DRAFT
FINDINGS REGARDING SIGNIFICANT EFFECTS PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15088.5, 15090, 15091 AND 15093

VALIANO SPECIFIC PLAN

PDS2013-GPA-13-001, PDS2013-SP-13-001, PDS2013-REZ-13-001, PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019, PDS2013-ER-12-08-002

SCH No. 2013061042

April 2018

CEQA FINDINGS

a. Certify that the FEIR dated February 2018 on file with Planning & Development Services as EIR # PDS2013-ER-12-08-002 has been completed in compliance with the CEQA and the State CEQA Guidelines, that the FEIR was presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the information contained therein before approving the project, and that the FEIR reflects the independent judgment and analysis of the Board of Supervisors.

b. Adopt the findings concerning mitigation of significant environmental effects pursuant to CEQA Guidelines section 15091 (Section IV, V, and VI below).

c. Adopt the Statement of Overriding Considerations pursuant to State CEQA Guidelines section 15093 (Section VIII below).

d. Adopt the Decision and Explanation Regarding Recirculation of the Draft Environmental Impact Report pursuant to State CEQA Guidelines Section 15088.5(e) (Section IX below).

e. Adopt the Mitigation Monitoring and Reporting Program pursuant to CEQA Guidelines section 15091(d) (Staff Report Attachments E, F, and G).

I. INTRODUCTION

The Final Environmental Impact Report (FEIR), dated February 2018, for the Valiano Specific Plan Project analyzes the development of a residential project on an approximately 239 acre site that would include up to 326 single-family dwelling units within a total graded area of approximately 125 acres. The project would include residential uses; park and recreational use; biological and agricultural open space; and an on-site wastewater treatment and water reclamation facility.

The project proposes a General Plan Amendment to change the existing Residential Land Use Designation from Semi-Rural, 1 unit per 1, 2, or 4 gross acres (SR-1) and 1 unit per 2, 4, or 8 gross acres (SR-2) to Semi-Rural, 1 unit per 0.5, 1, or 2 acres (SR-0.5). Neighborhood 5 would be removed from the Elfin Forest-Harmony Grove subarea of the San Dieguito CPA so that the entire Project site would be located within the San Dieguito Community Plan with no subarea. A Specific Plan would provide a framework for development related to land uses, development regulations and design standards; vehicular, pedestrian, bicycle and equestrian circulation; the protection and management of natural resources; and, infrastructure facilities. A Rezone is proposed to reclassify the existing Limited Agriculture (A70) zoning to Specific Plan Area (S88). A portion of the property is proposed to change the Animal Designator "L" to "S." The Setback designator is proposed to change from "C" to "V" and would require a subsequent Site Plan to establish setback. The Special Area regulation would add a "D" and would require a subsequent site plan to determine conformance to the Specific Plan. A Vesting Tentative Map and Vesting Site Plan are also proposed for the project. A Major Use Permit is also proposed for the on-site wastewater treatment and water reclamation facility (WTWRF) and a Local Agency Formation Commission (LAFCO) action to approve the proposed annexation of the Project site into the County Sanitation District for the sewer service. The project site is located adjacent to and west of Country Club Drive in the San Dieguito Community Plan area in the unincorporated area of San Diego County.

II. ENVIRONMENTAL REVIEW PROCESS

The lead agency approving the project and conducting environmental review under the California Environmental Quality Act (California Public Resources Code Sections 21000, et seq., and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, Sections 15000 et seq. (CEQA Guidelines), hereinafter collectively, CEQA) is the County of San Diego (County). The County as lead agency shall be primarily responsible for carrying out the project. In compliance with Section 15082 of the CEQA Guidelines, the County published a Notice of Preparation (NOP) on December 24, 2014, which began a 30-day period for comments on the appropriate scope of the project Environmental Impact Report (EIR). The County received comment letters from the Army Corps of Engineers, California Department of Fish and Wildlife, California Department of Transportation, Native American Heritage Commission, Pala Tribal Historic Preservation Office, San Pasqual Band of Digueno Mission Indians, Vallecitos Water District, San Diego Local Agency Formation Commission, Valley Center Community Planning Group, San Dieguito Community Planning Group, Friends of Eden Valley for Responsible Development, San Diego County Archaeological Society, Elfin Forest Town Council, The Escondido Creek Conservancy, San Diego Audubon Society, and an individual. A copy of the NOP and public comment letters received on the NOP are provided in Appendix A of the Final EIR.

The Draft EIR for the proposed project was then prepared and circulated for review and comment by the public, agencies, and organizations for a public review period that began on April 30, 2015, and concluded on June 15, 2015. A Notice of Completion of the Draft EIR was sent to the State Clearinghouse, and the Draft EIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2013061042). A Notice of Availability of the Draft EIR was filed with the County Clerk.

In response to comments received from the circulation of the Draft EIR, several additions and changes were made to the environmental analysis, including greenhouse gas emissions and land use. Due to these additions and changes made to the Draft EIR, the County recirculated a Draft Revised EIR for the proposed project. The Draft Revised EIR was circulated for public review from December 8, 2016 to January 30, 2016. A Notice of Completion of the Draft Revised EIR was sent to the State Clearinghouse, and the Draft Revised EIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2013061042). A Notice of Availability of the Draft Revised EIR was filed with the County Clerk. After the close of the public review period, the County provided responses in writing to the 176 comment letters received on the Draft EIR and Draft Revised EIR.

The Final EIR for the project was distributed on April 27, 2018. The Final EIR has been prepared in accordance with CEQA and the State CEQA Guidelines. The County, acting as the Lead Agency, has reviewed and edited as necessary the submitted drafts and certified that the Final EIR reflects its own independent judgment and analysis under Guideline Section 15090(a)(3) and CEQA Section 21082.1(a)-(c).

The EIR addresses the environmental effects associated with implementation of the project. The EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the project. The EIR addressed the potential significant adverse environmental impacts associated with the project, and identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts. The EIR is incorporated by reference into this CEQA Findings document.

The EIR is the primary reference document for the formulation and implementation of a mitigation monitoring program for the project. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with CEQA, if a lead agency approves a project that has significant unavoidable impacts that cannot be mitigated to a level below significance, the agency must state in writing the specific reasons and overriding considerations for approving the project based on the final CEQA documents and any other information in the public record for the project (CEQA Guidelines §15093). This is called a "statement of overriding considerations" (CEQA Guidelines §15093).

The documents and other materials which constitute the administrative record for the County's actions related to the project are located at the County of San Diego, Planning & Development Services, Project Processing Counter, 5510 Overland Avenue, Suite 110, San Diego, CA 92123. The County Planning & Development Services, Project Processing Counter is the custodian of the administrative record for the project. Copies of these documents, which constitute the Record of Proceedings, are and at all relevant times have been and will be available upon request at the offices of the Planning & Development Services, Project Processing Counter. This information is

provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

III. FINDINGS

The California Environmental Quality Act (CEQA) (California Public Resources Code §21000 *et seq.* and the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 *et seq.*) require that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment;

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency; or

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR (CEQA §21081[a]; Guidelines §15091[a]).

CEQA requires that the lead agency adopt mitigation measures or alternatives where feasible to avoid or mitigate significant environmental impacts that would otherwise occur with the implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the proposed project lies with another agency (Guidelines Section 15091(a)(b)). For those significant impacts that cannot be mitigated to a less than significant level, the lead agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the proposed project outweigh the significant effects on the environment (CEQA Section 21081(b) and Guidelines Section 15093). If such findings can be made, the Guidelines state in Section 15093 that "the adverse environmental effects may be considered acceptable." CEQA also requires that findings made pursuant to Section 15091 be supported by substantial evidence in the record (State CEQA Guidelines, Section 15091(b)). Under CEQA, substantial evidence means enough relevant information has been provided (reasonable inferences from this information may be made) to support a conclusion, even though other conclusions might also be reached. Substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinion supported by facts (State CEQA Guidelines, Section 15384).

The findings reported in the following pages incorporate the facts and discussions in the EIR for the project as fully set forth therein. For each of the significant impacts associated with the project, the following sections are provided:

Significant Effect: A specific description of the environmental effects identified in the EIR.

Finding: One or more of the three specific findings set forth in CEQA Guidelines Section 15091.

Mitigation Measures: Identified feasible mitigation measures or actions that are required as part of the project and, if mitigation is infeasible, the reasons supporting the finding that the rejected mitigation is infeasible.

Rationale: A summary of the reasons for the finding(s).

For each significant effect identified for the Proposed Project, one of the above three findings under CEQA Guidelines Section 15091 applies. Therefore, the discussion of significant impacts and, where possible, mitigation measures, are organized below by finding rather than by environmental subject area. These findings are explained below and supported by substantial evidence in the record of these proceedings, including materials in the County of San Diego's (County's) files for this Project.

The following Findings are made for the proposed Valiano Project (hereinafter referred to as the "Proposed Project") based on consideration of the alternatives, project objectives, project benefits, environmental impacts, and numerous other factors within the record of proceedings. The environmental effects of the Proposed Project are addressed in the Final Environmental Impact Report (FEIR) dated February 2018.

Pursuant to Section 15132 of the State CEQA Guidelines, the FEIR prepared for the Valiano Project consists of:

- The Draft EIR (DEIR) and relevant information circulated as part of the Recirculated DEIR (RDEIR); comment letters received on the DEIR and RDEIR; a list of persons, organizations and public agencies commenting on the documents; and responses to comments and other information provided by the lead agency; and

- A series of 17 volumes containing 17 Technical Appendices to the FEIR.

The FEIR evaluates potentially significant effects for the following environmental areas of potential concern: (1) Aesthetics; (2) Air Quality; (3) Agricultural Resources; (4) Biological Resources; (5) Cultural Resources; (6) Noise; (7) Paleontological Resources; (8) Transportation/Traffic; (9) Hazards and Hazardous Materials; (10) Geology and Soils; (11) Global Greenhouse Gases; (12) Energy; (13) Hydrology and Water Quality; (14) Land Use and Planning; (15) Population and Housing; (16) Recreation; (17) Public Services; and (18) Utilities and Service Systems. Of these 18 environmental subject areas, the FEIR concludes that Energy, Hydrology and Water Quality, Land Use and Planning, Population and Housing, Recreation, Public Services, and Utilities and Service Systems will not result in potentially significant impacts. The first 11 environmental issues evaluated include potential significant impacts.

Excluding focused impacts to Aesthetics, Air Quality and Transportation/Traffic, all of the identified impacts are mitigable, and are addressed in Sections IV and V of these Findings. For those areas addressed in Section VI, and for which environmental impacts will remain significant and unavoidable, overriding considerations exist which make the impacts acceptable.

IV. POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE (CEQA GUIDELINES § 15091(a)(1))

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects identified in the FEIR, changes or alterations (including mitigation measures) have been required in, or incorporated into, the project which avoid or substantially lessen each of the significant environmental effects identified in the FEIR. The significant effects (impacts) and mitigation measures are stated fully in the FEIR. The following section identifies all issue areas in the FEIR for which changes or alterations (mitigation measures) have been required in, or incorporated into, the Project which avoid or substantially lessen each of the significant environmental effects as identified in the FEIR. The rationale for this finding follows each impact and mitigation summary and are supported by substantial evidence in the record of proceedings.

Where Project design features (PDFs) have been relied upon (i.e., incorporated into the Project) to avoid or substantially lessen potentially significant effects, they have been specifically incorporated into both Table 1-4, Project Design Features, and in Chapter 7.0, List of Mitigation Measures and Design Features, of the FEIR. Each of the mitigation measures and design features identified in Chapter 7.0 are ensured of implementation. They are Project conditions carried over onto project plans (e.g., construction specifications or building permit checks), and require sign-off from County staff prior to permit issuance.

Impacts would be significant without Project PDFs. As noted in the FEIR, some PDFs lower potential Project effects to less than significant levels, some PDFs lower Project impacts but not to less than significant levels (but still require mitigation measures) and some impacts are significant and unmitigable even with both PDFs and mitigation measures; unless otherwise stated herein.

A. Aesthetics

1) **Significant Effect - Impact AE-1:** Although manufactured slopes within steep slopes would be contour graded to follow the natural topography, the resulting landform modification due to the height and visibility of some manufactured slopes associated with lack of vegetation and newly exposed rock would contrast with the adjoining natural hillsides.

   Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

   Mitigation Measure M-AE-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. All manufactured slopes within steep slopes shall be vegetated beyond the minimal erosion control vegetation (one one-gallon shrub per 100 square feet [s.f.]) to provide one one-gallon shrub per each 75 s.f. in areas of exposed soil (i.e., non-rocky areas) and exposed newly cut rocks shall be stained to soften and screen the appearance of the manufactured slopes.

Rationale: Impacts to manufactured slopes with exposed raw soil and broken rock would be mitigated to less than significant because, with mitigation M-AE-1, distant viewers would observe manufactured slopes that were contour graded to follow the natural topography and bare slopes that appear to be similar to the natural weathered rock. Additionally, in time, the landscaping plan would provide vegetative cover for these slopes. The visibility of the rocky slopes while the landscaping matures would be stained to soften and screen the appearance of the manufactured slopes, and the increase in plant density at installation as specified in M-AE-1 would aid in a more rapid perception of visual plant maturity. Prior to issuing the final permit of occupancy and bond release for such work, the County will verify that the homeowners' association (HOA) for the Proposed Project shall have a contractual responsibility to maintain the installed landscaping along the manufactured slopes. This is a condition of the Project.

2) **Significant Effect - Impact AE-2:** The introduction of large retaining/fire walls with horizontal line elements and rectilinear surface planes could visually contrast with the backdrop of rolling hillsides and steep ridgelines.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-AE-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Visual character impacts related to retaining/fire walls that would not be screened by landscaping shown in the Project Landscape Concept Plan and as a matter of Project design would be mitigated by the following measure:

- Wall(s) shall be textured and stained or colored to reduce visibility.

Rationale: The introduction of large retaining/fire walls with horizontal line elements and rectilinear surface planes and their visual contrast with the backdrop of rolling hillsides and steep ridgelines would be less than significant because the viewer's orientation to the Proposed Project reduces views of the 2- to 20-foot walls behind the new houses or rows of houses with the incorporation of mitigation. In addition, Proposed Project design features require substantial buffering landscaping, retention of a eucalyptus grove, installation of a neighborhood park, steep slope easements, agricultural easement, restrictions on WTWRF structure size, use of dark roofs, multi-use trails to reinforce the semi-rural character, and increased box size of olive and oak trees at Project entrances. These PDFs, as well as mitigation measures to utilize texture and color on large retaining/fire walls (required as a Project condition) and landscaping would reduce contrast. The reduction in contrast also reduces visibility.

Without the landscape plans, retention of a eucalyptus grove, installation of a neighborhood park, steep slope easements, agricultural easement, restrictions on WTWRF structure size, use of dark roofs, multi-use trails to reinforce the semi-rural character, and increased box size of olive and oak trees at Project entrances identified as PDFs, the Project development could result in long-term significant impacts.

Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impacts AE-1 and AE-2 would be reduced to less than significant levels with the implementation of mitigation, as well as that of other potential visual effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0, and Table 1-4
- FEIR Subchapter 2.1, Sections 2.1.1, 2.1.2, 2.1.3, 2.1.4, 2.1.5 and 2.1.6
- FEIR Chapter 7.0, Sections 7.1.1 and 7.2.1
- FEIR Appendix B, Visual Impact Analysis

B. Agricultural Resources

1) **Significant Effect - Impact AG-1:** The Proposed Project would result in approximately 13.1 acres of significant impacts to on-site agricultural resources.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-AG-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Mitigation for on-site direct impacts to 13.1 acres of agricultural resources encompassing candidate soils will require on- or off-site preservation of suitable agricultural resources at a 1:1 ratio. Options to implement this mitigation include: (1) providing 13.1 acres of off-site mitigation through the acquisition of agricultural mitigation credits via the County Purchase of Agricultural Conservation Easement (PACE) Program; (2) providing a combination of PACE mitigation credits and establishment of on-and/or off-site agricultural easements in appropriate areas encompassing California Department of Conservation (CDC) candidate soils and totaling 13.1 acres, or (3) purchasing off-site agricultural lands with easements totaling 13.1 acres that meet the intent of the County Agricultural Guidelines, all to the satisfaction of the Director of PDS.

Rationale: Measure M-AG-1, combined with Project Design Features (PDFs) would reduce impacts to less than significant levels. Without the PDFs, there would be a significant impact to agriculture.

With regard to the PDFs, the Project also is subject to the County Agricultural Enterprises and Consumer Information Ordinance (County Code Section 63.401 et seq.). This Ordinance is intended primarily to identify and limit the circumstances under which agricultural activities may constitute a nuisance that potentially could limit an effective agricultural operation. The Ordinance notes that agricultural uses may be converted to other uses or zones, whether or not the parcels are zoned for agricultural

uses. It prohibits land use changes near existing agricultural uses that would result in existing agricultural uses to be deemed a nuisance. In accordance with the Ordinance, all prospective buyers of property (whether new sales or re-sales) within the Project site shall receive written notification regarding the potential occurrence of agricultural activities (and associated nuisance factors [inconveniences, irritations or discomforts]) in adjacent areas, thereby providing a defense to potential limits on effective agricultural operations in the event of future complaints from neighbors.

Relative to Measure M-AG-1, the PACE Program is intended to promote the long-term preservation of agriculture in the County, as part of the General Plan Update process. Under the PACE Program, willing agricultural property owners are compensated for placing a perpetual easement on their agricultural property to limit future non-agricultural uses and development potential. As a result, the agricultural land is preserved and the property owner receives compensation that can make its continued use for agriculture more viable. The pilot phase of this Program was completed in 2013, with several agricultural easements established (County 2013c). On September 17, 2014, the Board of Supervisors approved the PACE Program to include mitigation banking for projects, as defined by CEQA. Based on this approval, project applicants are able to purchase "mitigation credits" for impacts to agricultural resources (County 2014b).

The noted potential mitigation option to preserve appropriate on-site areas could potentially include applicable portions of appropriate residential lots (e.g., undeveloped areas on larger lots) or other areas that encompass CDC candidate soils as previously described. Specifically, the preservation of such areas would require the establishment of agricultural easements to ensure the availability and viability of the subject areas for future agricultural use. The establishment of an easement restricts non-agricultural development to ensure that the underlying areas remain available for agricultural use. Any agricultural easements established on the Proposed Project site would be granted to the County of San Diego, as described above. While individual locations within the Project site that may be suitable for the establishment of agricultural easements have not been specifically identified, they may potentially include applicable areas in Neighborhood 1 (e.g., appropriate portions of proposed open space lots), Neighborhood 3 (e.g., undeveloped areas near the proposed detention basin), and Neighborhood 5 (e.g., larger applicable residential lots and undeveloped areas associated with the wastewater treatment and water reclamation facility (WTWRF) and the wet weather storage area. Areas purchased off site would comply with M-AG-1.

Project-related significant impacts to applicable on-site agricultural resources would total 13.1 acres. The Project Applicant would be required to offset a total of 13.1 acres in the form of agricultural easements or the purchase of credits for off-site agricultural easements. With the described mitigation, direct Project-related impacts to on-site agricultural resources would be reduced to less than significant because there would be like-compensation for the impacts to the agricultural resources and the agricultural resources would be preserved and managed for present and future use. Without such easements, CDC candidate soils could cease agricultural use, lose their status as protected farming soils, and be converted to a non-farming use.

Without the PDF identified relative to on-site agricultural easements, setbacks from residential uses, noticing to future residents, etc., impacts to agricultural resources would be significant. Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

Although not necessary to reduce impacts to less than significant levels, there is an additional agriculturally related Project PDF. This is a 35.4-acre agricultural easement, consisting of recently active avocado orchards (portions of which were damaged or destroyed during a 2014 wildfire event). The easement areas shall be granted to the County of San Diego to protect the availability and viability of the easement area for potential agricultural uses (not necessarily avocado groves, which use high rates of water). This easement precludes all non-agricultural uses, including: (1) the construction or placement of any residence, garage, or any accessory structures designed or intended for human occupancy; (2) the construction or placement of any recreational amenities such as tennis courts or swimming pools; and (3) other non-agricultural-related grading or construction that would render any portion of the noted easement unavailable or non-viable for agricultural use. Exceptions to the prohibitions include grading and construction for agricultural wells, water distribution systems, other activities/facilities required for agricultural operation, and fuel management activities required by a written order from the Fire Marshall. The easement area would be managed and maintained to ensure that it is available and viable for associated potential agricultural uses. Agricultural uses within the proposed easement area could be implemented directly through the HOA (i.e., by retaining a qualified agricultural manager/consultant), or though options such as leasing or selling the easement parcel to a third party for agricultural development in conformance with the Specific Plan. An Agricultural Maintenance Agreement (Agreement) between the easement land owner(s) or lessee(s), and the County of San Diego, will be developed to ensure proper maintenance of the 35.4-acre agricultural easement. The Agreement may be transferred to individual property owners/lessees or the HOA, and will address the following elements to the satisfaction of PDS:

- The Project owner(s), lessee(s), and/or HOA will employ a qualified manager/consultant to maintain the 35.4-acre easement area in perpetuity and ensure that it is available and viable for associated potential agricultural uses. This may include activities such as "stumping" the remaining and burned (dead) avocado trees; providing erosion, weed and rodent control; and maintaining the irrigation system used for the previous agricultural operations (as outlined below).

- Agricultural fencing and signage shall be installed along the easement boundaries prior to approval of Project Grading and/or Improvement Plans, and shall be maintained as necessary.

- Signage will be corrosion resistant, a minimum size of 6 inches by 9 inches, spaced 100 feet apart, attached to fencing not less than three feet in height from the ground surface, and will state "County Easement: Agricultural Uses Only (Project Ref: 3100-5575 [TM])."

- The wells and water distribution facilities used for previous agricultural operations within the 35.4-acre easement area will be properly maintained (including replacement as necessary). Specifically, the irrigation system will be maintained in an operable condition so that it is available for potential future agricultural use within the easement area, unless additional and/or replacement facilities are required/proposed. This could entail grading and construction for installation of additional (or replacement) wells and related facilities, as well as infrastructure for delivery of recycled water (when available) to supplement or replace the use of groundwater for agricultural irrigation.

- The HOA budget will include 10 years of maintenance operations for the 35.4-acre easement area, unless conveyed to a third-party operator (which would then develop and implement the maintenance operation), based on a cost estimate generated by the Project applicant and/or HOA and approved by the Director of PDS.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impact AG-1 would be reduced to less than significant levels with the implementation of mitigation and Project design feature is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.3, Sections 2.3.1, 2.3.2, 2.3.3, 2.3.4, 2.3.5 and 2.3.6
- FEIR Chapter 7.0, Sections 7.1.3 and 7.2.2
- FEIR Appendix D, Agricultural Resources Report

C. Biological Resources

1) Impact BI-1:

- **Significant Effect - Impact BI-1a:** Construction of the Proposed Project would significantly impact 49.9 acres of non-native grassland and 20.3 acres of extensive agriculture (pasture), which comprise habitat for seven County Group 1 animal species observed on site, including Cooper's hawk, red-shouldered hawk, northern harrier, white-tailed kite, turkey vulture, prairie falcon, and grasshopper sparrow.
- **Significant Effect - Impact BI-1b:** Construction of the Proposed Project would significantly impact raptor foraging habitat comprising 49.9 acres of non-native grassland and 20.3 acres of extensive agriculture (pasture).

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-BI-1a and b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Mitigation for impacts to non-native grassland habitat (typically a 0.5:1 ratio) must include direct and cumulative impacts to sensitive species (grasshopper sparrow and raptors) which increases the mitigation ratio to 1:1, for a mitigation requirement of 49.1 acres.[1] The remaining 0.8 acre would be mitigated through the purchase of oak woodland because 0.8 acre of grassland occur within on-site oak woodland. Mitigation for impacts to extensive agriculture, which provides more limited habitat value to species, will occur at the base ratio of 0.5:1, for a mitigation requirement of 10.2 acres. Mitigation for impacts to raptor foraging habitat and grasshopper sparrow habitat would occur through one or a combination of the following: off-site preservation of grassland habitat and/or other like-functioning habitat within the North County Multiple Species Conservation Program (NCMSCP) Pre-Approved Mitigation Area (PAMA) boundaries, or purchase of grassland credits or like-functioning habitat at an approved mitigation bank such as the future Brook Forest Conservation Bank or other location deemed acceptable by the County and Wildlife Agencies.

Rationale: The implementation of the mitigation measures listed above would reduce impacts to less than significant levels. Significant impacts to foraging habitat for raptors (Impact BI-1b) would be mitigated to less than significant by off-site preservation of (1) non-native grassland habitat and/or other like-functioning habitat; and (2) grassland, extensive agricultural lands and/or other like-functioning habitat lands approved by the County (M-BI-1a and 1b, M-BI-8). The specified habitat mitigation ratios take into consideration the importance of preserving areas necessary to ensure the continued survival of the more sensitive raptors and the grasshopper sparrow. The habitat preservation ratio is effective because through retention of sustainable habitat, sensitive species can continue to thrive. The mitigation would preserve species habitat and foraging grounds, and thus, help ensure survival of these species within the Project site (open space) and within the County. The mitigation ratios utilized for impacts to these species' habitats were developed based upon Natural Community Conservation Program (NCCP) Guidelines (California Department of Fish and Wildlife [CDFW] and California Resources Agency 1997) intended to accomplish preservation of sensitive species, and the wildlife agencies have reviewed and approved these mitigation ratios.

2) **Significant Effect - Impact BI-2:** Construction-related noise may significantly impact tree- and/or ground-nesting raptors that may be nesting within 300 feet of the construction area if construction noise at the nest exceeds 60 dBA L_{EQ}.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

[1] 49.1 acres of grassland mitigation would be provided for impacts to 49.9 acres of non-native grassland. The remaining 0.8 acre would be mitigated through oak woodland mitigation, as impacts to 0.8 acre of non-native grassland occur within the oak root zone as defined by the County and are considered impacts to oak woodland.

Mitigation Measure M-BI-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. No grubbing, clearing or grading within 300 feet of an active raptor nest during the raptor breeding season (February 1 through July 15) will occur. All grading permits, improvement plans and the final map will include such statement. If grubbing, clearing or grading is proposed during the raptor breeding season, a pre-grading survey will be conducted within three days prior to clearing to determine if raptors occur within the areas directly impacted by grading or indirectly impacted by noise. If there are no raptors nesting (includes nest building or other breeding/nesting behavior) within this area, development will be allowed to proceed upon approval of the Director of PDS with concurrence from the U.S. Fish and Wildlife Service (USFWS) and CDFW. However, if raptors are observed nesting or displaying breeding/nesting behavior within the area, construction will be postponed until (1) all nesting (or breeding/nesting behavior) has ceased or until after July 15; or (2) a temporary noise barrier or berm is constructed at the edge of the development footprint to reduce noise levels below 60 dBA L_{EQ} or ambient (if ambient is greater than 60 dBA L_{EQ}), to the satisfaction of the Director of PDS with concurrence from USFWS and CDFW. Alternatively, if approved by the Director of PDS with concurrence from USFWS and CDFW, the duration of construction equipment operation could be controlled to keep noise levels below 60 dB L_{EQ} or ambient (if ambient is greater than 60 dBA L_{EQ}) in lieu of or in concert with a wall or other sound attenuation barrier.

Rationale: Potential significant construction-related noise impacts to raptors nesting within 300 feet of the construction area would be mitigated to less than significant by not allowing grubbing, clearing or grading within 300 feet of an active raptor nest during the raptor breeding season (February 1 through July 15), unless approved by the Director of PDS with concurrence from USFWS and CDFW (M-BI-2). Nesting raptors would be protected from disturbance associated with movement and noise from construction activities during the breeding season due to the required 300-foot distance between construction activities and active nests, a distance determined by the wildlife agencies to adequately attenuate the disturbance, and due to monitoring of noise levels by a County-approved noise specialist confirming that construction noise does not exceed 60 dBA $L_{EQ,}$ a noise level determined by the wildlife agencies as adequate to attenuate disturbance. Because the daily activities of this species would not be disrupted, breeding and nesting activities would continue within proposed on-site open space.

3) Impact BI-3:

- **Significant Effect - Impact BI-3a:** Construction of the Proposed Project would result in significant direct impacts to 0.04 acre of southern willow scrub.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-BI-3a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 0.04 acre of southern willow scrub will be mitigated at a 3:1 ratio through the purchase of 0.12 acre of wetland credits at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies.

- **Significant Effect - Impact BI-3b:** Construction of the Proposed Project would result in significant direct impacts to 0.01 acre of mule fat scrub.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-3b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 0.01 acre of mule fat scrub will be mitigated at a 3:1 ratio through the purchase of 0.03 acre of wetland credits at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies.

- **Significant Effect - Impact BI-3c:** Construction of the Proposed Project would result in significant direct impacts to 0.02 acre of herbaceous wetland.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-3c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 0.02 acre of herbaceous wetland will be mitigated at a 3:1 ratio through the purchase of 0.06 acre of wetland credits at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies.

- **Significant Effect - Impact BI-3d:** Construction of the Proposed Project would result in significant direct impacts to 0.08 acre of disturbed wetland.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-3d: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 0.08 acre of disturbed wetland will be mitigated at a 3:1 ratio through the purchase of 0.24 acre of wetland credits at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies.

- **Significant Effect - Impact BI-3e:** Construction of the Proposed Project would result in significant direct impacts to 6.2 acres of coast live oak woodland and 1.0 acre of oak woodland buffer.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-BI-3e: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 6.2 acres of coast live oak woodland and 1.0 acre of oak woodland buffer (consisting of 0.8 acre non-native grassland, 0.1 acre of eucalyptus woodland, and 0.1 acre combined impacts to extensive agriculture, southern mixed chaparral, and eucalyptus forest)[2] will be mitigated at a 2:1 ratio for the 2.1 acres occurring within the limited building zone (LBZ) around biological open space, and at a 3:1 ratio for the remaining 4.1 acres of impact and 1.0 acre of buffer impact. A 2.1-acre Oak Tree Protection Easement would be recorded over the 2.1 acres of coast live oak woodland remaining within the LBZ, which would limit fuel modification to clearing of the understory and prohibit the removal of mature oak trees. Mitigation would be accomplished through one or a combination of the following: the purchase of 19.5 acres of oak woodland, oak riparian woodland, or oak riparian forest credits at an approved mitigation bank such as the future Brook Forest Conservation Bank or other location deemed acceptable by the County and Wildlife Agencies, and/or off-site acquisition and preservation of land within the NC MSCP PAMA boundaries containing oak woodland, oak riparian woodland, or oak riparian forest.

- **Significant Effect - Impact BI-3f:** Construction of the Proposed Project would result in significant direct impacts to 0.2 acre of isolated Diegan coastal sage scrub and significant indirect impacts to 1.6 acres of Diegan coastal sage scrub.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-3f: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Direct impacts to 0.2 acre of Diegan coastal sage scrub and indirect impacts to 1.6 acres of Diegan coastal sage scrub will be mitigated at a 2:1 ratio through the purchase of 3.6 acres of coastal sage scrub credits at an approved mitigation bank such as the future Brook Forest Conservation Bank or other location deemed acceptable by the County and Wildlife Agencies; and/or off-site acquisition and preservation of land within the NCMSCP PAMA boundaries containing Diegan coastal sage scrub.

- **Significant Effect - Impact BI-3g:** Construction of the Proposed Project would result in significant direct impacts to 3.0 acres of granitic southern mixed chaparral.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-3g: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 3.0 acres of granitic southern mixed chaparral will be mitigated at a 0.5:1 ratio through one or

[2] A total of 0.6 acre of coast live oak woodland habitat occurring within the oak woodland buffer also would be impacted. These impacts are already included in the acreage totals for direct impacts to oak woodland and mitigation provided at a 3:1 ratio.

a combination of the following: the purchase of 1.5 acres of chaparral credits at an approved mitigation bank such as the future Brook Forest Conservation Bank or other location deemed acceptable by the County and Wildlife Agencies; or off-site acquisition and preservation of land within the NCMSCP PAMA boundaries containing southern mixed chaparral.

- **Significant Effect - Impact BI-3h:** Construction of the Proposed Project would result in significant direct impacts to 49.9 acres of non-native grassland.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-3h: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 49.9 acres of non-native grassland will be mitigated at a 1:1 ratio through one or a combination of the following: off-site preservation of 49.1 acres[3] of grassland habitat and/or other like-functioning habitat within the NCMSCP PAMA boundaries, or purchase of 49.1 acres of grassland credits at an approved mitigation bank such as the future Brook Forest Conservation Bank or other location deemed acceptable by the County and Wildlife Agencies. The remaining 0.8 acre would be mitigated through the purchase of oak woodland because 0.8 acre of grassland occur within on-site oak woodland. Impacts to 20.3 acres of extensive agriculture will be mitigated at the base ratio of 0.5:1, for a mitigation requirement of 10.2 acres through one or a combination of the following: off-site preservation of 10.2 acres of pasture or grassland habitat and/or other like-functioning habitat within the NCMSCP PAMA boundaries, or purchase of 10.2 acres of grassland credits or other habitat suitable for raptor foraging at an approved mitigation bank such as the future Brook Forest Conservation Bank or other location deemed acceptable by the County and Wildlife Agencies.

  Rationale: Construction of the Proposed Project would result in significant direct impacts to southern willow scrub, mule fat scrub, herbaceous wetland, disturbed wetland, coast live oak woodland, Diegan coastal sage scrub, granitic southern mixed chaparral and non-native grassland (Impacts BI-3a through BI-3h). Impacts would be mitigated to less than significant through (1) off-site establishment, rehabilitation and/or preservation; or (2) purchase of credits at an approved mitigation bank (M-BI-3a through M-BI-3h). Implementation of these mitigation measures would avoid or substantially reduce the significant effects because the mitigation ratios for impacts to these habitats were developed based on NCCP Guidelines (CDFW and California Resources Agency 1997), and the wildlife agencies have reviewed and approved these mitigation ratios. Additionally, these standard ratios have been applied to projects within the County since PDS developed its first Biological Report Guidelines in the

[3] 49.1 acres of grassland mitigation would be provided for impacts to 49.9 acres of non-native grassland. The remaining 0.8 acre would be mitigated through oak woodland mitigation, as impacts to 0.8 acre of non-native grassland occur within the oak root zone as defined by the County and are considered impacts to oak woodland.

mid-1990s (adopted by the Board of Supervisors) and is a part of current County guidelines. The ratio is identified as effective because reviewing agencies have reached consensus that retention at these ratios will result in sustainable levels of these habitats.

4) Impact BI-4, BI-5, BI-6:

- **Significant Effect - Impact BI-4:** Implementation of the Proposed Project would impact 0.19 acre of non-wetland waters of the U.S. (WUS) regulated by the U.S. Army Corps of Engineers (USACE.)

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-4: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Impacts to 0.19 acre of non-wetland WUS will be mitigated by purchase of 0.19 credits at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies. All mitigation for WUS will occur in consultation with the USACE.

- **Significant Effect - Impact BI-5:** Implementation of the Proposed Project would impact a total of 0.76 acre of CDFW jurisdiction, comprised of 0.50 acre of vegetated habitat (0.38 acre of coast live oak woodland, 0.02 acre of southern willow scrub, 0.02 acre of herbaceous wetland, and 0.08 acre of disturbed wetland) and 0.26 acre of streambed.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

  Mitigation Measure M-BI-5: Impacts to 0.50 acre of vegetated CDFW jurisdictional habitat would be mitigated by the implementation of the above Mitigation Measures M-BI-3a (southern willow scrub), M-BI-3b (mule fat scrub), M-BI-3c (herbaceous wetland), M-BI-3d (disturbed wetland) and M-BI-3e (coast live oak woodland).

  Impacts to 0.26 acre of CDFW streambed would be mitigated by the implementation of Mitigation Measure M-BI-4, above, plus purchase of an additional 0.07-acre credit at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies.

- **Significant Effect - Impact BI-6:** Implementation of the Proposed Project would impact 0.01 acre of County Resource Protection Ordinance (RPO) wetlands comprised of a single stand of mule fat scrub.

  Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-BI-6: Impacts to 0.01 acre of County RPO wetlands would be mitigated by the implementation of Mitigation Measure M-BI-3b, above.

Rationale: Federal, State, and County policies require that projects have a no net loss of wetlands. Impacts to USACE, CDFW, and County RPO wetlands/waters (Impacts BI-4 through BI-6) would be mitigated to less than significant through off-site establishment, rehabilitation and preservation (M-BI-4 through M-BI-6). Implementation of these mitigation measures would fully mitigate impacts to these jurisdictional areas, because the typical mitigation ratio for impacts to wetlands is 3:1 (with a minimum 1:1 creation ratio thereby replacing the values of the impacted wetland) and the mitigation ratio for WUS/streambed is 1:1, which is a ratio the resource agencies reviewed and approved. Because the Proposed Project would mitigate its impacts to wetlands at a 3:1 ratio, including a minimum 1:1 creation ratio and 2:1 rehabilitation/preservation ratio, no net loss of wetland habitat would occur. Rehabilitation of wetland habitat would fully mitigate impacts to WUS/streambed because it would benefit both native plant species and animal species that utilize the drainage, and would not alter of the function of the wetlands.

5) **Significant Effect - Impact BI-7:** Breeding migratory birds may temporarily or permanently leave their territories to avoid construction and/or extraction operations, which could lead to reduced reproductive success and increased mortality.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-BI-7: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. In order to ensure compliance with the Migratory Bird Treaty Act (MBTA), grading and clearing of vegetation will occur outside of the breeding season of avian migratory species (February 1 through September 1). Grading or clearing during the breeding season of MBTA-covered species could occur with PDS approval and wildlife agency concurrence if it is determined that no nesting birds (or birds displaying breeding or nesting behavior) are present immediately prior to clearing and grading. A pre-construction survey will be conducted within seven days prior to clearing and grading activities to determine if breeding or nesting avian species occur within impact areas.

Rationale: Impacts would be mitigated to less than significant by not allowing grading or clearing of vegetation during the breeding season of avian migratory species (February 1 through September 1) without PDS approval and wildlife agency concurrence that nesting and breeding is not occurring at the site immediately prior to clearing and grading. Nesting migratory bird species would be protected from disturbance associated with movement and noise from construction activities during the breeding season due to cessation of grading or construction activities. Because the daily activities of these species would not be disrupted, breeding and nesting activities would continue within proposed on-site open space, thus helping to ensure the survival of these species.

6) **Significant Effect - Impact BI-8:** The Proposed Project would contribute to cumulative impacts to sensitive wildlife that use the grassland and pasture, including grasshopper sparrows and raptors.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-BI-8: Impacts would be mitigated with M-BI-3h and M-BI-1a and b. Mitigation for impacts will provide a higher mitigation ratio and better habitat value to species.

Rationale: As stated in the rationale for Impacts M-BI-1a, b and M-BI-3h, implementation of the mitigation measures listed above would reduce impacts to less than significant levels. Significant impacts to foraging habitat for raptors (Impact BI-1b) would be mitigated to less than significant by off-site preservation of (1) non-native grassland habitat and/or other like-functioning habitat; and (2) grassland, extensive agricultural lands and/or other like-functioning habitat lands approved by the County. The specified habitat mitigation ratios take into consideration the importance of preserving areas necessary to ensure the continued survival of the more sensitive raptors and the grasshopper sparrow. The habitat preservation ratio is effective because through retention of sustainable habitat, sensitive species can continue to thrive. The mitigation would preserve species habitat and foraging grounds, and thus, help ensure survival of these species within the Project site (open space) and within the County. The mitigation ratios utilized for impacts to these species' habitats were developed based upon NCCP Guidelines (CDFW and California Resources Agency 1997) intended to accomplish preservation of sensitive species, and the wildlife agencies have reviewed and approved these mitigation ratios.

A number of routine construction PDFs are incorporated into the Project. These relate to pre-construction educational meetings; pre-construction focused surveys for bats; installation of construction fencing; construction timing and location restrictions during the avian breeding season (February 15 through August 31); restriction of construction personnel movements during construction; retention of a qualified biological monitor to be on site during clearing, grading and grubbing; stock-piling and re-use of native topsoil; maintenance of adequate storm water best management practices (BMPs), and maintenance of dust control. Without these PDFs, construction impacts would have been significant. Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

Similarly, a number of routine operation PDFs in accordance with County requirements are incorporated into the Project. These include exclusion of exotic and invasive plants, separation of BOS and development areas through signed fencing, preservation of RPO wetlands and buffers within BOS, surrounding BOS with limited building zones (LBZs) without any structures, lighting restrictions, and providing a con-span bridge at the southern-most Project entrance. Without these PDFs, operational impacts would have been significant. Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impacts BI-1 through BI-8 would be reduced to less than significant levels with the implementation of mitigation, as well as that of other potential biological effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.4, Sections 2.4.1, 2.4.2, 2.4.3, 2.4.4, 2.4.5 and 2.4.6
- FEIR Chapter 7.0, Sections 7.1.4 and 7.2.4
- FEIR Appendix E, Biological Technical Report and Addendum

D. Cultural Resources

1) **Significant Effect - Impact CR-1:** Site CA-SDI-17,506, described in the Cultural Resources Inventory and Assessment (Appendix F) as a large artifact scatter with flaked stone, ground stone, and marine shell, including the presence of subsurface cultural material, was assessed as a significant resource under CEQA. Although the site does not meet the requirements for significance under RPO, it would be subject to direct impacts from Project development and these impacts would be significant.

   Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

   Mitigation Measure M-CR-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. A data recovery program would be implemented at the site prior to approval of any grading or improvement plans that would cause the direct impact. The research design and data recovery plan are included as Appendix F of the *Cultural Resources Inventory and Assessment*. The data recovery program would be implemented prior to any grading and/or improvements and prior to the approval of the Final Map. All data recovery shall include both a Kumeyaay and a Luiseño Native American monitor.

   Rationale: Implementation of a data recovery program at the site (M-CR-1) would occur prior to approval of any grading and/or improvement plans that would cause the direct impact or prior to the approval of the Final Map. Because the necessary mitigation would occur prior to any impact, and because both Kumeyaay and Luiseño Native American representatives will be present to represent tribal interests, this impact would be reduced to a less than significant level. This also would ensure compliance with CEQA, the County of San Diego Report Format and Content Guidelines – Cultural Resources (December 5, 2007), and California Government Code Section 65352.3 (Senate Bill 18), because relevant information contained in the archaeological record, which is important in understanding prehistory and history, would be preserved.

2) **Significant Effect - Impact CR-2:** There is a potential for significant direct impacts related to undiscovered buried archaeological resources on the Proposed Project site and in the related off-site roadway alignments. Impacts to these resources would represent significant environmental effects.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-CR-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. A grading monitoring and data recovery program would be implemented to mitigate potential impacts to undiscovered buried archaeological resources on the Proposed Project site and off-site roadway alignments to the satisfaction of the Director of PDS. In addition, a pre-grading survey shall also be conducted. This program shall include, but shall not be limited to, the following actions:

a. Provide evidence to PDS that a County approved archaeologist has been contracted to implement a grading monitoring and data recovery program, and a pre-grading survey to the satisfaction of the Director of PDS. A letter from the Principal Investigator shall be submitted to the Director of PDS. The letter shall include the following guidelines:

1. The project archaeologist shall contract with both a Kumeyaay and Luiseño Native American monitor to be involved with the grading monitoring program and pre-grading survey as outlined in the County of San Diego Report Format and Content Guidelines (2007e). This area is of importance to both the Kumeyaay and Luiseño communities; as such, both groups should be given the opportunity to have representatives present as monitors.

2. The County approved archaeologist and Native American monitor(s) 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 (2007e).

3. The consulting archaeologist and Native American monitor(s) shall re-survey areas of the project site including off-site improvements as determined by the Project Archaeologist in consultation with the Native American monitor(s). The site boundaries of CA-SDI-17,506 shall be adequately defined to determine whether the site can be avoided and prevent the requirement for data recovery.

4. The archaeological monitor and Native American monitor(s) shall monitor all areas identified for development including off-site improvements.

5. An adequate number of monitors (archaeological/historical/Native American) shall be present to ensure that all earthmoving activities are observed and shall be onsite during all grading activities including off-site improvements.

6. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite as determined by the Project Archaeologist of the excavations. 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(s). Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator in consultation with the Native American monitor(s).

7. Isolates and clearly non-significant deposits will be minimally documented in the field and the monitored grading can proceed. Should the cultural materials of isolates and non-significant deposits not be collected by the Project Archaeologist, then the Native American monitors may collect the cultural material for transfer to a Tribal Curation facility or repatriation program.

8. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) or Native American monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of the discovery. The Principal Investigator, in consultation with the County staff archaeologist and the Luiseño and Kumeyaay Native American monitors, 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 consulting archaeologist in coordination with the Native American monitor(s) and approved by the County Archaeologist, then carried out using professional archaeological methods. The Research Design and Data Recovery Program shall include: (1) reasonable efforts to preserve (avoidance) all cultural resources as the preferred option; (2) relocation of resources, if feasible, to open space, parks, or green space should avoidance be infeasible; (3) the capping of significant cultural resources and placement of development over the cap, if avoidance or relocation is infeasible; and (4) data recovery for non-unique cultural resources should avoidance or relocation not be feasible.

9. If any human remains are discovered, the Property Owner or their representative 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 (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. All

requirements of Health & Safety Code §7050.5 and Public Resources Code §5097.98 shall be followed.

10. 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.

11. In the event that previously unidentified cultural resources are discovered, all prehistoric cultural material collected during the survey, testing, grading monitoring, and data recovery programs shall be processed and curated at a San Diego curation facility or Tribal curation facility of appropriate affiliation 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 prehistoric cultural materials have been received and that all fees have been paid. Alternatively, the prehistoric and historic (if determined associated with a culturally affiliated Native American Tribe) cultural material collected may be repatriated to a Native American Tribe of appropriate affiliation, as determined by agreement among the Tribes, the Principal Investigator, and County staff.

    Historic cultural material (not associated with a culturally affiliated Native American Tribe) collected during the survey, testing, grading monitoring, and data recovery programs shall be processed and curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79 and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The historic 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.

12. Monthly status reports shall be submitted to the Director of PDS starting from the date of the notice to proceed to termination of implementation of the grading monitoring program and pre-grading survey. 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.

13. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifacts and research data within the research context shall be completed and submitted to the satisfaction of the Director of PDS prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms. A copy of the final report for the Archaeological Monitoring Program and Pre-Grading Survey shall be provided to the San Luis Rey Band of Mission Indians and any culturally affiliated Tribe who requests a copy.

14. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of PDS by the consulting archaeologist that the grading monitoring activities have been completed.

b. Provide evidence to the Director of PDS that the following notes have been placed on the Grading Plan:

    1. The County approved archaeologist and Native American monitor(s) shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program and pre-grading survey.

    2. The archaeological monitor and Native American monitor(s) shall monitor all areas identified for development including off-site improvements.

    3. The consulting archaeologist and Native American monitor(s) shall re-survey areas of the project site including off-site improvements as determined by the Project Archaeologist in consultation with the Native American monitor(s). The site boundaries of CA-SDI-17,506 shall be adequately defined to determine whether the site can be avoided and prevent the requirement for data recovery.

    4. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite as determined by the Principal Investigator of the excavations. 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(s). Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator in consultation with the Native American monitor(s).

    5. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) or Native American monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations around the discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall

contact the County Archaeologist at the time of the discovery. The Principal Investigator, in consultation with the County staff archaeologist and the Luiseño and Kumeyaay Native American monitors, 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. The Research Design and Data Recovery Program shall include: (1) reasonable efforts to preserve (avoidance) all cultural resources as the preferred option; (2) relocation of resources, if feasible, to open space, parks, or green space should avoidance be infeasible; (3) the capping of significant cultural resources and placement of development over the cap, if avoidance or relocation is infeasible; and (4) data recovery for non-unique cultural resources should avoidance or relocation not be feasible.

6. The archaeological monitor(s) and Native American monitor(s) shall monitor all areas identified for development including off-site improvements.

7. If any human remains are discovered, the Property Owner or their representative 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 NAHC, shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. All requirements of Health & Safety Code §7050.5 and Public Resources Code §5097.98 shall be followed.

8. The Principal Investigator shall submit monthly status reports to the Director of PDS starting from the date of the notice to proceed to termination of implementation of the grading monitoring program and pre-grading survey. 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.

9. Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring and pre-grading survey activities have been completed to the satisfaction of the Director of PDS. Evidence shall be in the form of a letter from the Project Investigator.

10. Prior to Final Grading Release, submit to the satisfaction of the Director of PDS, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program and Pre-Grading Survey. A copy of the final report for the Archaeological Monitoring

Program and Pre-Grading Survey shall be provided to the San Luis Rey Band of Mission Indians and any culturally affiliated Tribe who requests a copy. The report shall also include the following:

- Department of Parks and Recreation Primary and Archaeological Site forms.

- Evidence that all prehistoric cultural material collected during the survey, testing, grading monitoring, and data recovery programs has been curated at a San Diego curation facility or Tribal curation facility of appropriate affiliation 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 prehistoric 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 prehistoric cultural materials have been received and that all fees have been paid. Alternatively, the prehistoric and historic (if determined associated with a culturally affiliated Native American Tribe) cultural material collected may be repatriated to a Native American Tribe(s) of appropriate affiliation, as determined by agreement among the Tribes, the Principal Investigator, and County staff.

  Historic cultural material (not associated with a culturally affiliated Native American Tribe) collected during the survey, testing, grading monitoring, and data recovery programs shall be processed and curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79 and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records 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 by the Principal Investigator that the grading monitoring activities have been completed.

Rationale: The possibility that potential unknown buried CEQA-significant cultural sites could be discovered during on- and off-site grading activities (Impact CR-2) is addressed through Measure M-CR-2 (a grading monitoring and data recovery program). This measure would mitigate potential impacts to undiscovered buried archaeological resources on the Proposed Project site and associated off-site improvements. Implementation of the above-described monitoring program also would ensure that no significant impacts to prehistoric or historic resources would occur as a result of Proposed Project development, thereby also ensuring compliance with CEQA, the County of San Diego Report Format and Content Guidelines – Cultural Resources (December 5, 2007), and California Government Code Section 65352.3 (Senate Bill 18), because it would ensure that relevant information contained in the archaeological record, which is important in understanding prehistory and history, would be preserved.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impact CR-1 would be reduced to less than significant levels with the implementation of mitigation, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Subchapter 2.5, Sections 2.5.1, 2.5.2, 2.5.3, 2.5.4, 2.5.5 and 2.5.6
- FEIR Chapter 7.0, Section 7.1.5
- FEIR Appendix F, Cultural Resources Inventory and Assessment, and Addenda

E. Noise

1) **Significant Effect - Impact N-1:** Noise levels at the Proposed Project's residential exterior use areas of Neighborhood 5 adjacent to Country Club Drive may exceed 60 CNEL, and would require exterior use area noise control.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Existing plus Cumulative plus Project (worst-case near-term) traffic noise levels at the Proposed Project's residential exterior use areas facing Country Club Drive shall be mitigated to County Standards by the following measure:

- A 6-foot high noise control wall shall be installed along the outer perimeter of the residential use areas for Lots 283 through 289 to reduce noise impacts in the outdoor use area to less than 60 CNEL. [EIR Figure 2.6-1, *Proposed Sound Wall Locations,* identifies the locations of the proposed sound walls.] The noise control wall must wrap around the ends of the property with 30-foot long returns wherever there is a break or terminus of the wall along Country Club Drive.

Required sound attenuation barriers shall be solid and constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps, through or below the wall. Any seams or cracks must be filled or caulked. If wood is used, it can be tongue and groove and must be at least one-inch total thickness or have a density of at least 3.5 pounds per s.f. Where architectural or aesthetic factors allow, glass or clear plastic 3/8-inch thick or thicker may be used on the upper portion, if it is desirable to preserve a view. Sheet metal of 18-gauge (minimum) may be used, if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or wind. Any door(s) or gate(s) must be designed with overlapping closures on the bottom and sides and meet the minimum specifications of the wall materials described above. The gate(s) may be of one-inch thick or better wood, solid-sheet metal of at least 18-gauge metal, or an exterior-grade solid-core steel door with prefabricated door jambs.

Rationale: The proposed exterior use area noise control mitigation would include two 6-foot-high noise sound walls located around the residential exterior use areas in Neighborhood 5. Implementation of these walls would reduce noise impacts in these outdoor use areas to less than 60 CNEL. This mitigation would reduce impacts to less than significant levels because the noise modeling results indicate the noise attenuation provided by the walls would be adequate to comply with exterior noise standards of the Noise Element. Conditions of approval would ensure that the noise walls would be properly installed.

2) **Significant Effect - Impact N-2:** Noise levels at the Proposed Project's residential building facades facing Country Club Drive may exceed 60 CNEL; typically, with the windows closed, building shells provide approximately 15 dBA CNEL of noise reduction. Thus, it is possible that interior noise levels would exceed the 45 CNEL threshold.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. A final exterior-to-interior analysis shall be conducted to demonstrate that interior residential noise levels are below 45 CNEL. This analysis would be submitted with the final building plan submittal for the residential units along Country Club Drive.

Rationale: A final exterior to interior noise control plan provided by a County-approved noise consultant shall be conducted to demonstrate that interior noise levels would be below 45 CNEL. If noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques to reduce noise levels to 45 CNEL in habitable rooms, and be implemented through the final building plans. This mitigation measure would reduce impacts to less than significant because architectural measures have been demonstrated to be effective and feasible through modeling and the noise levels would be reduced to below the Noise Element standard of 45 CNEL.

3) **Significant Effect - Impact N-3:** Pending identification of specific locations for HVAC units, the use of air conditioning condensers at the Proposed Project site within 35 feet of a property line may create noise levels in excess of the County's nighttime allowable hourly limit of 45 dBA L_{EQ} at adjacent residences. As a result, impacts to the property lines for on-site residences could occur.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-3: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. If a residential air conditioning condenser is installed within 35 feet of a property line, a 5.5-foot-high noise control barrier shall be installed between the residential use areas and the condensers to reduce related noise impacts in the outdoor use areas to less than 45 dBA L_{EQ}. The barrier shall extend in each direction beyond the condenser location so that any location without a barrier at the adjacent property is at least 35 feet from the condenser unit. The applicant shall provide evidence that the installed condensers have a manufacturer's sound power noise rating of less than 75 dBA. If the condenser is placed beyond a distance of 35 feet from the property line, no mitigation would be required.

Rationale: The 5.5-foot-high noise control fence would be installed between the residential use areas and the condensers to reduce related noise impacts where a residential air conditioning condenser is installed within 35 feet of a property line. This mitigation would reduce impacts to less than significant levels because the noise modeling results indicate adequate noise attenuation would be provided by the noise control fences. Ongoing conditions of the site plan will implement noise wall requirements and provide for noise generating equipment compliance with County noise standards.

4) **Significant Effect - Impact N-4:** Without additional noise control, the WTWRF equipment and generator may create a combined exterior noise level in excess of the allowed exterior one-hour average noise level of 45 dBA L_{EQ} at residential property lines. Thus, noise impacts from the proposed WTWRF to surrounding property lines could occur.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-4: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. In order to ensure compliance of the WTWRF with applicable noise regulations, design options shall be employed to reduce noise levels. These design measures could include the following:

1. Stationary equipment noise may be controlled by the following methods:

    a. Providing a tall exterior enclosure wall and gate to control offsite noise impacts for all WTWRF equipment (excluding the diesel generator),

    b. Enclosing the WTWRF equipment inside a noise control Concrete Masonry Unit (CMU) structure or specific design enclosures.

c. Increasing property line setbacks of WTWRF noise sources where feasible.

d. Locating WTWRF noise sources such that noise shielding would be provided from on-site buildings or structures.

e. Incorporating noise control measures such as acoustical louvers or paneling into the WTWRF design.

2. Diesel generator noise may be controlled by the following methods:

a. Enclosing the diesel generator within a custom designed noise control structure (such as a steel enclosure).

b. Placing the diesel generator within a CMU building that includes noise control features such as (but not limited to) acoustical louvers or paneling, etc.

The applicant shall be required to provide a final noise impact analysis as part of the facilities design submittal package for the WTWRF prepared by a County-approved noise consultant. The final noise impact analysis shall demonstrate compliance with the County 45 dBA L_{EQ} property line nighttime limit completed to the satisfaction of the County PDS. The conditions of approval will ensure that the correct equipment/structural noise barriers will be properly installed to reduce noise levels to less than significant levels.

Rationale: The implementation of the identified design options described above would help reduce the potential noise impacts, and help reduce the noise levels associated with the WTWRF. In order to ensure compliance of the WTWRF with applicable noise regulations, the Project applicant shall be required to provide a final noise impact analysis as part of the facilities design submittal package for the WTWRF prepared by a County-approved noise consultant. The final noise impact analysis shall demonstrate compliance with the County 45 dBA L_{EQ} property line nighttime limit completed to the satisfaction of the County PDS. This mitigation would reduce impacts to less than significant because the conditions of approval would ensure that the correct equipment/structural noise barriers would be properly installed to reduce noise levels to less than significant levels.

5) Significant Effect – Impact N-5: Without additional noise control, the generators associated with the proposed wastewater pump stations may create exterior noise levels in excess of the allowed exterior one-hour average noise level of 45 dBA L_{EQ} at residential property lines. Thus, noise impacts from the proposed pump stations to surrounding property lines could occur.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-5: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. The pump and diesel generator noise may be controlled by various methods, including but not limited to: enclosing the diesel generator within a custom designed noise control structure (such as a steel enclosure); placing the pump equipment and diesel generator within a CMU construction building that includes noise control features, increase property line setbacks of the generator location, locating noise sources such that noise shielding would be provided from on-site intervening structures or topography.

The applicant shall provide a final noise impact analysis for the booster pump station backup power generators prepared by a County-approved noise consultant demonstrating compliance with the County 45 dBA L_{EQ} property line requirement completed to the satisfaction of the County PDS.

Rationale: A variety of mitigative treatments are identified in Measure M-N-5, any of which would appropriately control wastewater pump stations generator noise. Implementation of any of these measures, combined with the required final noise impact analysis for the booster pump station backup power generators prepared by a County-approved noise consultant demonstrating compliance with the County 45 dBA L_{EQ} property line requirement and completed to the satisfaction of the County PDS, would lower impacts to less than significant. This mitigation would reduce impacts to less than significant because the conditions of approval would ensure that the correct equipment/structural noise barriers will be properly installed to reduce noise levels to less than significant levels and the Noise Ordinance will regulate continuing use of the pumps and generators.

6) **Significant Effect – Impact N-6:** Without additional noise control, the pump and generator associated with the proposed booster pump station (for water circulation) may create exterior noise levels in excess of the allowed exterior one-hour average noise level of 45 dBA L_{EQ} at residential property lines. Thus, noise impacts from the proposed booster pump to surrounding property lines could occur.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-6: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. The water circulation booster pump and diesel generator noise may be controlled by various methods, including but not limited to: enclosing the diesel generator within a custom designed noise control structure (such as a steel enclosure); placing the pump equipment and diesel generator within a CMU construction building that includes noise control features, increase property line setbacks of the generator location, locating noise sources such that noise shielding would be provided from on-site intervening structures or topography.

The applicant shall be required to provide a final noise impact analysis for the pump station backup power generators prepared by a County-approved noise consultant. The final noise impact analysis shall demonstrate compliance with the County 45 dBA L_{EQ} property line requirement completed to the satisfaction of the County PDS.

Rationale: A variety of mitigative treatments are identified in Measure M-N-6, any of which would appropriately control the water circulation booster pump and diesel generator noise. Implementation of any of these measures, combined with the required final noise impact analysis for the booster pump station backup power generators prepared by a County-approved noise consultant demonstrating compliance with the County 45 dBA L_{EQ} property line requirement and completed to the satisfaction of the County PDS, would lower impacts to less than significant. This mitigation would reduce impacts to less than significant because the conditions of approval would ensure that the correct equipment/structural noise barriers will be properly installed to reduce noise levels to less than significant levels and the Noise Ordinance will regulate continuing use of the pumps and generators.

7) **Significant Effect – Impact N-7:** Ripping or any heavy dozer activities, use of a large excavator, or use of a rock drill within 180 feet of an occupied off-site or future on-site residential structure may create significant impacts.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-7: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. If ripping, drilling, or excavation is required within 180 feet of a residentially occupied off-site or on-site property line, a 12-foot high barrier shall be erected along a length of the property line. This barrier shall be of sufficient length to block the line of sight between the occupied property and any ripping operations within 180 feet of the property. Additionally, the barriers shall extend at least 10 feet beyond the horizontal line of sight in each direction. Figure 5 of the acoustical study (contained in Appendix G of [the] EIR) shows the 12-foot barrier noise mitigation noise contours. The final barrier must break the line of sight between the top of the equipment exhaust and the residential receiver at all visible locations, and when taking into consideration all topography in relevant areas.

If new information is provided to prove and certify that the construction equipment and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the PDS, PPD. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.

Rationale: The mitigation measure requires restricting ripping, drilling, or excavation to distances exceeding 180 feet from a residentially occupied off-site or on-site property line, or requiring a 12-foot-high barrier erected along a length of the property line. If a barrier is used, it must break the line of sight between the top of the equipment exhaust and the residential receiver at all visible locations, and when taking into consideration all topography in relevant areas. This mitigation would reduce impacts to less than significant because the noise modeling results indicate adequate noise attenuation would occur with the proposed noise control barrier, and conditions of approval of the grading plans would ensure that the specified noise attenuation measures are in place. Implementation of the proposed mitigation would ensure compliance with the County Noise Element standards and Noise Ordinance property line limits and reduce noise to less than significant.

8) **Significant Effect – Impact N-8:** Rock breaking within 300 feet of an occupied off-site or future on-site residential structure may create significant impacts.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-N-8: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. If a breaker is required on-site during construction, then it shall not be used within 300 feet of property lines of occupied residences.

Rationale: The measure restricts use of a breaker during construction to distances farther than 300 feet from property lines of occupied residences. This mitigation would reduce impacts to less than significant because the noise modeling results indicate adequate noise attenuation would occur with this distance, and conditions of approval of the grading plans would ensure that the specified noise attenuation measures are in place. Implementation of the proposed mitigation would ensure compliance with the County Noise Element standards and Noise Ordinance property line limits and reduce noise to less than significant.

9) **Significant Effect – Impact N-9:** Blasting using even small charges within 200 feet of an on-site or off-site residential structure may create a significant vibration impact. Larger blasts at greater distances may also create significant impacts; potential impacts from larger blasts could not be evaluated within the acoustical study for the Proposed Project. This analysis cannot be completed until after the site is cleared of all surface material (including any rippable material) in order to expose the specific type of material to be blasted, the extent of the area of blasting, and the required blasting charge type is known.

Mitigation Measure M-N-9: Prior to and during construction activities, the applicant shall be required to prepare and implement a blast plan to reduce impacts associated with air blast over-pressure generated by Project-related construction activities and to incorporate any required noise reducing measures to comply with County Noise Ordinance regulations. The Project applicant shall conform to the blast plan which

would be comprised of the following (but not limited to): No blasting shall occur at a distance of less than 600 feet from any off-site structure without specific analysis by the blasting contractor showing less than significant vibration impacts to the structure.

All blast planning shall be completed by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner shall conduct all notifications, inspections, monitoring, and major or minor blasting requirements planning, with seismograph reports as necessary.

Construction equipment associated with blasting (i.e., drilling, pre- and post-blasting work) shall comply with the County Noise Ordinance, Sections 36.408, 36.409, and 36.410. The blast plan shall include any necessary noise measures such as (but not limited to) temporary noise barriers and blankets, increased setbacks, limiting construction equipment operations, and any other methods specified within the blasting plan must be implemented to comply with County Noise Ordinance requirements.

Rationale: The measure requires that a blast plan shall be prepared and no blasting shall occur within 600 feet from any off-site structure without specific analysis by the blasting contractor showing less than significant vibration impacts to the structure. Accordingly, the performance standard for this mitigation measure and future site-specific blast plan analysis, as specified in Section 2.6.2.4 of the EIR, is that it must avoid peak particle velocity exceeding one inch per second. If exceeding that standard, the size of individual blast charges in the blast plan would be minimized to fall within the threshold. This mitigation also would reduce impacts to less than significant because the noise modeling results indicate adequate noise attenuation would occur with the proposed mitigation, and conditions of approval of the grading plans would ensure that the specified noise attenuation measures are in place. Implementation of the proposed mitigation would ensure compliance with the County Noise Element standards and Noise Ordinance property line limits and reduce noise to less than significant.

Absent 48-hour prior notice for blasting for homes and along equestrian trails within 600 feet of the blast area, and an option to move livestock, impacts associated with un-noticed blasts could be considered significant. PDFs requiring the blasting contractor to carry out these notices are Project conditions. Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impacts N-1 through N-9 would be reduced to less than significant levels with the implementation of mitigation, as well as that of other potential noise effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4

- FEIR Subchapter 2.6, Sections 2.6.1, 2.6.2, 2.6.3, 2.6.4, 2.6.5 and 2.6.6
- FEIR Chapter 7.0, Sections 7.1.6 and 7.2.5
- FEIR Appendix G, Acoustical Site Assessment Report

F. Paleontological Resources

1) Impact P-1, P-2:

- **Significant Effect - Impact P-1 -** Project grading for on-site facilities, including excavation and grading activities, could have a potentially significant impact to paleontological resources within terrace deposits and the Santiago Formation.

- **Significant Effect - Impact P-2:** Project grading for off-site facilities could have a potentially significant impact to paleontological resources within terrace deposits.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measures M-P-1 and M-P-2: These mitigation measures specified in the FEIR have been imposed upon the Project as a condition of approval. Evidence shall be provided to the Director of PDS that the following notes have been placed on the grading plan:

In order to mitigate for potential impacts to paleontological resources on the project site, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons and a fossil recovery program, if significant paleontological resources are encountered, shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Paleontological Resources. A County approved Paleontologist shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons for on- and off-site grading associated with the Proposed Project's grading permit. The following shall be completed:

a. A County-approved Paleontologist shall perform the monitoring duties pursuant to the most current version of the County of San Diego Guidelines for Determining Significance for Paleontological Resources, including the authorization to direct, divert, or halt any grading activity, and to perform all other acts required by the provisions listed below. If the qualified paleontologist or paleontological monitor ascertains that the Santiago Formation or river terrace deposits are not fossil bearing, the qualified paleontologist shall have the authority to terminate the monitoring program. The contract provided to the county shall include an agreement that the grading/trenching/excavation monitoring will be completed, and a

Memorandum of Understanding (MOU) between the approved Paleontologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

b. The cost of the monitoring shall be added to the grading bonds or bonded separately and include:

   1. Salvage unearthed fossil remains.

   2. Record stratigraphic and geologic data to provide a context for the recovered fossil remains.

   3. Prepare collected fossil remains for curation.

   4. Curate, catalog, and identify all fossil remains to the lowest taxon possible, inventory specimens, assign catalog numbers, and enter the appropriate specimen and locality data into a collection database.

   5. Transfer the cataloged fossil remains to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display.

   6. In order to ensure the final Paleontological Resource Mitigation Report documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program, the following shall be completed. The report shall include the following items:

      - If no paleontological resources were discovered, submit a Negative letter report, which states that the monitoring has been completed and that no paleontological resources were discovered.

      - If resources were discovered and recovered during grading, a detailed report shall be prepared by the Project Paleontologist. The report shall comply with the County of San Diego's Guidelines for Determining Significance for Paleontological Resources. The report shall identify which accredited institution has agreed to accept the curated fossils and include proof of the 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 PDS verifying that the curated fossils from the project site have been received by the institution.

      The Project Paleontologist shall prepare the final report and submit it to PDS for approval prior to final grading release. If resources were discovered then the applicant shall complete the following:

- 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

- The applicant shall submit hard and electronic copies of the final Paleontological Resources Mitigation Report to the PDS for final approval of the mitigation. In addition, submit the report to the San Diego Natural History Museum and to the institution that received the fossils.

Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits, the applicant shall provide a copy of the Grading Monitoring Contract, cost estimate, and MOU to PDS. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. Upon acceptance of the report, the bond amount can be relinquished.

Rationale: Mitigation for on- and off-site grading and excavation impacts to Quaternary (Pleistocene) river terrace deposits (Impacts P-1 and P-2) and the Santiago Formation (Impact P-1) would consist of monitoring during original cutting of previously undisturbed Quaternary river terrace deposits and the Santiago Formation; as well as collection of fossils, if discovered. This would reduce the impacts to less than significant because it would result in the recovery and documentation of relevant information, which is important in understanding the paleontological record. The mitigation also ensures that the paleontological monitor has the authority to halt or divert grading activities in the area of any discovery until the important resources are removed.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impacts P-1 and P-2 would be reduced to less than significant levels with the implementation of mitigation, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Subchapter 2.7, Sections 2.7.1, 2.7.2, 2.7.3, 2.7.4, 2.7.5 and 2.7.6

- FEIR Chapter 7.0, Section 7.1.7

G. Transportation/Traffic

1) **Significant Effect - Impact TR-2:** A cumulative impact (LOS F) would occur with Project implementation on Country Club Drive from Hill Valley Drive to Kauana Loa Drive.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-TR-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. In order to mitigate the cumulative impact along this portion of Country Club Drive, the Applicant shall pay the appropriate Transportation Impact Fee (TIF) amount.

Rationale: The TIF program is designed to facilitate compliance with the CEQA mitigation for development projects' cumulative traffic impacts. The County TIF program fee requirement applies to all new development resulting in new/added traffic, and requires payment of an impact fee designated in the ordinance. The TIF Program identifies transportation facilities needed to address cumulative impacts within designated areas of the County (TIF Areas) and then set per unit TIF fees at a level adequate for new development in the County to pay the estimated cost to construct these facilities. As such, TIF fees represent each new development project's "fair share" of the cost of the improvements. TIF fees are segregated by TIF Area, Region, State Highway, and Ramps and are used to help fund transportation improvements within those identified locations. TIF fees are deposited into local Community Planning Area accounts, regional accounts, and regional freeway ramp accounts. TIF funds are only used to pay for improvements to roadway facilities identified in the TIF program, which includes both County roads and Caltrans highway facilities. TIF funds collected for a specific local or regional area must be spent in the same area. By requiring the Applicant to participate in the TIF program and by ensuring TIF funds are spent for the specific roadway improvements identified in the TIF program the County's program and mitigation measure is reasonably calculated to mitigate the Project's cumulative transportation impact.

The Proposed Project is located within the San Dieguito TIF Area. In order for this GPA project to promote orderly development and comply with the County's TIF Program, the TIF Program shall be updated to include potential changes to the Land Use Element and Mobility Element. The Project shall provide a fair share contribution towards the cost of updating the County's TIF program. The amount of the fair share contribution would be determined at the time the County begins the effort to update the TIF program. The cost of the TIF update would be shared by all of the approved GPAs that are being incorporated into the TIF Program to the satisfaction of the Director of PDS. Prior to the recordation of the First Final Map for any unit, the Project shall provide a fair share contribution towards the cost of updating the County's TIF program. The [PDS, LDR] shall review the County's TIF Program and update it to allow the use of a TIF payment to mitigate cumulative traffic impacts. The County's TIF Program update shall be approved by the Board of Supervisors.

Mitigation measure M-TR-2 has been imposed upon the Proposed Project as a condition of approval. In addition to TIF payment, PDFs also contribute to improving capacity on Country Club Drive, including sight distances meeting County standards shall be provided at each of the four access locations along Country Club Drive, and installation of northbound left-turn pockets at each of the four access locations. The TIF and PDFs to improve the capacity on Country Club Drive would help offset its portion of this cumulative impact, and resulting impacts would be less than significant.

A number of Project design features have been incorporated into the Project. These include preparation and approval of a Traffic Control Plan, use of in-Project traffic calming measures (as approved by the SMFD), installation of northbound left-turn pockets at four access points along Country Club Drive (all meeting County sight distance standards or obtaining a DPW-approved design exception) as described in the paragraph above, the fair-share payment contribution toward cost of updating the TIF Program noted above, potential improvements for full access along Hill Valley Drive, and improvement of approximately 1,500 feet of Kauana Loa Drive east of Country Club Drive with wider pavement, traffic calming measures and radar speed signs. Absent these design features, construction and operation impacts would be significant; the PDFs are included as Project conditions. Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impact TR-2 would be reduced to less than significant levels with the implementation of mitigation, as well as that of other potential traffic effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.8, Sections 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.8.5 and 2.8.6
- FEIR Chapter 7.0, Sections 7.1.8 and 7.2.6
- FEIR Appendix H, Traffic Impact Analysis

H. Hazards and Hazardous Materials

1) **Significant Effect – Impact HZ-1:** Analytical results for soil samples collected near the above-ground storage tank (AST) in the northern area of the site (Neighborhood 1) indicate a historical release of DRO and ORO. Additionally, there was minimal staining observed adjacent to the 200-gallon diesel AST located near the southeastern area (Neighborhood 5) of the Proposed Project site.

   Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

   Mitigation Measure M-HZ-1a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Excavation and/or grading activities near the location of the on-site AST in Neighborhood 5 shall be actively monitored by a Registered Environmental Assessor (REA) for the potential presence of hydrocarbon contaminated soils. In the event of encountering contaminated soils, these soils shall be properly tested, managed, and disposed of at a licensed facility in accordance with County Department of Environmental Health (DEH) requirements.

Mitigation Measure M-HZ-1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Soils near the on-site AST within Neighborhood 1 shall be assessed to identify the vertical and lateral limits of diesel range organics (DRO) and oil range organics (ORO) contaminated soils. Contaminated soils shall be disposed of at a licensed facility in accordance with County DEH requirements.

Rationale: Mitigation measures proposed include additional assessment and remediation of the on-site ASTs. Impacts would be reduced to less than significant levels because the hazards would be removed or remediated in accordance with federal, state and local safety regulations and would be completed prior to issuance of permits.

A routine PDF related to soils contamination has also been incorporated into the Project, abandonment of existing on-site septic systems in accordance with County requirements. The PDF requiring abandonment is a Project condition. Implementation of the PDF is ensured as discussed above. Permit issuance is conditioned upon completion of the PDF.

2) **Significant Effect – Impact HZ-2:** Based upon the age of the on-site structures (approximately 60 years), the potential exists for asbestos containing material (ACM) and/or lead-based paint (LBP) to be present on both the northern (Neighborhoods 1 through 4) and southern (Neighborhood 5) sites assessed.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-HZ-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Potential impacts related to the possible presence of ACM and/or LBP in the structures on site shall be mitigated by additional assessment in the form of an ACM and LBP survey conducted prior to demolition activities. This survey shall be utilized to confirm the absence or presence of these materials. Additionally, it shall be used to determine appropriate health and safety requirements for demolition, and appropriate disposal methods for demolition debris.

Rationale: Mitigation measures proposed include additional assessment and remediation of possible ACM and/or LBP presence in on-site structures. Impacts would be reduced to less than significant levels because the hazards would be removed or remediated in accordance with federal, state, and local safety regulations that govern removal of hazardous materials; prior to exposure by the Project's occupants or unsafe exposure to construction workers.

3) **Significant Effect – Impact HZ-3:** Potential conflicts with the Fire Protection Plan (FPP) could occur because certain Project areas (for occupation of structures in Neighborhoods 2, 4, and portions of Neighborhood 3 as shown on Figure 7 of the approved FPP) do not currently have fire service meeting the County's required five-minute travel time.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-HZ-3: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Prior to occupancy of any structure that does not meet the five-minute travel time according to Figure 7 of the approved FPP, either the Harmony Grove Fire Station must be in operation and providing service, or alternate mitigation measures must be provided to the satisfaction of the County Fire Authority (or RSFFPD, if annexed) and the PDS Director.

Rationale: The recommendations and requirements included in the FPP have been incorporated into Project design. These measures, in combination with mitigation measure M-HZ-3, would ensure that Project implementation would result in less than significant impacts relating to wildfire hazards and compliance with applicable codes and regulations because the mitigation would clarify how fuel treatment and setbacks would be enforced to adequately reduce direct fire impingement and radiant heat from around the perimeter of the structures. The mitigation would also clarify how the specified adequate five-minute travel time response would be achieved. The fire protection level created by the safety performance standard of a five-minute travel time is assured regardless whether fire service is provided by Harmony Grove Fire Station or alternative measures are provided.

Project operations PDFs related to permittable plant species; ignition-resistive building requirements; fuel modification; two-hour fire rating for walls facing less than a 150-foot defensible space requirement; Class A roofs; non-combustible materials in eaves, overhangs or projections; dual-pane windows and glass sliding doors (with both window panes being tempered glass on the side of the structure facing the fuel area); ember-resistant vent with baffles; exterior fire sprinklers for any projection exceeding 4 feet in width and/or length; metal window screens; use of non-combustible materials on at least 5 feet of fencing attached to structures; prohibition against wood-burning fire pits or fire places; restrictions on tree canopies relative to each other and adjacency to structures; requirements for fire-resistive, drought tolerant plants with approval of a submitted grading plan by San Marcos Fire Department (SMFD); the setback of single-story structures at a minimum of 15 horizontal feet from the top of a slope; fire access roadways throughout the development free of speed control devices; the removal of brush and flammable vegetation prior to the commencement of any construction activity; a lighted directory map installed near the entrance with approval from SMFD; the review of specific plans related to gates should they be proposed; a continuous water supply; requirement of a 6-foot high ignition resistant, fire deflection wall along a portion of the property boundary as shown on EIR Figure 1-28 with specified fire-personnel access every 150-linear feet for dwellings with less than 100 feet of SMFD defensible space; and (for dwellings within the Project with less than 50 feet of SMFD defensible space) requirement of one-hour rated doors, self-closing standard doors on the side of the structure facing fuel area, sprinklers (for all spaces of the residential unit, including attic and enclosed spaces, closets and other spaces); and a spray system on the 6-foot high ignition-resistant fire wall with specified water supply and maintenance requirements.

Absent incorporation of these required elements, impacts associated with the Project and fire hazards would be significant. PDFs requiring these construction and operation elements are Project conditions. Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

4) **Significant Effect – Impact HZ-4:** The equestrian staging area, WTWRF and wet weather storage ponds could have a significant public health and safety impact if they significantly increase vector populations to a level that could harm the health of the public.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-HZ-4: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. Prior to approval of the first Final Map, a Manure Management and Fly/Vector Control Plan would be prepared according to applicable standards and submitted to the DEH for approval. The Plan would include operational procedures to minimize on-site fly, mosquito and vector production and would be enforced by DEH.

Rationale: As addressed in EIR Section 2.9.2.8, and proposed as standard measures within the Manure Management and Fly/Vector Control Plan, standard measures will include good drainage, and elimination of standing water exceeding 72 hours in duration via fast-draining basins and use of automatic horse-watering devices (re-filling on demand). Where water must stand for longer periods (e.g., in WTWRF ponds, and wet weather storage areas on high-precipitation years), alternative methods of control are specified. These include insecticide application; use of fly or yellow jacket traps; release of non-toxic, natural, flying insect killer spray; disking of pond perimeter areas; treatment of pond with chlorine, and appropriate WTWRF screening and storage of screened material prior to removal from site, etc. Also, vegetation/weed control, use of snap or live traps, and manure management all will control rodents and insects. Implementation of all procedures in the Manure Management and Fly/Vector Control Plan (M-HZ-4) would reduce potential impacts to less than significant because the potential for an increase in vector populations at the WTWRF and wet weather storage pond would be avoided. Furthermore, ongoing management measures associated with the equestrian staging area and the WTWRF including the storage pond, would be required, implemented, and enforced by DEH through the standard measures of the required Control Plan(s). The applicable DEH regulations for such plans set the performance standards that the plans must achieve and these performance standards are set at a level calculated to assure public health protection.

Routine PDFs related to WTWRF operations have also been incorporated into the Project; requiring preparation of a Hazardous Material Risk Management and Business Plan addressing WTWRF materials required for plant operation, proposed storage and handling procedures, and procedures for transport of materials, for submittal to County DEH Hazardous Materials Division (HMD). The PDF requiring these construction and

operation elements is a Project condition. Implementation of the PDF is ensured as discussed above. Permit issuance is conditioned upon completion of the PDF.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impacts HZ-1 through HZ-4 would be reduced to less than significant levels with the implementation of mitigation, as well as that of other potential hazards and hazardous materials effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.9, Sections 2.9.1, 2.9.2, 2.9.3, 2.9.4, 2.9.5 and 2.9.6
- FEIR Subchapter 3.1, Section 3.1.7
- FEIR Chapter 7.0, Sections 7.1.9 and 7.2.9
- FEIR Appendices I, Phase I Environmental Site Assessment Report and Limited Phase II Environmental Site Assessment Report; L, Fire Protection Plan; and O, Project Facility Availability Forms
- FEIR Topical Response: Fire/Evacuations

I. Geology and Soils

1) **Significant Effect – Impact GE-1:** The Proposed Project could potentially result in significant impacts related to seismically induced settlement hazards.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-GE-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. A site-specific geotechnical investigation shall be conducted by a qualified engineer or engineering geologist during Project grading to assess potential impacts related to seismically-induced settlement and related effects. All recommendations provided by the Project engineer/geologist to address potential effects related to seismically-induced settlement shall be implemented as part of the Project design/construction efforts, with such measures potentially including: installation of subdrains in appropriate areas to avoid near-surface saturation; removal of unsuitable (e.g., compressible) deposits in areas proposed for development; and replacement of unsuitable materials with engineered fill (i.e., fill exhibiting characteristics such as proper composition, moisture content, application methodology and compaction; Geocon 2012a and 2012b). The applied site-specific geotechnical remedies would be inspected and verified through the plan review process.

Rationale: The listed mitigation measures would reduce potential seismic settlement to less than significant levels. This conclusion is based on the fact that certified/registered professionals would verify that: (1) the site-specific geotechnical conditions have been tested and examined; (2) remedial actions have been completed as necessary during Project excavation, grading, and construction activities; and (3) the site-specific geotechnical conditions have been verified through the plan review process. Each remedial action recommended must meet federal, state and local regulations as a performance standard. Such standards are set at a level to protect human health and minimize property damage from seismic events.

2) **Significant Effect – Impact GE-2:** The Proposed Project could potentially result in significant impacts related to seismically induced surface slope instability and rockfall hazards.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-GE-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. A site-specific geotechnical investigation shall be conducted by a qualified engineer or engineering geologist during Project grading to assess potential impacts related to manufactured slope instability (including rock fall hazards). All recommendations provided by the Project engineer/geologist to address potential effects related to manufactured slope instability shall be implemented as part of the Project design/construction efforts, with such measures potentially including: proper compaction and/or surface treatment of fill slopes (potentially including overbuilding by 3 feet and cutting back to finish grade); replacement of unsuitable materials with engineered fill (i.e., fill exhibiting characteristics such as proper composition, moisture content, application methodology and compaction); use of applicable slope height and grade limitations; over-excavation or over-blasting for cut slopes in granitic rock (to reach unweathered and stable rock exposures); and use of drought-tolerant landscaping and irrigation controls (Geocon 2012a and 2012b). The applied site-specific geotechnical remedies will be inspected and verified through the plan review process.

Rationale: The listed mitigation measures would reduce potential slope instability/rockfall hazards to less than significant levels. This conclusion is based on the fact that certified/registered professionals would verify that: (1) the site-specific geotechnical conditions have been tested and examined; (2) remedial actions have been completed as necessary during Project excavation, grading, and construction activities; and (3) the site-specific geotechnical conditions have been verified through the plan review process. Each remedial action recommended must meet federal, state and local regulations as a performance standard. Such standards are set at a level to protect human health and minimize property damage from seismic events.

3) **Significant Effect – Impact GE-3:** The Proposed Project could potentially result in significant impacts related to impacts from expansive soils.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.

Mitigation Measure M-GE-3: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. A site-specific geotechnical investigation shall be conducted by a qualified engineer or engineering geologist during Project grading to assess potential impacts related to expansive soils. All recommendations provided by the Project engineer/geologist to address potential efftcts related to expansive soils shall be implemented as part of the Project design/construction efforts, with such measures potentially including: replacement or (if applicable) mixing of unsuitable materials with engineered fill (i.e., fill exhibiting characteristics such as proper composition, moisture content, application methodology and compaction); capping expansive materials with engineered fill in applicable areas (per site-specific geotechnical recommendations); and use of appropriate foundation and/or footing design (e.g., post-tensioned concrete slab foundations, per site-specific geotechnical recommendations, Geocon 2012a and 2012b). The applied site-specific geotechnical remedies will be inspected and verified through the plan review process.

Rationale: The listed mitigation measures would reduce potential expansive soils hazards to less than significant levels. This conclusion is based on the fact that certified/registered professionals would verify that: (1) the site-specific geotechnical conditions have been tested and examined; (2) remedial actions have been completed as necessary during Project excavation, grading, and construction activities; and (3) the site-specific geotechnical conditions have been verified through the plan review process. Each remedial action recommended must meet federal, state and local regulations as a performance standard. Such standards are set at a level to protect human health and minimize property damage from seismic events.

Relative to all the geotechnical issues identified above, a routine PDF has been incorporated into the Project. Project grading, excavation and construction activities will be subject to on-the-ground geotechnical observations and testing by the Project Geotechnical Engineer to verify or (as applicable) modify design measures and recommendations identified in the Project geotechnical investigations. The PDF requiring these monitoring and review elements is a Project condition. Implementation of the PDF is ensured as discussed above. Permit issuance is conditioned upon completion of the PDF.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impacts GE-1 through GE-3 would be reduced to less than significant levels with the implementation of mitigation, as well as that other potential geotechnical effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.10, Sections 2.10.1, 2.10.2, 2.10.3, 2.10.4, 2.10.5 and 2.10.6
- FEIR Chapter 7.0, Sections 7.1.10 and 7.2.8
- FEIR Appendix G, Geotechnical Investigations

J. Greenhouse Gases

1) **Significant Effect – Impact GHG-1:** After analyzing and requiring all reasonable and feasible on-site measures for avoiding or reducing GHG emissions, the Project's total estimated construction and vegetation removal GHG emissions would be 6,123 MT CO_2e and the Project's estimated operational GHG emissions would be 4,493 MT CO_2e annually. Therefore, the Project would generate greenhouse gas emissions that may have a significant impact on the environment.

   Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect. The Applicant shall as a condition to the Project achieve a net-zero level of GHG emissions (i.e., carbon neutrality) through all feasible on-site design features and mitigation measures and through the purchase of carbon offset credits.

   Mitigation Measure M-GHG-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. To ensure construction-related GHG emissions are offset to zero, the Applicant shall complete the following:

   Prior to issuance of each grading permit, the Applicant or its designee shall provide evidence to the County Planning & Development Services (PDS) that they have obtained a one-time purchase of carbon credits sufficient to reduce the contribution of construction-related GHG emissions to zero. Construction emissions include all grading, site preparation, building construction, architectural coatings-related emissions, and the one-time loss of carbon sequestered in existing on-site vegetation.

   Carbon credits shall be purchased through: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) through CAPCOA GHG Rx; or, (iii) if no registry is in existence as identified above, then any other reputable registry or entity that issues carbon offsets consistent with Cal. Health & Safety Code section 38562(d)(1), to the satisfaction of the Director of PDS. Evidence that offset credits sufficient to offset all GHG emissions from construction shall be provided to PDS to the satisfaction of the Director of PDS. The purchase of carbon offsets are to be purchased in geographic priority, as described in the following order: (1) within the unincorporated areas of the County of San Diego, (2) within the County of San Diego, (3) within the State of California, (4) within the United States, and (5) internationally.

To ensure operations-related GHG emissions are offset to zero, the Applicant shall complete the following:

Prior to the recordation of the first building permit, the Applicant shall provide evidence to County PDS that they have obtained carbon credits for the incremental portion of the Project within the Site Plan in a quantity sufficient to offset, for a 30-year period, the operational GHG emissions from that incremental amount of development to net zero, consistent with the performance standards and requirements set forth in Section 3.1.1 of the FEIR.

Carbon credits shall be purchased through: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) through CAPCOA GHG Rx; or, (iii) if no registry is in existence as identified above, then any other reputable registry or entity that issues carbon offsets consistent with Cal. Health & Safety Code section 38562(d)(1), to the satisfaction of the Director of PDS. Evidence that offset credits sufficient to offset all GHG emissions from construction shall be provided to PDS to the satisfaction of the Director of PDS. The purchase of carbon offsets are to be purchased in geographic priority, as described in the following order: (1) within the unincorporated areas of the County of San Diego, (2) within the County of San Diego, (3) within the State of California, (4) within the United States, and (5) internationally.

Rationale: The listed mitigation measure would reduce potential construction- and operational period greenhouse gas impacts to less than significant levels. This conclusion is based on the fact that the purchase of the carbon offsite credits after all reasonable and feasible on-site measures for avoiding or reducing GHG emissions are implemented would result in a net-zero level of GHG emissions (i.e., carbon neutrality). Off-site measures, including offsets that are not otherwise required, to mitigate a project's GHG emissions are expressly authorized by CEQA Guidelines 15126.4(c)(3). The purchase of carbon offsets to reduce GHG emissions shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions (Cal. Health & Safety Code section 38562(d)(1). The County PDS requires that all feasible Project Design Features on site are provided prior to off-site mitigation to reduce GHG emissions. As detailed in EIR Appendix J, all feasible and quantifiable GHG reducing measures as identified in CAPCOA's Quantifying Greenhouse Gas Mitigation Measures have been included.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that Impact GHG-1 would be reduced to less than significant levels with the implementation of mitigation, as well as that of other potential greenhouse gas effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 3.1.1, Sections 3.1.1.1, 3.1.1.2, 3.1.1.3, and 3.1.1.4

- FEIR Chapter 7.0, Sections 7.1.7 and 7.2.12
- FEIR Appendix J, Greenhouse Gases Analyses Report

V. POTENTIALLY SIGNIFICANT IMPACTS THAT CANNOT BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE (CEQA GUIDELINES § 15091(a)(2))

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(2) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects as identified in the FEIR, changes or alterations that would reduce these significant effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. The significant effects (impacts) and mitigation measures are stated fully in the FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Air Quality

1) **Significant Effect - Impact AQ-1:** The Proposed Project is proposing an increase in housing units beyond what was included for the site in the San Diego Association of Governments (SANDAG) 2016 Regional Air Quality Strategy (RAQS); therefore, impacts associated with conformance to regional air quality plans would be potentially significant.

   Finding: Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

   Mitigation Measure M-AQ-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval. The County shall provide a revised housing forecast to SANDAG to ensure that any revisions to the population and employment projections used in updating the RAQS and State Implementation Plan (SIP) will accurately reflect anticipated growth due to the Proposed Project.

   Rationale: The conflict with the current RAQS and SIP resulting from the density proposed for the Proposed Project being inconsistent with current General Plan and SANDAG housing forecasts represents a significant impact only as a planning document conflict. M-AQ-1 requires that the County provide a revised housing forecast to SANDAG to ensure any revisions to the population and employment projections. The provision of housing information would assist SANDAG in revising the housing forecast. SANDAG provides those forecasts to the San Diego Air Pollution District, which prepares the RAQS and the 8-Hour Ozone Attainment Plan and provides those to the State of California Air Resources Board. That agency completes the SIP, and provides the SIP (by air basin) to the federal Environmental Protection Agency. These are ongoing and routine programs that are beyond the purview of the County to manage or direct. Pending inclusion of the anticipated growth in the emission estimates of the RAQS and the SIP, however, the direct impact (Impact AQ-1) would remain significant

and unmitigable. Upon its inclusion and incorporation into regional modeling, this impact will be addressed. SANDAG has jurisdiction to amend transportation planning based on the regional housing, population and jobs forecasts, and the APCD uses those forecasts as metrics in the RAQS and SIP. They can and should complete these updates as they are part of the agency mandates. While a significant impact from a plan consistency stand point, it is important to note that the Project emissions of criteria pollutants do not exceed threshold criteria on a Project direct basis, and there would be no significant impact to human health or the environment from the Project's emissions. The County has not achieved buildout intensity levels assumed under the RAQS and SIP.

2) **Significant Effect - Impact AQ-4:** Cumulative growth would not be within the range projected by SANDAG, as the Proposed Project was found to not be consistent with the 2016 RAQS and SIP. Growth projected for the Proposed Project would result in a cumulatively considerable contribution.

   Finding: Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

   Mitigation Measure AQ-4: Mitigation identified for Impact AQ-1 would lower this impact to less than significant.

   Rationale: As noted under the Rationale for Impact A-Q-1, M-AQ-1 requires that the County provide a revised housing forecast to SANDAG to ensure any revisions to the population and employment projections. The provision of housing information would assist SANDAG in revising forecasts. Pending inclusion of the anticipated growth in the emission estimates of the RAQS and the SIP, however, the cumulative impacts (Impact AQ-4) would remain significant and unmitigable. Upon its inclusion and incorporation into regional modeling, this impact will be addressed. Please see general information regarding RAQS and SIP revisions in the rationale discussion for Impact AQ-1, above. While a significant impact from a plan consistency stand point, it is important to note that the Project emissions of criteria pollutants do not exceed threshold criteria on a Project direct basis, also as described under AQ-1, above. There would, however, be a contribution to cumulative emissions that is conservatively assessed as considerable (significant) due to the lack of consistency with the RAQS and SIP. Even though this impact is conservatively identified as a significant contribution, no significant impact to human health or the environment would result from the Project's direct emissions.

PDFs are identified for both construction and operation periods that would reduce emissions in general. For construction, and in accordance with SDAPCD Rule 55, PDFs include watering a minimum of twice daily, or as needed to control dust (including at locales such as concrete removal, etc.); terminating construction activities until dust clears if visible emissions exceed the property line for specified periods; termination of grading if winds exceed 25 mph; utilization of paving, chip sealing or chemical stabilization of internal roadways after completion of grading; enforcement of a 15-mph speed limit on

unpaved surfaces; covers or 2 feet of freeboard on trucks hauling dirt, sand, soil or other loose materials; use of low volatile organic compound (VOC) coatings during construction and maintenance; development of a Construction and Demolition Debris Management Plan requiring specified percentages of material recycling; appropriate re-use of non-hazardous construction debris; and hydroseeding, landscaping or development, as well as stabilization of dirt storage piles, and minimization of visible roadway**.** For operation, PDFs require a D-Designator Site Plan confirming installation of advanced plumbing systems and educational materials regarding use of low-VOC paints and consumer products, as well as a series of measures to control odor release at the WTWRF (e.g., units to control gases, housing to contain odors, misting systems, biofilters, and staff checks of pressure relief valves). Construction and operation PDFs requiring these elements is a Project condition. Implementation of the PDFs is ensured as discussed above. Permit issuance is conditioned upon completion of the PDFs.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that mitigation for Impacts AQ-1 and AQ-4 is within the jurisdiction of another agency to implement, but ultimately would be reduced to less than significant levels with the implementation of mitigation, as well as that of other potential air quality effects would be reduced to less than significant levels with the implementation of Project design features, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.2, Sections 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5 and 2.2.6
- FEIR Chapter 7.0, Sections 7.1.2 and 7.2.3
- FEIR Appendix C, Air Quality Analysis Report

B. Transportation/Traffic

1) **Significant Effect – Impact TR-1a and TR-1b:** Under Existing Plus Project and Existing Plus Cumulative Plus Project conditions, significant direct and cumulative impacts would occur along Country Club Drive from Auto Park Way to Hill Valley Drive (LOS F: Direct and Cumulative) in the City of Escondido.

   Finding: Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

   Mitigation Measures M-TR-1a/1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that prior to recordation of the Final Map, the Applicant or its designee shall coordinate with the City of Escondido regarding implementation of the mitigation measure approved by the City Council on December 9, 2015 or bond for such work or fee. In order to

mitigate this direct and cumulative impact, the eastbound approach at the Auto Park Way/Country Club Drive intersection shall be restriped to provide one left-turn lane, one shared left-turn/through lane, and one right turn lane. The signal will be modified to change the east/west approach to "split" phasing. In addition, Country Club Drive will be widened to provide a paved width of 36 feet consisting of two travel lanes and a 10-foot striped center turn lane starting 220 feet southwest of Auto Park Way for a length of approximately 830 feet. Improvements will include connecting the existing sidewalk along the northern side of this roadway section with a 5-foot sidewalk complete with a 6-inch curb and gutter and providing a 4-foot decomposed granite pathway along the south side of this segment with a 6-inch asphalt berm.

Rationale: The direct and cumulative impacts to the segment of Country Club Drive from Auto Park Way to Hill Valley Drive in the City of Escondido would be mitigated through required restriping of the eastbound approach at the Auto Park Way/Country Club Drive intersection, widening Country Club Drive, providing a center turn lane, and sidewalk improvements. These measures would improve traffic flow by providing improved intersection operations with re-striped traffic lanes. The mitigation would improve Country Club Drive operations in the City of Escondido and allow it to operate more efficiently compared to pre-Project conditions. Although the improvements necessary to reduce the significant direct and cumulative impacts are the responsibility of another jurisdiction (the City); the Escondido City Council voted on December 9, 2015 to approve the proposed mitigation and allow its implementation. All mitigation within the City of Escondido must be completed prior to recordation of the first Final Map or a bond posted to cover such work. Therefore, the identified mitigation would reduce Project impacts to less than significant.

2) **Significant Effect – Impact TR-4:** Project implementation would result in cumulative impacts to the intersection of Auto Park Way/Country Club Drive (LOS D during the AM peak period) in the City of Escondido.

Finding: Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Mitigation Measure M-TR-4: The mitigation measures recommended in M-TR-1 to restripe the eastbound (EB) approach at this intersection to provide one left-turn lane, one shared left-turn/through lane, and one right-turn lane with a signal timing modification to change the east/west approach to "split" phasing also would mitigate this cumulative intersection impact by improving operations at this intersection to a better capacity than pre-Project conditions.

Rationale: The mitigation measures for TR-1a and 1b would mitigate direct and cumulative impacts along the segment of Country Club Drive south of the intersection for Impact TR-4. Restriping of the EB approach at the Auto Park Way/Country Club Drive intersection, widening Country Club Drive, providing a center turn lane, and sidewalk improvements will also help with intersection operations. The improvements would return the forecasted LOS D operations at this intersection to better than pre-

Project conditions. As noted, the Escondido City Council voted on December 9, 2015 to approve the proposed mitigation and allow its implementation; with this mitigation, impacts would be less than significant.

Absent approval of a Traffic Control Plan, short-term construction impacts in the City of Escondido would be significant, and a PDF is included as Project conditions. Implementation of the PDF is ensured as discussed above. Permit issuance is conditioned upon completion of the PDF.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that mitigation for Impacts TR-1a, 1b, and 4 is within the jurisdiction of another agency to implement, but would be reduced to less than significant levels with the implementation of mitigation, as well as that of other short-term construction traffic impacts in the City of Escondido would be reduced to less than significant levels with the implementation of a Project design feature, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.8, Sections 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.8.5 and 2.8.6
- FEIR Chapter 7.0, Sections 7.1.8 and 7.2.6
- FEIR Appendix H, Traffic Impact Analysis

VI. POTENTIALLY SIGNIFICANT IMPACTS THAT CANNOT BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE (CEQA GUIDELINES § 15091(a)(3))

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(3) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects as identified in the FEIR, specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make the mitigation measures or project alternatives infeasible. [4]

A) Aesthetics

1) **Significant Effect – Impact AE-3:** Temporary visual effects during the Project construction period related to grading and ongoing development would be substantial until buildout occurs and all vegetation is installed and attains five additional years of maturity.

[4] Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Finding: Project Design Features will be implemented to substantially lessen Impact AE-3; but not to a level of less than significant. No other feasible mitigation measures have been identified or proposed that would mitigate Impact AE-3 to below a level of significance. Specific economic, legal, social, technological, or other considerations make the project alternatives identified in the FSEIR infeasible for the reasons set forth in Section VII and IX below. Thus, the impact is considered to be significant and unavoidable. This unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section VIII, below.

Mitigation for Impact AE-3: No mitigation beyond Project design features already incorporated is feasible.

Rationale: Regarding construction-period/initial installation visual impacts, short-term impacts would be adverse. These impacts would relate to the combination of raw valley and slope soils during the construction period, the potential presence of rock crushing activities (with the industrial appearing crusher) and other construction equipment moving about the site, and increased lighting being visible immediately following Proposed Project construction. Screening of construction-period views from locations adjacent to the site would normally be effective in mitigating these impacts to below a level of significance. However, for this project, they are largely ineffective where the affected viewers are above the Project site (from the west and east of the site). Potential screening of stationary views through placement of screening closer to off-site viewers at these locations would require fencing on off-site private property not under the control of the County. Placing screens at these locations would constitute a trespass on private property and is therefore legally infeasible. Securing property rights to place screens in these locations through condemnation would require lengthy judicial proceedings and could not be accomplished in a successful manner within a reasonable period of time adding to the infeasibility of this mitigation technique. Therefore, no mitigation beyond Project design features already incorporated into the Project is available for these impacts, which would diminish as construction is completed and Project vegetation matures. Ultimately, the landscaping installed within each constructed phase (as an area is graded it would be landscaped) would lessen adverse visual impacts of raw slopes and new buildings, and vegetation maturity would be visually attained in approximately five years. At that point, raw soil would be covered with Project improvements, and street trees and internal landscaping would buffer the homes from views to the Proposed Project from off site, softening sharp edges, unifying the Project, and shading Project lighting and glare. While temporary in nature and ultimately addressed through Project design and landscaping over the long-term, short-term adverse visual impacts would be significant and unmitigable. Potential alternatives to the Project are evaluated in the FEIR, with specific review of long-term aesthetic effects. For reasons explained in Section D of these Findings, attenuation of the significant effect through alternative project design is not feasible. In addition to this CEQA Guidelines 15091(a)(3) finding, a separate Statement of Overriding Considerations is being adopted to address how the Project benefits outweigh this temporary, significant unavoidable adverse environmental effect; rendering it acceptable.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that for Impact AE-3, specific economic, legal, technological or other considerations make the mitigation measures, PDFs and/or alternatives identified in the FEIR infeasible, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0, and Table 1-4
- FEIR Subchapter 2.1, Sections 2.1.1, 2.1.2, 2.1.3, 2.1.4, 2.1.5 and 2.1.6
- FEIR Chapter 4.0, Subchapters 4.2. 4.3, 4.4, 4.5, 4.6, and 4.7
- FEIR Chapter 7.0, Sections 7.1.1 and 7.2.1
- FEIR Appendix B, Visual Impact Analysis

B) Air Quality

1) **Significant Effect – Impact AQ-2:** Construction of the Proposed Project and other projects that occur in the general vicinity of the Project would result in a cumulatively considerable net increase in volatile organic compounds (VOCs), NO_X, PM_{10} and $PM_{2.5}$.

   Finding: Project Design Features will be implemented to substantially lessen Impact AQ-2; but not to a level of less than significant. No other feasible mitigation measures have been identified or proposed that would mitigate Impact AQ-2 to below a level of significance. Specific economic, legal, social, technological, or other considerations make the project alternatives identified in the FSEIR infeasible for the reasons set forth in Section VII and IX below. Thus, the impact is considered to be significant and unavoidable. This unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section VIII, below.

   Mitigation for Impact AQ-2: No mitigation beyond Project design features already incorporated is feasible.

   Rationale: Measures to reduce construction dust emissions are required by the San Diego Air Pollution Control District (SDAPCD) Rule 55 – Fugitive Dust Control and, as listed in EIR Table 1-4, are included as PDFs for the Proposed Project. The listed measures constitute best management practices (BMPs) for dust control, diesel particulates and construction equipment emissions. For example, the Project would utilize USEPA-certified construction equipment with Tier 4 engines for all construction activities, and construction equipment would use low-sulfur fuels. Further, although Project construction emissions do not exceed screening level thresholds, the Project would incorporate all measures specified in Mitigation Measure Air-2.5 of the San Diego County General Plan Update Final EIR. Dust control measures include requiring construction contractors to apply water a minimum of twice between

dozer/scraper passes; implementing paving, chip sealing or chemical stabilization of internal roads post grading; stabilizing dirt storage piles; use of building products with at least 10 percent recycled content; limiting speeds to a maximum of 15 miles per hour (mph) on unpaved surfaces; treatment of disturbed areas as quickly as possible to reduce dust generation, termination of grading if winds exceed 25 mph; and wetting blasting areas prior to blast initiation. With the implementation of the fugitive dust control measures and use of Tier 4 construction equipment, the Project-specific construction impacts (direct) would be less than significant. Nonetheless, the contribution to cumulative construction effects is assessed as significant because there are approximately 40 development projects within a five-mile radius of the Project and it would not be feasible to coordinate the construction schedules of all of them to assure they do not overlap in a manner that would prevent a significant cumulative impact from each of their construction emissions. The approximately 40 development projects are not within the same jurisdictions and there is not an inter-jurisdictional program to coordinate timing of construction schedules among the County, City of San Marcos and City of Escondido. Moreover, such a program could not be created within a reasonable period of time and would not allow each project to move forward within a reasonable period of time after obtaining construction permits from the appropriate jurisdiction. Among the other considerations contributing to its infeasibility is that the County does not find it desirable to delay approved construction projects and the economic and social benefits of such projects from moving forward so that a project in another jurisdiction could be constructed first. No other feasible options to reduce this cumulatively considerable impact are available. In addition to this CEQA Guidelines 15091(a)(3) finding, a Statement of Overriding Considerations is being adopted to address how the Project benefits outweigh this significant unavoidable adverse environmental effect rendering it acceptable.

2) **Significant Effect – Impact AQ-3:** Operation of the Proposed Project would result in net increases in criteria pollutants, which would result in a cumulatively considerable contribution in criteria pollutants to the regional air quality.

   Finding: Project Design Features will be implemented to substantially lessen Impact AQ-3; but not to a level of less than significant. No other feasible mitigation measures have been identified or proposed that would mitigate Impact AQ-3 to below a level of significance. Specific economic, legal, social, technological, or other considerations make the project alternatives identified in the FSEIR infeasible for the reasons set forth in Section VII and IX below. Thus, the impact is considered to be significant and unavoidable. This unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section VIII, below.

   Mitigation for Impact AQ-3: No mitigation beyond Project design features already incorporated is feasible.

   Rationale: The Proposed Project has been designed to include electric vehicle charging stations, efficiency measures to reduce energy and water consumption, and exceed the 2016 Title 24 standards. As described in EIR Table 1-4, the Proposed Project would implement a number of additional PDFs that would reduce emissions of criteria air

pollutants during operation; including prohibiting wood-burning fireplaces, restrictions regarding CFC-based refrigerants (not allowed) and required low-VOC finishes, adhesives, sealants, paints, coatings and carpets, meeting green product labeling programs; and providing educational materials (such as brochures) with information regarding the use of low-VOC paints and consumer products in every residence. Because the Proposed Project's density was not in SANDAG's housing and population forecast at the time the current RAQS and SIP were developed, the Proposed Project would be inconsistent with the RAQS and SIP. Only reducing the size of the Project would mitigate this plan inconsistency impact to below a level of significance but that is not a feasible alternative because it would conflict with the Project goals of providing "increased residential density close to the shopping, employment, and transportation centers of Escondido and San Marcos" and "utilizing Smart Growth" concepts. Smart Growth concepts involve maximizing density near transit corridors to reduce air quality, greenhouse gas impacts, and expensive road construction projects that result when new communities are developed away from existing infrastructure because the needed density was not accommodated in denser projects near existing infrastructure and job centers. Potential alternatives to the Project are evaluated in the FEIR, with specific review of air quality effects. For reasons explained in Section D of these Findings, attenuation of the significant effect through alternative project design is not feasible. In addition to this CEQA Guidelines 15091(a)(3) finding, a separate Statement of Overriding Considerations is being adopted to address how the Project benefits outweigh this significant unavoidable adverse environmental effect, rendering it acceptable.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that for Impacts AQ-2 and AQ-3, specific economic, legal, technological or other considerations make the mitigation measures, PDFs and/or alternatives identified in the FEIR infeasible, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.2, Sections 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5 and 2.2.6
- FEIR Chapter 4.0, Subchapters 4.2. 4.3, 4.4, 4.5, 4.6, and 4.7
- FEIR Chapter 7.0, Sections 7.1.2 and 7.2.3
- FEIR Appendix C, Air Quality Analysis Report

C) <u>Transportation/Traffic</u>

1) **Significant Effect – Impact TR-3:** Project implementation would result in direct impacts to the intersection of Auto Park Way/Mission Road (LOS D/D during the AM and PM peak periods) in the City of Escondido.

Finding: No mitigation is feasible based on the City of Escondido assessment, as detailed under Rationale below. No other feasible mitigation measures have been identified or proposed that would mitigate Impact TR-3 to below a level of significance. Specific economic, legal, social, technological, or other considerations make the project alternatives identified in the FSEIR infeasible for the reasons set forth in Section VII and IX below. Thus, the impact is considered to be significant and unavoidable. This unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section VIII, below.

Mitigation for Impact TR-3: No mitigation is feasible based on City assessment.

Rationale: This intersection is currently built to its City of Escondido General Plan design classification. In May 2012, the *Escondido General Plan Update FEIR* was certified by the Escondido City Council. The 2012 *Escondido General Plan Update FEIR* included intersection improvement treatments and adaptive signal control technology to improve traffic flow; however, impacts still remained significant and unavoidable after implementation of the treatment/technology improvements. As part of the Escondido's CEQA Findings of Significant Effects, the anticipated poor operations of the Auto Park Way/Mission Road intersection were deemed significant and unavoidable and a Statement of Overriding Considerations was approved. Appendix K to the TIA contained in Appendix H to the Project EIR contains a copy of the City Council Agenda approving the *Escondido General Plan FEIR*. The County TIF does not cover improvements to intersections in the City of Escondido and the City of Escondido has made a decision that there are no feasible improvements at this intersection and a policy decision that it is acceptable for traffic flow at this intersection to remain significant and unmitigated. Therefore, among the considerations for why a mitigation measure compelling the County or Applicant to improve the intersection is not feasible is that it would conflict with Escondido's feasibility determination and policy decision on an intersection under the City's control and jurisdiction. The County will not make a determination that the City can or should adopt mitigation in this case. Instead, the County concurs with the infeasibility determination and notes the resulting significant and unmitigated impact. Therefore, no mitigation measures are proposed and the Proposed Project's contribution to this cumulative impact in the City of Escondido will remain significant and unavoidable. Potential alternatives to the Project are evaluated in the FEIR, with specific review of traffic effects. For reasons explained in Section D of these Findings, attenuation of the significant effect through alternative project design is not feasible. In addition to this CEQA Guidelines 15091(a)(3) finding, a separate Statement of Overriding Considerations is being adopted to address how the project benefits outweigh this significant unavoidable adverse environmental effect rendering it acceptable.

Evidence Supporting CEQA Findings: Substantial evidence to support the finding that for Impact TR- 3 specific economic, legal, technological or other considerations make the mitigation measures, PDFs and/or alternatives identified in the FEIR infeasible, is found within the administrative record pertaining to this FEIR; including responses to comments, Project correspondence, technical studies and EIR, which are

hereby incorporated by reference. Without limitation, please refer to the following documents:

- FEIR Chapter 1.0 and Table 1-4
- FEIR Subchapter 2.8, Sections 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.8.5 and 2.8.6
- FEIR Chapter 4.0, Subchapters 4.2. 4.3, 4.4, 4.5, 4.6, and 4.7
- FEIR Chapter 7.0, Sections 7.1.8 and 7.2.6
- FEIR Appendix H, Traffic Impact Analysis

VII. FINDINGS REGARDING ALTERNATIVES

Section 15126.6(a) of the CEQA Guidelines requires the discussion of "a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." CEQA Guidelines Section 15364 defines feasibility as being "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

Six alternatives to the Proposed Project were evaluated, including five full build alternatives, and one alternative that presents varied sewage treatment scenarios that could be incorporated into the Proposed Project, or any of the full build alternatives not assuming septic. The alternatives are:

- No Project/No Development Alternative
- General Plan Density Alternative
- Reduced Grading Alternative
- Biologically Enhanced Alternative
- Septic Option Alternative
- Off-site and Combined On-/Off-site Sewer Options Alternative

Pursuant to Section 15091(a)(3) of the State CEQA Guidelines, the Board of Supervisors finds that, for each of the project alternatives identified in the FEIR, specific economic, legal, social, technological, or other considerations make the project alternatives infeasible. The following provides a summary of each alternative analyzed in Chapter 4.0 of the FEIR, compares their impacts with those of the Proposed Project, reviews their ability to meet the objectives of the Proposed Project, and provides a rationale as to why each alternative has been rejected as infeasible. Project Objectives include:

1. Develop a community which complements and responds to the unique topography and character of the Project site and surrounding area.
2. Utilize Smart Growth concepts, including a variety of energy-efficient housing types, ranging in size and affordability.

3. Provide a variety of lot sizes to meet varied family make up.
4. Provide for a range of for sale, market rate, detached housing types to accommodate broad market needs from singles to large families and across age groups.
5. Provide a recreation-oriented development with a community pool, parks and multi-use trails to serve the recreation needs of the future residents.
6. Design a community that embraces and preserves the equestrian nature of the surrounding area and provides amenities for the equestrian community.
7. Provide a healthy living component including multi-use trail network that connects to other trails adjacent to the Project site to encourage pedestrian and equestrian mobility and outdoor connectivity.
8. Provide increased residential density close to the shopping, employment, and transportation centers of Escondido and San Marcos.
9. Design an efficient circulation system that is safe for pedestrians and equestrians and that adequately supports the anticipated level of traffic in and around the Project site.

A. No Project/No Development Alternative

1. No Project/No Development Alternative Description

Under the No Project/No Development Alternative, the Project site would remain in its current condition. The native and non-native habitat throughout the site would remain intact. The site could continue to be used for commercial agriculture, with extensive areas of active (or recently active) avocado orchards, as well as four minor apiary (bee keeping) sites, present on the property. The two existing residential structures and the equestrian center located in the southeastern portion of the site would also remain. Single family residences could be developed on the 12 existing individual parcels.

The proposed semi-rural residential community would not be constructed (along with supporting infrastructure such as roadways, WTWRF, sewer pump station, and other utilities). In addition, the biological open space preserves, agricultural easement and HOA-maintained landscaped areas (as well as related amenities such as trails and pathways) would not be created.

2. Impact Comparison – Proposed Project and No Project/No Development Alternative

Under the No Project/No Development Alternative, the Project site would continue as a primarily undeveloped area. Significant and unmitigable short-term adverse visual impacts caused by retaining walls and raw manufactured slopes would be avoided. Specific biological impacts identified for the Proposed Project that would be reduced by this alternative include: (1) loss of habitat for raptors (foraging habitat) and grasshopper sparrow; (2) loss of sensitive habitats including southern riparian forest, southern riparian woodland, southern willow scrub, mule fat scrub, herbaceous wetland, disturbed wetland, coast live oak woodland, Diegan coastal sage scrub,

granitic southern mixed chaparral, and non-native grassland; (3) loss of USACE, CDFW and County RPO wetlands/waters; and (4) potential displacement of nesting migratory birds during their breeding season. Minimal traffic would be anticipated, including potential trips to/from the equestrian center, trips associated with up to 12 potential residences (144 ADT), and infrequent activities associated with agricultural operations. Accordingly, this alternative would avoid the significant (but mitigable) transportation impacts identified for the Proposed Project, although associated upgrades would also not occur. This alternative also would avoid the significant and unmitigated air quality impacts identified for the Proposed Project as future uses could be vehicle-generated emissions from potential trips to and from the equestrian center, occasional agricultural activity support and up to 12 potential future residences (if they are constructed on site). Based on the minimal nature of emissions associated with these activities, no significant impacts to air quality are identified. Initial GHG impacts would be less primarily due to less traffic. As mitigated, however, the Proposed Project would have the same GHG impacts because the Proposed Project would attain net zero GHG emissions.

Negligible grading would take place under the No Project/No Development Alternative, and therefore this alternative would avoid the significant, mitigable, direct impacts to approximately 13.1 acres of on-site agricultural resources identified for the Proposed Project. Impacts to the one known CEQA-significant cultural site within the Project would not be certain, as it would be under the Proposed Project. In addition, since only limited grading activities associated with up to 12 potential future residences would occur on the Project site with this alternative, impacts to currently unknown cultural resources could be lessened. Similarly, the reduced grading would result in less than significant impacts to currently unknown paleontological resources, and the significant but mitigable impacts to Santiago Formation and terrace deposits identified for the Proposed Project would be less. Current on-site agricultural uses create no discernable noise to off site sensitive noise receptors. Accordingly, noise effects would be less than significant and less than the mitigable impacts identified for the Proposed Project. Under the No Project/No Development Alternative, there could be fewer soil-related issues associated with on-site ASTs or issues related to possible ACM and/or LBP presence in removal of existing on-site structures. If so, however, the alternative also would not result in remediation of these potential on-site issues. The No Project/No Development Alternative would not include the construction and operation of an equestrian staging area, WTWRF or wet weather storage ponds, and therefore would avoid potentially significant impacts associated with use-related vectors; resulting in alternative impacts to public health and safety being less than significant. Although significant impacts related to seismically induced settlement, seismically induced surface slope instability and rockfall hazards, as well as expansive soils, could potentially occur, such impacts would be substantially reduced when compared to the Proposed Project.

3. Finding

The County finds that this alternative would avoid all significant environmental impacts identified in the FEIR. Accordingly, this alternative would be environmentally superior to all other alternatives considered (CEQA Guidelines § 15126.6[e][2]).[5] The County finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make this alternative infeasible (PRC Section 21081[a][3], Guidelines Section 15091[a][3]).

The County identifies the following specific economic, legal, social, technological or other considerations that make this alternative infeasible. The County finds that each of the following reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because it would not fulfill the General Plan's stated strategies, goals, and policies that call for additional housing in accordance with smart growth policies.
- The County finds that this alternative is infeasible because it would fail to meet all of the Project objectives related to provision of housing and development elements, including objectives 2 (energy-efficient housing ranging in size and affordability), 3 (provision of a variety of lot sizes to meet varied family sizes), and 8 (increased residential density close to the shopping, employment, and transportation centers of Escondido and San Marcos).
- The County finds that this alternative is infeasible because it fails to fulfill its regional housing needs allocation, and improve housing affordability or increased housing supply in the region.

4. Facts in Support of the Finding

The No Project/No Development Alternative would avoid or reduce most significant impacts associated with the Proposed Project, including: (1) significant and unmitigated aesthetics and air quality impacts; and (2) significant and/or potentially significant impacts related to agricultural resources, biological resources, cultural resources, noise, paleontological resources, transportation/traffic, hazards and hazardous materials and geology and soils, all of which would be avoided or reduced to less than significant through identified mitigation measures and/or Project design features. Overall, this alternative constitutes an environmentally superior alternative because all impacts would be less that the Proposed Project.

This alternative would, however, fail to meet any of the Proposed Project objectives. Therefore, the No Project–No Development Alternative is rejected because it fails to

[5] Consistent with CEQA Guidelines § 15126.6[e][2], where the No Project is the environmentally superior alternative, the EIR must identify another environmentally superior alternative among the other alternatives. For this Project, that is the Septic Option Alternative, discussed in Section V, below.

feasibly attain any of the objectives of the Project, including providing increased housing density close to existing shopping, employment and transportation centers because it would only allow up to 12 additional homes.

Project benefits lost include: remediation of known on-site AST and LBP issues, legally protected conservation of environmental resources (31.2 acres of the Project would be preserved in open space, consisting primarily of wetland, riparian, oak woodland, and grassland habitats); and improvements to the Country Club Drive/Auto Park Way intersection (also addressing the roadway segment). Project TIF fees would also support improvements to roadways in the vicinity, benefitting all users of the associated roadways. The provision of sidewalks linking separate land uses and trails/pathways, combined with bicycle lanes, would benefit all users, including the larger community. Similarly, the alternative would not implement the neighborhood park or equestrian staging areas proposed by the Project.

Overall, this alternative also would fail to support County General Plan goals related to smart growth and focusing development in areas adjacent to primary access routes and necessary infrastructure.

Among the other considerations contributing to the infeasibility of this alternative is the provision of construction jobs with the Proposed Project. This alternative is infeasible because it would not maximize the County's ability to facilitate more housing opportunities for its residents. As noted in a recent study, the County has only issued building permits for 26 percent of the 22,412 units allocated to it by the state in its Regional Housing Needs Allocation process. The study further notes that as of May 2017, the average home price in the San Diego region was $612,500 and the average monthly rental price was $1,432, meaning that 41 percent of homeowners were spending 30 percent or more of their income on mortgage payments and more than 57 percent of renters were spending 30 percent or more of their income on rent. An accepted metric of housing affordability is when a person need not spend 30 percent or more of their income on housing because it generally leaves sufficient funds for meeting a household's other food, medical, transportation and other needs. The lack of housing supply is contributing to scarcity and high housing prices that put a strain on the general welfare of County residents. Accordingly, in the present circumstance of widespread regional housing scarcity, the County finds it is proper to promote construction of denser projects to increase housing supply for the general welfare of County residents.

As explained in the Statement of Overriding Considerations (which are separate and independent from these Findings), the County has determined that the benefits of the Proposed Project outweigh any environmental impacts that are avoided by the No Project/No Development Alternative. The County adopts and incorporates by reference herein the analysis in the FEIR with regard to the Project and Project alternatives.

B. General Plan Density Alternative

1. General Plan Density Alternative Description

This alternative would result in development of residential uses identified in the General Plan. The General Plan currently shows the Project site as having two Land Use Element designations: Semi-Rural Residential (SR-1), which allows for one du per one, two or four gross acres; and Semi-Rural Residential (SR-2), which allows for one du per two, four or eight gross acres. The maximum density of SR 1 and SR-2 designated lands is based upon the slope of the site; steeper on-site slopes equate to larger lot size requirements. Based on the RPO steep slope and RPO wetland requirements, up to 118 single family residences (versus 326 with the Project) could be developed on the Project site under this alternative. These homes would have a much lower residential density (approximately one du per 2 acres versus one du per 0.7 acre). Assuming an ADT of 12 trips per du under the General Plan Density Alternative, plus 10 ADT for the WTWRF, this alternative would generate a total of 1,426 ADT, which is 59 percent less than the 3,462 ADT that would be generated by the Proposed Project.

The General Plan Density Alternative would include grading of approximately 57 acres (24 percent of the Project site), whereas the Proposed Project would grade approximately 125 acres (or 52 percent) of the Project site. Total grading requirements under this alternative would be approximately 112,600 cy, or 807,400 cy (88 percent) less than the Proposed Project. The grading footprint would be reduced to approximately 56.8 acres, with cut areas being reduced from 920,000 cy to 112,600 cy (a reduction of approximately 88 percent), but this alternative also would require approximately 75,900 cy of soil import to the Project site during earthwork activities. Assuming each truck could carry approximately 12 cy of fill, this would equate to a total of 6,325 one-way truck trips (or 12,650 trips to and from the site) over the earthwork phase of construction. If the General Plan Density Alternative would require one year of grading (or 260 working days; based on substantially fewer residences than the Proposed Project, which was estimated to require two years), the alternative-required soil import of 75,900 cy would require a total of approximately 49 truck trips per work day, or 6 truck trips per hour (conservatively; assuming an 8-hour work day).

While there are fewer homes under this alternative, larger lots spread over the entire site would still require an extensive road system and similar infrastructure (e.g., potable water and sewage lines). Similarly, the WTWRF and associated pump stations discussed for the Proposed Project would be required to serve the alternative. Recreational facilities provided by the Proposed Project and largely supported by an HOA would not be provided under this alternative, which could build out as individually built homes.

2. Impact Comparison – Proposed Project and General Plan Density Alternative

The smaller grading footprint under this alternative would substantially reduce views to cut slopes, and short-term views to raw soil and broken rock. Overall, retaining walls would be substantially reduced as well. The Proposed Project would require approximately 27,000 s.f. of retaining walls and this alternative would only require approximately 5,000 s.f.; a reduction of approximately 81 percent. The location of house pads so close to the eastern Project boundary (in order to avoid steep slopes), however, would still require retaining walls to support both the pads and access road, which would be aligned along the alternative's eastern property boundary. These alternative walls, located beyond buffer vegetation for the Proposed Project, would be assessed with a similar significant (and mitigable) impact as the Proposed Project. Also, eight homes in Neighborhood 4 would be sited in an area identified for permanent open space set aside under the Proposed Project. These homes would remove grove and native habitat, and also would be sited along some ridgetop areas. This would result in skylining of residential structures, which would not result for viewers from the west under the Proposed Project. This, as well as the incursions of development into areas completely set aside in open space under the Proposed Project, result in the alternative being environmentally inferior to the Proposed Project for this specific visual impact issue. Revisions to house pad locations in Neighborhood 3 would place homes further east than shown for the Proposed Project, as well as further west. This is likely to result in retaining walls identified for the Proposed Project not being necessary for the alternative. Along the southeast border of Neighborhood 3, the removal of lots and the cul-de-sac, resulting in larger lot sizes, could allow for elimination of another retaining wall in this area under the alternative.

The Proposed Project has aligned internal streets and lots along rights-of-way more closely following slope contours than under this alternative, where streets are located along lot boundaries in grid lines. This could result in a slightly more regimented look of homes located up the slopes, but is not expected to be very noticeable due to the wider spacing between homes and the distance from most viewers. Although the amount of (biological) open space would be reduced under this alternative by over half, excluding the northern portion of the Project, the amount of "visual open space" would be commensurate with that of the Proposed Project due to the expectation that some property owners would plant their properties. Implementation of this alternative would be anticipated to result in significant short-term visual effects related to the construction period and first few years of Project use. The intensity of those adverse effects would be expected to be less than the Proposed Project given the lack of encroachment into steep slopes, and the resulting lack of raw soil or broken rock in these more elevated (and therefore more visible) portions of the Project. The reduction in grading under this alternative would be somewhat compromised by the loss of additional open space set aside by the Proposed Project and loss of the open space in the northern parcel that would be subject to development under this alternative. Although not expected to be highly visible overall in the mitigated condition, the retaining and noise walls would be as just as visible under this alternative as under the Proposed Project.

Impacts to biological resources would increase under the General Plan Density Alternative. The entire site would be divided into residential lots and a single WTWRF lot and the amount of protected biological open space would be reduced -- the alternative would have approximately 15 acres, and the Proposed Project would have approximately twice that amount (31.2 acres). Excluding areas protected under the RPO, future homeowners would be able to remove vegetation on their properties. Therefore, vegetation on the entire Project site, with the exception of the RPO-protected areas, should be considered impacted. The General Plan Density Alternative would likely result in significant effects to raptor foraging habitat and grasshopper sparrow habitat, as well as impacts to on-site sensitive habitats. Similar to the Proposed Project, all identified biological impacts under this alternative would be reduced below a level of significance through mitigation measures such as appropriate habitat preservation and/or creation.

The anticipated total of approximately 49 truck trips per work day, or 6 truck trips per hour associated with soil import during construction would short term, and is not likely to result in significant traffic impacts to any roadway or intersection. Based on the 1,426 ADT (59 percent less [substantially less] than the Project), potential transportation/traffic impacts from this alternative are anticipated to be less than those identified for the Proposed Project. This alternative would result in fewer ADT than the Proposed Project and lower overall a.m. and p.m. peak period volumes. Similar to the Proposed Project, it would likely include significant but mitigable direct and cumulative impacts.

Short-term direct construction-related air quality impacts associated with the General Plan Density Alternative would be less than significant and less than those of the Proposed Project, due to less grading associated with fewer homes and elimination of the neighborhood park. It is also unlikely that all of the residential lots would be graded and built out at the same time, with smaller daily emissions expected to be stretched over a longer period of time. Cumulative projects construction would occur in the general vicinity of the Project site, and these projects would result in a cumulatively considerable net increase in VOC, NO_X, PM_{10} and $PM_{2.5}$. The alternative's contribution to cumulative short-term construction impacts would be considerable (even with Project design considerations to reduce fugitive dust during construction), but to a lesser degree than the Proposed Project. Soil import (requiring approximately 49 truck trips per day) would be short term, and would likely not result in additional significant impacts to air quality above that determined for the Proposed Project. The reduced ADT associated with 118 homes under this alternative would result in a corresponding 58 percent decrease in vehicular emissions of ROGs, CO, NO_X, and PM_{10}, compared with the Proposed Project. Long-term emissions impacts would be less than significant under this alternative. Also, impacts associated with conformance to the RAQS under the Proposed Project would be eliminated under the General Plan Density Alternative because it is based on the 2011 General Plan Update, which included a lower number of dwelling units than the prior General Plan than was incorporated into the RAQS.

Impacts to agricultural resources associated with the General Plan Density Alternative would likely be somewhat less than those associated with the Proposed Project Because

this alternative would have approximately 64 percent fewer graded pads than the Proposed Project (118 versus 326), with minimum two-acre lots in areas with Prime or Statewide Important candidate soils. As a result: (1) a number of individual alternative lots would likely include opportunities for preservation of agricultural resources through the placement of limited building zone (LBZ) agricultural easements; (2) associated impacts to on-site agricultural resources would likely be reduced compared to the Proposed Project; and (3) opportunities for on-site mitigation would be increased. Similar to the Proposed Project, identified agricultural resource impacts under this alternative would be significant and would require mitigation. The proposed 35.4-acre on-site agricultural easement included as a Proposed Project Design Consideration would likely not be implemented under this alternative. That is, the General Plan Density Alternative would include a number of residential lots (along with related grading, roads, etc.) within the noted 35.4-acre agricultural easement area included in the Proposed Project design.

The General Plan Density Alternative would grade less than half of the area disturbed under the Project (57 versus 125 acres), with fewer direct potential impacts. Similar to the Proposed Project, under the General Plan Density Alternative, however, one known (not RPO-significant) CEQA-significant cultural resource would be impacted and there is potential for significant direct impacts related to undiscovered buried archaeological resources on the Project site. These impacts would be reduced below a level of significance through applicable mitigation measures, similar to the Proposed Project. Also affected by grading effects are paleontological resources, approximately 88 percent less than under the Proposed Project, with a related substantial reduction in the potential to encounter paleontological resources during grading. Similar to the Proposed Project, this alternative's potential impacts to paleontological resources would be reduced below a level of significance through applicable mitigation measures.

Short-term construction-related noise impacts associated with the alternative would be less than the Proposed Project, because of the reduced amount of construction associated with the reduction in homes and the elimination of the neighborhood park. The 49 truck trips per day associated with soil import would be short term, and are not anticipated to result in significant traffic noise. Long-term operational impacts would be less due to the lower ADT (1,426 ADT for this alternative versus 3,462 ADT for the Proposed Project). Potential traffic-related noise impacts under this alternative would therefore be reduced, but could be significant. These potential impacts would be mitigated through the implementation of identified mitigation measures for the Proposed Project.

Although approximately 54 percent less grading would occur under the General Plan Density Alternative when compared to the Proposed Project, there is still a possibility that hazardous materials could be encountered during grading activities. In addition, removal of on-site structures that could contain ACM and/or LBP would occur under this alternative. It appears that this alternative's roads would not meet fire code. Accordingly, the Fire District could require fewer lots, which would not be the described alternative. Potential impacts related to hazards and hazardous materials

under this alternative could be determined to be significant, and alternative impacts related to fire code hazards would be greater than those of the Proposed Project (potentially unmitigated). The General Plan Density Alternative, similar to the Proposed Project, could potentially result in significant impacts associated with vectors, as this alternative would include the construction and operation of an equestrian staging area, WTWRF and wet weather storage ponds. Impacts to public health and safety would be similar to the Proposed Project under this alternative.

Although 54 percent less grading would occur under the alternative, with associated fewer impacts, potentially significant impacts related to seismically induced settlement hazards, seismically induced surface slope instability and rockfall hazards, and expansive soils are identified. Similar to the Proposed Project, grading and/or construction activities would occur in accordance with standard remediation/ building mitigative techniques related to geology and soils.

3. Finding

The County finds that this alternative would not avoid all significant environmental impacts identified in the FEIR, but would substantially reduce traffic loading onto streets and construction-period air quality emissions. The County also finds that specific economic, legal, social, technological, or other considerations including considerations for the provision of employment opportunities for highly trained workers, make this alternative infeasible (PRC Section 21081[a][3], Guidelines Section 15091[a][3]).

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of the following reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because it would fail to meet a Project objective to the same degree as the Proposed Project relating to variety in lot sizes to meet varied family make up (Objective 3). This alternative would develop larger lots; therefore the housing types available would not be as broad as the Proposed Project.
- The County finds that this alternative is infeasible because it would fail to meet Project objectives to the same degree as the Proposed Project to provide increased residential density close to shopping, employment and transportation centers consistent with utilizing smart growth concepts and provision of housing types ranging in size and affordability (Objectives 2 and 8).
- The County finds that this alternative is infeasible because it would fail to meet the Project objective to the same degree as the Proposed Project to provide a range of housing types to accommodate broad market needs from singles to large families and across age groups (Objective 4). This alternative would develop larger lots; therefore the housing types available would not be as broad as the Proposed Project.

- The County finds that this alternative is infeasible because it would fail to meet Project objectives related to provision of a recreation-oriented development with a pool, parks and multi-use trails to serve the needs of the future residents (Objective 5). Under this alternative, recreational facilities would not be developed.
- The County finds that this alternative is infeasible because it would fail to meet Project objectives related to provision of amenities for the equestrian community (Objective 6). Under this alternative, recreational facilities including the equestrian staging area would not be developed.
- The County finds that this alternative is infeasible because it does not fulfil the County's regional housing needs allocation to the same degree as the project, and would not improve housing affordability and increase housing supply in the region.
- The County finds that this alternative is infeasible because impacts to biological resources and hazardous and hazardous materials would be greater, with potentially significant and unmitigable impacts to hazards.

4. Facts in Support of the Finding

The General Plan Density Alternative would be expected to result in impacts generally similar to those of the Proposed Project, in that this alternative would include significant or potentially significant impacts related to aesthetics, agricultural resources, biological resources, cultural resources, noise, paleontological resources, transportation/traffic, hazards and hazardous materials and geology and soils.

Several of these impacts would be less than those identified for the Proposed Project, based on considerations such as less grading and fewer residences. Alternatively, the identified impacts for biological resources and hazards and hazardous materials would be greater under this alternative than those identified for the Proposed Project. With the exception of hazards, these modifications generally would not be expected to alter the overall impact levels or associated need for mitigation. Overall, the alternative would have fewer impacts than the Proposed Project.

The General Plan Density Alternative would meet Project objectives related to complementing and responding to the unique topography and character of the Project site and surrounding area, and embracing and preserving the equestrian nature of the surrounding area as the lots would be large enough to support market rate animals/horses.

This alternative would not meet Project objectives related to providing a variety of lot sizes for varied family make up; or providing a range of for sale, market rate, detached housing types to accommodate broad market needs from singles to large families and across age groups. It also would not maximize increased density close to the shopping, employment, and transportation centers of Escondido and San Marcos to the same extent as the Proposed Project. These smart growth concepts result in maximizing density near transit corridors to reduce air quality, greenhouse gas impacts, and

expensive road construction projects that result when new communities are developed away from existing infrastructure because the needed density was not accommodated in denser projects near existing infrastructure and job centers. This alternative, while better than the No Project relative to housing, does not maximize housing relative to the Proposed Project.

Among the other considerations contributing to the infeasibility of this alternative is the provision of construction jobs with the Proposed Project. This alternative is infeasible because it would not maximize the County's ability to facilitate more housing opportunities for its residents. As noted in a recent study, the County has only issued building permits for 26 percent of the 22,412 units allocated to it by the state in its Regional Housing Needs Allocation process. The study further notes that as of May 2017, the average home price in the San Diego region was $612,500 and the average monthly rental price was $1,432, meaning that 41 percent of homeowners were spending 30 percent or more of their income on mortgage payments and more than 57 percent of renters were spending 30 percent or more of their income on rent. An accepted metric of housing affordability is when a person need not spend 30 percent or more of their income on housing because it generally leaves sufficient funds for meeting a household's other food, medical, transportation and other needs. The lack of housing supply is contributing to scarcity and high housing prices that put a strain on the general welfare of County residents. Accordingly, in the present circumstance of widespread regional housing scarcity, the County finds it is proper to promote construction of denser projects to increase housing supply for the general welfare of County residents.

The alternative also would not result in a "recreation-oriented" development. Implementation of the alternative would not provide trail heads and trail connections, eliminating equestrian amenities that would be provided by the Proposed Project, as well as alternative transportation opportunities. It also would result in increased use rates on existing park and recreational facilities in the area due to use from Project residents.

Therefore, the General Plan Density Alternative is rejected because while it meets some Project objectives, it fails to attain Project objectives 2, 3 and 8; fails to attain others to the same extent as the Proposed Project; and fails to provide the significant public benefits associated with implementation of the Proposed Project.

Project benefits lost include: connections to existing trails, as well as provision of additional trails, that would both support the equestrian community, as well as allow for alternative transportation through the site, certain remediation of known on-site AST and LBP issues, and permanent conservation of environmental resources (31.2 acres of the Project would be preserved in open space, consisting primarily of wetland, riparian, oak woodland, and grassland habitats). The neighborhood park that would serve residents of the larger community as well as the Project, and the additional trail connections and staging areas would not be provided by this alternative, but would occur under the Proposed Project.

As explained in the Statement of Overriding Considerations, which are separate and independent from these Findings, the County has determined that the benefits of the Proposed Project outweigh the environmental impacts that are avoided by the General Plan Density Alternative. The County adopts and incorporates by reference herein the analysis in the FEIR with regard to the Project and Project alternatives.

C. Reduced Grading Alternative

1. Description of Alternative

The unit count would be reduced by 6 lots to 320, the lot sizes in Neighborhood 3 would be reduced to 5,000 s.f, there would not be any horse lots, and no neighborhood park or equestrian facilities (staging areas, multi-use pathways) would be constructed. Neither would there be a private community-serving facility with a pool. ADT generated by the alternative would total 3,210, assuming an ADT of 10 per du (due to the smaller lot sizes), plus 10 ADT for the WTWRF. Therefore, this alternative would amount to a 252 ADT trip reduction during operations.

This alternative would reduce grading in Neighborhoods 2, 4 and 5 by eliminating cul-de-sacs within each of the neighborhoods and horse lots within Neighborhood 5. Specifically, two cul-de-sacs in the southwestern corner of Neighborhood 2 would be eliminated; four cul-de-sacs would be eliminated in Neighborhood 4; and one cul-de-sac along the ridgeline would be eliminated in Neighborhood 5. The overall development footprint would be substantially reduced from approximately 125 acres to approximately 108 acres or approximately 45 percent of the Project site. This is 17 acres, or 13.6 percent, less than the Proposed Project. This alternative would require 17 percent less cut than the Project (762,000 cy versus 920,000 cy), with an associated reduction in areas requiring blasting. Soil cut and fill volumes, however, would not balance on site under the Reduced Grading Alternative. Although grading quantity would be reduced by approximately 158,000 cy, approximately 106,000 cy of cut would need to be exported from the Project site during construction.

Assuming each truck can carry 12 cy of fill during export, this would equate to 8,834 one-way truck trips (or 17,667 trips to and from the site). The Reduced Grading Alternative would require two years of grading (or 520 working days; similar to the Proposed Project), resulting in a total of approximately 34 truck trips would occur per work day, or fewer than 5 truck trips per hour (conservatively; during an eight-hour work day).

The same potable water, recycled water and sewage lines, as well as on-site roads, with the exception of the eliminated cul-de-sacs (and focused off-site road improvements), would be required to serve and gain access to the residential uses that would be constructed on site under the Reduced Grading Alternative. Similarly, the WTWRF and associated pump stations would still be required to serve the development under this alternative.

2. Impact Comparison – Proposed Project and Reduced Grading Alternative

Similar to the Proposed Project, implementation of the Reduced Grading Alternative would introduce additional single-family residential structures on to the valley floor and eastern-facing slopes of the hills at the western extent of the Project. This alternative would substantially reduce hillside excavation/steep slope encroachment below the less than significant Project encroachment, with 17 percent less cut. This would allow retention of additional natural vegetated area, with a commensurate reduction in visible loss of vegetation during the construction period. Biological open space also would increase under this alternative by approximately 38 percent, as approximately 50.3 acres would be in set aside as opposed to 31.2 acres under the Proposed Project. With elimination of hillside lots, lot sizes would decrease and additional lots would be located in Neighborhood 3 adjacent to off-site residential uses. Neighborhood 3 would contain additional homes along its northern, eastern and southern boundaries. This is expected to result in retaining walls still being required, and being both slightly longer and taller along the northern lots in Neighborhood 3 than under the Proposed Project; although the walls should not provide a dominant element to the view. It is anticipated that the privacy walls along the eastern and southern portion of Neighborhood 3 identified for the Proposed Project, as well as the increased density of Project landscaping, would result in the same visual shielding of these residences as discussed for the Proposed Project. Based on preliminary grading review for this alternative, retaining walls may not be required along the eastern boundary of Neighborhood 4, but could be proposed to further reduce the height of cut slope. Visual impacts from retaining walls could therefore be less than or generally equal to impacts assessed for the Proposed Project. If built, these alternative walls, located beyond buffer vegetation for the Proposed Project, would be assessed with a similar significant (and mitigable) impact as the Proposed Project. Similar to the Project, implementation of this alternative is expected to result in significant short-term visual effects related to the construction period and first few years of Project operations. The intensity of those adverse effects would be substantially less than the Proposed Project given lesser encroachment into steep slopes, and less raw soil or broken rock in some of these more elevated (and therefore more visible) portions of the Project.

The Reduced Grading Alternative would increase on-site dedicated open space areas relative to the Proposed Project and minimize footprint impacts, thereby reducing impacts to sensitive habitats, including foraging habitat for raptors and habitat for the grasshopper sparrow. All significant impacts would be mitigated to below a level of significance except for air quality that would remain significant and unmitigable.

The five truck trips per hour required for soil export during the construction phase would be short term, and would likely not result in significant traffic impacts to roadways or intersections. The alternative would reduce vehicular trips by 252 ADT from the Proposed Project, including minor reductions during a.m. and p.m. peak hours. Based on these figures, potential transportation/traffic impacts from this alternative are anticipated to be slightly less than those identified for the Proposed Project. This alternative, like the Proposed Project, would result in significant but mitigable direct and cumulative traffic impacts.

This alternative would result in the construction of more residences than is allowable under current land use designations (320 proposed versus 118 allowed units), and would result in increased housing units beyond what was included for the site in the most recent (2009) version of the RAQS. Impacts associated with conformance to regional air quality plans, therefore, would be potentially significant, similar to the Proposed Project. Short-term construction-related air quality impacts associated with the grading, however, would be less because of the alternative's reduced amount of earth movement. The 34 truck trips per day required for soil export during construction would be short term, and is not expected to result in additional significant impacts to air quality above those identified for the Proposed Project. Cumulative projects construction would occur in the general vicinity of the Project site, and these projects would result in a cumulatively considerable net increase in VOC, NO_X, PM_{10} and $PM_{2.5}$. The alternative's contribution to cumulative short-term construction impacts would be considerable (even with Project design considerations to reduce fugitive dust during construction), but to a lesser degree than the Proposed Project. Long-term operational impacts associated with the 320 homes proposed under the alternative would be slightly less than those associated with the Proposed Project; a 252-trip reduction in daily vehicles would result in a corresponding 11 percent decrease in vehicular emissions of ROGs, CO, NO_X, and PM_{10}, compared with the Proposed Project. Long-term impacts would be less than significant under this alternative and also less than the Proposed Project.

Under the Reduced Grading Alternative, the proposed agricultural easement in the northwestern portion of the Project site could be slightly increased and would result in similar impacts to agricultural resources encompassing Prime Farmland or Farmland of Statewide Importance candidate soils (approximately 13.1 acres), with significant impacts mitigable to below a level of significance.

Although 13.6 percent less grading would occur under the alternative than the Proposed Project, similar to the Proposed Project, one known (not RPO-significant) CEQA-significant cultural resource would be impacted and there is potential for on-site significant direct impacts related to undiscovered buried archaeological resources. These impacts would be reduced below a level of significance through applicable mitigation measures, similar to the Proposed Project. Also affected by grading effects are paleontological resources. Although there would be less cut under this alternative, similar to the Proposed Project, this alternative's potential impacts to paleontological resources would be reduced below a level of significance through applicable mitigation measures. Impacts to both cultural and paleontological resources would be less than under the Proposed Project due to the reduced grading footprint.

Based on the reduced grading, this alternative would generate less short-term (construction) noise impacts as the Proposed Project. This alternative also would be expected to slightly decrease long-term noise impacts due to approximately 11 percent fewer ADT. Noise associated with blasting would be substantially reduced as many of the areas requiring blasting would be avoided under this alternative. The fewer than five truck trips per hour required for soil export would be short term, and are not likely

to result in significant impacts associated with traffic noise. Similar to the Proposed Project, potential alternative noise impacts are likely to be significant but mitigable through identified mitigation measures.

Hazardous materials could be encountered during grading activities, and removal of on-site structures that could contain ACM and/or LBP would occur under this alternative. Potential impacts would be mitigated below a level of significance and could be slightly less than the Proposed Project under this alternative due to the reduction in grading area. The Reduced Grading Alternative also could potentially result in significant impacts associated with vectors, as it would include the construction and operation of an equestrian staging area, WTWRF and wet weather storage ponds; similar to the Proposed Project.

Although less grading would occur under this alternative when compared to the Proposed Project, significant impacts related to seismically induced settlement hazards, seismically induced surface slope instability and rockfall hazards, and expansive soils, could occur. Similar to the Proposed Project, alternative impacts would be addressed through standard remediation/building mitigative techniques.

3. Finding

The County finds that this alternative would not avoid all significant environmental impacts identified in the FEIR, but would substantially reduce impacts to grading, blasting noise, and some visual impacts. The County also finds that specific economic, legal, social, technological, or other considerations including considerations for the provision of employment opportunities for highly trained workers, make this alternative infeasible (PRC Section 21081[a][3], Guidelines Section 15091[a][3]).

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of the following reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because it would fail to meet a Project objective to the same degree as the Proposed Project relating to variety in lot sizes to meet varied family make up (Objective 2). Under this alternative, lot sizes would be reduced in some of the neighborhoods and larger lots that would allow for equestrian use would be eliminated.
- The County finds that this alternative is infeasible because it would fail to meet a Project objective to the same degree as the Proposed Project relating to a variety of housing types (Objective 3). The housing types available would not be as broad as the Proposed Project because equestrian lots would be eliminated under this alternative.
- The County finds that this alternative is infeasible because it would fail to meet Project objectives to the same degree as the Proposed Project related to the provision of a recreation-oriented development with a pool, parks and multi-use trails to serve the recreation needs of the future residents, as well as connecting to other trails adjacent to the site, to encourage pedestrian and

equestrian mobility and outdoor connectivity (Objectives 5 and 7). Under this alternative, parks would not constructed.

- The County finds that this alternative is infeasible because it would fail to meet Project objectives to the same degree as the Proposed Project related to embracing and preserving the equestrian nature of the surrounding area and provision of amenities for the equestrian community (Objective 6). The variety of housing types would not include the equestrian lots and the equestrian staging area would not be developed under this alternative.
- The County finds that this alternative is infeasible due to social reasons. There are significant public benefits associated with implementation of the Proposed Project recreational areas (trail staging areas, private parks and community park) that would not be provided under this alternative.

4. Facts in Support of the Finding

The Reduced Grading Alternative would be expected to result in impacts generally less than those described for the Proposed Project, but the alternative would include potentially significant impacts related to aesthetics, air quality, agricultural resources, biological resources, cultural resources, noise, paleontological resources, transportation/traffic, hazards and hazardous materials, and geology and soils. Several of these impacts may decrease from those identified for the Proposed Project, based on considerations such as a smaller grading footprint and fewer residences; and this is particularly noted for biological and agricultural resources.

The Reduced Grading Alternative generally would meet some of the Project objectives; however this alternative would not fully meet Project objectives 2 and 3 as the smaller grading footprint would allow less variety in types of housing provided. Also, due to smaller lot sizes, no horses would be allowed to be kept in the development, resulting in the community not embracing the surrounding nature of the area. This alternative would not be recreation oriented, as no parks would be constructed. This results in loss of an anticipated neighborhood park that would serve the Project as well as other community residents. In addition, this alternative would not provide the same variety of lot sizes as under the Proposed Project due to the elimination of equestrian lots. Therefore, the Reduced Grading Alternative would not meet Project objectives to the same degree as the Proposed Project related to providing a variety of lot sizes for varied family make up; or providing a range of for sale, market rate, detached housing types to accommodate broad market needs from singles to large families and across age groups to the same degree as the Proposed Project.

Therefore, the Reduced Grading Alternative is rejected because while it satisfies some Project objectives, it fails to attain some objectives to the same extent as the Proposed Project. Finally, it fails to provide the significant public benefits associated with implementation of the Proposed Project recreational areas (trail staging areas, private parks and community park). As such, it would not meet the County's goal of providing for healthy communities of the Live Well program

As explained in the Statement of Overriding Considerations, which are separate and independent from this section of the Findings, the County has determined that the benefits of the Proposed Project outweigh any environmental impacts that are avoided by the reduced Grading Alternative. The County adopts and incorporates by reference herein the analysis in the FEIR with regard to the Project and Project alternatives.

D. Biologically Enhanced Alternative

1. Biologically Enhanced Alternative Description

The Biologically Enhanced Alternative would construct fewer dwelling units than the Proposed Project (264 versus 326). This alternative would generate a total of 2,650 ADT, assuming an ADT of 10 per du, plus 10 ADT for the WTWRF. Therefore, this alternative would amount to an 812 ADT trip reduction from traffic anticipated for the operational phase of the Proposed Project. This alternative also would reduce the amount of area to be graded within the Project site by eliminating some residential lots in the vicinity of a local wildlife corridor. Specifically, with the exception of Neighborhood 2, unit counts would be reduced under this alternative. In addition, the minimum lots sizes in Neighborhoods 1 and 3 would be reduced to 4,640 s.f. and 5,000 s.f., respectively. No horse lots would be provided, no equestrian amenities would be provided, and no on-site park facilities would be provided. These changes would create larger areas of open space to provide for wildlife movement throughout the proposed development. The overall development footprint would be reduced from approximately 125 acres to 119 acres (a difference of 6 acres, or 5 percent).

Although this alternative would result in a slightly reduced grading footprint compared to the Proposed Project it would require a similar amount of cut (919,000 cy versus 920,000 cy under the Proposed Project). It also would require approximately 107,000 cy of soil import to the Project site during earthwork activities. Assuming each truck can carry 12 cy of fill, this would equate to a total of 8,917 one-way truck trips (or 17,834 trips to and from the site) during the grading phase of the Project. The Biologically Enhanced Alternative would require two years of grading (or 520 working days), similar to the Proposed Project; therefore, a total of approximately 35 truck trips would be produced each work day, which would be less than 5 truck trips per hour.

The same potable water and sewage lines and on-site roads with the exception of an eliminated cul-de-sac in Neighborhood 3 would be required to serve and gain access to the residential and recreational uses that would be constructed on site under the Biologically Enhanced Alternative. Similarly, the WTWRF and associated pump stations would be required to serve the alternative.

2. Impact Comparison – Proposed Project and Biologically Enhanced Alternative

The 62 fewer dwelling units constructed under this alternative would result in an incrementally lower visible residential density. In addition, protected open space would increase by the 6 acres of the reduced footprint, which would retain additional vegetated area, with a commensurate reduction in visible loss of vegetation during the

construction period. Although alternative implementation would be anticipated to result in significant short-term visual effects related to the construction period and first few years of Project operations, similar to the Proposed Project, there would be fewer impacts to visual quality overall than under the Proposed Project.

The Biologically Enhanced Alternative would increase on-site dedicated open space areas by 6 acres over the Proposed Project) and substantially reduce impacts to sensitive habitats, including foraging habitat for raptors and habitat for the grasshopper sparrow. Remaining significant impacts would be mitigated to below a level of significance, similar to the Proposed Project.

The fewer than five truck trips per hour required for soil import during construction would be short term, and would likely not result in significant impacts to roadways or intersections. The 812 ADT trip reduction from traffic anticipated for the operational phase of the Proposed Project would include minor reductions during a.m. and p.m. peak hours. Based on these figures, potential transportation/ traffic impacts from this alternative are anticipated to be slightly less, but generally similar to, those identified for the Proposed Project; resulting in significant but mitigable direct and cumulative traffic impacts.

Because the Biologically Enhanced Alternative would result in an increase in housing units beyond what was included for the site in the most recent (2009) version of the RAQS, impacts associated with conformance to regional air quality plans would be potentially significant. Short-term construction-related air quality impacts associated with the Biologically Enhanced Alternative would be less than those associated with the Proposed Project due to the slight reduction in the amount of earth movement that would occur with this alternative. As noted, however, cut and fill volumes would not balance on site under the Biologically Enhanced Alternative soil import would be required, which is not required under the Proposed Project. The approximately 35 truck trips per day would be short term, and would likely not result in significant air quality impacts above those of the Proposed Project. Cumulative projects construction would occur in the general vicinity of the Project site, and these projects would result in a cumulatively considerable net increase in VOC, NO_X, PM_{10} and $PM_{2.5}$. The alternative's contribution to cumulative short-term construction impacts would be considerable (even with Project design considerations to reduce fugitive dust during construction), but to a lesser degree than the Proposed Project. Long-term operational impacts associated with the 264 homes proposed under the Biologically Enhanced Alternative would be less than the Proposed Project due to the 812 vehicles daily trip reduction. This would result in a corresponding 23 percent decrease in vehicular emissions of ROGs, CO, NO_X, and PM_{10}, compared with the Proposed Project. Project direct long-term impacts would be less than significant under this alternative.

Impacts to on-site agricultural resources that encompass Prime Farmland or Farmland of Statewide Importance candidate soils would be reduced compared to the Proposed Project (i.e., from 13.1 to 11.89 acres). Alternative impacts would remain significant, however, and would require similar mitigation as described for the Proposed Project.

It is noted that the proposed 35.4 -acre on-site agricultural easement included as a Project Design Feature could be slightly increased under this alternative.

Under the Biologically Enhanced Alternative, the one (non-RPO significant) CEQA-significant resource (CA-SDI-17,506) within the Project site would be impacted, similar to the Proposed Project and potentially significant impacts to undiscovered on-site buried archaeological resources could occur. As with the Proposed Project, impacts to cultural resources under this alternative would be reduced below a level of significance through applicable mitigation measures. Potential for impacts to cultural resources under this alternative would be less for buried resources as compared to those determined under the Proposed Project. Relative to paleontological resources, although the alternative would lessen overall grading by only five percent, and would require only 1,000 cy of less cut. The potential to affect unknown paleontological resources, therefore, would be essentially the same as that required under the Proposed Project. Similar to the Proposed Project, these impacts would be significant but mitigable.

The on-site grading for the Biologically Enhanced Alternative would be one percent less than the Proposed Project (by volume) and, therefore, this alternative would generate essentially the same short-term (construction) noise impacts as the Proposed Project. The fewer than five truck trips per hour required for soil import during construction would be short-term in nature, and is not likely to result in significant traffic noise impacts. This alternative would be expected to slightly decrease long-term noise impacts due to approximately 23 percent fewer ADT. Similar to the Proposed Project, potential noise impacts under this alternative are likely to be significant but would be mitigable through identified mitigation measures.

Although this alternative would require approximately five percent less grading, similar to the Proposed Project, potentially significant but mitigable impacts to hazards and hazardous materials could occur due to encountering hazardous materials during grading activities. In addition, removal of on-site structures that could contain ACM and/or LBP would occur under this alternative. Alternative impacts related to fire hazards and hazardous materials would be slightly less than the Proposed Project due to the reduction in units interfacing with fire-prone areas. Similar to the Proposed Project, the alternative could result in mitigable significant impacts associated with vectors, as it would include the construction and operation of an equestrian staging area, WTWRF and wet weather storage ponds.

Although slightly less area would be graded under this alternative compared to the Proposed Project, this alternative could potentially result in significant impacts related to seismically induced settlement hazards, seismically induced surface slope instability and rockfall hazards, and expansive soils. Similar to the Proposed Project, implementation of this alternative would require standard remediation/building mitigative techniques that would result in less than significant impacts.

3. Finding

The County finds that this alternative would not avoid all significant environmental impacts identified in the FEIR, but would substantially reduce impacts to biological resources. The County also finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make this alternative infeasible (PRC Section 21081[a][3], Guidelines Section 15091[a][3]).

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of the following reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because it would fail to meet Project objectives t to the same degree as the Proposed Project to provide increased residential density close to shopping, employment and transportation centers consistent with utilizing smart growth concepts and provision of housing types ranging in size and affordability (Objectives 2 and 8).
- The County finds that this alternative is infeasible because it would fail to meet a Project objective to the same degree as the Proposed Project relating to a range of housing types, variety of housing types, ranging in size and affordability (Objective 3). Under this alternative, the variety of housing types would not include the equestrian lots and lot sizes would be reduced in some of the neighborhoods.
- The County finds that this alternative is infeasible because it would fail to meet Project objectives to provide a recreation-oriented development with a pool, parks and multi-use trails to serve the recreation needs of the future residents, as well as connecting to other trails adjacent to the site, to encourage pedestrian and equestrian mobility and outdoor connectivity (Objectives 5 and 7). Under this alternative, the multi-use trail, equestrian staging area and parks would not be developed.
- The County finds that this alternative is infeasible because it would fail to meet Project objectives related to embracing and preserving the equestrian nature of the surrounding area and provision of amenities for the equestrian community (Objective 6). Under this alternative, equestrian lots and the equestrian staging area would not be developed.
- The County finds that this alternative is infeasible because it fails to fulfill it's the County's regional housing needs allocation, and improve housing affordability and increase housing supply in the region.

4. Facts in Support of the Finding

The Biologically Enhanced Alternative would be expected to result in impacts generally less than those described for the Proposed Project, based on considerations such as a slightly smaller grading footprint and fewer residences. This alternative would, however, result in potentially significant impacts related to aesthetics and air

quality, as well as agricultural resources, biological resources, cultural resources, noise, paleontological resources, transportation/traffic, hazards and hazardous materials and geology and soils. Modifications would be relatively minor, however, and would not be expected to alter the overall impact levels or associated need for mitigation

The Biologically Enhanced Alternative generally would meet identified Project objectives, including incorporation of private internal pathways connecting to off-site existing or planned trails. These internal pathways could provide the separated pedestrian and equestrian trails called for in the San Dieguito Community Plan (Circulation Policy 4 and Recreation Policy 3). It would not be overall recreation-oriented, however, as the neighborhood park, as well as private recreational facilities would not be built, and it would not provide the amenities for the equestrian community. In addition, this alternative would not provide as much variety of lot sizes, and due to smaller lot sizes, no horse lots would be included in the development. Therefore, the Reduced Grading Alternative would not meet Project objectives related to providing a variety of lot sizes for varied family make up; or providing a range of for sale, market rate, detached housing types to accommodate broad market needs from singles to large families and across age groups to the same extent as the Proposed Project. Lacking the horse lots, it also would not embrace the equestrian nature of the surrounding area.

With 62 fewer units (19 percent less), it also would not maximize the objective of increased density close to the shopping, employment, and transportation centers of Escondido and San Marcos to the same extent as the Proposed Project. This alternative also fails to maximize support for County General Plan goals related to smart growth and focusing development in areas adjacent to primary access routes and necessary infrastructure to the same extent as the Proposed Project. These smart growth concepts result in maximizing density near transit corridors to reduce air quality, greenhouse gas impacts, and expensive road construction projects that result when new communities are developed away from existing infrastructure because the needed density was not accommodated in denser projects near existing infrastructure and job centers. Sixty-two fewer residences would be provided in proximity to the Nordahl Station, an alternative transit hub. This would minimize opportunities to reduce vehicle miles traveled in comparison with the Proposed Project, with associated lowered improvements in local and/or regional air quality through emissions reductions.

Among the other considerations contributing to the infeasibility of this alternative is the provision of construction jobs compared to the Proposed Project. Aside from those who are employed building the homes, another consideration contributing to the infeasibility of this alternative is that it would not maximize the County's ability to facilitate more housing opportunities for its residents. As noted in a recent study[6], the County has only issued building permits for 26 percent of the 22,412 units allocated to

[6] http://www.sdchamber.org/wp-content/uploads/2017/03/Housing-Score-Card.pdf

it by the state in its Regional Housing Needs Allocation process. The study further notes that as of May 2017, the average home price in the San Diego region was $612,500 and the average monthly rental price was $1,432, meaning that 41 percent of homeowners were spending 30 percent or more of their income on mortgage payments and more than 57 percent of renters were spending 30 percent or more of their income on rent. An accepted metric of housing affordability is when a person need not spend 30 percent or more of their income on housing because it generally leaves sufficient funds for meeting a household's other food, medical, transportation and other needs. The lack of housing supply is contributing to scarcity and high housing prices that put a strain on the general welfare of County residents. Accordingly, in the present circumstance of widespread regional housing scarcity, the County finds it is proper to promote construction of denser projects to increase housing supply for the general welfare of County residents.

Therefore, the Reduced Grading Alternative is rejected because while it achieves some of the Project objectives, it fails to attain some of the objectives of the Project; and also fails to provide the significant public benefits associated with implementation of the Proposed Project recreational areas (trail staging areas and a neighborhood park).

As explained in the Statement of Overriding Considerations, which are separate and independent from these Findings, the County has determined that the benefits of the Proposed Project outweigh any environmental impacts that are avoided by the reduced Grading Alternative. The County adopts and incorporates by reference herein the analysis in the FEIR with regard to the Project and Project alternatives.

E. Septic Option Alternative

1. Septic Option Alternative Description

The Septic Option Alternative would result in the construction of 58 single-family residences distributed across the Project site. Each home would have up to five bedrooms and each lot would be at least two acres in size to accommodate septic systems. The Septic Option Alternative would result in 420 ADT (versus 3,462 ADT for the Proposed Project).

This alternative would eliminate the need for the WTWRF and associated pump stations, as well as sewer lines, although potable water lines and related facilities would be required to serve the 58 residential units. In addition, access roads/driveways would be required throughout the development to gain access to the houses. This alternative also would eliminate the parks included in the Proposed Project, although steep slope and biological easements would be placed over approximately 185 acres of the Project site. The Septic Option Alternative would require approximately 144,700 cy of cut and fill, with approximately 34,700 cy of excess material to be exported from the Project site during construction. Existing equestrian activities on the site would continue under this alternative (albeit at a reduced level as the equestrian center would not continue, but the alternative would support horse lots), and existing agricultural activities on the site would continue as feasible given the destruction of portions of the active (or

recently active) avocado groves within the site that were destroyed during the 2014 wildfire event.

The Septic Option Alternative includes consideration of both conventional and alternative on-site wastewater treatment system (OWTS) designs. Specifically, a conventional OWTS design includes a septic tank and a subsurface disposal system for dispersal of the septic tank effluent, and while some treatment occurs in the septic tank, the majority of the treatment occurs in the unsaturated soil below the disposal field (with associated requirements related to soil/groundwater depths, percolation rates, etc.). An alternative OWTS includes advanced (in addition to primary) treatment in the septic tank, and is typically used to overcome site-specific constraints related to high groundwater or shallow soils (with the additional septic tank treatment largely replacing treatment in the soil provided under conventional systems as noted). Project analyses of geologic and soil conditions, slopes, and percolation/absorption values, indicate that the Project site could accommodate a maximum of approximately 66 residential units under either OWTS design. As previously described, the Septic Option Alternative includes 58 single-family lots, which falls within the threshold.

2. Impact Comparison – Proposed Project and Septic Option Alternative

Under the Septic Option Alternative, the Project site would continue to appear as a primarily undeveloped or semi-rural area. This would be most applicable to the areas identified as Neighborhoods 1, 2 and 4 under the Proposed Project design, where densities would be lowest under this alternative. Significant and unmitigable short-term adverse visual impacts would be avoided under this alternative because the lots generally would be large enough to contain residential pads without requiring engineered support and development would be in keeping with underlying land use designations and consistent with existing development patterns without requiring buffering vegetation required by the Project for the WTWRF and residential uses. In addition, significant aesthetic impacts related to retaining walls and manufactured slopes would not occur.

Very minimal traffic is currently generated from the existing on-site uses, including trips to and from the equestrian center and infrequent activities associated with agricultural operations. Because the Septic Option Alternative would result in substantial reductions in development density and associated traffic levels (i.e., 420 ADT versus 3,462 ADT for the Proposed Project), the significant (but mitigable) transportation impacts identified for the Proposed Project along segments of Country Club Drive in the County and City of Escondido, and two intersections along Auto Park Way (Mission Road and Country Club Drive) in the City of Escondido would be avoided under this alternative. Associated transportation upgrades under the Proposed Project, however, also would not occur.

This alternative would be expected to avoid the significant and unmitigated air quality impacts identified for the Proposed Project, based on the following considerations: (1) the construction of 58 single-family residential units on the Project site would be below the density incorporated into the 2009 RAQS, and would therefore be consistent with

associated assumptions in the RAQS and SIP; and (2) due to the low number of units and associated levels of construction and operational emissions, no significant direct or cumulative impacts related to exceeding criteria pollutant thresholds would be anticipated to occur under this alternative.

Agriculturally, the alternative would grade over 80 percent fewer residential pads than the Proposed Project (58 versus 326), with minimum two-acre lots in areas with Prime or Statewide Important candidate soils. As a result, associated impacts to on-site agricultural resources would likely be reduced compared to the 13.1 acres of impact under the Proposed Project, as a number of individual residential lots under this design would likely include opportunities for preservation of agricultural resources through the placement of LBZ agricultural easements, and opportunities for on-site mitigation would be increased. Impacts under this alternative would likely remain significant, however, and would require mitigation through similar means as described for the Proposed Project. It is also noted that the Proposed Project Design Feature to establish an on-site 35.4-acre agricultural easement would likely not be implemented under this alternative due to a number of Septic Option Alternative residential lots (along with related grading, roads, leach lines/fields, etc.) being located within the noted 35.4-acre agricultural easement preserved by the Proposed Project.

Specific impacts that would be reduced by this alternative include: (1) loss of habitat for raptors (foraging habitat) and grasshopper sparrow; (2) loss of sensitive habitats including southern riparian forest, southern riparian woodland, southern willow scrub, mule fat scrub, herbaceous wetland, disturbed wetland, coast live oak woodland, Diegan coastal sage scrub, granitic southern mixed chaparral, and non-native grassland; (3) loss of USACE, CDFW and County RPO wetlands/waters; and (4) displacement of nesting migratory birds during their breeding season. Despite the noted reductions, however, impacts to biological resources under this alternative would remain significant but mitigable, similar to the Proposed Project.

The one known on-site (non-RPO significant) CEQA-significant cultural site impacted by the Proposed Project would not be within the alternative footprint and associated potential significant impacts would be avoided. Grading activities which could potentially encounter currently unknown cultural resources would remain significant but mitigable, but would be substantially reduced under this alternative. The Septic Option Alternative would eliminate potential off-site impacts to paleontological resources as no associated roadway improvements would occur. The potential for alternative impacts to on-site paleontological resources would be substantially reduced due to the reduced grading, but potential impacts to the high-sensitivity Santiago Formation and moderate sensitivity terrace deposits could still occur and would require mitigation as described for the Proposed Project.

Current activities on the site (e.g., agricultural and equestrian uses) create no significant discernable noise to off-site sensitive noise receptors. Under the Proposed Project, significant but mitigable noise impacts were identified in association with: (1) construction-related rock breaking, ripping and blasting; (2) operational traffic and HVAC units; and (3) pump and/or generator noise associated with the WTWRF and

water/wastewater pump stations. The Septic Option Alternative would eliminate potential noise impacts from the WTWRF and wastewater pump stations (as these facilities would not be built), and would be expected to reduce noise impacts below a level of significance from operational traffic, HVAC units, and the water pump station (due to the substantial reduction of on-site development density). Potential impacts from construction-related rock breaking, ripping and blasting would likely remain significant (but mitigable) under this alternative, although some opportunities to avoid or reduce these impacts could occur on individual lots due to their larger size (minimum two acres) and the lower overall development density.

While grading and development activities would be substantially reduced under this alternative, potential impacts associated with soil contamination and demolition-related hazardous materials would remain significant but mitigable, as identified for the Proposed Project. Specifically, the Septic Option Alternative would include proposed development in the vicinity of identified AST-related soil contamination (in the area of Proposed Project Neighborhoods 1 and 5), as well as demolition of existing on-site structures potentially containing asbestos insulation and/or lead-based paint. The Septic Option Alternative would avoid potentially significant impacts associated with vectors, as this alternative would not include the construction and operation of the WTWRF or wet weather storage pond.

While the Septic Option Alternative would result in substantially less grading and construction activities due to the reduced development density, reduced but potentially significant (mitigable) geologic and soil impacts associated with seismically induced settlement and slope stability/rockfall hazards, as well as expansive soils, could potentially occur under this alternative. Similar to the Proposed Project, alternative implementation would implement standard remediation/building mitigative techniques, resulting in less than significant impacts.

3. Findings

The County finds that this alternative would not avoid all significant environmental impacts identified in the FEIR but would substantially reduce aesthetic, traffic, air quality and agricultural impacts. The County also finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make this alternative infeasible (PRC Section 21081[a][3], Guidelines Section 15091[a][3]).

The County identifies the following specific economic, legal, social, technological or other considerations make this alternative infeasible. The County finds that each of the following reasons, standing alone, renders this alternative infeasible:

- The County finds that this alternative is infeasible because it would fail to meet Project objectives to provide increased residential density close to shopping, employment and transportation centers consistent with utilizing smart growth concepts and provision of housing types ranging in size and affordability

(Objectives 2 and 8). This alternative would not meet existing densities (118 units) for the project site as identified in the General Plan.

- The County finds that this alternative is infeasible because it would fail to meet a Project objective relating to a range of housing types, variety of housing types, ranging in size and affordability (Objective 3). Under this alternative, lots would be minimally 2 acres in size. Smaller lot sizes would not be developed which would reduce the variety of housing types available.
- The County finds that this alternative is infeasible because it would fail to meet Project objectives related to provision of a recreation-oriented development with a pool, parks and multi-use trails to serve the recreation needs of the future residents, as well as connecting to other trails adjacent to the site, to encourage pedestrian and equestrian mobility and outdoor connectivity (Objectives 5 and 7). Although equestrian lots would be developed; parks including the equestrian staging area would not be a part of this alternative.
- The County finds that this alternative is infeasible because it would fail to meet Project objectives to the same degree as the Proposed Project related to provision of amenities for the equestrian community (Objective 6). Although equestrian lots would be developed; parks including the equestrian staging area would not be a part of this alternative.
- The County also finds that this alternative is infeasible because it fails to fulfill the County's regional housing needs allocation, and improve housing affordability and increase housing supply in the region.
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4. Facts in Support of the Finding

The Septic Option Alternative would have fewer and lesser impacts than the Proposed Project. It is identified as the Environmentally Superior Alternative overall and would: (1) avoid significant and unmitigated aesthetics and air quality impacts identified for the Proposed Project; (2) avoid significant but mitigable aesthetic and transportation/traffic impacts identified for the Proposed Project; and (3) avoid or reduce significant but mitigable impacts identified for the Proposed Project related to agricultural resources, biological resources, cultural resources, noise, paleontological resources, hazards and hazardous materials, and geology and soils (although at least one impact category under all of these issue areas would remain significant but mitigable, similar to the Proposed Project; CEQA Guidelines 15061(c), PRC 21159.26).

The Septic Option Alternative would meet Project objectives related to complementing and responding to the unique topography and character of the Project site and surrounding area as grading would be substantially reduced and the lots would be large enough to support market rate animals/horses.

This alternative would, however, fail to meet a number of Project objectives, as indicated above. The Septic Option Alternative would not meet Project objectives related to providing a variety of lot sizes for varied family make up; or providing a

range of for sale, market rate, detached housing types to accommodate broad market needs from singles to large families and across age groups. With only 58 homes (82 percent less than the Proposed Project), it also would not maximize increased density close to the shopping, employment, and transportation centers of Escondido and San Marcos consistent with smart growth principles to the same extent as the Proposed Project. The alternative also would not result in a "recreation-oriented" development. Implementation of the alternative would not provide trail heads and trail connections, eliminating equestrian amenities that would be provided by the Proposed Project, as well as alternative transportation opportunities.

As stated, this alternative also fails to support County General Plan goals related to promoting health and sustainability by locating new growth near existing or planned infrastructure, services and jobs in a compact pattern of development to the same extent as the Proposed Project. Only 58 residences (80 percent less than the Proposed Project) would be provided and parks including the equestrian staging area would not be a part of this alternative. Due to the minimum lot size required (2 acres) for the use of septic, the development would not be considered "compact".

Among the other considerations contributing to the infeasibility of this alternative is the provision of construction jobs compared to the Proposed Project. This alternative is infeasible because it would not maximize the County's ability to facilitate more housing opportunities for its residents. As noted in a recent study[7], the County has only issued building permits for 26 percent of the 22,412 units allocated to it by the state in its Regional Housing Needs Allocation process. The study further notes that as of May 2017, the average home price in the San Diego region was $612,500 and the average monthly rental price was $1,432, meaning that 41 percent of homeowners were spending 30 percent or more of their income on mortgage payments and more than 57 percent of renters were spending 30 percent or more of their income on rent. An accepted metric of housing affordability is when a person need not spend 30 percent or more of their income on housing because it generally leaves sufficient funds for meeting a household's other food, medical, transportation and other needs. The lack of housing supply is contributing to scarcity and high housing prices that put a strain on the general welfare of County residents. Accordingly, in the present circumstance of widespread regional housing scarcity, the County finds it is proper to promote construction of denser projects to increase housing supply for the general welfare of County residents.

Therefore, the Septic Option Alternative is rejected because while it would achieve some objectives, it fails to attain other objectives of the Project. It also fails to provide the significant public benefits associated with implementation of the Proposed Project.

[7] http://www.sdchamber.org/wp-content/uploads/2017/03/Housing-Score-Card.pdf

Project benefits lost include: connections to existing trails, as well as provision of additional trails, that would both support the equestrian community, as well as allow for alternative transportation through the site. The neighborhood park that would serve residents of the larger community as well as the Project, and the additional trail connections and staging areas would not be provided by this alternative, but would occur under the Proposed Project. Benefits accruing to County goals to implement smart growth policies also would not be attained.

As explained in the Statement of Overriding Considerations, which are separate and independent from these Findings, the County has determined that the benefits of the Proposed Project outweigh any environmental impacts that are avoided by the Septic Option Alternative. The County adopts and incorporates by reference herein the analysis in the FEIR with regard to the Project and Project alternatives.

F. Offsite and Combined On-/Off-Site Sewer Options Alternative

The following alternative discussion addresses sewer options. The scenario that resulted in the largest on-site effect was analyzed as part of the Proposed Project in order to provide the most detailed and conservative assessment of potential impacts in the DEIR. Three scenarios (Hale Avenue Resource Recovery Facility, Vallecitos Water District, Harmony Grove Treatment Plant) were included in the circulated document. These address replacement of on-site treatment with connection to existing off-site facilities. Project connections to those facilities would occur through existing and new pipelines, and the area identified for the Project WTWRF would be incorporated into the proposed Neighborhood Park (developed area, equestrian staging area or open space) in Neighborhood 5. Each of these would substantially lessen a significant impact associated with the Proposed Project.

Following public circulation of the DEIR, a new sewer option scenario was considered. That alternative option included developing a portion of the on-site WTWRF, but also using part of the existing HGV Wastewater Reclamation Facility (WRF) to complete the treatment scenario.

Each of these alternative sewage treatment scenarios is evaluated in these Findings. Because each of the scenarios is in fact a subset of the HARRF sewer alternative, they are addressed in comparison and contrast with each other. The following discussion addresses these four sewer scenarios, and identifies the scenario proposed for implementation. The four treatment scenarios include:

- Treatment at the Hale Avenue Resource Recovery Facility (HARRF)
- Treatment at Vallecitos Water District Facility
- Treatment at the Harmony Grove Village Treatment Plant
- Combined On-/Off-site Wastewater Treatment

The on-site treatment option, as described and analyzed for the Proposed Project, is the preferred and proposed action. Each of the other scenarios has been eliminated as a feasible scenario at this time for the reasons described below in Sections 3 and 4 of this discussion.

1. Off-site and Combined On-/Off-site Sewer Options Alternative Descriptions

The Off-site and Combined On-/Off-site Sewer Options Alternative includes three potential off-site options for the provision of sewer service, in lieu of the proposed on-site WTWRF and related facilities, along with an option to provide combined on- and off-site wastewater treatment. These potential options are summarized below. Under all four identified sewer options, the on-site housing development would remain the same as the underlying development alternative (e.g., the Proposed Project assumes 326 homes, the General Plan Density Alternative assumes 118 homes, etc.). The WTWRF (approximately 0.4 acre in size) would not be constructed under the three off-site sewer options, and the WTWRF site would be used as part of the proposed equestrian staging area, open space, and/or public neighborhood park, as appropriate. The pump station facilities may also be constructed on the WTWRF site under the three off-site sewer options (within a much smaller footprint), as discussed below. The wet weather storage area (approximately 1.6 acres in size) in the northern portion of Neighborhood 5 would not be constructed under the connection to VWD facilities off-site sewer option, and this area would remain undeveloped and placed in an HOA landscape easement. The other two off-site options would utilize the proposed wet weather storage area for water storage. Under the combined on-/off-site sewer option, the WTWRF would be constructed at a smaller scale, with the wet weather storage area and all other sewer-related facilities to be the same as those described for the Proposed Project. This option would also include an on-site pump station and force main to convey solids to the Harmony Grove Treatment Plant for additional processing, or would use trucks to transport solids to the Harmony Grove plant.

A. Description of the Connection to the City of Escondido Hale Avenue Resource Recovery Facility (HARRF)

This option involves the following off-site facilities/activities: (1) installation of approximately 2,700 linear feet of sewer pipeline from an existing City lift station (LS-12, to be abandoned and replaced with a new LS-12) located just east of Country Club Drive and south of an unnamed street (south of Eden Valley Lane) to an on-site location within Neighborhood 5 just south of the SDG&E easement, with these facilities to be located within existing City /County streets (and approximately 500 feet of this sewer line in Country Club Drive requiring jack-and-bore construction, rather than trenching, to avoid a high point in the roadway); (2) installation of a new force main pipeline from Neighborhood 5 to an existing City sewer line, with the new facilities to be located within an existing SDG&E easement; (3) abandonment of approximately 1,600 linear feet of sewer pipeline located in City easement; (4) installation of approximately 200 linear feet of a new recycled water pipeline from an existing pipeline to the Project site, with the new facilities to be located within City streets; and (5) installation of approximately 1,000 linear feet of a new sewer return pipeline from the Project wet weather storage site to new gravity sewer main in Country Club Drive, with the new facilities to be located within existing County streets. The use of HARRF would

likely require annexation into the County Sanitation District and approval of an agreement between the County and the City of Escondido Utilities Wastewater Division.

Trending east from the wet weather storage pond in Neighborhood 5, the sewer line would be installed in Country Club Drive to just north of Harmony Heights Road. From here, a new 8-inch force main would trend east (perpendicularly to Country Club Drive) approximately 1,600 feet, up and over a small hill, in the SDG&E right-of-way to connect to existing sewer in Kauana Loa Drive. The easement is edged on both sides by semi-rural residential uses (a total of approximately 10 homes). The construction period would require excavation and installation within existing disturbed roadbed and transmission easement, followed by re-cover of the pipeline and removal of any excess soil along the pipeline right-of-way.

The City of San Diego has the treatment and disposal rights to 5.0 mgd of sewer capacity at the HARRF to provide sewer service to the north Rancho Bernardo community through an existing sewer agreement. The City of San Diego also has the first rights to an additional 0.3 mgd of treatment capacity at HARRF, if they choose to purchase those rights. The Rancho Bernardo community is essentially built out and existing sewer flows to Escondido are reported to be approximately half of the actual agreement flows on an annual basis. In summary, the City of San Diego has excess sewer capacity at HARRF that could be made available to the County[8].

There are two potential treatment and disposal scenarios based on the current sewer agreement between the cities of San Diego and Escondido:

- The County could acquire approximately 71,500 gpd from the City of San Diego via a transportation agreement for treatment and disposal at the HARRF. No change would be made in the City of San Diego's agreement with the City of Escondido.

- The City of San Diego would relinquish first rights on its 0.3 mgd excess capacity back to the City of Escondido, which could then sell this capacity to the County. This would likely require a modification to the City of San Diego agreement with the City of Escondido.

B. Description of the Connection to Vallecitos Water District Facilities

This option requires the annexation to VWD and would involve the installation of approximately 3,400 feet of new force main from the Project site to an existing VWD pipeline. New lines would be located between a pump station located in the southeastern portion of Neighborhood 5, trending northerly to Mt. Whitney Drive,

[8] See Valiano Conceptual Sewer Study (December 2015).

then west to Project streets. From the north end of the Project, the new lines would trend east along Hill Valley Drive to Hill Valley Road. From the point at which Hill Valley Road trends due west, the lines would be installed using one of two routes, on either side of semi-rural residential (four homes) prior to passing along paved roads through the Casitas del Sol Mobile Home Park (past approximately 70 homes, regardless of route) and connecting to existing VWD sewer line in Barham Drive, just south of SR-78. From Barham Drive, the Project would install approximately 500 linear feet of pipeline under SR-78 from Barham Drive to Rancheros Drive (a frontage road between commercial uses and SR-78) in the City of San Marcos.

This alternative also would require four on-site pump stations and back-up power generators. The on-site pump stations would be located along Project roadways within the development. Two would be sited in Neighborhood 3: one (PS 1) on a cul-de-sac in the northeastern portion of the neighborhood between lots 146 and 147, and one (PS 2) along the street leading to Neighborhood 4 south of Lot 122. PS 3 would be sited at the northern extent of Neighborhood 4. The fourth pump station (PS 4) would be located on the WTWRF site in Neighborhood 5.

C. Description of the Connection to the Harmony Grove Treatment Plant

This option involves: (1) the installation of an approximately 0.8-mile-long force main from the Project site to the Harmony Grove WTWRF, with these facilities to be located within existing City/County streets; and (2) the construction of a new pump station and backup power generator at the Project site. The Project, as proposed, includes annexation into the County Sanitation District. Any agreement to connect to the Harmony Grove WTWRF would also require annexation into the County District, and potential modifications to the Harmony Grove Village entitlements.

A new 6-inch force main would be installed from Neighborhood 5, southerly within Country Club Drive, to the Harmony Grove WTWRF. The construction period would require excavation and installation within existing roadbed followed by re-cover of the pipeline and removal of any excess soil along the pipeline right-of-way. Impacts would be to a linear right-or-way, with construction activities moving along the right-of-way (cut, install, cover) as installation occurs.

The new pump station would be located on the Project site, west of Country Club Drive, and slightly downslope.

D. Description of the Combined On-/Off-site Wastewater Treatment

In addition to the off-site treatment options discussed above, a final option involves: (1) construction of an on-site treatment facility to provide wastewater treatment and solids thickening; and (2) conveyance of thickened sludge to the Harmony Grove Treatment Plant for additional processing and disposal. This option would include

an on-site facility that would be similar to (although at a slightly smaller scale than) the proposed WTWRF, an on-site wet weather storage facility as described for the Proposed Project, and a small on-site pump station and force main (assumed to be similar to the facilities described above for the full connection to the Harmony Grove Treatment Plant). Alternatively, thickened solids could be collected on site and hauled to the Harmony Grove facility. Under this option, the existing laboratory at the Harmony Grove Treatment Plant would also be utilized by the on-site facility (similar to the Proposed Project) and minor structural modifications to the Harmony Grove Plant could be required.

2. Impact Comparison – Proposed Project and On-/Off-site Sewer Options Alternative

A. Connection to the City of Escondido HARRF Comparison

Construction activities associated with pipeline installation would be visible along different segments of the route during installation, but would move along the right-of-way (cut, install, cover) as installation occurs. The disturbance would occur within the existing transmission line easement, which contains both rural elements (field-like discing of vegetation) and industrial elements (two adjacent power lines with large-scale metal transmission tower facilities). The majority of the viewers would view the construction activities from Country Club Drive, either paralleling them on the roadway, or viewing them laterally as the trenching moves up the hill. From Kauana Loa, viewers might see the tie-in location for a few seconds as they head south on Kauana Loa; or, if coming west on Harmony Grove Road toward the intersection with Kauana Loa, they might see the tie-in location, or the new force main as it comes down slope of the small hill between Kauana Loa and Country Club Drive. All of these views would be limited in duration for moving viewers. For stationary viewers, exposure would be longer, but the number of viewers would be fewer. For all viewers, the construction period would be temporary.

The new pump station would be located on the Project site, west of Country Club Drive. Located slightly downslope from Country Club Drive, the facility would be the size of a small outbuilding (such as a shed), common in this area. Once installed within area roadways and SDG&E easement, there would be no surficial elements associated with the pipelines that would modify area views. Based on (1) the temporary nature of the construction impact; (2) the small footprint of the linear construction right-of-way and permanent pump station; and (3) the lack of permanent visual change associated with the pipelines, less than significant visual impacts would occur under this sewer option.

Construction and operation of off-site facilities (i.e., pipelines and pump stations) would not contribute additional ADT to analyzed roadways and intersections above the ADT calculated for the Proposed Project but could contribute to temporary traffic congestion along Mt. Whitney Road and Country Club Drive due to construction traffic and possible reduced road capacity during pipeline installation.

Accordingly, impacts associated with transportation/traffic under this sewer option would require implementation of a traffic control plan for mitigation of this potential for increased traffic impact during construction of the pipeline and associated facilities.

Construction of the off-site sewer pipeline to connect to the HARRF, instead of WTWRF construction, would result in worst-case daily construction emissions less than significance thresholds. Because emissions of all criteria pollutants during construction would be below the daily thresholds, construction of this option would, therefore, not conflict with the NAAQS or CAAQS, and the construction impact would be less than significant. Cumulative project construction would occur in the general vicinity of the Project site, and these projects would result in a cumulatively considerable net increase in VOC, NO_X, PM_{10} and $PM_{2.5}$. Impacts would remain significant even with Project design considerations to reduce fugitive dust during construction but impacts related solely to pipeline installation would constitute a less than considerable contribution. The potential for less than significant on-site WTWRF-related odors (identified for the Proposed Project), would be eliminated under this sewer option since the WTWRF would not be constructed.

Infrastructure required to construct this sewer option would be located completely within existing City/County roadways, an SDG&E easement between Country Club Drive and Kauana Loa Drive, and the Proposed Project WTWRF site (which is included in the Project site impacts). Accordingly, this sewer option would not result in impacts to CDC candidate soils and no associated impacts would result from the additional off-site facilities. Impacts would be significant but mitigable.

Similarly, relative to biological resources, connection to HARRF would include installation of approximately 1,600 linear feet of force main that would extend through an area of other developed lands. No significant impacts would result from the off-site facilities.

Two cultural sites have been recorded in the area of this off-site pipeline connection. One of the sites, CA-SDI-17,839, was determined not to be a significant resource under CEQA or RPO and no mitigation measures would be required. The other site, CA-SDI-17,838, was assessed as a (non-RPO) significant resource under CEQA. Impacts to this site would represent significant environmental effects, which would need to be mitigated through implementation of a research design and data recovery program. In addition, undiscovered buried archaeological resources could be located beneath the pipeline alignment, disturbance of which would constitute potentially significant environmental effects. These potential impacts would be mitigable under mitigation measures identified for the Proposed Project.

This sewer option alignment is located in an area rated as “marginal” or “no potential” for paleontological resources. Nonetheless, undiscovered

paleontological resources could be located beneath these areas. Impacts to these resources could represent mitigable significant environmental effects, which would be mitigable under mitigation measures identified for the Proposed Project.

Noise levels from construction activities for this sewer option would not be in excess of the allowed levels. Because the Proposed Project WTWRF would not be constructed, long-term noise associated with the WTWRF would not occur under this sewer option. In addition, during operation under this sewer option, no additional pump stations would be required beyond those analyzed for the Proposed Project. Therefore, this sewer option would not result in operational noises levels in excess of thresholds, and impacts would be less than significant.

The infrastructure required to construct this sewer option would be located completely within off-site existing disturbed areas (e.g., within roadways) or the Proposed Project WTWRF site (which is included in the Project site impacts). There are no recognized environmental conditions (RECs) along the proposed pipeline alignment or associated facilities. Accordingly, this sewer option would not result in impacts associated with hazards and hazardous materials. This sewer option also would avoid potentially significant impacts associated with vectors related to the WTWRF and wet weather storage ponds, as neither would be constructed under this option and option effects would be less than significant.

Although located in disturbed areas, grading would be required under this sewer option. This sewer option alignment is not located in a potential liquefaction area or a geohazard area for landslides or slope prone formations, but is located in an area identified for expansive soils. Impacts related to expansive soils would represent significant environmental effects; accordingly, a site-specific geological analysis would be required if this off-site sewer alignment is selected. Impacts would be mitigated through compliance with routine geological/soils building standards.

The provision of additional utility lines raises a potential issue of growth inducement. This option would result in the construction of a sewer pipeline off site that would connect to the HARRF. This option would not result in growth inducement because this pipeline would be sized to accommodate sewage flow only from the Proposed Project and therefore, would not eliminate an obstacle to growth. In addition, the proposed sewer and sewer return pipelines would be located within existing City/County streets including Country Club Drive and Mt. Whitney Road and an existing SDG&E easement, and are not adjacent to any large undeveloped parcels of property (with the exception of the Proposed Project site) that may be encouraged to subdivide as a result of installation of new sewer lines. Although this option could allow for additional future projects to use this sewer line, future projects would be required to conform to the density within the County's General Plan or to obtain a GPA. Regardless, future projects would be required to complete additional studies regarding impacts to the environment, including growth inducement.

B. Connection to VWD Facilities

This route would be sited in proximity to a number of residential uses, as well as requiring construction within or adjacent to a surface street edged by residential and commercial uses that support a substantial amount of traffic. Construction activities would move along a linear right-of-way (cut, install, cover) as installation occurs. These visual effects would vary from the existing condition, but would be temporary in effect. At the mobile home area in particular, the density of these uses would minimize the level of exposure as abutting homes would shield views to the construction zone unless it is very close to the residence. More open views would be available along Rancheros Drive, where construction could be seen from both Rancheros Road itself and from SR-78. Views, however, would be relatively brief (particularly from SR-78) due to the speed of moving traffic. Once installed within area roadways, there would be no surficial elements that would modify area views relative to pipelines. With regard to the four pump stations, excluding the one at the northern end of the Project site, they would be nestled within other Project development areas and would not be expected to visually differentiate from other Project structures, especially given the Proposed Project landscaping. Although located just north of the Project residential uses, PS 3 would be close to Lot 122. It would be the size of a small outbuilding (such as a shed), common in this area, and is expected to be visually consistent with other existing uses in the vicinity. It also would be at a distance from most viewers, as the northeastern extent of the Project is located west of most viewers in the area. Based on (1) the temporary nature of the construction impact; (2) the small footprint of the linear construction right-of-way and permanent pump stations; and (3) the lack of permanent visual change associated with the pipelines, less than significant visual impacts would occur under this sewer option.

Construction and operation of off-site facilities (i.e., pipelines and pump stations) would not contribute ADT to analyzed roadways and intersections above the ADT calculated for the Proposed Project but could contribute to temporary traffic congestion along Mt. Whitney Road, Hill Valley Drive and Hill Valley Road due to construction traffic and possible temporarily reduced road capacity during pipeline installation. Accordingly, impacts associated with transportation/ traffic under this sewer option would require implementation of a traffic control plan for mitigation of this potential for increased traffic impact during construction of the pipeline and associated facilities.

Construction of the off-site sewer pipeline to connect to VWD facilities, instead of WTWRF construction, would result in worst-case daily construction emissions less than significance thresholds. Because emissions of all criteria pollutants during construction would be below the daily thresholds, construction of this option would not conflict with the NAAQS or CAAQS, and the construction impact would be less than significant. Cumulative projects construction would occur in the general vicinity of the Project site, and these projects would result in a cumulatively considerable net increase in VOC, NO_X, PM_{10} and $PM_{2.5}$. Impacts would remain

significant even with Project design considerations to reduce fugitive dust during construction but impacts related solely to pipeline installation would constitute a less than considerable contribution. The potential for less than significant on-site WTWRF-related odors (identified for the Proposed Project), would be eliminated under this sewer option since the WTWRF would not be constructed.

Relative to agricultural resources, this option would include approximately 100 linear feet of pipeline extending through CDC candidate soils (i.e., Visalia sandy loam, two to five percent slopes) within the eastern route segment extending between Hill Valley Drive and the Casitas del Sol Mobile Home Park. Based on a proposed 12-inch diameter pipeline, a conservative disturbance width of 20 feet is assumed, resulting in an impact of 0.05 acre (2,000 s.f.) within the noted CDC candidate soils. This 0.05 acre of impact to CDC candidate soils would be significant and would require mitigation. This mitigation could be implemented either through the PACE Program or a combination of PACE mitigation credits and establishment of on-site LBZ easements as described for on-site effects. Because the infrastructure required to construct this sewer option would be located completely within existing City/County roadways, other developed lands and the Proposed Project on-site WTWRF site, the of-site elements would not result in significant impacts to biological resources.

No previously recorded cultural resources sites are located within the proposed alignment, nor were any cultural sites discovered during a survey of this alignment in 2014. Undiscovered buried archaeological resources, however, could be located beneath the pipeline alignment. Impacts to such resources could constitute significant environmental effects, and would be mitigable under mitigation measures identified for the Proposed Project. This sewer option alignment is located in an area rated as "marginal" or "no potential" for paleontological resources, but undiscovered paleontological resources could be located beneath these areas. Impacts to such resources would represent significant environmental effects. These potential impacts would be mitigable under mitigation measures identified for the Proposed Project.

Noise levels from construction activities for this sewer option would not be in excess of the allowed levels. Because the Proposed Project WTWRF would not be constructed, noise associated with the WTWRF would not occur under this sewer option. Noise associated with the additional pump station necessary under this sewer option (including its backup diesel generator), however, would potentially be significant. Therefore, mitigation at this pump station location would be necessary, and would be similar to the mitigation required at the other pump stations analyzed under the Proposed Project.

This option would include approximately 100 linear feet of pipeline extending between Hill Valley Drive and the Casitas del Sol Mobile Home Park. Project review did not identify any recorded hazards in this eastern route segment. This sewer option would avoid potentially significant impacts associated with vectors

related to the WTWRF and wet weather storage ponds, as neither would be constructed under this option.

Grading would be required under this sewer option, but the alignment is not located in a potential liquefaction area or a geohazard area for landslides or slope prone formations. It is located in an area identified for expansive soils. Impacts related to expansive soils would represent significant environmental effects; accordingly, a site-specific geological analysis would be required if this off-site sewer alignment is selected. Impacts would be mitigated through compliance with routine geological/soils building standards.

Relative to growth inducement, this option would result in the construction of a sewer pipeline off site that would connect to the existing VWD facilities. This option would not result in growth inducement because this pipeline would be sized to accommodate sewage flow only from the Proposed Project and therefore, would not eliminate an obstacle to growth. It is noted, however, that a portion of the proposed sewer pipeline alignment along Hill Valley Road within the City of Escondido is adjacent to a large parcel of undeveloped property. Although this option could allow for additional future projects to use this sewer line, future projects would be required to conform to the density within the City's General Plan or to obtain a GPA. Regardless, future projects would be required to complete additional studies regarding impacts to the environment, including growth inducement.

C. Connection to the Harmony Grove Treatment Plant

Off-site construction would occur wholly within Country Club Drive or on the Harmony Grove Treatment Plant site, with no structural modifications to the Harmony Grove facility. Construction activities (cut, install, cover) would vary from the existing condition, but would be temporary in effect along the linear right-of-way. The new pump station would be located within the Project footprint, west of Country Club Drive. Located slightly downslope from Country Club Drive, the facility would be the size of a small outbuilding (such as a shed), common in this area. Once installed within Country Club Drive, there would be no surficial elements that would modify area views. Based on (1) the temporary nature of the construction impact; (2) the small footprint of the linear construction right-of-way and permanent pump station; and (3) the lack of permanent visual change associated with the pipelines and tie-in to the Harmony Grove WTWRF, less than significant visual impacts would result.

Construction and operation of off-site facilities (i.e., pipelines and pump stations) would not contribute ADT to analyzed roadways and intersections above the ADT calculated for the Proposed Project, but could contribute to traffic congestion along Country Club Drive due to construction traffic and temporarily reduced road capacity during pipeline installation. Accordingly, impacts associated with transportation/traffic under this sewer option would require implementation of a

traffic control plan for mitigation of this increased traffic impact during construction of the pipeline and associated facilities.

Construction of the off-site sewer pipeline to connect to the Harmony Grove Treatment Plant, instead of WTWRF construction, would result in worst-case daily construction emissions less than significance thresholds. Because emissions of all criteria pollutants during construction would be below the daily thresholds, construction of this option would not conflict with the NAAQS or CAAQS, and the construction impact would be less than significant. Cumulative projects construction would occur in the general vicinity of the Project site, and these projects would result in a cumulatively considerable net increase in VOC, NO_X, PM_{10} and $PM_{2.5}$. Impacts would remain significant even with Project design considerations to reduce fugitive dust during construction, but impacts related solely to pipeline installation would constitute a less than considerable contribution. The potential for less than significant on-site WTWRF-related odors (identified for the Proposed Project), would be eliminated under this sewer option since the WTWRF would not be constructed.

Relative to agricultural impacts, the infrastructure required to construct this sewer option would be located completely within existing City/County roadways and the Proposed Project WTWRF site (which is included in the Project site impacts). This sewer option would not result in off-site impacts to CDC candidate soils.

For the same reasons, this sewer option would not result in additional biological impacts to biological resources and no associated impacts would result as a result from the additional off-site facilities.

No previously recorded cultural resources sites are located within the proposed alignment, but undiscovered buried archaeological resources could be located beneath the pipeline alignment. Impacts to such resources could constitute significant environmental effects, and would be mitigable under mitigation measures identified for the Proposed Project. This sewer option alignment is located in an area rated as “marginal” or “no potential” for paleontological resources, but undiscovered paleontological resources could be located beneath these areas. Impacts to such resources would represent significant environmental effects. These potential impacts would be mitigable under mitigation measures identified for the Proposed Project.

Noise levels from construction activities for this sewer option would not be in excess of the allowed levels. Because the Proposed Project WTWRF would not be constructed, WTWRF-associated noise would not occur under this sewer option. Noise associated with the additional pump station under this sewer option (including its backup diesel generator), however, would be potentially significant. Although overall noise impacts would be slightly less than under the Proposed Project, mitigation similar to that required for other pump stations analyzed under the Proposed Project would be required.

Based on Project review, there are no recognized environmental conditions (RECs) along the proposed pipeline alignment or associated facilities, and hazards and hazardous materials impacts are not expected. This sewer option would avoid potentially significant impacts associated with vectors related to the WTWRF and wet weather storage ponds, as neither would be constructed under this option.

Grading would be required under this sewer option, but the alignment is not located in a potential liquefaction area or a geohazard area for landslides or slope prone formations. It is located in an area identified for expansive soils. Impacts related to expansive soils would represent significant environmental effects; accordingly, a site-specific geological analysis would be required if this off-site sewer alignment is selected. Impacts would be mitigated through compliance with routine geological/soils building standards.

This option would not result in growth inducement because this pipeline would be sized to accommodate sewage flow only from the Proposed Project and therefore, would not eliminate an obstacle to growth. In addition, the proposed sewer pipeline would be located within Country Club Drive and is not adjacent to any large undeveloped parcels of property (with the exception of the Proposed Project and the Harmony Grove sites) that may be encouraged to subdivide as a result of installation of the new sewer line. The Harmony Grove project is both currently building out and already assumes sewage treatment at the Harmony Grove facility. Although this option could allow for additional future smaller projects to use this sewer line, future projects would be required to conform to the density within the County's General Plan or to obtain a GPA. Regardless, future projects would be required to complete additional studies regarding impacts to the environment, including growth inducement.

D. Combined On-/Off-site Treatment

Construction-related aesthetic impacts under this option would include linear alignment work for the proposed force main (as noted above for the Harmony Grove Treatment option), unless thickened solids are hauled to the Harmony Grove Plant. Construction activities (cut, install, cover) would vary from the existing condition, but would be temporary in effect along the linear right-of-way. If thickened solids from the WTWRF are hauled to the Harmony Grove Plant, the noted effects from force main construction would not occur, although additional long-term impacts would result as outlined below. Based on inclusion of a WTWRF element immediately adjacent to Country Club Drive construction-related aesthetics impacts under the Combined On-/Off-site Treatment Option are conservatively assessed as significant and unmitigable, but short-term, similar to the Proposed Project.

Long-term visibility and related effects from the treatment facility and wet weather storage pond under this design option would be similar to the proposed WTWRF (although at a slightly smaller scale. The new pump station under this option would be located within the Project footprint west of Country Club Drive, similar to the Harmony Grove Treatment option, with the new force main line also similar to the Harmony Grove Treatment option. The Proposed Project would not require structural modifications to the Harmony Grove Plant, but would be accommodated within the existing plan, while under this alternative option minor structural modifications to the Harmony Grove Plant could be required. These "minor structural modifications" could all be interior, and would not be expected to result in significant visual effects in any event. This option could also involve a small number of truck trips to haul thickened solids to the Harmony Grove Plant (i.e., in lieu of the pump station/force main, as previously described), with no associated significant aesthetic impacts anticipated. Based on the noted conditions, long-term aesthetics impacts under the Combined On-/Off-site Treatment Option would be significant but mitigable, similar to the Proposed Project.

Potential traffic impacts under this option include: (1) construction traffic along Country Club Drive during construction of the force main (as noted above for the Harmony Grove Connection option); and (2) operational traffic along Country Club Drive if thickened solids are conveyed to the Harmony Grove Treatment Plant by hauling. The construction period effects could contribute to traffic congestion along Country Club Drive due to construction traffic and temporarily reduced road capacity during pipeline installation. Accordingly, impacts associated with transportation/traffic under this sewer option would require implementation of a traffic control plan for mitigation of this increased traffic impact during construction of the pipeline and associated facilities. Potential hauling effects would fold into overall Project operations traffic and would be significant but mitigable.

Construction and operation of the on-site and off-site option elements would be below the daily threshold. Construction of this option, therefore, would not conflict with the NAAQS or CAAQS, and the construction impact would be less than significant. Construction of cumulative projects would occur in the general vicinity of the Project site, and these projects would result in a cumulatively considerable net increase in VOC, NO_X, PM_{10} and $PM_{2.5}$. Impacts would remain significant even with Project design considerations to reduce fugitive dust during construction. Construction under this alternative would therefore result in an unavoidable significant, but temporary, cumulative impact to ambient air quality, similar to the Proposed Project.

No potential impacts to agricultural and biological resources would occur under pipeline or transport elements for this option, as the force main (or hauling operations) would be confined to previously developed/disturbed areas, with no associated impacts to agricultural or biological resources. The disturbance footprint for the on-site treatment plant would be similar to the proposed WTWRF,

with anticipated impacts to Prime/Statewide candidate soils. These impacts to CDC candidate soils would be significant and would require mitigation. This mitigation could be implemented either through the PACE Program or a combination of PACE mitigation credits and establishment of on-site LBZ easements as described for on-site effects, as described for the overall Project.

No previously recorded cultural resources sites are located within the proposed alignment, but undiscovered buried archaeological resources could be located beneath the pipeline alignment. Impacts to such resources could constitute significant environmental effects, and would be mitigable under mitigation measures identified for the Proposed Project. This sewer option alignment is located in an area rated as "marginal" or "no potential" for paleontological resources, but undiscovered paleontological resources could be located beneath these areas. Impacts to such resources would represent significant environmental effects. These potential impacts would be mitigable under mitigation measures identified for the Proposed Project.

Potential noise-related impacts under this option would be slightly greater than those identified for the Proposed Project, based on the following considerations: (1) construction and operational activities for the on-site treatment plant would be similar to the proposed WTWRF; (2) this option would require an additional (albeit small-scale) on-site pump station; and (3) this option would require either additional off-site construction for the force main, or additional vehicle trips for solids hauling. As identified for the Proposed Project, these potential impacts would be significant but mitigable.

Although no recognized environmental conditions (RECs) have been identified along the force main corridor (as noted above for the Harmony Grove Connection option), potential impacts related to hazards and hazardous materials under this option would be slightly greater than those identified for the Proposed Project based on the following considerations: (1) construction and operational activities for the on-site treatment plant would be similar to the proposed WTWRF; and (2) this option would require an additional (albeit small-scale) on-site pump station. As identified for the Proposed Project, these potential impacts would be significant but mitigable.

Off-site grading would be required under this sewer option, but the alignment is not located in a potential liquefaction area or a geohazard area for landslides or slope prone formations. It is located in an area identified for expansive soils. Impacts related to expansive soils would represent significant environmental effects; accordingly, a site-specific geological analysis would be required if this off-site sewer alignment is selected. Impacts would be mitigated through compliance with routine geological/soils building standards. Impacts associated with (1) construction and operational activities for the on-site treatment plant would be similar to the proposed WTWRF; and (2) this option would require an additional

(albeit small-scale) on-site pump station. As identified for the Proposed Project, these potential impacts would be significant but mitigable.

This option would not result in growth inducement because the smaller WTWRF and connecting pipeline would be sized to accommodate sewage flow only from the Proposed Project and therefore, would not eliminate an obstacle to growth. In addition, the proposed sewer pipeline would be located within Country Club Drive and is not adjacent to any large undeveloped parcels of property (with the exception of the Proposed Project site and the Harmony Grove site which is currently building out) that may be encouraged to subdivide as a result of installation of the new sewer line. Although this option could allow for additional future smaller projects to use this sewer line, future projects would be required to conform to the density within the County's General Plan or to obtain a GPA. Regardless, future projects would be required to complete additional studies regarding impacts to the environment, including growth inducement.

3. Findings

- The County finds that the on-site WTWRF was fully analyzed as part of the Proposed Project and that the specific impacts associated with the facility have been fully addressed, with potential significant impacts mitigated and subsumed within the analysis of the whole Project. Furthermore, it is found that the on-site WTWRF is feasible because the construction and operation would be under the control of the project applicant. Other sewer alternatives, as discussed below, would require further consultation and coordination with other jurisdictions. This has the potential to add time and delay in the construction of the proposed development and furthering timely accomplishment of the project objectives, such as providing for a range of for sale, market rate, and detached housing types to accommodate broad market needs.
- The County finds that the on-site WTWRF would result in critical sewer functions for the Project being retained within the Project site, and that this is preferred over options requiring additional off-site facilities.
- The County finds that no specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make the on-site WTWRF sewer treatment option infeasible under PRC Section 21081(a)(3), Guidelines Section 15091(a)(3).
- The County finds that the HARRF alternative is infeasible because utilization of the HARRF facility would require successful negotiations of an interagency agreement with the City of Escondido, which owns and operates the facility. Although negotiations with the City of Escondido for treatment at HARRF have been ongoing, the City of Escondido has been unwilling to commit to a contract term of more than 15 years. Future residents of the Proposed Project will occupy homes for more than 15 years and therefore need sewer service for a longer than 15-year term. Therefore, in the absence of a long-term commitment for service, the HARRF alternative is not capable of being accomplished in a successful manner

within a reasonable period of time. Therefore, the County finds this sewer option infeasible for social and "other considerations."

- The County finds that the additional new pump station and backup generator to support the VWD facilities, and pipeline construction in immediate proximity to approximately 70 homes in the compact Casitas del Sol Mobile Home Park required to support a connection to VWD facilities, renders this scenario infeasible than the on-site WTWRF for social and "other considerations" because, among other things, it would expose mobile home park residents to increased traffic, noise, and other construction-related impacts, instead of future project residents who are not established in the community.
- The County finds that connecting to VWD facilities would require the Local Agency Formation Commission (LAFCO) to revise the sphere of influence because the Project is not located within the VWD sphere of influence. In addition, the Project and tributary area were not considered in the VWD *Water, Wastewater and Recycled Water Master Plan* (November 2010). The Project drains away from the VWD sewer system and would require lift stations to connect to the existing sewer system. These systems would need to be maintained by VWD which may not be cost effective. Therefore, this alternative is infeasible based upon social and "other considerations."
- The County finds that the combination off-site/on-site design scenario would have greater impacts than the Proposed Project and therefore finds this option infeasible for social and "other considerations."
- The County finds that the potential for connection to the HGV WRF is speculative at this time as there is not clarity as to a permanent service provider. This alternative would require further coordination with another entity that would not meet the objectives in a timely manner when compared to the proposed project. The County therefore finds that this sewer option is infeasible for social and "other considerations."

4. Facts in Support of the Findings

As documented in the DEIR, the three off-site sewer options, which would replace the on-site WTWRF, as well as the combined on-/off-site option, when combined with the underlying residential development pattern would be expected to result in generally similar impacts to those described for the Proposed Project and non-septic build alternatives. Specifically, this could include potentially significant and unmitigable impacts related to aesthetics and air quality, as well as significant (or potentially significant) but mitigated impacts for the issues of agricultural resources, biological resources, cultural resources, noise, paleontology, transportation/traffic, hazards and hazardous materials and geology and soils. This is because, when incorporated with the overall Project (all residential and recreational uses), the various sewer scenarios do not strongly differentiate from the greater and more numerous impacts associated with the Project as a whole – they are subsumed within it. Comparing them on a stand-alone basis with the on-site WTWRF, however, allows for clear differentiation among the benefits and drawbacks of each of the scenarios compared to the on-site WTWRF.

In addition to environmental impact variation, policy considerations are also noted relative to facility siting and community preference.

None of the sewer options identified for this alternative would be growth inducing, because they would not eliminate an obstacle to growth outside of the Project. All of the sewer options identified under this alternative would meet the identified Project objectives to the same extent as the underlying build alternative with which it is paired. Ordering of preferences between design scenarios is therefore based solely on environmental, social, technological and "other considerations."

The on-site WTWRF is the most highly preferred and proposed sewer treatment option. Evaluated as part of the Proposed Project, significant impacts associated with its construction and operation were fully addressed in the DEIR. Use of this alternative would not result in any off-site construction impacts associated solely with installation of subsurface pipeline associated with sewage transfer, and would not require system modifications to City of Escondido or County facilities such as abandonment and replacement of existing pump stations (transmission to HARRF), or addition of new stations exceeding those already addressed as part of the Project (HGV WRF and VWD).The on-site WTWRF can be implemented with negotiating service or capacity agreements with the County Sanitation District or Rincon del Diablo Municipal Water District and is therefore the only sewer option capable of being accomplished in a successful manner within a reasonable period of time.

The connection to the HARRF would eliminate the emergency generator required for the on-site WTWRF and WTWRF operational noise addressed in Mitigation M-N-4, as well as WTWRF operational air emissions folded into Project operations. It would address system inefficiencies in siting two sewage treatment plants along Country Club Drive within less than one mile of each other. It, however, would result in the addition of new pipeline in public roads and SDG&E right-of-way that is not required by the Project. It would also introduce off-site nuisance construction effects to areas of the community that would not be impacted by on-site WTWRF operations. Although the Applicant has initiated discussion with the City, negotiations have not been concluded and there is no certainty that agreement will be reached. Moreover, the City of Escondido has indicated that it will not commit to a term greater than 15 years, which is not adequate since homes will be occupied for many more than 15 years. It is uncertain that those negotiations will be successful at this time. Project approval requires identification of a viable and permanent treatment option at this time in order for the Board to take action. At this time, this sewer option is identified as infeasible because it is not capable of being implemented within a reasonable period of time.

Connection to the HGV WRF would eliminate the emergency generator required for the on-site WTWRF and WTWRF operational noise addressed in Mitigation M-N-4, as well as WTWRF operational air emissions folded into Project operations. It would also address system inefficiencies in siting two sewage treatment plants along Country Club Drive within less than one mile of each other. It would, however, require an additional new pump station over those already in place. A new LS 4 would be located

on site within Neighborhood 5, resulting in a new source of pump station generator noise to the community. Also, as noted above, the ability to connect to the HGV WRF is speculative at this time and not under the control of the project applicant. Therefore, this sewer option is identified as infeasible because it is not capable of being implemented within a reasonable period of time.

Although connection to VWD would also address system inefficiencies in siting two sewage treatment plants along Country Club Drive within less than one mile of each other, the increased construction effects related to being in such close proximity to 70 mobile homes, and operational impacts associated with an additional pump station and generator noise, result in this scenario being less preferred than the previous three scenarios. Connecting to the VWD facilities will require service agreement negotiations and it is uncertain whether such negotiations would be successful. Therefore, this sewer option is identified as infeasible for social and other considerations.

The least preferred treatment option would require a combination of both on-site and off-site elements, which would potentially require off-site facilities without any substantial reduction in on-site facilities, as described above and summarized below. Potential on-site impacts identified for noise and air quality associated with operation of the WTWRF, as well as less than significant visual effects related to siting of the WTWRF would remain for the combined on-/off-site option. These variations would be relatively minor overall and would not be expected to alter the overall Project impact levels or associated need for mitigation. The combined on-/off-site sewer option would incorporate all of the on-site effects identified for the Proposed Project, but would also add effects associated with off-site alignments, resulting in impacts that are easily eliminated by simply retaining the on-site WTWRF as described for the Proposed Project. For this reason, the combined on-/off-site sewer option is less preferred than any of the other sewer options, is found infeasible relative to any other sewer option, and is eliminated from future consideration.

G. Conclusion

As explained in the FEIR, the No Project Alternative/No Development Alternative would be environmentally superior to the proposed project, based on the reduction of impacts of the proposed project's environmental impacts. However, the No Project/No Development Alternative does not meet most of the basic project objectives. Additionally, CEQA Guidelines, Section 15126.6(e)(2) require that, if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. The Septic Option Alternative is identified as the environmentally superior alternative. This is the result of eliminating 17 acres of grading (i.e., 762,000 cy versus 920,000 cy for the Proposed Project), as well as an increase in biological open space and (potentially) the agricultural easements.

The Septic Option Alternative would (1) avoid significant and unmitigated aesthetics and air quality impacts identified for the proposed Project; (2) avoid significant but mitigable aesthetic and transportation/traffic impacts identified for the Proposed Project; and (3) avoid or reduce

significant but mitigable impacts identified for the Proposed Project related to agricultural resources, biological resources, cultural resources, noise, paleontological resources, hazards and hazardous materials, and geology and soils (although at least one impact category under all of these issue areas would remain significant but mitigable, similar to the Proposed Project).

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

As explained above, the following significant impacts remain significant and unavoidable for the Project despite proposed mitigation measures:

1. Despite the implementation of all feasible and reasonable mitigation measures and project design features, impacts associated with Aesthetics under impact AE-3 are considered significant and unavoidable. Mitigation measures and project design features will be implemented to substantially lessen Impact AE-3, but not to a level of less than significant. Temporary visual effects during the Project construction period related to grading and ongoing development would be substantial until buildout occurs and all vegetation is installed and attains five additional years of maturity. Therefore, significant direct aesthetic impacts would occur in the short term during construction.

2. Impacts associated with conformance to regional air quality plans (Impact AQ-1 and AQ-4) as it relates to the increase in density would be potentially significant and unmitigable. The Project is proposing housing units beyond what was included for the site in the 2016 RAQS. If approved, mitigation would be to provide a revised housing forecast to SANDAG for revisions to the population and employment projections used in updating the RAQS and SIP. This would accurately reflect anticipated growth due to the Proposed Project; however, interim impacts would remain significant.

3. Despite the implementation of all feasible and reasonable project design features, impacts associated with Air Quality under impact AQ-2 are considered significant and unavoidable. Project Design Features have been maximized to keep Project contribution of criteria pollutants to a minimum during construction, but not to a level of less than significant. Emissions of VOCs, NOX, PM10, and PM2.5 would exceed the County's screening-level thresholds for operations, resulting in a cumulatively considerable net increase. Therefore, the Project would result in significant cumulative air quality impacts associated with construction.

4. Despite the implementation of all feasible and reasonable project design features, impacts associated with Air Quality under impact AQ-3 are considered significant and unavoidable. The Project would implement design measures to reduce emissions of criteria pollutants during operation, but not to a level of less than significant. No other Project mitigation measures are available. Operation of the Project would result in net increases in criteria pollutants, which would result in a cumulatively considerable contribution in criteria pollutants to the regional air quality. Therefore, the Project would result in significant cumulative air quality impacts associated with operations.

5. Impacts associated with Transportation/Traffic under impact TR-3 are considered significant and unavoidable. Project implementation would result in direct impacts to the intersection of Auto Park Way/Mission Road in the City of Escondido. This intersection is currently built to its City of Escondido General Plan design classification. No mitigation is feasible based on the City of Escondido assessment. In May 2012, the *Escondido General Plan Update FEIR* was certified by the Escondido City Council. The 2012 *Escondido General Plan Update FEIR* included intersection

improvement treatments and adaptive signal control technology to improve traffic flow; however, impacts still remained significant and unavoidable after implementation of the treatment/technology improvements. As part of the Escondido's CEQA Findings of Significant Effects, the anticipated poor operations of the Auto Park Way/Mission Road intersection were deemed significant and unavoidable and a Statement of Overriding Considerations was approved. The County TIF does not cover improvements to intersections in the City of Escondido and the City of Escondido has made a decision that there are no feasible improvements at this intersection and a policy decision that it is acceptable for traffic flow at this intersection to remain significant and unmitigated. Therefore, the Project would result in significant cumulative impacts associated with traffic.

Pursuant to Public Resources Code Section 21081(b) and State CEQA Guidelines Section 15093(a) and (b), the County is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project.

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to new jobs, stronger tax base, and implementation of an agency's economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs. See Towards Responsibility in Planning v. City Council (1988) 200 Cal App. 3d 671; Dusek v. Redevelopment Agency (1985) 173 Cal App. 3d 1029; City of Poway v. City of San Diego (1994) 15 Cal App. 3d 1037; Markley v. City Council (1982) 131 Cal App. 3d 656.

The County finds that the proposed Project would have the following economic, legal, social, technological, or other overriding benefits, including region-wide or statewide environmental benefits. Each of the benefits cited below constitutes a separate and independent basis that justifies approval of the proposed Project and outweighs the unavoidable adverse environmental effects of approving the Project and thus make the adverse environmental effects acceptable. Thus, even in the absence of one or more of the reasons set forth below, the County has determined that each remaining reason, or any combinations of reasons, is a sufficient basis for approving the proposed Project, notwithstanding any significant and unavoidable impacts may occur.

For the foregoing reasons, the County finds that the project's unavoidable potential significant environmental impacts are outweighed by these considerable benefits.

General Fund:

- **Property Tax.** The approval of this project will result in an increased generation of real property tax revenue for the County of San Diego. The County will receive real property tax increment revenues attributable to the increased assessed value of improved real property associated with the rezoning of the property from Limited Agricultural use (A70) to Specific Plan Area (S88) and the development of residential uses on the property. Based on the assessed value of the land with implementation of the proposed improvement and

standard tax rates, the project will contribute substantial total property tax dollars. A portion of these property taxes will be paid to the County.

Employment:

- The construction of the Valiano Specific Plan will generate substantial revenue to the local economy and provide a significant number of construction-related jobs over the 3+ year construction period. Those that would benefit from employment from development under the Valiano Specific Plan would include skilled tradesmen filling construction positions and professionals filling management and office positions.

Housing

- The development of the Valiano Specific Plan will provide housing opportunities for County residents. With approval of the General Plan Amendment and the Specific Plan, the project will provide 326 residential units of which an additional 208 units would be added to the housing inventory. The additional housing will accommodate a variety of groups from singles to large families and across age groups.

Recreational Benefits:

- The Project will provide 7.9 acres of parks and recreational facilities, 2.7 acres of which will be dedicated to the County as a public park.

- Portions of the existing equestrian complex will be retained and open to the public. The 1.2 acre site will be used for public horse trailer parking, and use of an exercise ring for the public to access the multi-use trail.

- The Project includes a 2.56 mile, public multi-use trail for non-motarized uses (including equestrian, hiking, biking, and jogging uses) and will run along the entire length of the community parkway connecting with parks and key open space features. The Project will construct a portion of the trail network as proposed on the County's Community Trails Master Plan (CTMP) and access will be provided from the surrounding neighborhoods.

Open Space:

- Approximately 31.2 acres (13.1 percent) of the Project site will be protected within a biological open space easement. The biological open space will include an associated limited building zone that is approximately 150 feet wide which prohibits the placement of structures and provides for required fuel management.

- A total of 35.4 acres (14.8 percent) of recently active on-site agricultural uses (avocado orchard) will be preserved in an agricultural easement and made available for agricultural use including but not limited to the existing viable avocado orchards, as well as additional potential uses such as vineyards and/or other orchards.

Traffic and Circulation:

The Project will provide needed infrastructure improvements including roadway/intersection improvements, sidewalks which will correct existing public infrastructure deficiencies, and an improved public multi-purpose trail.

- The Project will pay the County's Transportation Impact Fee (TIF) at time of building permit which will mitigate any significant local and regional cumulative impacts not included in the project study area. As a General Plan Amendment project, if approved the County will need to update the TIF Program to reflect the changes to the General Plan land uses. The project applicant will be conditioned to pay a fair-share contribution towards the cost of updating the TIF Program in order to incorporate the approved changes to the General Plan land uses.

- The Project will provide improvements for Country Club Drive to Public Road Standards including curb, gutter, and sidewalk. The installation of a sidewalk will connect two currently disconnected segments of sidewalk. Left-turn pockets will be installed at each of the four access locations along Country Club Drive (Eden Valley Lane, Mount Whitney Road, Future Street 5A (north) and Future Street 5A (south)).

- Striping improvements at the intersection of Auto Club Parkway and Country Club Drive will provide one left-turn lane, one shared left-turn/through lane and one right-turn lane.

- The Project will improve Kauana Loa Drive that includes the addition of two feet of pavement to the south side; the installation of traffic calming measures such as speed and curve signage, striping, and/or "Bott's Dot's" along the centerline; and two feet of additional paved width at the corner radius.

- The Project will provide improvements for Auto Club Parkway, Hill Valley Drive, Eden Valley Lane, and Mount Whitney Road to Private Road Standards.

- A system of public multi-use trails and private internal trails will link key open space features of the Project site and will connect to proposed offsite public trails and nearby residential uses.

IX. NO RECIRCULATION REQUIRED

The County of San Diego Board of Supervisors hereby finds that the responses to comments made on the draft EIR, draft revised EIR, and any revisions reflected in the FEIR merely clarify and amplify the analysis presented in the documents and do not trigger the need to recirculate the EIR under CEQA Guidelines section 15088.5(b), which provides that "[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."

Pursuant to CEQA Guidelines section 15088.5(a), "[a] lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. . . . New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043)

Each of these findings that represent "significant new information" as specified in the CEQA Guidelines are addressed below.

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

No new significant environmental impacts would result or were identified since circulation of the DEIR and Draft Revised EIR. In addition, no new mitigation measures that have been proposed would result in significant environmental impacts since circulation of the DEIR and Draft Revised EIR. The FEIR includes revisions to mitigation measures or new measures in response to comments on the DEIR and Draft Revised EIR; however, these mitigation measures reduce significant impacts to a less-than-significant level. None of these revised measures result in new environmental impacts, but are designed to clarify and/or bolster the requirements of the mitigation measures to further reduce the impacts of the Project. For example, in response to comments and based on the commitment of the Project applicant to achieve carbon neutrality (i.e., net zero emissions), Mitigation Measure M-GHG-1 was added to Section 3.1.1, Greenhouse Gas

Emissions, of the FEIR. Mitigation Measure M-GHG-1 requires the Project applicant to purchase carbon off-set credits to offset all project construction and operations emissions. The FEIR and supporting analyses determined that implementation of Mitigation Measures M-GHG-1 would reduce the project's GHG emissions to zero-net emissions. Therefore, the County has determined that no new significant environmental impacts would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

As previously discussed under the first finding, the FEIR includes revisions to mitigation measures or new measures in response to comments on the DEIR and Draft Revised EIR; however, these mitigation measures reduce significant impacts to a less-than-significant level. None of these revised measures result in new environmental impacts, but are designed to clarify and/or bolster the requirements of the mitigation measures to further reduce the impacts of the Project. Therefore, the County finds that the project would not result in a substantial increase in the severity of an environmental impact.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

As previously discussed, the FEIR includes revisions to mitigation measures or new measures in response to comments on the DEIR and Draft Revised EIR; however, these mitigation measures reduce significant impacts to a less-than-significant level. In response to comments and based on the commitment of the Project applicant to achieve carbon neutrality (i.e., net zero emissions), Mitigation Measure M-GHG-1 was added to Section 3.1.1, Greenhouse Gas Emissions, of the FEIR. Mitigation Measure M-GHG-1 requires the Project applicant to purchase carbon off-set credits to offset all project construction and operations emissions. The FEIR and supporting analyses determined that implementation of Mitigation Measures M-GHG-1 would reduce the project's GHG emissions to zero-net emissions. Mitigation Measures M-GHG-1 are not considerably different from others previously analyzed. Though Mitigation Measure M-GHG-1 has been added to the EIR, it would clearly lessen the GHG impacts of the project, and, the project's proponents have determined to adopt it in order to achieve carbon neutrality. Therefore, the County finds that the project would not require recirculation pursuant to this finding.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043)

The County finds that the DEIR, which includes approximately 857 pages of analysis, and the Draft Revised EIR, which includes approximately 238 pages of analysis, supported by numerous technical reports and expert opinion, were not inadequate or conclusory such that the public was deprived of a meaningful opportunity to review and comment on the EIR. Accordingly, the County finds that recirculation is not required pursuant to CEQA.

The County recognizes that new information has been added to the EIR since circulation of the DEIR and Draft Revised EIR, but the new information serves simply to clarify or amplify information already found in the DEIR or Draft Revised EIR or improve the Project and its protection of the environment. It does not rise to the level of "significant new information."

It should also be noted that Mitigation Measure M-GHG-1 was added to Section 3.1.1 in response to comments received during public review periods for the DEIR and Draft Revised EIR. As previously discussed, this measure would clearly lessen the environmental impacts of the project and the project's proponents have decided to adopt it. This measure would clearly lessen the GHG impacts for the following reasons. Carbon offsets are issued by a climate registry that has undertaken the responsibility of certifying that the emissions reductions have occurred and will continue to be offset for the life of the project. Carbon offset projects are held to strict environmental standards through compliance with offset registry protocols. A protocol is a method of measuring emission reductions. A standards-based protocol establishes a baseline scenario for a given activity (carbon offset project) and provides the project developer and issuing registry a specific, defined methodology to quantify and verify emissions reductions that occur over and above that baseline scenario. Carbon offset registries (such as the ones required by Mitigation Measure M-GHG-1) measure compliance with approved protocols using rigorous, standardized review processes. In addition, carbon offset projects are not registered unless they conform to strict protocols, which are vetted through working groups of experts, stakeholder engagement, and public review. The same protocols apply to projects inside and outside of California.

The use of carbon offsets and protocols as mitigation for projects have been affirmed by the courts. In *Our Children's Earth Foundation v. CARB* (2015) 234 Cal.App.4th 870, 880, the First Appellate District recognized the validity of carbon offsets:

> [P]rotocols developed by the Climate Action Reserve (Reserve) employ a standards-based approach for ensuring additionality. The Reserve is a national nonprofit organization that (1) develops standards for evaluating, verifying and monitoring GHG emission inventories and reduction projects in North America; (2) issues offset credits for those projects; and (3) tracks offset credits over time "in a transparent, publicly-accessible system." A primary goal of the Reserve is to establish conservative GHG accounting which will ensure that GHG emission reductions are "real, permanent, additional, verifiable, and enforceable by contract." In formulating its standards-based protocols, the Reserve identifies types of emission reduction projects that are both subject to quantification and appropriate for assessment pursuant to performance-based additionality tests.

The appropriateness of using offsets as CEQA mitigation for GHG emissions is well established. Specifically, CEQA Guidelines Section 15126.4(c)(3) provides that "[o]ff-site measures, including offsets that are not otherwise required," can be used to mitigate a project's GHG emissions. AB 900 (the Jobs and Economic Improvement through Environmental Leadership Act) projects have used carbon offset credits to achieve no-net increase in GHG emissions as promulgated in Public Resources Code Section 21183(c). Soitec Solar Energy Project is an AB 900 project, which was approved by the County of San Diego Board of Supervisors in 2015 and conditioned to purchase carbon offsets from a reputably registry to offset all GHG emissions.

The public was not deprived of an opportunity to comment on the feasibility of Mitigation Measure M-GHG-1 because the feasibility of carbon offsets as mitigation is long established and expressly allowed in the CEQA Guidelines as adequate GHG mitigation. Furthermore, in response to comments received during public review of the DEIR and Draft Revised EIR, carbon offsets have been added as project mitigation. The good-faith addition at this stage of mitigation does not preclude meaningful review and comment.

Other changes and revisions to the DEIR and Draft Revised EIR that are not specifically described above were also found not to amount to "significant new information" requiring recirculation. None of the new information added to the FEIR raises important new issues about significant adverse effects on the environment. The ultimate conclusions about the project's significant impacts do not change in light of any new information added to the EIR. Therefore, any new information in the EIR is insignificant for purposes of recirculation, particularly as set forth in Section 15088.5(b) of the CEQA Guidelines.

X. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT, CEQA GUIDELINES § 15090

The Board of Supervisors certifies that the Final EIR, dated February 2018, on file with the Department of Planning & Development Services, as Environmental Log No. PDS2013-ER-12-08-002, has been completed in compliance with CEQA and the State CEQA Guidelines, that the EIR was presented to the Board of Supervisors, and that the Board of Supervisors reviewed and considered the information contained therein before approving the Project, and that the EIR reflects the independent judgment and analysis of the Board of Supervisors. State CEQA Guidelines § 15090.

STATEMENT OF LOCATION AND CUSTODIAN OF DOCUMENTS OR OTHER MATERIALS THAT CONSTITUTE A RECORD OF PROCEEDINGS

February 20, 2018

Project Name: Valiano Specific Plan

Reference Case Numbers: GPA13-001; SP13-001; REZ13-001; TM-5575; STP13-003; MUP14-019; Environmental Log No.: PDS2013-ER-12-08-002; SCH No. 2013061042

The CEQA [Section 21081.6(a)(2)] requires that the lead agency (in this case the County of San Diego) specify the location and custodian of the documents or other material that constitute the record of proceedings upon which its decision is based. It is the purpose of this statement to satisfy this requirement.

Location of Documents and Other Materials That Constitute the Record of Proceedings:

County of San Diego, Planning & Development Services
Project Processing Center
5510 Overland Avenue, Suite 110
San Diego, California 92123

County of San Diego, Clerk of the Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101

Custodian:

County of San Diego, Planning & Development Services
Project Processing Center
5510 Overland Avenue, Suite 110
San Diego, California 92123

County of San Diego, Clerk of the Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101