks due to the need to consolidate lots to avoid sensitive biological resources onsite. This deviation will not alter the lots ability to support an average size home which meets all setback requirements.
 - (2) 81.401(h) - For lots 3, 5, 6, 9, 10, 11 waive the requirement that the side lines of each lot shall be at approximately right angles or radial to the road upon which the lot fronts. These lots deviate slightly more than 10 degrees to achieve a consolidated design that avoids all sensitive biological resources onsite.
- c. DPW reviewed and supported the Applicant's request for the following:
- (1) Ranger Road (as approved by Design Exception Request dated September 30, 2008): Waive the improvements requirements ~~of~~ for widening, Portland Cement Concrete (PCC) curb, gutter, and sidewalk along the project frontage ~~Westside of the road.~~
 - (2) Trinity View Place (as approved by Design Exception Request dated September 30, 2008) Valley Oaks Boulevard North: Waive the improvements of requirements for PCC curb, gutter, and sidewalk along the project frontage.
 - (3) Reche Road (as approved by Design Exception Request dated September 30, 2008):
 - a. Waive the improvements ~~of~~ requirements for PCC curb, gutter, and sidewalk.
 - b. Allow the ten foot (10') feet decomposed granite (DG) trail/pathway to be located within the currently-required road right-of-way ~~width.~~
 - c. Allow dry utilities to be located under or behind the ten foot (10') feet DG trail/pathway.
 - d. Allow an eight foot (8') foot bike/emergency parking combination bicycle lane/emergency shoulder.
 - e. Waive the improvements ~~of~~ requirements for an off-site taper southwest of the intersection with Trinity View Place.
 - f. Waive the replacement of the two-2 existing culverts located along the project's frontage.

- (4) Defer the installation of the street light at Ranger Road and Reche Road until such time as a Certificate of Compliance is processed for the Remainder Parcel (as approved by Design Exception Request dated August 19, 2016).
- (5) Waive the requirement for a pathway along Reche Road and allow a DG trail (as approved by Design Exception Request dated August 19, 2016).
- (6) Waive sight distance requirements for Ranger Road until such a time as a Certificate of Compliance is processed for the remainder parcel (as approved by Design Exception Request dated August 19, 2016).
- (7) Reduce the minimum centerline separation requirements for Trinity View Place and West Valley Oaks Boulevard along Reche Road (as approved by Design Exception Request dated August 13, 2021)

The following shall be the Mitigation Monitoring or Reporting Program for Fallbrook Oaks Major Subdivision (~~48~~ 17 Lots); Rezone, Tentative Map, Site Plan and Administrative Permit; R05-015, ~~TM-5449RPL~~⁴, PDS2016-TM-5449TE, PDS2015-TM-5449R, S07-009, AD 08-054.

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

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

A. Subsequent Project Permits

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

Conditions 15.a. and 15.b.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on ~~December 7, 2014~~ the date of approval of PDS2016-TM-5449TE and PDS2015-TM-5449R.

NOTICE: Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcountry.ca.gov/cob/ordinances/ord9926.doc>

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcountry.ca.gov/cob/ordinances/ord9926.doc>

All priority projects must minimize directly connected impervious areas and promote biofiltration. Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to, the following County of San Diego, State of California, and U.S. Federal Government, Ordinances, Permits, and Requirements:

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Quality Management Plan, all requirements for

Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013 and amended in November 2015. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link below:

<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

STORMWATER COMPLIANCE NOTICE: Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to [County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410](#) (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Attidional studies and other action may be needed to comply with future MS4 Permits.

DRAINAGE: The project shall be in compliance with the County of San Diego [Flood Damage Prevention Ordinance](#) No. 10091, adopted December 8, 2010.

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities of excavation or fill results in the movement of material exceeding 200 cubic yards or eight feet (8') in vertical height of cut/fill, pursuant to [Section 87.201 of Grading Ordinance](#).

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact DPW Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs

in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

ENCROACHMENT PERMIT REQUIRED: An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. **Reche Road (SF 1416)** is shown as a Light Collector Road on the Mobility Element of the County General Plan. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

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

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to [County TIF Ordinance number 77.201 – 77.223](#). The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [*PDS, LD Counter*] and provide a copy of the receipt to the [*PDS, BD*] at time of permit issuance.

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

NOTICE: - Fish and Game Fees have been paid in the amount of \$1,993.00 and \$51.00 for the review of the Mitigated Negative Declaration, Receipt number 365125 dated September 15, 2009 and Receipt number 410462 dated September 15, 2011.

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

cc: Crossroads Investors LLC, 10525 Vista Sorreno Parkway, Suite 310, San Diego,
CA 92121
Jim Eyerman, 1256 El Nido Drive, Fallbrook, CA 92028
Jeff Lundstrom, Lundstrom Engineering and Surveying, Inc., 5333 Mission Center
Road, #115, San Diego, CA 92108

email cc: Bronwyn Brown, Planning Manager, Project Planning, PDS
Ed Sinsay, Project Manager, Land Development, PDS

Meeting date: 12/07/11 (2)
Resolution No. 11-170

December 7, 2011

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. 5449RPL¹)

WHEREAS, Tentative Map No. 5449RPL¹ proposing the division of property located at the intersection of Reche Road and Ranger Road and generally described as:

All that certain tract of land lying and being in the Monserate Rancho in the County of San Diego, State of California, according to the map on file in the office of the San Diego County in Book 1, Page 108 of Patents

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on October 20, 2008; and

WHEREAS, on December 7, 2011, the Board of Supervisors of the County of San Diego pursuant to Section 81.307 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

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

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

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the (SR-1) Semi-Rural Land Use Designation of the Fallbrook Community Plan because it proposes a residential use type at a density of 1 dwelling unit per gross acre and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a residential use type with a minimum net lot size of one acre in the A70, Limited Agricultural Use Regulations and an Administrative Permit for Lot Size Averaging

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pursuant to Section 4230 of the Zoning Ordinance has been approved concurrent with this map;

3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Fallbrook Community Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
 4. The site is physically suitable for the residential type of development because the lots will be located along the southern and northern boundaries of the site away from the riparian habitat located in the central portion of the site. All sensitive habitat will be preserved in dedicated open space easements;
 5. The site is physically suitable for the proposed density of development because all necessary public services are available to the project site as demonstrated by the Facility Availability Forms received from the Rainbow Municipal Water District and the North County Fire Protection District;
 6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
 7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of a Mitigated Negative Declaration dated September 15, 2011;
 8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and
- The division and development of the property in the manner set forth on the approved Tentative Map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement;
9. The discharge of sewage waste from the subdivision into the Rainbow Municipal Water District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
 10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional

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housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

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

- A. The approval of this Tentative Map expires 36 months from the date of this resolution, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance.

PLEASE NOTE: Condition compliance, preparation of grading and improvement plans and final mapping may take a year or more to complete. Applicants are advised to begin this process at least one year prior to expiration of this Tentative Map.

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

- B. The "Standard Conditions for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

- 1. Standard Conditions 1 through 10 and 12.
- 2. Specific Conditions:

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- a. Improve or agree to improve and provide security for the construction of **Reche Road** along the project's southeasterly boundary in accordance with the Public Rural Collector Road Standards, to a one-half graded width of forty-two (42') from centerline with twenty feet (20') of asphalt concrete pavement over approved base, with 6" AC berm and ten foot (10') DG pathway, with face of 6" AC berm at twenty feet (20') from centerline, and with berm returns at the intersections with Ranger Road and Valley Oaks Boulevard North. The bike lane will be 8' wide to serve to be a combination bike lane/emergency parking shoulder. The dry utilities shall be located under or behind the 10 foot DG pathway. Provide grading and improvements to meet County Pathway Standards. All of the above shall be to the satisfaction of the Director of Public Works.
- b. Improve, or agree to improve and provide security for **Ranger Road** along the project frontage, in accordance with Public Residential Collector Road Standards, to a graded on-half width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base, with 6" AC berm, with face of 6" AC berm at twenty feet (20') from centerline. Provide transitions, drainage and other provisions on- and offsite to meet: intersectional improvements including curb returns with Reche Road on the south end and on the north end meet the existing improvements of Ranger Road. All of the above shall be to the satisfaction of the Director of Public Works.
- c. Improve or agree to improve and provide security for the to-be-named private road "**Valley Oaks Boulevard West**" from Reche Road northerly to northwest corner of Lot 15, to a graded width of forty two feet (42') with thirty-two feet (32') of asphalt concrete pavement over approved base with twenty-foot (20) on east side of the centerline and twelve feet (12') on west side of the centerline. The improvement and design standards of Section 3.1(B) of the County Standards for Private Streets for seven hundred fifty (750) trips or less shall apply to the satisfaction of the Director of Public Works.
- d. Improve or agree to improve and provide security for the private easement road, **Keystone Oaks Road**, northeasterly and northwesterly to a terminus cul-de-sac at Lot 10, to a graded width of forty feet (40') with thirty-two feet (32') of asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply to the satisfaction of the Director of Public Works. The street knuckle in the vicinity of Lots 3, 4, 5, and 14 shall comply with San Diego Design Standard DS-15. All of the above shall be to the satisfaction of the Director of Public Works.

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- e. Keystone Oaks Road shall terminate at Lot 10 with a cul-de-sac graded to a radius of forty-four feet (44') and surfaced to a radius of forty-two feet (42') with asphalt concrete pavement over approved base.
- f. Improve or agree to improve and provide security for the private easement road, from **Valley Oaks Blvd West** northerly to Lot 18, to a graded width of twenty feet (20') with sixteen feet (16') of asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the North County Fire Protection District and Director of Public Works.
- g. "**Valley Oaks Boulevard West**" shall have a hammerhead turnaround installed at the project's northwest corner (driveway of lot 15), and a hammerhead turnaround installed at private road easement serving lot 18 shall be graded and improved with asphalt concrete pavement over approved base with asphalt concrete, to the satisfaction of the Director of Public Works.
- h. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along **Valley Oaks Boulevard West** from Keystone Oaks Road, driveway of Lot 15, 16, and private road easement serving lot 18 for the prevailing operating speed of traffic on Valley Oaks Boulevard North, per Section 6.1. table 5 of the County Public Road Standards (approved March 3, 2010)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- i. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along **Reche Road** from Valley Oaks Boulevard North and Ranger Road for the prevailing operating speed of traffic on Reche Road, per Section 6.1. table 5 of the County Public Road Standards (approved March 3, 2010)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

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- j. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along **Ranger Road** from driveway of Lot 17 for the prevailing operating speed of traffic on Ranger Road, per Section 6.1. table 5 of the County Public Road Standards (approved March 3, 2010)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- k. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- l. If guarded access is used along Keystone Oaks Road, it shall be in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gate installed across Keystone Oaks Road, if any, is to conform to North County Fire Protection District Standards.

(Drainage and Flood Control)

3. Standard Conditions 13 through 18.

4. Specific Conditions:

- a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
- b. A flowage easement shall be granted to the County of San Diego for those portions of all lots subject to inundation by a 100-year flood, from a drainage area in excess of one (1) square mile.
- c. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.

(Stormwater)

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5. Low Impact Development (LID) requirements apply to all priority development projects as of January 24, 2008. These requirements are found on page 19 (Section D.1.d. (4) a & b) of the Municipal Storm water Permit:

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

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. You can access the Handbook at the following DPLU web address: <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. For more information contact Stephanie Gaines, DPW, Watershed Planning Division at 858-694-3493 [Stephanie.Gaines@sdcounty.ca.gov].

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

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

All priority projects must minimize directly connected impervious areas and promote biofiltration. D.1.d(4) subsections (a) and (b) are the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements:

- 1) Disconnect impervious surfaces.
- 2) Design impervious surfaces to drain into properly designed pervious areas.
- 3) Use pervious surfaces wherever appropriate.
- 4) Implement site design BMP's.

The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

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7. Specific Conditions

- a. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 10096) and all other applicable ordinances and standards. This includes requirements for Low Impact Development materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
- b. The project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.
- c. The project includes category 2 post-construction BMPs for proposed BMPs within Ranger Road and Reche Road's right of way along the project frontage. The applicant will be required to establish a maintenance agreement/mechanism to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

(Grading Plans)

8. Standard Conditions 19 (a-d).

9. Specific Conditions:

- a. Obtain letters of permission for all offsite grading.
- b. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works, in accordance with the County of San Diego Grading Ordinance.

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An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

10. Specific Environmental Conditions: [DPLU]

- a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Paleontological Resources)

- (1) "The Qualified Paleontologist or Qualified Paleontological Resources Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the Paleontological Resources Mitigation Program."
- (2) "During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist."
- (3) "If paleontological resources are encountered during grading/excavation:
 - (a) The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 - (b) The Qualified Monitor shall immediately contact the Qualified Paleontologist.
 - (c) The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.

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- (d) The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume."
- (4) "If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:
 - (a) Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 - (b) Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
 - (c) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).
- (5) "Prior to Rough Grading Inspection Sign-off, provide evidence that monitoring for paleontological resources has been completed. Evidence shall be in the form of a letter from the Qualified Paleontologist to the Director of Planning and Land Use." **[DPLU, FEE]**.
- (6) "Prior to Final Grading Release:"
 - (a) "If **no** paleontological resources were discovered, submit a letter report from the Qualified Paleontologist to the director of Planning and Land Use stating that the monitoring has been completed and that no paleontological resources were discovered." **[DPLU FEE]**
 - (b) "If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Qualified Paleontologist:
 - (i) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using

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glues and other hardeners, if necessary, and repairing broken specimens;

- (ii) Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
- (iii) Submit a detailed report prepared by the Qualified Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils." **[DPLU FEE]**
- (iv) "Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution." **[DPLU FEE]**

(Biological)

- (7) "Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an

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open space easement boundary. The temporary fencing shall be removed after the conclusion of such activity."

- (8) "Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of oak woodland habitat during the breeding season of the raptor. This is defined as occurring between January 15 and July 15. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no raptors are present in the vicinity of the brushing, clearing or grading." **[DPLU, FEE]**
- (9) "Prior to the conclusion of grading activities and Final Grading Release, provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been placed along the biological open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on these plans and the Preliminary Grading Plan dated September 1, 2011 on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029. " **[DPLU, FEE]**
 - (a) Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
 - (b) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

Sensitive Environmental Resources

Area Restricted by Easement

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Department of Planning and Land Use
Reference: (3100 5449 (TM))

- (10) The grading, and or improvement plans, shall indicate permanent fences or walls along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Preliminary Grading Plan dated September 1, 2011 on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

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- (11) The fence or wall shall be a minimum of four feet (4') high and consist of three strand wire or split rail fencing. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
- (12) The grading, and or improvement plans shall indicate open space signs along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Preliminary Grading Plan dated September 1, 2011 on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.
 - (a) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Department of Planning and Land Use
Reference: (3100 5449 (TM))

The grading, and or improvement plans, shall indicate Temporary Orange Construction fencing to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. The fencing shall be placed along the open space boundary of lots(s) 4, 5, 17, and 18 as shown on the Preliminary Grading Plan dated September 1, 2011 on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

(Cultural)

- (13) The County certified archaeologist/historian and Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
- (14) The project archaeologist shall monitor all areas identified for development including off-site improvements.
- (15) During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be

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onsite full-time to perform full-time monitoring. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.

- (16) In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.
- (17) The archaeological monitor(s) and Native American monitor shall monitor all areas identified for development.
- (18) If any Native American burials, human skeletal or other remains including associated grave goods are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Principal Investigator in order to determine proper treatment and disposition of the remains.
- (19) The Principal Investigator shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction. **[DPLU, FEE]**

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- (20) Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Principal Investigator.

[DPLU, FEE]

- (21) Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall include the following:

- (a) Department of Parks and Recreation Primary and Archaeological Site forms.
- (b) Evidence that all cultural collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Or

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the Principal Investigator that the grading monitoring activities have been completed.

DEVELOPMENT IMPACT FEES

11. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.

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12. Standard Condition 20.

SANITATION

13. Standard Condition 21.

FIRE PROTECTION AND WATER SUPPLY

14. Standard Condition 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

15. Specific Conditions:

- a. Obtain a Zone Reclassification (R05-015) to the A70, Limited Agricultural Use Regulations or more restrictive use regulation by the Board of Supervisors. [DPLU – Project Planning]
- b. Obtain an Administrative Permit for Lot Area Averaging from the Board of Supervisors. [DPLU - Project Planning]
- c. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
 - (1) Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
 - (2) A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.

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- (3) A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
 - (4) Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
 - (5) The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
- d. Prior to approval of a Final Map, the subdivider shall provide evidence that all existing structures shown on the Tentative Map "to be removed or relocated on the site" have been removed/relocated to the satisfaction of the Director of Public Works.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

16. Standard Conditions 25, 26, 27, and 28.

17. Specific Conditions:

- a. With the Final Map, dedicate the project half of **Reche Road**, along the project frontage in accordance with Public Rural Collector Road Standards with Bike Lane for a one-half width of forty-two feet (42'), {including a twenty-foot (20') property line radii corner rounding at the intersection with Valley Oaks Boulevard North and Ranger Road} together with right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.
- b. With the Final Map, dedicate the project half of **Ranger Road**, along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'), {including a twenty-foot

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(20') property line radii corner rounding at the intersection with Reche Road} together with the right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.

- c. With the Final Map, Execute an Irrevocable Offer to Dedicate Real Property, the project half of "**Valley Oaks Boulevard West**", along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'); together with right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.
- d. Relinquish access rights along **Reche Road** to the satisfaction of the Director of Public Works.
- e. Show one foot (1') access restriction easement along **Valley Oaks Blvd West** (frontage on Lot 1, 11, and 14).
- f. Contact Route Locations of the Department of Public Works to determine the desired location of the centerline of Reche Road (SF 1416), which is shown on the Circulation Element of the County General Plan as a Light Collector Road with Bike. The following shall be shown on the Final Map:

The centerline location as approved by the Department of Public Works.
- g. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
 - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- h. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

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- i. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- j. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).
- k. Prior to recordation of the Final Map, the applicant shall provide to the County the original signed Clear Space Easement executed by Diane Lyn Garrett, as Grantor, and Cabrillo Medical LLC, as Grantee, on March 21, 2011. The applicant shall also submit the fees for recording the document. After the recordation of the Final Map, the Clear Space Easement document will be recorded by the County. This shall be done to the satisfaction of the Director of Public Works.

18. Specific Conditions:

- a. No lot shall contain a net area of less than one acre except for Lots 2, 8 and 12, which shall not contain a net area of less than 0.90 acres. [DPLU - Project Planning]
- b. No lot shall contain a gross area of less than one acre. [DPLU - Project Planning]

(Miscellaneous)

19. Specific Paleontological Resource Conditions: [DPLU]

- a. Prior to recordation of the final map, and prior to approval of any grading or improvement plans, or issuance of any grading permits, the subdivider shall implement the following paleontological monitoring program, to mitigate potential impacts to undiscovered buried paleontological

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resources on the Project site. The following implementation shall be to the satisfaction of the Director of Planning and Land Use: **[DPLU, FEE X2]**

- (1) Provide evidence that a County approved Paleontologist ("Project Paleontologist") has been hired to implement a grading monitoring and potential data recovery program which complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use.
- (2) The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.

20. Specific Noise Protection Conditions [DPLU]

- a. On the Final Parcel Map, grant to the County of San Diego a perpetual Noise Protection Easement, as shown on Tentative Map 5449. The easement shall be placed over the entire area of Lot 18. The easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected Lot. **[DPLU, FEE X2]**

"Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement located on Lot 18", the applicant shall:

- (1) Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Reche Road shall use a traffic flow equivalent to a Level of Service "C" traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.
- (2) Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

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21. Specific Biological Conditions:

- a. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, the applicant shall grant to the County of San Diego by separate document, an open space easement as shown on the Preliminary Grading Plan dated September 1, 2011 on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. **DPLU, FEE]**

The sole exception(s) to this prohibition is:

- (1) Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- (2) Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.
- (3) Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- (4) Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section

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1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.

- b. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Preliminary Grading Plan dated September 1, 2011 on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and to prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**
 - (1) Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.
 - (2) Decking, fences, and similar facilities.
 - (3) Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
- c. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 4.8 acres of coast live oak woodland habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region.. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X2]**
 - (1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

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

-OR-

Provide for the conservation and habitat management of a minimum of 4.8 acres of coast live oak woodland habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the coast live oak woodland habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- d. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 8.6 acres of Non native grasslands or sage scrub/chaparral habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region. Evidence of purchase shall include the following information to be provided by the mitigation bank:
[DPLU, FEE X2]

- (1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
- (2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

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- (3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- (4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

-OR-

Provide for the conservation and habitat management of a minimum of 8.6 acres of non native grassland or sage scrub/chaparral habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the non native grassland or sage scrub/chaparral habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- e. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 0.3 acres of southern coast live oak riparian forest habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X2]**

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

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

-OR-

Provide for the conservation and habitat management of a minimum of 0.3 acres of southern coast live oak riparian forest habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the southern coast live oak riparian forest habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- f. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained:

- (1) Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required.
[DPLU, FEE]
- (2) Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required.
[DPLU, FEE]

22. Specific Cultural Resource Conditions:

- a. Provide evidence to the satisfaction of the Director of Planning and Land Use (DPLU) that a County certified archaeologist has been contracted to implement a grading monitoring and data recovery program. A letter from the Principal Investigator shall be submitted to the Director of Planning

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and Land Use. The letter shall include the following guidelines: [DPLU, FEE]

- b. The project archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- c. The County certified archaeologist/historian and Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- d. The project archaeologist shall monitor all areas identified for development including off-site improvements.
- e. An adequate number of monitors (archaeological/historical/Native American) shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored.
- f. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite full-time to perform full-time monitoring. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
- g. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
- h. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal Investigator and approved by the County

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Archaeologist, then carried out using professional archaeological methods.

- i. If any Native American burials, human skeletal or other remains including associated grave goods are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission shall be contacted by the Principal Investigator in order to determine proper treatment and disposition of the remains.
- j. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
- k. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program shall be processed and curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.
- l. Monthly status reports shall be submitted to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction. (Note: use this condition only if grading will take more than 1 month).
- m. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any building permits. The report shall include

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Department of Parks and Recreation Primary and Archaeological Site forms.

- n. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

WAIVER AND EXCEPTIONS

Said subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required Ordinances of San Diego County except for a waiver or modification of the following conditions:

a. Standard Conditions for Tentative Maps:

- (1) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (2) Standard Condition 22: Said condition pertains to projects that propose to utilize private subsurface sewage disposal systems and this project proposes to receive sewer service from the Rainbow Municipal Water District.
- (3) Standard Condition 23.3 and 24: Said conditions pertain to projects that are located outside of the boundaries of a fire protection district and require conditions of approval from the California Department of Forestry. Said project is located within the boundaries of the North County Fire Protection District and the California Department of Forestry has no such conditions.
- (4) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

b. County Subdivision Ordinance design requirements:

- (1) 81.401(d) - For lots 3, 4, 5, 9, 10, 11 waive the requirement that all lots shall have 50-feet of frontage, exclusive of side yard setbacks. These lots deviate slightly from the requirement for 50-feet of frontage exclusive of side yard setbacks due to the need to consolidate lots to avoid sensitive

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biological resources onsite. This deviation will not alter the lots ability to support an average size home which meets all setback requirements.

- (2) 81.401(h) - For lots 3, 5, 6, 9, 10, 11 waive the requirement that the side lines of each lot shall be at approximately right angles or radial to the road upon which the lot fronts. These lots deviate slightly more than 10 degrees to achieve a consolidated design that avoids all sensitive biological resources onsite.

c. DPW reviewed and supported the Applicant's request for the following:

- (1) Ranger Road: Waive the improvements of curb, gutter, and sidewalk along westside of the road.
- (2) Valley Oaks Boulevard North: Waive the improvements of curb, gutter, and sidewalk along the project frontage.
- (3) Reche Road:
 - a. Waive the improvements of curb, gutter, and sidewalk.
 - b. Allow 10 foot trail/pathway be within the currently-required right-of-way width.
 - c. Allow dry utilities to be located under or behind the 10 foot DG pathway.
 - d. Allow 8 foot wide bike/emergency parking lane.
 - e. Waive the improvements of off-site taper.
 - f. Waive the replacement of the 2 existing culverts located along the project's frontage.

The following shall be the Mitigation Monitoring or Reporting Program for Fallbrook Oaks Major Subdivision (18 Lots); Rezone, Tentative Map, Site Plan and Administrative Permit; R05-015, TM 5449RPL¹, S07-009, AD 08-054.

Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Reporting or Monitoring Program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in

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order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

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

A. Subsequent Project Permits

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

Conditions 15.a. and 15.b.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on December 7, 2011.

NOTICE: Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at County Code section 67.812, beginning on page 32 of the following link:

<http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

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<http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>

All priority projects must minimize directly connected impervious areas and promote biofiltration. County Code Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces. Design impervious surfaces to drain into properly designed pervious areas. Use pervious surfaces wherever appropriate. Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

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

NOTICE: Fish and Game Fees have been paid in the amount of \$1,993.00 and \$51.00 for the review of the Mitigated Negative Declaration, Receipt number 365125 dated September 15, 2009 and Receipt number 410462 dated September 15, 2011.

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

ON MOTION of Supervisor Slater-Price, seconded by Supervisor Jacob, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 7th day of December, 2011, by the following vote:

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- - -

STATE OF CALIFORNIA)
County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By: Catherine Santos
Catherine Santos, Deputy



Resolution No. 11-170
Meeting date: 12/07/11 (2)

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Attachment C – Environmental Documentation



County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services

KATHLEEN FLANNERY
ASSISTANT DIRECTOR

AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION FOR

**Fallbrook Oaks Tentative Map Time Extension PDS2016-TM-5449TE,
Revised Tentative Map PDS2015-TM-5449R,
Site Plan Minor Deviation PDS2017-STP-07-009M1,
Administrative Permit Minor Deviation PDS2020-AD-08-054M1,
PDS2016-ER-05-02-029B, PDS2015-ER-05-02-029A**

December 10, 2020

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR or subsequent Negative Declaration have occurred.

There are some minor changes and additions, which need to be included in an Addendum to the previously adopted Negative Declaration to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. To the Project Name add: Fallbrook Oaks Tentative Map Time Extension and Revised Tentative Map PDS2015-TM-5449TE and PDS2015-TM-5449R, Site Plan Minor Deviation PDS2017-STP-07-009M1, and Administrative Permit Minor Deviation PDS2020-AD-08-054M1
2. To the Project Number(s) add: PDS2015-TM-5449TE, PDS2015-TM-5449R, PDS2017-STP-07-009M1, and PDS2020-AD-08-054M1
3. To the first paragraph add as indicated: "The Addendum for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated December 10, 2021 which includes the following forms attached."
 - A. An Addendum to the previously adopted Mitigated Negative Declaration with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated December 10, 2021

- B. An Ordinance Compliance Checklist dated December 10, 2021.



County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Codes
(858) 565-5920 Building Services

KATHLEEN FLANNERY
ASSISTANT DIRECTOR

December 10, 2021

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

**FOR PURPOSES OF CONSIDERATION OF
Fallbrook Oaks Tentative Map Time Extension PDS2016-TM-5449TE,
Revised Tentative Map PDS2015-TM-5449R,
Site Plan Minor Deviation PDS2017-STP-07-009M1,
Administrative Permit Minor Deviation PDS2020-AD-08-054M1,
PDS2016-ER-05-02-029B, PDS2015-ER-05-02-029A**

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously *adopted ND or previously certified EIR*:

A Mitigated Negative Declaration (MND) for Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), and PDS2008-3000-08-054 (AD)), was adopted by the Board of Supervisors on December 7, 2011. The adopted MND found the project would have potentially significant effects on biological resources, paleontological resources, noise, transportation, and cumulative impacts that were clearly mitigated. The potentially significant effects that were clearly mitigated consisted of the following: impacts on southern coast live oak riparian forest, non-native grassland, and live oak woodland mitigated with restoration, offsite credits, onsite easements, and avoidance during breeding season; potential impacts on paleontological resources mitigated with monitoring; potential noise impacts mitigated with a noise easement; potential transportation impacts mitigated with contribution to the Transportation Impact Fee program.

Fallbrook Oaks Tentative Map
Time Extension and Revision
PDS2016-TM-5449TE, PDS2015-TM-5449R
PDS2016-ER-5-02-029B, PDS2015-ER-5-02-029A

December 10, 2021

2. Lead agency name and address:
County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123
 - a. Contact Jeff Smyser, AICP, Project Manager
 - b. Phone number: (858) 495-5438
 - c. E-mail: jeffrey.smyser@sdcounty.ca.gov
3. Project applicant's name and address:
Crossroads Investors LLC, 10525 Vista Sorrento Parkway, #310, San Diego, CA 92121
4. Summary of the activities authorized by present permit/entitlement applications:

The project is located on the north side of Reche Road between Ranger Road and Valley Oaks Boulevard West in the Fallbrook Community Plan Area. The original project was approved on December 7, 2011 and included a Zone Reclassification, Tentative Map, Site Plan and Administrative Permit. The Zone Reclassification changed a portion of the site that was zoned C36, General Commercial, to A70, Limited Agricultural Use Regulations. The Tentative Map was to subdivide 27 acres into 18 residential lots. The Site Plan was required because of a B Special Area Designator for design review. The Administrative Permit authorized lot area averaging. The project included the following off-site improvements: road improvements to Reche Road, Ranger Road and Valley Oaks Boulevard West, which would be extended north of Reche Road along the west side of the project site.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES
☒

NO
☐

If yes, describe **ALL** differences.

The project is a Tentative Map Time Extension and Revised Tentative Map application for approved Tentative Map TM-5449 that was approved on December 7, 2011. The original approval allowed for the subdivision of the 27-acre property into 18 residential lots. The Time Extension would extend the expiration date to December 7, 2022. The Revised Tentative Map application proposes to designate previously approved Lot 17 on the east boundary of the site along Ranger Road as a remainder lot. The previously approved Lot 18 would be renumbered as Lot 17, which is located at the south corner of the site at Reche Road and proposed Trinity View Place. In addition, the lot line between Lots 1 and (now) Lot 17 would be revised so that the driveway for Lot 17 is contained wholly on that lot rather than bisecting Lot 1 as originally approved. The change to the project would result in one fewer lot than previously approved. Off-site improvements will occur on Reche Road and Trinity Oaks Boulevard, formerly referred to as an extension of Valley Oaks Boulevard West, but improvements will not occur on Ranger Road as part of the revised project. The project also

includes a Minor Deviation to the Site Plan and a Minor Deviation to the Administrative Permit for Lot Area Averaging. These Minor Deviations correspond with the changes to the project.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE

☐ Aesthetics

☐ Biological Resources

☐ Greenhouse Gas Emissions

☐ Land Use & Planning

☐ Population & Housing

☐ Transportation/Traffic

☐ Agriculture and Forest Resources

☐ Cultural Resources

☐ Hazards & Haz Materials

☐ Mineral Resources

☐ Public Services

☐ Utilities & Service Systems

☐ Air Quality

☐ Geology & Soils

☐ Hydrology & Water Quality

☐ Noise

☐ Recreation

☐ Mandatory Findings of Significance

Fallbrook Oaks Tentative Map
 Time Extension and Revision
 PDS2016-TM-5449TE, PDS2015-TM-5449R
 PDS2016-ER-5-02-029B, PDS2015-ER-5-02-029A

December 10, 2021

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous MND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted MND is adequate upon completion of an ADDENDUM.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

<hr/> Signature	<hr/> December 10, 2021 Date
<hr/> Jeff Smyser Printed Name	<hr/> Project Manager Title

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES
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NO
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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to aesthetics.

II. AGRICULTURE AND FORESTRY RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES
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NO
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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to agricultural resources.

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III. AIR QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; 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; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to air quality.

IV. BIOLOGICAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. The MND found effects to Biological Resources to be less than significant with the incorporation of mitigation (dedication of onsite open space and buffer, dedication of a limited building zone, offsite purchase of habitat, breeding season avoidance, temporary fencing, permanent fencing, open space signage, and obtaining Agency Permits). Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to biological resources.

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V. CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. The MND did not identify effects to Cultural Resources; however the project was conditioned with an Archaeological Monitoring Program due to the sensitivity of the area. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to cultural resources.

VI. ENERGY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to energy including the wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured; as such, energy usage would be reduced with implementation of the proposed project. Implementation of the proposed project would not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to cultural resources.

VII. GEOLOGY/SOILS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soil creating substantial risks to life or property; having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where

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sewers are not available for the disposal of wastewater; and or directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. The MND found effects to Paleontological Resources to be less than significant with the incorporation of mitigation (paleontological monitoring). Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to geology/soils.

VIII. GREENHOUSE GAS EMISSIONS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment; and/or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gas?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. The prior MND did not include a greenhouse gas (GHG) emissions analysis as it was not required by CEQA at that time. However, global climate change could have been known with the exercise of reasonable diligence at the time the previous MND was adopted. Changes in law, regulation, or guidelines adoption are not "new information" as that term is used in CEQA Guidelines Section 15162 if the information about the issue was known or should have been known at the time the original MND was adopted. In the U.S. Supreme Court Case of Massachusetts v. E.P.A. (2007) 549 U.S. 497, 507, the Court explained the issue of global climate change began garnering governmental attention long before the prior MND was adopted. The opinion states: "In the late 1970's, the Federal Government began devoting serious attention to the possibility that carbon dioxide emissions associated with human activity could provoke climate change. In 1978, Congress enacted the National Climate Program Act, 92 Stat. 601, which required the President to establish a program to 'assist the Nation and the world to understand and respond to natural and man-induced climate processes and their implications.'" Although the prior MND does not include a GHG analysis, the air quality section did include an analysis of project impacts. Although greenhouse gas emissions and global climate change were reasonably known at the time of adoption of the prior MND and the change to the project is not required to conduct a GHG analysis to determine impacts, GHGs are examined below.

A screening threshold was used to illustrate that impacts from the project would be less than significant for GHG emissions. The California Air Pollution Control Officers Association (CAPCOA) white paper titled "CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from projects Subject to the CEQA," provides a methodology used for jurisdictions across the state to identify a screening level for GHG emissions. The CAPCOA guidance states that projects should be screened to determine if their associated GHG emissions exceed 900 metric tons of carbon dioxide equivalent (MT CO_{2e}). However, since adoption of this threshold, SB 32 was passed to set a revised statewide reduction target by year 2030.

Within the region, other jurisdictions use comparable mass emissions thresholds, including the City of San Marcos. The City of San Marcos uses a 500 MT CO_{2e} per year GHG screening threshold. The City of San Marcos developed this screening threshold to meet AB 32 and SB 32 targets and to determine whether development within the city would result in cumulative impacts to climate change. The San Marcos 500 MT CO_{2e} threshold would generally be exceeded by 36 single-family units or more, which is more than what the 17 single family units the project is proposing. While the project is not located within the city, the metric is illustrative to provide context for the project's size and associated GHG emissions relative to a neighboring jurisdiction's standard.

In April 2020, the Sacramento Metropolitan Air Quality Management District (SMAQMD) published updated project screening levels and determined that projects estimated to generate less than 1,100 MT CO_{2e} per year would not result in a significant, cumulative impact. This threshold was also developed to demonstrate compliance with the statewide reduction targets of SB 32 by 2030.

The project would generate GHG emissions through construction activities, vehicle trips, and on-site operational activities. As State legislative requirements such as Building Energy Efficiency Standards and transportation-related efficiency measures become increasingly more stringent overtime, future project GHG emissions would be reduced helping to meet State emission reduction targets. The project would be required to comply with the California Building Code, which requires the application of solar.

Though GHG is not required for the change to the project, for comparative purposes, the County recently approved the Summit Estates residential development proposing 20 single family units. It was found that the project would generate 336 MT CO_{2e} without the application of any project design features to reduce GHG emissions. Because this project is proposing 17 single family units, its emissions are likely to be less than Summit Estates and would not exceed any of the thresholds mentioned above. It should be noted that the project does not rely on the screening level thresholds mentioned to determine impact significance, rather it illustrates that the project would not cause a significant direct or cumulative impact from GHG emissions due to the relatively small amount of GHG emissions that are likely to be generated from construction and operations.

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Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to greenhouse gas emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of 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; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location 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; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to hazards and hazardous materials.

X. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; impede or redirect flows; in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; and/or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP),

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PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured which decreases the amount of grading and construction. The previously adopted MND concluded that the project would have a less than significant impact on hydrology and water quality. The project has been updated to comply with the County of San Diego Best Management Practices (BMP) Design Manual and Municipal Separate Storm Sewer System (MS4) permit. A Stormwater Quality Management Plan (SWQMP) was prepared for the project by Lundstrom Engineering & Surveying. The SMQWP was reviewed and determined to comply with current stormwater regulations. Additionally, the CEQA Drainage Study has been updated (Lundstrom Engineering & Surveying) to comply with the San Diego County Hydraulic Design Manual, 2014 and was prepared in conformance with the San Diego County Hydrology Manual, 2003. Implementation of the proposed project would have a less than significant impact and does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to hydrology and water quality.

XI. LAND USE AND PLANNING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

YES
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NO
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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to land use and planning.

XII. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES
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NO
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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to mineral resources.

XIII. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; generation of excessive groundborne vibration or groundborne noise levels; for projects located within the vicinity of a private airstrip or airport land use plan, would the project expose people residing or working in the project area to excessive noise levels or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. The MND found effects to Noise to be less than significant with the incorporation of mitigation in the form of dedication of a noise protection easement, and acoustical analysis at building permit for Lot 18. This mitigation measure will remain the same with minor changes as it relates to the revised Tentative Map proposal. The minor changes include the following:

- The noise condition requiring the placement of a Noise Protection Easement over Lot 18 will be revised to reflect that the Noise Protection Easement will now be placed over Lot 17.
- The noise condition requiring an acoustical analysis for Lot 18 will be revised to reflect Lot 17.
- Noise conditions have been revised to reflect the most current General Plan Noise Element.
- An additional grading plan note adds a condition to ensure Noise Ordinance compliance related to construction equipment operations.

The addition of these revisions will provide greater protections. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to geology/soils.

XIV. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including inducing substantial unplanned population growth in an area, either directly or indirectly; and/or displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

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NO

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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to population and housing.

XV. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES
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NO
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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to public services.

XVI. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in 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; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES
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NO
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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to recreation.

XVII. TRANSPORTATION/TRAFFIC -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: conflicting with a program, plan, ordinance or policy addressing the

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circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); substantially increase hazards due to a geometric design feature or incompatible uses; and/or result in inadequate emergency access?

YES
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NO
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Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. The MND found effects to Transportation/Traffic to be less than significant with the incorporation of mitigation (payment of the Transportation Impact Fee (TIF)). The reduction of the number of lot from 18 to 17 will generate less traffic and will lower vehicle miles travelled (VMT). Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to transportation/traffic.

XVIII. TRIBAL CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES
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NO
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Since the MND for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)) was adopted, there has been a change in the project and a change in circumstances. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. In addition, Assembly Bill 52 (AB-52) became effective on July 1, 2015. AB-52 requires that tribal cultural resources (TCR) be evaluated under CEQA. AB-52 does not apply to this project because the environmental document is not an MND, ND, or EIR. A Sacred Lands File check was conducted through the Native American Heritage Commission (NAHC). The NAHC response was negative for resources within the project site. Implementation of this project would not cause one or more effects to tribal cultural resources. As such, revisions to the adopted MND is not required.

XIX. UTILITIES AND SERVICE SYSTEMS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects; have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; 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; generate

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solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; and/or comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

YES

☐

NO

☒

Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. Details related to stormwater and drainage is provided in section X (Hydrology and Water Quality). Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to utilities and service systems.

XX. WILDFIRE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects from wildfire that would substantially impair of an adopted emergency response plan or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks and would therefore expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes.

YES

☐

NO

☒

Since the MND was adopted for the Fallbrook Oaks Major Subdivision (PDS2005-3800-05-006 (GPA), PDS2005-3600-05-015 (REZ), PDS2005-3100-5449 (TM), PDS2007-3500-07-009 (STP), PDS2005-3000-08-054 (AD)), there has been a change in the project. The project has been revised from 18 to 17 lots, and two lots have been reconfigured. The MND determined that impacts to wildfire were less than significant because the project will comply with regulations relating to emergency access, water supply, and defensible space. A Fire Service Availability Letter (November 10, 2016) was submitted identifying that services are available and that the expected emergency travel time to the project is 3 minutes. In addition, an Addendum to the Fire Protection Plan (May 4, 2016) was submitted to ensure the change does not expose people or structures to a significant risk of loss, injury or death involving wildfires. Implementation of the proposed project does not require revisions to the MND due to new significant effects or a substantial increase in the severity of previously identified effects to wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Fallbrook Oaks Tentative Map
 Time Extension and Revision
 PDS2016-TM-5449TE, PDS2015-TM-5449R
 PDS2016-ER-5-02-029B, PDS2015-ER-5-02-029A

December 10, 2021

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, 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?

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)?

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

YES
☐

NO
☒

Attachments

- Previous environmental documentation: Mitigated Negative Declaration, ER 3910 05-02-029

XX. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM

California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection, Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Conservation/Open Space Element of the General Plan (Goal COS-17: Solid Waste Management)

County of San Diego Conservation/Open Space Element of the General Plan

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

Fallbrook Oaks Tentative Map
Time Extension and Revision
PDS2016-TM-5449TE, PDS2015-TM-5449R
PDS2016-ER-5-02-029B, PDS2015-ER-5-02-029A

December 10, 2021

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County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego. 1997. Multiple Species Conservation Program, County of San Diego Biological Mitigation Ordinance

County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801 et seq.)

Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resource Protection

Lundstrom Engineering & Surveying, Drainage Study Fallbrook Oaks, October 13, 2021, On file with the County of San Diego, Planning & Development Services

Lundstrom Engineering & Surveying, Priority Development Project (PDP) SWQMP, October 13, 2021, On file with the County of San Diego, Planning & Development Services

Morel, Sid (Santa Margarita Consulting, LLC), Addendum to Fire Protection Plan – Fallbrook Oaks, TM 5449, ER05-02-029, May 4, 2016, On file with the County of San Diego, Planning & Development Services

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors on 12/7/93

Pacific Southwest Biological Services, Inc., Augmented Biological Survey Report, Reche and Ranger Roads, Fallbrook Area, California, September 29, 2020

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

Santa Margarita Consulting, LLC, Addendum to Fire Protection Plan Fallbrook Oaks, TM 5449, ER05-02-029, May 4, 2016

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 - Fall 1994 by Tom Schueler Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region

NOTICE OF DETERMINATION

TO: ☐ Recorder/County Clerk
Attn: James Scott
1600 Pacific Highway, M.S. A33
San Diego, CA 92101

FROM: County of San Diego
Planning & Development Services, M.S. 0650
Attn: Project Planning Section Secretary
5510 Overland Avenue, Suite 110
San Diego, CA 92123

☐ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Number(s): Fallbrook Oaks Tentative Map Time Extension PDS2016-TM-5449TE, Revised Tentative Map PDS2015-TM-5449R, PDS2016-ER-05-02-029B, PDS2015-ER-05-02-029A

State Clearinghouse No.:

Project Location: The project is located at the intersection of Ranger Road and Reche Road in the Fallbrook Community Plan area within the unincorporated area of San Diego County.

Project Applicant: Crossroads Investors LLC, 10525 Vista Sorrento Parkway, #310, San Diego, CA 92121

Project Description: TM Time Extension to 12/7/2022 & Revised Tentative Map to reduce from 18 to 17 lots

Agency Approving Project: County of San Diego

County Contact Person: Jeff Smyser (858)495-5438

Date Form Completed: December 10, 2021

This is to advise that the County of San Diego Director of Planning & Development Services has approved the above described project on December 10, 2021 and has made the following determinations:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
☐ A Negative Declaration or Mitigated Negative Declaration was adopted for this project pursuant to the provisions of the CEQA.
☒ An Addendum to a previously certified Environmental Impact Report, or to a previously adopted Negative Declaration or Mitigated Negative Declaration, was prepared and considered for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A Mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.

The following determinations are only required for projects with Environmental Impact Reports:

5. A Statement of Overriding Considerations ☐ was ☐ was not adopted for this project.
6. Findings ☐ were ☐ were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Wildlife Code Section 711.4 (Department of Fish and Wildlife Fees):

☐ Certificate of Fee Exemption (attached)

☒ Proof of Payment of Fees (attached)

Fish and Wildlife Code Section 711.4 compliance for subject project is covered by previous payment of fees associated with environmental review conducted for Fallbrook Oaks Major Subdivision; 3600 05-015 (R), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Planning & Development Services, Project Processing Counter, 5510 Overland Avenue, Suite 110, San Diego, California.

Date received for filing and posting at OPR: _____

Signature: _____ Telephone: (858) 495-5438
Name (Print): Jeff Smyser, AICP Title: Project Manager

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15075 or 15094.

NOTICE OF DETERMINATION

110238

TO: ☒ Recorder/County Clerk
 Attn: Linda Kesian
 1600 Pacific Highway, M.S. A33
 San Diego, CA 92101

FROM: County of San Diego
 Department of Planning and Land Use, M.S. 0650
 Attn: Project Planning Section Secretary
 5201 Ruffin Road, Suite B
 San Diego, CA 92123

FILED

Ernest J. Dronenburg, Jr., Recorder County Clerk

☒ Office of Planning and Research
 P.O. Box 3044
 Sacramento, CA 95812

DEC 07 2011

BY L. Kesian
DEPUTY

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Number(s): Fallbrook Oaks Major Subdivision (18 Lots); 3600 05-015 (R), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD)

State Clearinghouse No.: 2009091103

Project Location: The project is located at the intersection of Ranger Road and Reche Road in the Fallbrook Community Plan area within the unincorporated area of San Diego County.

Project Applicant & Phone #: Cabrillo Medical, LLC, 3721 Valley Centre Drive, Suite 100, San Diego, CA 92130-3330 (619) 299-4855

Project Description: This is a request to subdivide 27.2 acres into 18 residential lots. The Zone Reclassification would change the existing C36, General Commercial Use Regulations to A70, Limited Agricultural Use Regulations. Access to the project site would be from a private road from Reche Road along the western boundary. The project would be served by the Rainbow Municipal Water District for water and sewer service. A Site Plan is also proposed in accordance with the I-15 Corridor Design Review Guidelines and an Administrative Permit for Lot Area Averaging.

Agency Approving Project: County of San Diego

County Contact Person: Mark Slovick

Date Form Completed: October 12, 2011

This is to advise that the County of San Diego Board of Supervisors has approved the above described project on December 7, 2011/item #2 and has made the following determinations:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
☒ A Negative Declaration or Mitigated Negative Declaration was adopted for this project pursuant to the provisions of the CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A Mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.

Project status under Fish and Game Code Section 711.4 (Department of Fish and Game Fees):

- ☐ Certificate of Fee Exemption (attached)
☒ Proof of Payment of Fees (attached)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Department of Planning and Land Use, Project Processing Counter, 5201 Ruffin Road, Suite B, San Diego, California.

Date received for filing and posting at OPR: _____

Signature: Mark Slovick Telephone: (858) 495-5172

Name (Print): Mark Slovick Title: Land Use/Environmental Planner

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15075 or 15094.

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on DEC 07 2011
Posted DEC 07 2011 Removed JAN 10 2012
Returned to agency on _____
Deputy L. Kesian



State of California—The Resources Agency
DEPARTMENT OF FISH AND GAME

2011 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# **410462**

STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY

DATE

COUNTY/STATE AGENCY OF FILING

DOCUMENT NUMBER

PROJECT TITLE

PROJECT APPLICANT NAME

PHONE NUMBER

PROJECT APPLICANT ADDRESS

CITY

STATE

ZIP CODE

PROJECT APPLICANT (Check appropriate box):

☐ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

☒ Mitigated/Negative Declaration (ND)(MND)

☐ Application Fee Water Diversion (State Water Resources Control Board Only)

☐ Projects Subject to Certified Regulatory Programs (CRP)

☐ County Administrative Fee

☐ Project that is exempt from fees

☐ Notice of Exemption

☐ DFG No Effect Determination (Form Attached)

☐ Other

\$2,839.25

\$2,044.00

\$850.00

\$965.50

\$50.00

\$

\$

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☒ Check

☐ Other

TOTAL RECEIVED \$ **2,094.00**

SIGNATURE

TITLE

X

Cashier

WHITE - PROJECT APPLICANT

YELLOW - DFG/ASB

PINK - LEAD AGENCY

GOLDEN ROD - COUNTY CLERK

FG 753.5a (Rev. 11/10)



STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

365125

Lead Agency:

Date:

County/State Agency of Filing:

Document No.:

Project Title:

Project Applicant Name:

Project Applicant Address:

City

State

Zip Code

Phone Number:

Project Applicant (check appropriate box):

☐ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☒ Private Entity

Check Applicable Fees:

☐ Environmental Impact Report

☒ Negative Declaration

☐ Application Fee Water Diversion (State Water Resources Control Board Only)

☐ Projects Subject to Certified Regulatory Programs

☒ County Administrative Fee

☐ Project that is exempt from fees

☐ Notice of Exemption

☐ DFG No Effect Determination (Form Attached)

\$2606.75

\$1876.75

\$886.25

\$886.25

\$50.00

\$

\$

\$

TOTAL RECEIVED \$ **2,043.00**

Signature and title of person receiving payment:

WHITE-PROJECT APPLICANT

YELLOW-DFG/ASB

PINK-LEAD AGENCY

GOLDEN ROD-COUNTY CLERK

DFG 753.5a (Rev. 11/07)



COUNTY OF SAN DIEGO
DEPARTMENT OF PLANNING AND LAND USE
5201 Ruffin Road, Suite B
San Diego, CA 92123
858-694-2960

MISCELLANEOUS RECEIPT

Page: 1

RECEIPT #: 11-0715161
RECEIPT DATE: 15-SEP-2011
CASHIER: CTRIEUPL
FROM: CABRILLO MEDICAL LLC
COMMENTS: DFG 410462/365125 GPA05-006;R05-015

FEE CODE	DESCRIPTION	FEE	PAYMENTS
9FSHGAMEXO	FISH & GAME	\$51.00	
CHECK	CHECK #006940		\$51.00

TOTAL FEES:	\$51.00
TOTAL PMTS:	\$51.00
BALANCE:	\$0.00
RECEIVED:	\$51.00
CHANGE:	\$0.00



COUNTY OF SAN DIEGO
DEPARTMENT OF PLANNING AND LAND USE
5201 Ruffin Road, Suite B
San Diego, CA 92123
858-694-2960

MISCELLANEOUS RECEIPT

Page: 1

RECEIPT #: 09-0590325
RECEIPT DATE: 15-SEP-2009
CASHIER: CTRIEUPL
FROM: CABRILLO MEDICAL LLC
COMMENTS: GPA05-006;R05-015;TM5449RPL1;S07-009

FEE CODE	DESCRIPTION	FEES	PAYMENTS
9FSHGAMEXO	FISH & GAME	\$1,993.00	
CHECK	CHECK #1003362		\$1,993.00
9FSHGMFEE0	FISH & GAME FEE	\$50.00	
CHECK	CHECK #1003362		\$50.00
TOTAL FEES:		\$2,043.00	
TOTAL PMTS:		\$2,043.00	
BALANCE:		\$0.00	
RECEIVED:		\$2,043.00	
CHANGE:		\$0.00	

FALLBROOK OAKS
TENTATIVE MAP TIME EXTENSION AND REVISED TENTATIVE MAP
PDS2016-TM-5449TE, PDS2015-TM-5449R
PDS2016-ER-05-02-029B, PDS2015-ER-05-02-029A

ENVIRONMENTAL FINDINGS

December 10, 2021

1. Find that the Addendum dated December 10, 2021 to a previously adopted Mitigated Negative Declaration on file with Planning & Development Services was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein prior to approving the project; and

Find that there are no substantial changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration and that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the Mitigated Negative Declaration was adopted as explained in the Environmental Review Update Checklist dated December 10, 2021.

2. Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 et seq.).
3. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF FALLBROOK OAKS TIME EXTENSION AND REVISED TENTATIVE MAP PDS2016-TM-5449TE, PDS2015-TM-5449R

December 10, 2021

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

☒

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

☒

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:

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

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

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

Discussion:

Wetland and Wetland Buffers:

Even though wetlands and/or wetland buffer areas have been identified on the project, the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project will not place any non-permitted uses within wetlands; b) the project will not allow grading, filling, construction, or placement of structures within identified wetlands; and c) the project will not allow any non-permitted uses within wetland buffer areas. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

A major drainage way/creek runs through the project site. The project is not proposing to place structures with a potential for human occupation within these areas. The project also meets all setback requirements from the floodplain fringe/floodway; therefore, the project complies with the floodway and floodplain fringe section (Article IV, Section 3) of the Resource Protection Ordinance.

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 steep slopes on the property, however; all of the steep slopes are within the proposed biological open space easement. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. Sensitive habitat lands were identified on the site. However, the project has been conditioned to avoid and mitigate for impacts to sensitive habitat lands. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego approved archaeologist, Brian Glenn, and it has been determined that the property does not contain any cultural sites. As such, the project complies with the RPO.

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

YES
☒

NO
☐

NOT APPLICABLE
☐

Discussion:

The project Storm Water Management Plan and Hydromodification Management Study have been reviewed and are found to be complete and in compliance with the WPO.

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

YES
☒

NO
☐

NOT APPLICABLE
☐

Discussion:

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

Staff has reviewed the proposed TM-5449 Revised TM and TM Time Extension application. Both are to be processed simultaneously with the PDS2016-TM-5449TE as the parent reference project number. The project Revised TM and TM Time Extension involves changes to the original design comprised of converting Lot 17 into a Remainder Lot and changing Lot 18 to Lot 17.

The original TM-5449 was assessed for both Noise Element conformance and County Noise Ordinance compliance. The original TM-5449 was conditioned with a Noise Protection Easement dedication requirement. This requirement will remain the same with minor changes as it relates to the Revised TM proposal. The minor changes involve the following:

- Revise noise conditions to reflect the updated lot number configuration. A condition requires a perpetual Noise Protection Easement, as shown on the Revised Tentative Map 5449R over the entire area of Lot 17, which previously was numbered Lot 18.
- Noise conditions have been revised to reflect the most current General Plan Noise Element.
- An additional grading plan note adds a condition to ensure Noise Ordinance compliance related to construction equipment operations consistent with current requirements.



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

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

MITIGATED NEGATIVE DECLARATION

September 24, 2009

Project Name: Fallbrook Oaks Major Subdivision (18 Lots)

Project Number(s): 3800 05-006 (GPA), 3600 05-015 (REZ), 3100 5449 (TM), 3500 07-009 (STP), 3000 08-054 (AD)

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Biology, Cultural Resources, Traffic, Fire Protection, Drainage/Hydrology, Stormwater Management and Noise.
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before

Mitigated Negative Declaration
GPA 05-006, R05-015, TM 5449,
AD 08-054

- 2 -

September 24, 2009

the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. BIOLOGY

1. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and or improvement plans:

(Biological)

- (a) The grading, and or improvement plans, shall indicate permanent fences or walls along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

- (1) The fence or wall shall be a minimum of four feet (4') high and consist of split rail, three wire strand or similar. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.

- (b) The grading, and or improvement plans shall indicate open space signs along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and

Mitigated Negative Declaration
GPA 05-006, R05-015, TM 5449,
AD 08-054

- 3 -

September 24, 2009

Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

- (1) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**"Sensitive Environmental Resources
Area Restricted by Easement**

Unauthorized Entry is Restricted. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Department of Planning and Land Use
Reference: (ER 05-02-029)"

- (c) The grading, and or improvement plans, shall indicate Temporary Orange Construction fencing to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. The fencing shall be placed along the open space boundary of lots(s) 4, 5, 17, and 18 as shown on the Open Space Fencing and Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

4. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Biological)

- a. "Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space

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easement boundary. The temporary fencing shall be removed after the conclusion of such activity."

- b. "Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of oak woodland habitat during the breeding season of the raptor. This is defined as occurring between January 15 and July 15. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no raptors are present in the vicinity of the brushing, clearing or grading."
5. "Prior to the conclusion of grading activities and Final Grading Release, provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been placed along the biological open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on these plans and the Open Space Fencing and Signage Plan dated on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029."
- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
 - b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

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Department of Planning and Land Use
Reference: (ER 05-02-029)"

6. Prior to any grading, clearing, or construction activities and, prior to the preconstruction conference, provide evidence to the satisfaction of the Director of Planning and Land Use, that the

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following "Agency Permits" have been obtained, or evidence that such permits are not required:

- a. "Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required."
- b. "Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required."

- 7. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, the applicant shall grant to the County of San Diego by separate document, an open space easement as shown on the Open Space Exhibit dated _____ on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exception(s) to this prohibition is:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property.

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All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.
 - c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
 - d. Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
8. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Open Space Exhibit dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
- a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel

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modification requirements so that they will not be required within any portion of the biological open space easement.

- b. Decking, fences, and similar facilities.
 - c. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
9. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 4.8 acres of coast live oak woodland habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region. Evidence of purchase shall include the following information to be provided by the mitigation bank:
- a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 - d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

-OR-

Provide for the conservation and habitat management of a minimum of 4.8 acres of coast live oak woodland habitat located in

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the northern foothills eco region. A Resource Management Plan (RMP) for the coast live oak woodland habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

10. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 8.6 acres of Non native grasslands or sage scrub/chaparral habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region.. Evidence of purchase shall include the following information to be provided by the mitigation bank:
 - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 - d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

-OR-

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Provide for the conservation and habitat management of a minimum of 8.6 acres of non native grassland or sage scrub/chaparral habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the non native grassland or sage scrub/chaparral habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

11. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 0.3 acres of southern coast live oak riparian forest habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the northern foothills eco region. Evidence of purchase shall include the following information to be provided by the mitigation bank:
 - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 - d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

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-OR-

Provide for the conservation and habitat management of a minimum of 0.3 acres of southern coast live oak riparian forest habitat located in the northern foothills eco region. A Resource Management Plan (RMP) for the southern coast live oak riparian forest habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

12. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map 5449, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained:
 - a. Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required.
 - b. Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required.
13. The building plans, shall indicate permanent fences or walls along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and Signage Plan dated **September 15, 2009** on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.

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- a. The fence or wall shall be a minimum of four feet (4') high and consist of split rail, three strand wire or similar. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
- b. The building plans shall indicate open space signs along the open space boundary of lots(s) 3, 4, 5, 17 and 18 as shown on the Open Space Fencing and Signage Plan dated on file with the Department of Planning and Land Use as Environmental Review Number ER 05-02-029.
 - (1) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**"Sensitive Environmental Resources
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Department of Planning and Land Use
Reference: (ER 05-02-029)"

C. PALEONTOLOGICAL RESOURCES

1. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Paleontological Resources)

- a. "The Qualified Paleontologist or Qualified Paleontological Resources Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the Paleontological Resources Mitigation Program."
- b. "During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified

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Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist."

- c. "If paleontological resources are encountered during grading/excavation:
 - (1) The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 - (2) The Qualified Monitor shall immediately contact the Qualified Paleontologist.
 - (3) The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.
 - (4) The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume."
- d. "If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:
- e. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
- f. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
- g. Transport the collected specimens to a laboratory for

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processing (cleaning, curation, cataloging, etc.).

- h. "Prior to Rough Grading Inspection Sign-off, provide evidence that monitoring for paleontological resources has been completed. Evidence shall be in the form of a letter from the Qualified Paleontologist to the Director of Planning and Land Use."
- i. "Prior to Final Grading Release:"
 - (1) "If **no** paleontological resources were discovered, submit a letter report from the Qualified Paleontologist to the director of Planning and Land Use stating that the monitoring has been completed and that no paleontological resources were discovered."
 - (2) "If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Qualified Paleontologist:
 - (i) Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - (ii) Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
 - (iii) Submit a detailed report prepared by the Qualified Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an

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electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils."

- (iv) "Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution."

-OR-

"Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the preparation of the Final Paleontological Resources Mitigation Program Report that documents the results, analysis, and conclusions of all phases of the Program, and a 10 percent cash deposit not to exceed \$15,000. A detailed cost estimate shall be prepared by the Qualified Paleontologist to the satisfaction of the Director of Planning and Land Use for the cost of curating the fossils, preparing the Final Paleontological Resources Mitigation Program Report, and transferring the collection to the accredited institution that has agreed to accept the collection."

2. Prior to recordation of the final map, and prior to approval of any grading or improvement plans, or issuance of any grading permits, the subdivider shall implement the following relating to the paleontological grading monitoring program, to mitigate potential

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impacts to undiscovered buried paleontological resources on the Project site. The following implementation shall be to the satisfaction of the Director of Planning and Land Use:

- a. Provide evidence that a County approved Paleontologist ("Project Paleontologist") has been contracted to implement a grading monitoring and potential data recovery program which complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use.
- b. The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.

D. NOISE

1. On the Final Parcel Map, grant to the County of San Diego a perpetual Noise Protection Easement, as shown on Tentative Map 5449. The easement shall be placed over the entire area of Lot 18. The easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected Lot.

"Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement located on Lot 18", the applicant shall:

- a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Reche Road shall use a traffic flow equivalent to a Level of Service "C" traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.

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- b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.
 2. Prior to issuance of any building permit for any residential use located on Lot 18, the applicant shall:
 - a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Reche Road shall use a traffic flow equivalent to a Level of Service "C" traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.
 - b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.
 3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

Tentative Map

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 10 and 12.

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2. Specific Conditions:

- a. Improve or agree to improve and provide security for the construction of **Reche Road** along the project's southeasterly boundary in accordance with the Public Rural Collector Road Standards, to a one-half graded width of forty-two (42') from centerline with twenty feet (20') of asphalt concrete pavement over approved base, with 6" AC berm and ten foot (10') DG pathway, with face of 6" AC berm at twenty feet (20') from centerline, and with berm returns at the intersections with Ranger Road and Valley Oaks Boulevard North. The bike lane will be 8' wide to serve to be a combination bike lane/emergency parking shoulder. The dry utilities shall be located under or behind the 10 foot DG pathway. Provide grading and improvements to meet County Pathway Standards. All of the above shall be to the satisfaction of the Director of Public Works.
- b. Improve, or agree to improve and provide security for **Ranger Road** along the project frontage, in accordance with Public Residential Collector Road Standards, to a graded on-half width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base, with 6" AC berm, with face of 6" AC berm at twenty feet (20') from centerline. Provide transitions, drainage and other provisions on- and offsite to meet: intersectional improvements including curb returns with Reche Road on the south end and on the north end meet the existing improvements of Ranger Road. All of the above shall be to the satisfaction of the Director of Public Works.
- c. Improve or agree to improve and provide security for the to-be-named private road "**Valley Oaks Boulevard North**" from Reche Road northerly to northwest corner of Lot 15, to a graded width of forty feet (42') with thirty-two feet (32') of asphalt concrete pavement over approved base with twenty-foot (20) on east side of the centerline and twelve feet (12') on west side of the centerline. The improvement and design standards of Section 3.1(B) of the County Standards for Private Streets for seven hundred fifty (750) trips or less shall apply to the satisfaction of the Director of Public Works.
- d. Improve or agree to improve and provide security for the private easement road, **Keystone Oaks Road**, northeasterly and northwesterly to a terminus cul-de-sac at Lot 10, to a graded width

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of forty feet (40') with thirty-two feet (32') of asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply to the satisfaction of the Director of Public Works. The street knuckle in the vicinity of Lots 3, 4, 5, and 14 shall comply with San Diego Design Standard DS-15. All of the above shall be to the satisfaction of the Director of Public Works.

- e. Keystone Oaks Road shall terminate at Lot 10 with a cul-de-sac graded to a radius of forty-four feet (44') and surfaced to a radius of forty-two feet (42') with asphalt concrete pavement over approved base.
- f. Improve or agree to improve and provide security for the private easement road, from Valley Oaks Blvd North northerly to Lot 18, to a graded width of twenty feet (20') with sixteen feet (16') of asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the North County Fire Protection District and Director of Public Works.
- g. "Valley Oaks Boulevard North" shall have a hammerhead turnaround installed at the project's northwest corner (driveway of lot 15), and a hammerhead turnaround installed at private road easement serving lot 18 shall be graded and improved with asphalt concrete pavement over approved base with asphalt concrete, to the satisfaction of the Director of Public Works.
- h. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along Valley Oaks Boulevard North from Keystone Oaks Road, driveway of Lot 15, 16, and private road easement serving lot 18 for the prevailing operating speed of traffic on Valley Oaks Boulevard North, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

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- i. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along Reche Road from Valley Oaks Boulevard North and Ranger Road for the prevailing operating speed of traffic on Reche Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- j. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance along Ranger Road from driveway of Lot 17 for the prevailing operating speed of traffic on Ranger Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- k. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- l. If guarded access is used along Keystone Oaks Road, it shall be in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gate installed across Keystone Oaks Road, if any, is to conform to North County Fire Protection District Standards.

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.

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4. Specific Conditions:

- a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
- b. A flowage easement shall be granted to the County of San Diego for those portions of all lots subject to inundation by a 100-year flood, from a drainage area in excess of one (1) square mile.
- c. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.

(Stormwater)

5. Low Impact Development (LID) requirements apply to all priority development projects as of January 24, 2008. These requirements are found on page 19 (Section D.1.d. (4) a & b) of the Municipal Storm water Permit:

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

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. You can access the Handbook at the following DPLU web address: <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. For more information contact Stephanie Gaines, DPW, Watershed Planning Division at 858-694-3493 [Stephanie.Gaines@sdcounty.ca.gov].

6. On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can

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be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

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

All priority projects must minimize directly connected impervious areas and promote biofiltration. D.1.d(4) subsections (a) and (b) are the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements:

- 1) Disconnect impervious surfaces.
- 2) Design impervious surfaces to drain into properly designed pervious areas.
- 3) Use pervious surfaces wherever appropriate.
- 4) Implement site design BMP's.

The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

(Grading Plans)

7. Standard Conditions 19 (a-d).
8. Specific Conditions:
 - a. Obtain letters of permission for all offsite grading.
 - b. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for Low Impact Development materials and wastes control, erosion control, and sediment control on the project site. Projects that involve

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areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

- c. If it is determined that the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.
- d. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works, in accordance with the County of San Diego Grading Ordinance. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

DEVELOPMENT IMPACT FEES

9. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.

FAIR HOUSING

10. Standard Condition 20.

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11. Standard Condition 21.

FIRE PROTECTION AND WATER SUPPLY

12. Standard Condition 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

13. Specific Conditions:

- a. Obtain a Zone Reclassification (R05-015) to the A70, Limited Agricultural Use Regulations or more restrictive use regulation by the Board of Supervisors. [DPLU – Regulatory Planning Division]
- b. Obtain an Administrative Permit for Lot Area Averaging from the Board of Supervisors. [DPLU - Regulatory Planning Division]
- c. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
 - (1) Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
 - (2) A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.

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- (3) A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
 - (4) Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
 - (5) The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
- d. Prior to approval of a Final Map, the subdivider shall provide evidence that all existing structures shown on the Tentative Map "to be removed or relocated on the site" have been removed/relocated to the satisfaction of the Director of Public Works.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

14. Standard Conditions 25, 26, 27, and 28.

15. Specific Conditions:

- a. With the Final Map, dedicate the project half of Reche Road, along the project frontage in accordance with Public Rural Collector Road Standards with Bike Lane for a one-half width of forty-two feet (42'), {including a twenty-foot (20') property line radii corner rounding at the intersection with Valley Oaks Boulevard North and Ranger Road} together with right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.

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- b. With the Final Map, dedicate the project half of Ranger Road, along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'), {including a twenty-foot (20') property line radii corner rounding at the intersection with Reche Road} together with the right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.
- c. With the Final Map, Execute an Irrevocable Offer to Dedicate Real Property, the project half of "Valley Oaks Boulevard North", along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities. All of the above shall be to the satisfaction of the Director of Public Works.
- d. With the Final Map, Execute an Irrevocable Offer to Dedicate Real Property "Valley Oaks Boulevard North" off-site to a width of thirty-foot (30') contiguous with the above thirty feet (30'), dedication to provide a minimum sixty foot right-of-way for "Valley Oaks Boulevard North" along the project frontage.
- e. Relinquish access rights along Reche Road to the satisfaction of the Director of Public Works.
- f. Show one foot (1') access restriction easement along Valley Oaks Blvd North (frontage on Lot 1, 11, and 14). [DPW]
- g. Contact Route Locations of the Department of Public Works to determine the desired location of the centerline of Reche Road (SF 1416), which is shown on the Circulation Element of the County General Plan as a Rural Collector Road with Bike. The following shall be shown on the Final Map:
 - (1) The centerline location as approved by the Department of Public Works.
- h. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.

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- (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
 - i. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
 - j. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
 - k. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).
16. Specific Conditions:
- a. No lot shall contain a net area of less than one acre except for Lots 2, 8 and 12, which shall not contain a net area of less than 0.90 acres. [DPLU - Regulatory Planning Division]

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- b. No lot shall contain a gross area of less than one acre. [DPLU - Regulatory Planning Division]

Site Plan

- A. Prior to obtaining any building or other permit pursuant to this Site Plan, and prior to commencement of construction or use of the property in reliance on this Site Plan, the applicant shall:
 - 1. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use.
 - 2. Submit evidence to the satisfaction of the Director of Planning and Land Use (Building Division) that all "Prior to Use or Occupancy" conditions C.1 through C.6 of this Site Plan have been printed on a separate sheet of all building plans associated with this Site Plan:
 - (a) The conditions shall be printed on a separate sheet of the building plans.
 - (b) The Directors of Public Works or Planning and Land Use may waive this condition to allow the issuance of a grading permit. The requirement shall be met before the issuance of any building permit.
 - 3. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
 - (a) Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be

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maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.

- (b) A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
 - (c) A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
 - (d) Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
 - (e) The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
- 4. File and receive approval of a final subdivision map of the property pursuant to TM 5449RPL¹ or subsequent revision thereof.
 - 5. Furnish the Director of Planning and Land Use a letter from the Director of the Department of Public Works stating Conditions A.1 and A.4 have been complied with to that Department's satisfaction.
- B. Prior to any occupancy or use of the premises pursuant to this Site Plan, the applicant shall:
- 1. Improve all parking areas and driveways shown on the approved plot plan with a minimum of two inches asphaltic concrete or a surfacing of a more durable type.
 - 2. Submit to the Director of Planning and Land Use a statement from the project California licensed landscape architect that all

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ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Board of Supervisors

on December 7, 2011



on behalf of

Rich Grunow, Planning Manager
Project Planning Division

RG:MS



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/dplu

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

1. Title; Project Number(s); Environmental Log Number:

Fallbrook Oaks Major Subdivision (18 Lots); General Plan Amendment, Rezone, Tentative Map, Site Plan and Administrative Permit; GPA 05-006, R05-015, TM 5449, S07-009, AD 08-054, ER 05-02-029
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 Mark Slovic, Project Manager
b. Phone number: (858) 495-5172
c. E-mail: Mark.Slovick@sdcounty.ca.gov.
4. Project location:

3918 Reche Road, Fallbrook Community Plan Area at the intersection of Ranger Road and Reche Road

Thomas Brothers Coordinates: Page 1028, Grid F/4
5. Project Applicant name and address:

Fallbrook Oaks, LLC, 5353 Mission Center Road, San Diego, CA 92108
6. General Plan Designation
Community Plan: Fallbrook
Land Use Designation: (6) Residential and (13) General Commercial
Density: 7.3 du/acre

7. Zoning
 Use Regulation: A70, Limited Agricultural and C36, General
 Commerical Use Regulations
 Minimum Lot Size: 1 acre and 6,000 square feet
 Special Area Regulation: B

8. Description of project:

The project is a General Plan Amendment, Zone Reclassification, Tentative Map, Site Plan and Administrative Permit to subdivide 27.2 acres into 18 residential lots. The General Plan Amendment would change the Land Use Designations from (6) Residential, which allows 7.3 dwelling units per gross acre and (13) General Commercial to (2) Residential, which allows 1 dwelling unit per gross acre. The project also proposes a Zone Relcassification to change the portion of the site that is currently zoned C36, General Commerical to A70, Limited Agricultural Use Regulations. The Zone Reclassification would change the commerical zone to match the existing A70, Limited Agricultural Use Regulations that apply to the portion of the site subject to the (6) Residential Land Use Designation.

The project site is located at the intersection of Ranger Road and Reche Road in the Fallbrook Community Plan Area, within the unincorporated portion of San Diego County. The site is subject to the General Plan Regional Category Current Urban Development Area (CUDA). The site contains an existing single family residence that would be removed. Access would be provided by a private road (Keystone Oaks Road) from Valley Oaks Boulevard West. The project would receive sewer and imported water from the Rainbow Municipal Water District.

Earthwork would consist of a balanced cut and fill of 92,000 cubic yards of material. The project includes the following off-site improvements: road improvements to Reche Road, Ranger Road and Valley Oaks Boulevard West. The following project design considerations are also being implemented to minimize environmental impacts: landscaping will be provided to screen all pad areas and stabalize slopes.

9. Surrounding land uses and setting:

Lots surrounding the development to the north, east, west and a portion to the south are generally one to two acres in size. To the southeast is an exsting mobilehome park that is zoned RMH5, Mobilehome Residential Use Regulations, which allows five dwelling units per acre.

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

<u>Permit Type/Action</u>	<u>Agency</u>
Administrative Permit	County of San Diego

Lot Area Averaging	
General Plan Amendment	County of San Diego
Landscape Plans	County of San Diego
Rezone	County of San Diego
Site Plan	County of San Diego
Tentative Map	County of San Diego
Grading Permit	County of San Diego
Improvement Plans	County of San Diego
401 Permit - Water Quality Certification	Regional Water Quality Control Board (RWQCB)
404 Permit – Dredge and Fill	US Army Corps of Engineers (ACOE)
1603 – Streambed Alteration Agreement	CA Department of Fish and Game (CDFG)
General Construction Storm Water Permit	RWQCB
Water District Approval	Rainbow Municipal Water District
Sewer District Approval	Rainbow Municipal Water District
Fire District Approval	North County Fire Protection 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 "Less Than Significant With Mitigation Incorporated," as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Hazards & Haz. Materials | <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Land Use & Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population & Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities & Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

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.

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- ☐ 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

September 24, 2009

Date

Mark Slovick
Printed Name

Land Use/Environmental Planner
Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

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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"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

No Impact: The project site is located at the corner of Reche Road and Ranger Road within the Fallbrook Community Plan Area in the unincorporated portion of San Diego County. Based on a site visit by County staff Christine Stevenson on December 12, 2005, the proposed project is not located near or within, or visible from, a scenic vista and will not substantially change the composition of an existing scenic vista in a way that would adversely alter the visual quality or character of the view. Therefore, the proposed project will not have an adverse effect on a scenic vista.

The project will not result in cumulative impacts on a scenic vista because the proposed project viewshed and past, present and future projects within that viewshed were evaluated to determine their cumulative effects. 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 scenic vista's viewshed and will not contribute to a cumulative impact because: the project site is not located near or within an existing scenic vista in a way that would adversely alter the visual quality or character of the view. Therefore, the project will not result in adverse project or cumulative impacts 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"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic ([Caltrans - California Scenic Highway Program](#)). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

No Impact: Based on a site visit completed by Christine Stevenson on December 12, 2005, the proposed project is not located near or visible within the composite viewshed of a State scenic highway and will not damage or remove visual resources within a State scenic highway. The project site is located west of Interstate 15, which is a scenic highway, but the site cannot be seen from I-15 due to topography. Therefore, the proposed project will not have any substantial adverse effect on a scenic resource within 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"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: Visual character is the objective composition of the visible landscape within a viewshed. Visual character is based on the organization of the pattern elements line, form, color, and texture. 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 one and two acre residential lots. The project is also proposing residential lots at the same size.

The proposed project is a residential subdivision. The project is compatible with the existing visual environment's visual character and quality for the following reasons: the project is proposing lots of the same size and surrounding lots, with residential uses similar to the existing neighborhood.

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 project proposes residential lots in a

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residentially developed 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"/> Less Than Significant With 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 A 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 A 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 conforms 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. AGRICULTURAL RESOURCES -- Would the project:

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

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

Discussion/Explanation:

Less Than Significant Impact: The project site has a history of active agriculture and lands designated as Unique Farmland and Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Due to the presence of onsite agricultural resources, the County agricultural resources specialist, Marcus Lubich, evaluated the site to determine the importance of the resource based on the County's Local Agricultural Resources Assessment (LARA) model which takes into account local factors that define the importance of San Diego County agricultural resources. The LARA model considers the availability of water resources, climate, soil quality, surrounding land use, topography, and land use or parcel size consistency between the project site and surrounding land uses. A more detailed discussion of the LARA model can be found in the Guidelines for Determining Significance for Agricultural Resources at <http://www.sdcdplu.org/dplu/Resource/docs/3~pdf/AG-Guidelines.pdf>.

In order for a site to be considered an important agricultural resource based on the LARA model, all three required LARA model factors (water, soil, and climate) must receive either a high or moderate score. A low score in any of these three categories would render a LARA model result that the site is not an important agricultural resource. Based on the results of the Local Agricultural Resources Assessment (LARA) Model, the site is not considered an important agricultural resource. The site received a low rating for soil quality. The site received a high rating for climate, water slope, land use consistency and surrounding land use. To be considered an important agricultural resource under the LARA model, a soil rating of either high or moderate must be present. Therefore, the site's low soil quality rating means that the site is not an important agricultural resource and the project will not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), or other agricultural resources, 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 checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: There are nearly 3 acres of the project site along Reche Road that is zoned C36, which is not considered to be an agricultural zone. This portion of the subject property will be rezoned A70. Furthermore, the remainder of the project site is zoned A70, which is considered to be an agricultural zone. The proposed project will not result in a conflict in zoning for agricultural use, because a single family residence is a permitted use in A70 zones and will not create a conflict with existing zoning for agricultural use. Additionally, the project site's land is not under a

Williamson Act Contract. Therefore, there will be no 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 Important Farmland or other agricultural resources, to non-agricultural use?

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

Discussion/Explanation:

Less Than Significant Impact: The project site and surrounding area within radius of 3 miles has active agricultural operations and lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance or. As a result, the proposed project was reviewed by Marcus Lubich, and was determined not to have significant adverse impacts related to the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance or active agricultural operations to a non-agricultural use for the following reasons: Active agricultural operations to the south and west are separated from the proposed land use on the project site by Reche Road and Valley Oaks Boulevard West. Active agricultural operations in the surrounding area are already interspersed with single family residential uses and the proposed use would not significantly change the existing land uses in the area, resulting in a change that could convert agricultural operations to a non-agricultural use.

The proposed parcel sizes range from 1 to 3.8 acres, with an average parcel size of 1.4 acres. The 2006 Crop Statistics and Annual Report states that in San Diego County, economically productive agriculture is conducted on small farms, with 63 percent of farms ranging from 1 to 9 acres in size (page 3, 2006). Therefore, parcels of these sizes ensure that agriculture will remain a viable activity on the project site.

Furthermore, the County of San Diego has an "Agricultural Enterprises and Consumer Information" Ordinance (Sections 63.401-63.408 of the Government Code) which requires that any person selling real property in the unincorporated area of the County notify each prospective purchaser of such real property that there may be nuisances, inconveniences, irritations arising from the nearby agricultural uses. Purchasers are notified that they may be required to accept such inconveniences. This notice provides additional protections to adjacent agricultural land uses by ensuring that buyers are aware and willing to accept such agricultural inconveniences or irritations.

Therefore, no potentially significant project or cumulative level conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance to a non-agricultural use will occur as a result of this project.

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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)?

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

Discussion/Explanation:

Less Than Significant Impact: The project proposes development with density levels that are less than densities anticipated in the 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?

<input type="checkbox"/> Potentially Significant Impact	<input checked="" type="checkbox"/> Less than Significant Impact
<input type="checkbox"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> 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 Land Use Environment Group (LUEG) has established guidelines for determining significance which incorporate the Air Pollution Control District's (SDAPCD) established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. 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 South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which are more appropriate for the San Diego Air Basin) are used.

Less Than Significant Impact: 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.

The project proposes residential uses. 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 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 216 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"/> Less Than Significant With 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. O_3 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 PM_{10} 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 PM_{10} , NO_x and VOCs from construction/grading activities, and also as the result of increase of traffic from project implementation. 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, localized and temporary resulting in PM_{10} and VOC emissions below the screening-level criteria established by the LUEG guidelines for determining significance. The vehicle trips generated from the project will result in 216 Average Daily Trips (ADTs). According to the Bay Area Air Quality Management District CEQA Guidelines for Assessing the Air Quality Impacts of Projects and Plans, projects that generate less than 2,000 ADT are below the screening-level criteria established by the LUEG guidelines for determining significance.

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 the LUEG guidelines for determining significance, 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 PM_{10} , or any O_3 precursors.

d) Expose sensitive receptors to substantial pollutant concentrations?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" 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. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly

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No Impact: Based a site visit conducted by Christine Stevenson on December 12, 2005, sensitive receptors and point sources of toxic emissions have not 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. Furthermore, no point-source emissions of air pollutants (other than vehicle emissions) are associated with the project. As such, the project will not 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"/> Less Than Significant With 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 $1 \mu\text{g}/\text{m}^3$). 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.

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"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: Biological resources on the project site were evaluated in a Biological Resources report prepared by Victor Horchar of VHBC Inc. and dated March 20, 2008. The site is 27.15 acres and the project proposes the development of 18 single-family residences. The project will impact 21.6 acres and place a total of 5.6 acres within Biological open space. The site consists primarily of 17.6 acres of non native grassland, 3.2 acres of disturbed coast live oak woodland, 2.5 acre of Southern coast live oak riparian forest, 0.1 valley needlegrass grassland, which are considered sensitive by the County, California Department of Fish

and Game and the U.S. Fish and Wildlife Service. Of the non sensitive habitat the site also contains 2.1 acres of non native vegetation, and 0.7 acres of disturbed habitat.

Two natural drainages containing southern coast live oak riparian forest and disturbed live oak woodland flow north south along the sites eastern border. A Biological Open Space Easement over the drainages and a buffer will be dedicated to the County as a condition of this project. The majority of the native habitat in this drainage will not be removed by the project, though a small amount of habitat will be impacted by cut and fill associated with improvements to Reche Road. Direct and indirect impacts to southern coast live oak riparian forest were rounded up to 0.1 acres which will be mitigated through the offsite purchase of wetland credits at a 3:1 mitigation ratio.

To mitigate for loss of non-native grassland and live oak woodland the offsite purchase of habitat at a 0.5:1 and 3:1 ratio will be required. There were no sensitive wildlife or plant species observed on site. Breeding season avoidance will be implemented as a mitigation measure that prevents brushing, clearing, and/or grading during the avian breeding season between January 15 and July 15.

Staff has determined that although the site supports sensitive biological habitat, implementation of the mitigation measures described above will ensure that project impacts will not result in substantial adverse effects, or have a cumulatively considerable impact to 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. All potentially significant impacts will be reduced to a level below significance.

- 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 checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: The proposed project site contains two natural drainages consisting of southern coast live oak riparian forest and disturbed coast live oak woodland. The project is proposing impacts to 1.6 acres of disturbed coast live oak woodland which will be mitigated at a 3:1 ratio offsite. The remaining 1.6 acres of disturbed coast live oak woodland will be preserved onsite. The areas proposed for development will avoid the majority of southern coast live oak riparian forest. As detailed in response a) above the project will be impacting a small amount of southern coast live oak riparian forest habitat thru cut and fill associated with improvements to Reche Road. Direct and indirect impacts to southern coast live oak riparian forest were rounded up to 0.1 acres which will be mitigated through the offsite purchase of wetland credits at 3:1 mitigation ratio. The rest of the drainage will be

placed in a Biological Open Space Easement including a 50 foot wetland buffer and 100 foot limited building zone, which will be dedicated to the County as a condition of this project. The development is set back 150 feet and more in some areas to protect the riparian habitat from potential indirect impacts, including noise, lighting, human encroachment and invasive species. The project will also be conditioned to obtain the appropriate 1600 permit from CDFG and a 401/404 permit from the Regional Water Quality Control Board and the ACOE.

Therefore, impacts to sensitive natural communities as identified in the County of San Diego Multiple Species Conservation Program, 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 are considered less than significant through the implementation of onsite biological open space easement and offsite habitat purchases.

- 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 checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: The project site contains two natural drainages running north south on the eastern side of the site which are federally-protected wetlands as defined by Section 404 of the Clean Water Act. Vegetation within the drainages includes southern coast live oak riparian forest and disturbed coast live oak woodland. Due to required cut and fill impacts associated with improvements to Reche Road the project will have direct and indirect impacts to Army Corps of Engineers and CDFG jurisdictional areas. This includes permanent impacts to 0.02 acres in drainage 1, and 0.03 acres in drainage 2. These impacts were rounded up to 0.1 acres. To mitigate for the impacts off site purchase of habitat will include the purchase of 0.3 acres of wetland credit. The project will also preserve all other onsite wetlands as well as wetland buffers of at least 50 feet within a dedicated biological open space easement. No discharging into, directly removing, or hydrologically interrupting any federally protected wetlands will occur. With the implementation of mitigation measures detailed above impacts to wetlands or waters of the U.S. that are regulated under the Army Corps of Engineers will be reduced below significant.

- 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?

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- | | |
|--|---|
| <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: Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species and a site visit, by staff biologist Christine Stevenson it has been determined that the implementation of the onsite biological open space easement will assure that the project will not impede the movement of any native resident or migratory fish or wildlife species, preclude the use of an established native resident or migratory wildlife corridors, or impact the use of native wildlife nursery sites. In addition, to prevent impacts to nesting birds, no brushing, clearing, and/or grading will be allowed within 300 feet of nesting habitat for migratory birds during the avian and raptor breeding season. The site overall has limited biological value. It is not expected that the proposed project would result in impedance of the movement of any native resident or migratory fish or wildlife species, the use of an established native resident or migratory wildlife corridors, and/or the use of native wildlife nursery sites.

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

Discussion/Explanation:

Less Than Significant Impact: Refer to the attached Ordinance Compliance Checklist for further information on consistency with any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan, including, Habitat Management Plans (HMP) Special Area Management Plans (SAMP) or any other local policies or ordinances that protect biological resources including the Multiple Species Conservation Program (MSCP), Biological Mitigation Ordinance, Resource Protection Ordinance (RPO), Habitat Loss Permit (HLP).

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

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- ☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

Discussion/Explanation:

No Impact: Based on an analysis of records and a survey of the property by County of San Diego approved archaeologist Brian K. Glenn on January 10, 2007, it has been determined that there are no impacts to historical resources because they do not occur within the project site. The results of the survey are provided in an historical resources report titled, "*Cultural Resource Assessment of the 27.15-Acre Fallbrook Oaks Project Area (TM 5449; GPA 05-006; REZ 05-015) San Diego County, California*", prepared by Brian K. Glenn, dated August 2007.

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

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

Discussion/Explanation:

No Impact: Based on an analysis of records and a survey of the property by County of San Diego approved archaeologist Brian K. Glenn on January 10, 2007, it has been determined that the project site does not contain any archaeological resources. The results of the survey are provided in an archaeological survey report titled, "*Cultural Resource Assessment of the 27.15-Acre Fallbrook Oaks Project Area (TM 5449; GPA 05-006; REZ 05-015) San Diego County, California*", prepared by Brian K. Glenn, dated August 2007. In addition, the Native American Heritage Commission (NAHC) was contacted 9/26/2005 for a listing of Native American Tribes whose ancestral lands may be impacted by the project. The list of tribes from the NAHC was received and letters requesting tribal Sacred Lands input were sent out February 2, 2006. One tribe responded: the Pala Band of Mission Indians, Cupa Cultural Center on February 27, 2006 indicating that the project takes place outside the traditional area of residence. However, they recommend that qualified Native American Monitors be on site during any ground disturbing activities. Grading monitoring will be a condition of final approval of this project.

- c) Directly or indirectly destroy a unique geologic feature?

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

Discussion/Explanation:

San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County.

No Impact: The site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

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 marginal 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 type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Based on an analysis of records and a survey of the property by a County of San Diego approved archaeologist, Brian K. Glenn, on January 10, 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 titled, "*Cultural Resource Assessment of the 27.15-Acre Fallbrook Oaks Project Area (TM 5449; GPA 05-006; REZ 05-015) San Diego County, California*", prepared by Brian K. Glenn, and dated August 2007.

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:

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- 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"/> Less Than Significant With 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 fault-rupture hazard zone as a result of this project.

- ii. Strong seismic ground shaking?

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

Discussion/Explanation:

Less Than Significant Impact: To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, compliance with the California Building Code and the County Code ensures the project will not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking.

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

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

Discussion/Explanation:

No Impact: The project site is not within a "Potential Liquefaction Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. This indicates that the geologic environment of the project site is not susceptible to ground failure from seismic activity. In addition, the site is not underlain by poor artificial fill or

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located within a floodplain. Therefore, there will be no impact from the exposure of people or structures to adverse effects from a known area susceptible to ground failure, including liquefaction.

iv. Landslides?

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

Discussion/Explanation:

No Impact: The project site is not within a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the *Multi-Jurisdictional Hazard Mitigation Plan, San Diego, CA* (URS, 2004). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (SANDAG based on USGS 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology (DMG). Also included within Landslide Susceptibility Areas are gabbroic soils on slopes steeper than 15% in grade because these soils are slide prone. Since the project is not located within an identified Landslide Susceptibility Area and the geologic environment has a low probability to become unstable, the project would have no impact from the exposure of people or structures to potential adverse effects from landslides.

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"/> Less Than Significant With 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 sandy loam soils in the Vista, Ramona, Placentia and Fallbrook series that have a soil erodibility rating of "moderate" and "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; will not alter existing drainage patterns; is not located in a floodplain, wetland, or significant drainage feature; and will not develop steep slopes.

- The project has prepared a Storm water Management Plan dated October 10, 2008, prepared by Winton Engineering, Inc. The plan includes the following Best Management Practices to ensure sediment does not erode from the project site:

Construction BMPs: Silt fence, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, stockpile management, solid waste management, stabilized construction entrance/exit, vehicle and equipment maintenance, desilting basin, gravel bag berm, sanbag barrier, material delivery and storage, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations and any minor slopes created that do not require a major or minor grading permit will be covered by plastic or tarp prior to a rain event.

Low Impact Development Features: Preservation of natural drainage features, including oak woodland and riparian habitat, no work within natural open space areas and natural water courses, grass swales, pavement drains to grass and rock lined earth swales.

Treatment BMPs: Bioretention swales (rock lined and grass swales) and catch basin inserts.

- 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?

☐ Potentially Significant Impact

☐ Less than Significant Impact

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- ☐ Less Than Significant With Mitigation Incorporated ☒ 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. 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?

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ 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 sandy loam soils in the Vista, Ramona, Placentia and Fallbrook series. 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?

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☒ No Impact

Discussion/Explanation:

No Impact: The project will rely on public water and sewer for the disposal of wastewater. A service availability letter dated March 11, 2008 has been received from the Rainbow Municipal Water District indicating that the facility has adequate capacity for the projects wastewater disposal needs. No septic tanks or alternative wastewater disposal systems are proposed.

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 or through

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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"/> Less Than Significant With Mitigation Incorporated | <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. In addition, the project does not propose to demolish any existing structures onsite and therefore would not create a hazard related to the release of asbestos, lead based paint or other hazardous materials from demolition activities.

- b) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With 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. Therefore, the project will not have any effect on an existing or proposed school.

- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

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

Discussion/Explanation:

Less than Significant Impact: Based on a site visit and regulatory database search, the project site has not been subject to a release of hazardous substances that would create a significant hazard to the public or environment. The project site is not included in any of the following lists or databases: the State of California Hazardous Waste and

Substances sites list compiled pursuant to Government Code Section 65962.5., the San Diego County Hazardous Materials Establishment database, the San Diego County DEH Site Assessment and Mitigation (SAM) Case Listing, the Department of Toxic Substances Control (DTSC) Site Mitigation and Brownfields Reuse Program Database ("CalSites" Envirostor Database), the Resource Conservation and Recovery Information System (RCRIS) listing, the EPA's Superfund CERCLIS database or the EPA's National Priorities List (NPL). Additionally, the project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), is not on or within 1,000 feet of a Formerly Used Defense Site (FUDS), does not contain a leaking Underground Storage Tank (UST) and is not located on a site with the potential for contamination from historic uses such as industrial uses, a gas station or vehicle repair shop. Therefore, the project would not create a significant hazard to the public or environment.

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

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

Discussion/Explanation:

No Impact: The proposed project is not located within an Airport Land Use Compatibility Plan (ALUCP), a Comprehensive Land Use Plan (CLUP), within a Federal Aviation Administration Height Notification Surface, 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.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> 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.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> 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 AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less Than Significant Impact: The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

- 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 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 not located within a dam inundation zone.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With 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, dated November 2, 2007, has been received from the North County Fire Protection District. The Fire Service Availability Letter indicates the expected emergency travel time to the project site to be less than 5 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 North County Fire Protection District's conditions, the project is not anticipated to expose people or structures 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 are required to comply with the Consolidated Fire Code and Appendix II-A.

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

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- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With 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, based on a site visit conducted by Bob Forsythe there are none of these uses 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"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project proposes a 18 lot subdivision which requires a NPDES permit for discharges of stormwater associated with construction activities and a 401 Water Quality Certification. The project applicant has provided a copy of a Stormwater Management Plan which demonstrates that the project will comply with all requirements of the Watershed Protection Ordinance and Clean Water Act. The project site 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: silt fences, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, stockpile management, solid waste management, stabilized construction entrance/exit, dewatering operations, vehicle and equipment maintenance, desilting basin, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations and any minor slopes created incidental to construction and not subject to a major or minor grading permit shall be protected by by covering with plastic or tarp prior to a rain event, and shall have vegetative cover reestablished within 180 days of completion of the slope and prior to final building permit approval. 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 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 checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project lies in the Bonsall hydrologic subarea, within the San Luis Rey hydrologic unit. According to the Clean Water Act Section 303(d) list, June 2007, although the mouth of the San Luis Rey impaired for coliform bacteria, no portion of the San Luis Rey River, which is tributary to the Pacific Ocean, is impaired. Constituents of concern in the San Luis Rey River watershed include coliform bacteria, nitrate, sediment, and pesticides.

The project proposes the following activities that are associated with these pollutants: detached residential development and streets, highways and freeways. 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 any runoff to the maximum extent practicable so as not to increase the level of these pollutants in receiving waters: silt fences, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, stockpile management, solid waste management, stabilized construction entrance/exit, dewatering operations, vehicle and equipment maintenance, desilting basin, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations and any minor slopes created incidental to construction and not subject to a major or minor grading permit shall be protected by covering with plastic or tarp prior to a rain event, and shall have vegetative cover reestablished within 180 days of completion of the slope and prior to final building permit approval.

The proposed BMPs are consistent with regional surface water and storm water 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 cumulative impact to an already impaired water body, as listed on the Clean Water Act Section 303(d). Regional surface water and storm water permitting regulation for County of San Diego, Incorporated Cities of San Diego County, and San Diego Unified Port District

includes the following: 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); County Storm water Standards Manual adopted on February 20, 2002, and amended January 10, 2003 (Ordinance No. 9426). The stated purposes of these ordinances are to protect the health, safety and general welfare of the County of San Diego residents; to protect water resources and to improve water quality; to cause the use of management practices by the County and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of storm water as a resource; and to ensure the County is compliant with applicable state and federal laws. Ordinance No. 9424 (WPO) has discharge prohibitions, and requirements that vary depending on type of land use activity and location in the County. Ordinance No. 9426 is Appendix A of Ordinance No. 9424 (WPO) and sets out in more detail, by project category, what Dischargers must do to comply with the Ordinance and to receive permits for projects and activities that are subject to the Ordinance. Collectively, these regulations establish standards for projects to follow which intend to improve water quality from headwaters to the deltas of each watershed in the County. Each project subject to WPO is required to prepare a Storm water Management Plan that details a project's pollutant discharge contribution to a given watershed and propose BMPs or design measures to mitigate any impacts that may occur in the watershed.

- 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"/> Less Than Significant With 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 in the Bonsall hydrologic subarea, within the San Luis Rey hydrologic unit that has the following existing and potential beneficial uses for inland surface waters, coastal waters, reservoirs and lakes, and ground water: municipal and domestic supply; agricultural supply; industrial process supply; industrial service supply; freshwater replenishment; hydropower generation; contact water recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; wildlife habitat; marine habitat; migration of aquatic organisms; and, rare, threatened, or endangered species habitat.

The project proposes the following potential sources of polluted runoff: detached residential development and streets, highways and freeways. 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: silt fences, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, stockpile management, solid waste management, stabilized construction entrance/exit, dewatering operations, vehicle and equipment maintenance, desilting basin, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations and any minor slopes created incidental to construction and not subject to a major or minor grading permit shall be protected by covering with plastic or tarp prior to a rain event, and shall have vegetative cover reestablished within 180 days of completion of the slope and prior to final building permit approval..

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 type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project will obtain its water supply from the Rainbow Municipal Water District that obtains water from surface reservoirs or other imported water source. The project will not use any groundwater for any purpose, including irrigation, domestic or commercial demands. In addition, the project does not involve operations that would interfere substantially with groundwater recharge including, but not limited to the following: the project does not involve regional diversion of water to another groundwater basin; or diversion or channelization of a stream course or waterway with impervious layers, such as concrete lining or culverts, for substantial distances (e.g. ¼ mile). These activities and operations can substantially affect rates of groundwater recharge. Therefore, no impact to groundwater resources is anticipated.

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- 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?

☐ Potentially Significant Impact ☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The project proposes an 18 lot major subdivision. As outlined in the Storm water Management Plan (SWMP) dated October 10, 2008 prepared by Winton Engineering, Inc., the project will implement the following site design measures, source control, and/or treatment control BMP's to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable from entering storm water runoff: Bioretention Swales. 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 BMP's 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?

☐ Potentially Significant Impact ☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The proposed project will not significantly alter established drainage patterns or significantly increase the amount of runoff for the

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following reasons, based on a Drainage Study prepared by Winton Engineering, Inc. on October 10, 2008:

- a. Drainage will be conveyed to either natural drainage channels or approved drainage facilities.

Therefore, 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. Moreover, the project will not contribute to a cumulatively considerable alteration or a drainage pattern or increase in the rate or amount of runoff, because the project will substantially increase water surface elevation or runoff exiting the site, as detailed above.

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

Discussion/Explanation:

Less Than Significant Impact: The project does not propose to create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage 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"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project proposes the following potential sources of polluted runoff: detached residential development and streets, highways and freeways. 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: silt fences, fiber rolls, street sweeping and vacuuming, storm drain inlet protection, stockpile management, solid waste management, stabilized construction entrance/exit, dewatering operations, vehicle and equipment maintenance, desilting basin, gravel bag berm, sandbag barrier, material delivery and storage, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations and any minor slopes created incidental to construction and not subject to a major or minor grading permit shall be

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protected by covering with plastic or tarp prior to a rain event, and shall have vegetative cover reestablished within 180 days of completion of the slope and prior to final building permit approval.. 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"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Discussion/Explanation:

Less Than Significant: Drainage swales have a watershed greater than 25 acres were identified on the project site. However, the project is not proposing to place structures with a potential for human occupation within these areas and will not place access roads or other improvements which will limit access during flood events or affect downstream properties.

- 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"/> Less Than Significant With Mitigation Incorporated	<input type="checkbox"/> No Impact

Discussion/Explanation:

Less Than Significant: The project site contains drainage swales, which are identified as being 100-year flood hazard areas. However, the project is not proposing to place structures, access roads or other improvements which will impede or redirect flood flows in these areas.

- k) Expose people or structures to a significant risk of loss, injury or death involving flooding?

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

Discussion/Explanation:

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

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

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

Discussion/Explanation:

No Impact: The project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County. In addition, the project is not located immediately downstream of a minor dam that could potentially flood the property. Therefore, the project will not expose people to a significant risk of loss, injury or death involving flooding.

- m) Inundation by seiche, tsunami, or mudflow?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With 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. Also, staff has determined that the geologic environment of the project area has a low probability to be located within an area of 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"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not propose the introduction of new infrastructure such as 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"/> Less Than Significant With 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 2.1 and General Plan Land Use Designation (2) Residential. The General Plan requires minimum gross parcel sizes of 1 acre and not more than 1 dwelling unit per acre. The proposed project has gross parcel sizes and density that are consistent with the General Plan. In addition, the project proposes clustering, which is permitted in the Estate Development Area (EDA) Regional Category. The project is subject to the policies of the Fallbrook Community Plan, which allows clustering as long as no lot is less than 1 acre gross. All lots proposed by the project contain a minimum of 1 acre gross and therefore are consistent with the policies of the Fallbrook Community Plan. The current zone is A70, Limited Agricultural Use Regulations and C36, General Commercial, which require net minimum lot sizes of 1 acre and 6,000 square feet respectively. The project will amend the General Plan and Zoning so that the entire site is subject to the A70, Limited Agricultural Use Regulations, which requires a minimum lot size of 1 acre. The proposed project is consistent with the Zoning Ordinance requirements for minimum lot size pursuant to Section 4230 thereof.

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?

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

Discussion/Explanation:

Less Than Significant Impact: The project site has been classified by 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) as an area of "Potential Mineral Resource Significance" (MRZ-3).

However, the project site is surrounded by densely developed land uses including residential, including a mobilehome park which are incompatible to future extraction of mineral resources on the project site. A future mining operation at the project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Therefore, implementation of the project will not result in the loss of availability of a known mineral resource that would be of value since the mineral resource has already been lost due to incompatible land uses.

- 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"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site is zoned A70, Limited Agricultural Use Regulations and C36, General Commercial Use Regulations, which are not 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).

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 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: The project is an 18 Lot subdivision and will be occupied by residential use. Based on a Noise Analysis prepared by Urban Crossroads, dated June 2, 2008, incorporation of a noise protection easement dedication to Lot 18 will ensure 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. Staff has reviewed the project subdivision TM5449 Preliminary Noise Study dated June 2, 2008 prepared by Urban Crossroads received on October 20, 2008. The project consists of an 18 lot subdivision located in the Fallbrook area. Documentation and noise analysis is considered complete at this time. Primary noise source to potentially impact the project subdivision is from future vehicle traffic traveling on Reche Road. All proposed lots with the exemption to Lot 18 will be well distanced from Reche Road. A noise report has been conducted to demonstrate compliance with the County General Plan Noise Element, policy 4b. Based on the noise report, ground level noise sensitive land use(s) (NSLU) on Lot 18 will experience future traffic noise levels as high as 58.6 dBA CNEL. County noise standards allow the exposure of NSLU to 60 dBA CNEL and the proposed ground level NSLU meet this requirement. Additionally, second story receptors on Lot 18 have also been evaluated showing future traffic noise impacts of 65.2 dBA CNEL. An interior noise analysis is required when residential structures are exposed to noise levels exceeding 60 dBA CNEL. Although building plans are not available at this time, the project will be conditioned to dedicate a noise protection easement over the entire area of Lot 18. This will ensure that an interior noise will be required prior to the any building permit approval within this specified area. Therefore, incorporation of the noise protection easement to Lot 18 will ensure the project will comply with County Noise Element, policy 4b.

Noise Ordinance – Section 36-404:

Based on a Noise Analysis prepared by Urban Crossroads dated June 2, 2008 received on October 20, 2008 and reviewed by County noise specialist Emmet Aquino on November 26, 2008, non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36-404) at or beyond the project's property line. The site is zoned A70, Limited Agricultural Use Regulations and C36, General Commerical Use Regulations. Zone A70 allows a one-hour daytime average sound limit of 50 dBA. Zone C36 allows a one-hour daytime average sound limit of 60 dBA. The project's noise levels at the adjoining properties will not exceed County Noise Standards.

Noise Ordinance – Section 36-410:

Based on a Noise Analysis prepared by Urban Crossroads dated June 2, 2008 received on October 20, 2008 and review by County noise specialist Emmet Aquino on November 26, 2008, 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"/> Less Than Significant With 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"/> Less Than Significant With 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 on nearby roadways and typical residential activities. 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 County staff review. 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"/> Less Than Significant With 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"/> Less Than Significant With 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"/> Less Than Significant With 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)?

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

Discussion/Explanation:

Less Than Significant Impact: The project proposes a General Plan Amendment to change the (6) Residential and (13) General Commerical Land Use Designations to the (2) Residential Land Use Designation. However, this regulatory change will not induce substantial population growth in an area, because the regulatory change does not increase density or intensity of land use that is inconsistent with the General Plan.

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

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

Discussion/Explanation:

Less Than Significant Impact: The property currently has an existing single family residence that is unoccupied and would be removed. This residential development would not displace any amount of existing housing. Potentially a total of 18 single-family dwellings will exist when the lots are developed.

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

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

Discussion/Explanation:

Less Than Significant Impact: The property currently has a unoccupied single family residence, which would be removed. This residential development would not displace any amount of existing housing. Potentially a total of 18 single-family dwellings will exist when the lots are developed. Therefore, the proposed project will not displace a substantial number of people

XIII. PUBLIC SERVICES

- a) 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,

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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 type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: 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. Service availability forms have been provided which indicate existing services are available to the project from the following agencies/districts: Rainbow Municipal Water District, North County Fire Protection District, Fallbrook Union High School District and Fallbrook Union Elementary School District. The project does not involve the construction of new or physically altered governmental facilities including but not limited to fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times or other performance service ratios or objectives for any public services. Therefore, the project will not have an adverse physical effect on the environment because the project does not require new or significantly altered services or facilities to be constructed.

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"/> Less Than Significant With 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 proposed project opted to pay park fees. 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.

With regard to regional recreational facilities, there are over 21,765 acres of regional parkland owned by the County, which 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 acreage 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 in a cumulatively considerable deterioration or accelerated deterioration of regional recreation facilities because even with all past, present and future residential projects a significant amount of regional recreational facilities will be available to County residents.

- 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"/> Less Than Significant With 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 |
|---|--|

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- ☐ Less Than Significant With Mitigation Incorporated ☐ No Impact

Discussion/Explanation:

Less Than Significant: A Traffic Impact Study (TIS), dated January 10, 2008, prepared by Darnell & Associates, Inc., was completed for the proposed project. The Traffic Impact Study concluded that the proposed project will result in an additional 216 Average Daily Trips (ADT). The addition of 216 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: Based on the existing zoning for the site, the subject property would have a trip generation of 2,344 ADT, 26 AM peak hour trips, and 213 PM peak hour trips. The proposed GPA and rezone would reduce the allowable trip generation on the project site to 324 average daily trips, 26 AM peak hour trips, and 32 PM peak hour trips. This is 3,036 fewer daily trips than what is allowed per the existing general plan designation ($3,360 - 324 = 3,036$) and 2,020 fewer daily trips than what is allowed per the existing zoning on the site. Therefore, the project will not have a direct significant project impact on LOS standards on the surrounding roads and highways.

- 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?

- ☐ Potentially Significant Impact ☐ Less than Significant Impact
☒ Less Than Significant With Mitigation Incorporated ☐ No Impact

Discussion/Explanation:

Less Than Significant with Mitigation: A Traffic Impact Study (TIS), dated January 10, 2008, prepared by Darnell & Associates, Inc., was completed for the proposed project. The Traffic Impact Study concluded that the proposed project will result in an additional 216 Average Daily Trips (ADT). The addition of 216 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: Based on the existing zoning for the site, the subject property would have a trip generation of 2,344 ADT, 26 AM peak hour trips, and 213 PM peak hour trips. The proposed GPA and rezone would reduce the allowable trip generation on the project site to 324 average daily trips, 26 AM peak hour trips, and 32 PM peak hour trips. This is 3,036 fewer daily trips than what is allowed per the existing general plan designation ($3,360 - 324 = 3,036$) and 2,020 fewer daily trips than what is allowed per the existing zoning on the site. Therefore, the project will not have a direct significant project impact on LOS standards on the surrounding roads and highways.

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 commits the County to construct additional capacity on identified Circulation Element roadways and 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 the County of San Diego Transportation Impact Fee Report dated January 2005, and amended in February 2008. This document is considered an adopted planning document which meets the definition 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, public and private 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 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 216 ADT. These trips will be distributed on circulation element roadways in the unincorporated County that were analyzed by the TIF program, including Mission Road between Old Highway 395 west and the I-15 Southbound Ramps to Prime Arterial standards, Mission Road between the I-15 Southbound Ramps and the I-15 Northbound Ramps to Collector Road standards, Mission Road between the I-15 Northbound Ramps and Old Highway 395 east to Collector Road Standards which currently, or are projected to, operate at inadequate levels of service without improvements to add needed capacity. The project trips therefore contribute to a potentially significant cumulative impact and mitigation is required. The potential growth represented by this project was included in the growth projections used for the TIF program; therefore, the project's payment of the TIF at issuance of building permits mitigates for the cumulative impact. 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. As mitigation for the project's proportionate share of this cumulative impact, the project will contribute a fair share contribution toward the construction of intersection improvements and signalization, as described in County Board of Supervisors Policy J-25, "Participation by Individuals, Organizations, Private Developers, or Other Jurisdictions in the Installation of Traffic Signals".

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

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- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

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

Discussion/Explanation:

No Impact: The proposed project is located outside of an Airport Influence Area and is not located within two miles of a public or public use airport; 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)?

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

Discussion/Explanation:

Less Than Significant: The proposed project will not significantly alter traffic safety on Reche Road, Ranger Road and Valley Oaks Blvd West. A safe and adequate sight distance shall be required at all driveways and intersections to the satisfaction of the Director of the Department of Public Works. 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 are up 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?

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

Discussion/Explanation:

Less Than Significant: The proposed project will not result in inadequate emergency access. The North County Fire Protection District has reviewed the proposed project and associated emergency access roadways and has determined that there is adequate emergency fire access proposed. The proposed private road along the southwest boundary to be named "Valley Oaks Boulevard West" is approximately 1,200 feet in

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length, which is less than the maximum permitted length of 1,320 feet for parcels zoned between 1 and 4.99 acres. Therefore, access to Lots 15 and 16 would be within the permitted dead end road length. Also, the proposed private road on-site to be named "Keystone Oaks Road" is approximately 880 feet from the intersection of Valley Oaks Boulevard West. The distance for the dead end road length is measured from Reche Road, which is approximately 400 feet from the intersection of Keystone Oaks Road. With the additional 400 feet, the total length of the proposed dead end access road is approximately 1,280 feet, which is less than the maximum permitted length of 1,320 feet. Additionally, roads used will be required to be improved to County standards.

f) Result in inadequate parking capacity?

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

Discussion/Explanation:

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

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> 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?

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

Discussion/Explanation:

Less Than Significant Impact: The project proposes to discharge domestic waste to a community sewer system that is permitted to operate by the Regional Water Quality Control Board (RWQCB). A project facility availability form has been received from Rainbow Municipal Water District that indicates the district will serve the project. Therefore, because the project will be discharging wastewater to a RWQCB permitted community sewer system and will be required to satisfy the conditions listed above, the project is consistent with the wastewater treatment requirements of the RWQCB, including the Regional Basin Plan.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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

Discussion/Explanation:

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

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

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

Discussion/Explanation:

Less Than Significant Impact: The project involves new and expanded storm water drainage facilities. The new and expanded facilities include the extension of storm drains under Reche Road, including new headwalls, installation of a new 18 inch storm drain under Keystone Oaks Road at the project entrance, which transports water east under Valley Oaks Boulevard West to a new 18 inch double storm drain at the intersection of Valley Oaks Boulevard West and Reche Road. Refer to the Storm water Management Plan dated October 10, 2008 for more information. However, as outlined

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in this Environmental Analysis Form Section I-XVII, the new and expanded 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 checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project requires water service from the Rainbow Municipal Water District. A Service Availability Letter from the Rainbow Municipal Water District has been provided, indicating adequate water resources and entitlements are available to serve the requested water resources. Therefore, the project will have sufficient water supplies available to serve the project.

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

Discussion/Explanation:

Less Than Significant Impact: The project requires wastewater service from the Rainbow Municipal Water District. A Service Availability Letter from the Rainbow Municipal Water District has been provided, indicating adequate wastewater service capacity is available to serve the requested demand. 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"/> Less Than Significant With 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

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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"/> Less Than Significant With 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"/> Less Than Significant With 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 biology and paleontological resources. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes monitoring for paleontological resources during grading activities, dedication of biological open space, dedication of limited building zone easements, installation of permanent open space fencing and signage, temporary fencing, raptor breeding season avoidance if construction is within 300 feet of oak woodland habitat, offsite purchase of 4.8 acres of coast live oak woodland, 8.6 acres of Non native grasslands or sage scrub/chaparral and 0.3 acres of southern coast live oak riparian forest. 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)?

- ☐ Potentially Significant Impact
 ☐ Less than Significant Impact
☒ Less Than Significant With Mitigation Incorporated
 ☐ 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
TREISTER TPM	TPM 20581
SCHNOEBELEN TPM	TPM 20451
PALA MESA MAINTENANCE BLDG	P74-121
BUZZA RESIDENSE	S99-005
PALA MESA RESORT, SPA, REZ, MUP, VAC	R04-007, P03-006, P74-120-02, P74-122-01, SPA 03-005, P04-005, S07-014, S07-015, TM 5534
LEE HOME / I 15 CORRIDOR	S00-043
PATRICIA DANIELS TPM	TPM 20476
LEISING--TPM 20427	TPM 20427
TIM ROSA REALTY TPM	TPM 20373
#26029 RANGER / VELOCITEL	P03-098
CROSSROADS INVESTORS, TPM, STP	TPM 20800, S06-013
SPRINT HOPPE	ZAP 00-057

PALA MESA TM	TM 5231
CHIPMAN TPM	TPM 20440
LOS WILLOWS MUP	P03-127
PALISADES ESTATES TM	TM 5158
CHIPMAN TPM	TPM 20381
DYAL SITE PLAN	S04-010
ATTEBERRY-TPM	TPM 20434
RANCHO ALEGRE	TM 5413
SPRINT HOPPE	ZAP 00-057-01
DIEN N DO, TPM, 4 LOTS +	TPM 20976
JOHNSON, TPM, 2 LOTS	TPM 20980
RARICK TPM	TPM 20853
RIDGE CREEK TM	TM 5469
MATTHEWS AD	AD 05-027
WILSON, AD, OVERSIZED STRUCTURE	AD 07-066
RECHE ROAD, TM, 11 LOTS	TM 5547

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 were determined to be potentially significant cumulative effects related to traffic. However, mitigation has been included that clearly reduces these cumulative effects to a level below significance. This mitigation includes payment of the traffic impact fee (TIF). As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

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

- ☐ Potentially Significant Impact
 ☐ Less than Significant Impact
☒ Less Than Significant With Mitigation Incorporated
 ☐ 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 traffic and and noise. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes payment of

the traffic impact fee for cumulative traffic impacts and the requirement for an interior noise study to be conducted on Lot 18 for a two story structure to ensure conformance with the County of San Diego Noise Element. 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.

Biological Survey Report for the County of San Diego on Fallbrook Oaks TM 5449, ER 05-02-029, County of San Diego California, prepared by VHBC Inc., dated March 20, 2008.

Traffic Study for Fallbrook Oaks, prepared by Darnell and Associates, dated December 17, 2007.

Fire Protection Plan, prepared by Firewise 2000 Inc., dated May 15, 2008.

CEQA Drainage Study, prepared by Winton Engineering Inc., dated October 10, 2008.

Major Stormwater Management Plan (SWMP), prepared by Winton Engineering, Inc., dated October 10, 2008.

Preliminary Noise Study, prepared by Urban Crossroads, dated June 2, 2008.

Cultural Resource Assessment of the 27.15-Acre Fallbrook Oaks Project Area (TM 5449; GPA 05-006; REZ 05-015) San Diego County, California", prepared by Brian K. Glenn, dated August 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)

County of San Diego Wireless Communications Ordinance [San Diego County Code of Regulatory Ordinances.
(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)

County of San Diego, Implementing Agreement by and between United States Fish and Wildlife Service, California Department of Fish and Game and County of San Diego. County of San Diego, Multiple Species Conservation Program, 1998.

County of San Diego, Multiple Species Conservation Program, County of San Diego Subarea Plan, 1997.

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.sdcountry.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.sdcountry.ca.gov)

County of San Diego, Department of Environmental Health, Hazardous Materials Division. California Accidental Release Prevention Program (CalARP) Guidelines. (<http://www.sdcountry.ca.gov>), (www.oes.ca.gov)

County of San Diego, Department of Environmental Health, Hazardous Materials Division. Hazardous Materials Business Plan Guidelines. (www.sdcountry.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

American Planning Association, Planning Advisory Service Report Number 476 Non-point Source Pollution: A Handbook for Local Government

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)

Federal Aviation Administration, Federal Aviation Regulations, Part 150 Airport Noise Compatibility Planning (revised January 18, 1985). (<http://www.access.gpo.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)

US Census Bureau, Census 2000. (<http://www.census.gov/>)

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>)

Fallbrook & Ramona Transportation Impact Fee Report, County of San Diego, 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, 2020 Regional Transportation Plan. Prepared by the San Diego Association of Governments. (www.sandag.org)

San Diego Association of Governments, Comprehensive Land Use Plan for Borrego Valley Airport (1986), Brown Field (1995), Fallbrook Community Airpark (1991), Gillespie Field (1989), McClellan-Palomar Airport (1994). (www.sandag.org)

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

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)

County of San Diego, Board of Supervisors Policy I-78: Small Wastewater. (www.sdcounty.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.

Attachment D – Ownership Disclosure



County of San Diego, Planning & Development Services

**APPLICANT'S DISCLOSURE OF OWNERSHIP
INTERESTS ON APPLICATION FOR ZONING
PERMITS/ APPROVALS
ZONING DIVISION**
Record ID(s) TM 5449TEAssessor's Parcel Number(s) 107-070-03

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

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

STEVE ROSETTA
BRYAN SMITH

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

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

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

Signature of Applicant

BRYAN SMITH, VP

Print Name

Date

11/7/16

----- OFFICIAL USE ONLY -----

SDC PDS RCVD 11-30-16

TM5449TE

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<http://www.sdccounty.ca.gov/pds>



County of San Diego, Planning & Development Services
**APPLICANT'S DISCLOSURE OF
 OWNERSHIP INTERESTS ON
 APPLICATION FOR ZONING PERMITS/
 APPROVALS**
ZONING DIVISION

Record ID(s) PDS2015-TM-5449R

Assessor's Parcel Number(s) 107-070-03

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

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BRYAN Smith

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 Signature of Applicant

BRYAN SMITH, VP
 Print Name

9/16/15
 Date

--- OFFICIAL USE ONLY ---

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 TM5449R**

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