DRAFT ENVIRONMENTAL IMPACT REPORT

FOR THE

BELMONT VILLAGE ENCINITAS-BY-THE-SEA PROJECT

VOLUME I

SCH NO. 2019100475

April 2020

Prepared for:
City of Encinitas

Prepared by:
BRG Consulting, Inc.

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DRAFT
ENVIRONMENTAL IMPACT REPORT
VOL. 1

BELMONT VILLAGE ENCINITAS-BY-THE-SEA PROJECT
CARDIFF, CALIFORNIA

SCH No. 2019100475

Lead Agency:
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DEVELOPMENT SERVICES DEPARTMENT
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APRIL 2020

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CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
LEGAL NOTICE OF
ENVIRONMENTAL REVIEW AND COMMENT PERIOD

Draft EIR Public Review and Comment Period: April 3, 2020 to May 18, 2020

Notice is hereby given that 45-day public review and comment period has been established pursuant to the California Environmental Quality Act (CEQA) for a Draft Environmental Impact Report (EIR) which has been prepared for the proposed project as identified below, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15087:

PROJECT NAME: Belmont Village Encinitas-by-the-Sea

CASE NUMBER: 17-273 TMDB/MUP/DR/CDP

APPLICANT: Greystar, Inc.

LOCATION: 3111 Manchester Avenue, within the community of Cardiff-by-the-Sea, City of Encinitas, California

DESCRIPTION: The project proposes to subdivide a 19.0272-acre parcel into 12 lots, not including public rights-of-way, to accommodate the development of a senior living facility and affordable units. Lot 1 would be approximately 6.77 acres to accommodate development of a senior living facility. Lots 2 through 9 would include a total of approximately 0.38 acres to accommodate the separate residential lots/units. Lot A would accommodate a private street/access road and would be approximately 1.24 acres. Two (2) open space lots, Lots B and C, would be approximately 6.05 acres and 0.21 acres, respectively. The two-story senior care building would be 216,000 square feet (SF) in size and would provide 200 senior living units along with 60,000 square feet (SF) of common area. The residential lots would be developed with eight (8) two-story structures. Each detached unit would contain one attached accessory unit, providing a total of 16 units, 15 of which would be designated as affordable housing. One of the 16 units would be designated as market rate housing for the on-site manager. A total of 183 parking spaces would be provided for both uses. Primary access to the site would be provided from a new Caltrans spine road off Manchester Ave. Secondary emergency access from Manchester Avenue would be provided via a gated entrance near the southeast corner of the Project site.

The EIR will be used in the City's consideration of several discretionary actions, including approval of a Tentative Map with Density Bonus, Major Use Permit, Planned Residential Development Permit, Design Review and Coastal Development Permit.

SIGNIFICANT ENVIRONMENTAL EFFECTS ANTICIPATED AS A RESULT OF THE PROJECT: The Draft EIR concludes that the project would not result in significant environmental impacts with the incorporation of mitigation measures for biological resources, cultural resources, paleontological resources, and tribal cultural resources. Significant and unmitigable impacts would occur to aesthetics.

REVIEW AND COMMENT PERIOD: A 45-day public review and comment period has been established from **April 3, 2020 to May 18, 2020**. All written comments on the Draft EIR should be clearly itemized and focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Written comments must be submitted by **6:00 p.m. on May 18, 2020** to Scott Vurbeff, Development Services Department, City of Encinitas, 505 S. Vulcan Avenue, Encinitas, CA 92024.

During the public review period, the Draft EIR will be available for review on the City's website at https://encinitasca.gov/I-Want-To/Public-Notices/Development-Services-Public-Notices under "Environmental Notices" and at the Encinitas Development Services Department, 505 S. Vulcan Avenue, Encinitas, CA 92024. The Draft EIR, supporting documents, and project application may be reviewed or purchased for the cost of reproduction at the Encinitas Development Services Department.

After the close of the 45-day public review and comment period, responses to public comments will be prepared and included within the Final EIR. The Planning Commission will utilize the Final EIR as an informational resource during their deliberations related to the project.

FURTHER INFORMATION: For environmental review information, contact Scott Vurbeff at (760) 633-2692. For information regarding public hearings/meetings on this project, contact Katie Innes at (760) 633-2716.

VOLUME 1: ENVIRONMENTAL IMPACT REPORT

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ACRONYMS AND ABBREVIATIONS

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ACOE	Army Corps of Engineers
ADA	Americans with Disabilities Act
ADT	average daily trips
AL	Assisted Living unit
AMI	Area Median Income
AMSL	above mean sea level
APE	Area of Potential Effects
APN	Accessor's Parcel Number
APS	alternate planning strategy
AQMP	Air Quality Management Plan
BAU	business as usual
bgs	Below ground surface
BMPs	Best Management Practices
BSA	biological study area
CAA	California Air Act
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emission Estimator Model
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDP	Coastal Development Permit
CDW	construction/demolition waste
CEC	California Energy Commission
CEUS	California Commercial End Use Survey
CEQA	California Environmental Quality Act
CESA	Cumulative Effects Study Area
CESA	California Endangered Species Act
CF	Circle of Friends unit

ACRONYMS AND ABBREVIATIONS

CH_4	methane
CHRIS	California Historical Resources Information System
CIWMA	California Integrated Waste Management Act
cmbd	centimeters below datum
CMP	corrugated metal pipe
CNDDB	California Natural Diversity Database
CO	Carbon Monoxide
CO_2	carbon dioxide
CO_2E	carbon dioxide equivalent
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Places
CsC	Corralitos loamy-sand
CWA	Clean Water Act
CY	cubic yard
DAR	Direct Access Ramp
dBA	A-Weighted Sound Level
DEH	Department of Environmental Health (County of San Diego)
DMA	Drainage management area
DNE	Does not exist
DOC	California Department of Conservation
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EDR	Environmental Data Resources
EIC	Eastern Information Center
EIR	Environmental Impact Report
EMC	Encinitas Municipal Code
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Federal Endangered Species Act
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FGC	California Fish and Game Code
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FPPA	Farmland Protection Policy Act

ACRONYMS AND ABBREVIATIONS

FTE	full-time equivalent
GHG	greenhouse gas
GIS	Geographic Information System
GWP	global warming potential
HCM	Highway Capacity Manual
HFC	hydrofluorocarbon
HOV	High Occupancy Vehicle
HSC	Health and Safety Code
I-5	Interstate 5
IBC	International Building Code
ICC	International Code Council
IL	Independent Living unit
ITE	Institute of Transportation Engineers
km	kilometer
kW	Kilowatt
lbs	Pounds
LCA	Land Conservation Act
LCC	Land Capability Classification
LCFS	Low Carbon Fuel Standard
LCP	Local Coastal Program
LE	Land Evaluation
Leq	Equivalent Sound Pressure Level
LESA	Land Evaluation and Site Assessment
LSSA	Lake and Streambed Alternation Agreement
Lmax	Maximum Sound Pressure Level
LOS	Level of Service
LTS	Finding of less than significant impact
LTS-MM	Finding of less than significant impact with mitigation measure
LUP	Land Use Plan
m	meter
MBTA	Migratory Bird Treaty Act
MCLs	Maximum Contaminant Levels
MEP	Maximum extent practicable
mgd	million gallons per day
mg/m3	milligrams per cubic meter

ACRONYMS AND ABBREVIATIONS

MHCP	Multiple Habitat Conservation Program
MHMP	Multi- Jurisdictional Hazard Mitigation Plan
MMT	Million Metric Tons
MPO	Metropolitan Planning Organizations
MS4	municipal separate storm sewer system
MSCP	Multiple Species Conservation Program
MSL	mean sea level
MT	Metric Tons
MWMA	Medical Waste Management Act
N_2O	nitrous oxides
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Grave Protection and Repatriation Act
NAHC	Native American Heritage Commission
NB	North Bound
NCCP	Natural Communities Conservation Planning
NHPA	National Historic Preservation Act
NI	Finding of no environmental impact
NO_2	Nitrogen Dioxide
NO_x	Nitrogen Oxides
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O3	ozone
OCP	organochlorine pesticide
OHP	Office of Historic Preservation
OMWD	Olivenhain Municipal Water District
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PCBs	polychlorinated biphenyls
PFC	perfluorocarbon
PL	Property Line
PM_{10}	Particulate Matter (10 microns in diameter or less)

ACRONYMS AND ABBREVIATIONS

$PM_{2.5}$	Particulate Matter (2.5 microns in diameter or less)
POLS	petroleum, oil, and lubricants
POTWs	publicly owned treatment works
ppb	parts per billion
ppm	parts per million
PRC	Public Resources Code
PRD	Planned Residential Development
PVC	polyvinyl chloride
RAQS	San Diego Regional Air Quality Strategy
RASS	Residential Appliance Saturation Survey
RCB	Reinforced Concrete Box
RCFE	residential care facility for the elderly
RCP	reinforced concrete pipe
REC	Recognized Environmental Condition
RMS	root mean squared
ROW	Right of Way
RR-2	Rural Residential 2 Use
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SA	Site Assessment
SANDAG	San Diego Association of Governments
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCIC	South Coastal Information Center
SCS	Sustainable Communities Strategy
SDAPCD	San Diego Air Pollution Control District
SDWD	San Dieguito Water District
SDWA	Safe Drinking Water Act
SEWRF	San Elijo Water Reclamation Facility
SF	square feet
SF_6	sulfur hexafluoride
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SLF	Sacred Lands File
SM	silty sand

ACRONYMS AND ABBREVIATIONS

SO_2	Sulfur Dioxide
SPCCP	Spill Prevention Control and Countermeasure Plan
SSA	Streambed Alteration Agreement
SDAPCD	San Diego Air Pollution Control District
SU	Finding of significant and unmitigable impact
SWPPP	Stormwater Pollution Prevention Plan
SWQMP	Stormwater Intake Form and Priority Development Project Stormwater Quality Management Plan
SWRCB	State Water Resources Control Board
TCA	traditionally and culturally affiliated
TCR	Tribal Cultural Resource
TIS	Traffic impact study
TMDLs	Total maximum daily loads
USACE	United States Army Corps of Engineers
USDA	United State Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	United States Geological Survey
USTs	Underground storage tanks
UWMP	Urban Water Management Plan
$\mu g/m^3$	Micrograms Per Cubic Meter
V/C	Vehicle-to-Capacity ration
VMT	Vehicle miles traveled
WMA	Water Management Area
WQIP	Water Quality Improvement Plan

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EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) has been prepared for the Belmont Village Encinitas-by-the-Sea Project, a development project located in the Cardiff-by-the-Sea community. This document analyzes the potential environmental effects associated with implementation of the project (including direct and indirect impacts, secondary impacts, and cumulative effects).

ES.1 Purpose and Scope of the Environmental Impact Report

This Environmental Impact Report (EIR) has been prepared for the City of Encinitas (City), acting as the lead agency under California Environmental Quality Act (CEQA) Guidelines Sections 15050 and 15367, to analyze the potential environmental effects associated with implementation of the proposed Belmont Village Encinitas-by-the-Sea Project.

An EIR is a public informational document used in the planning and decision-making process. The purpose of the EIR is to demonstrate that the City has made a good faith effort at disclosing the potential for the project to result in significant impacts to the physical environment. As such, the EIR does not consider potential fiscal impacts, cost-benefit assessment, or social impacts. Nor does the EIR present recommendations to the decision-making bodies for approval or denial of the project based on the environmental findings. Rather, the EIR is intended to provide additional information about the project when, if, and at which time it is reviewed and considered by the City in its discretionary decision-making.

This EIR provides decision-makers, public agencies, and the public in general with detailed information about the potential significant adverse environmental impacts of the proposed Belmont Village Encinitas-by-the-Sea Project. By recognizing the environmental impacts of the proposed project, decisionmakers will have a better understanding of the physical and environmental changes that would accompany the project should it be approved. The EIR includes recommended mitigation measures which, when implemented, would provide the lead agency with ways to substantially lessen or avoid significant effects of the project on the environment, whenever feasible. Alternatives to the proposed project are presented to evaluate alternative development scenarios that can further reduce or avoid significant impacts associated with the project.

In accordance with Section 15082 of the CEQA Guidelines, the City prepared and distributed a Notice of Preparation (NOP) for the proposed project that was circulated for public review on October 4, 2019. The NOP comment period is intended to notify responsible agencies, trustee agencies, and the public that the City, acting as the lead agency, was going to prepare an EIR. The scope of the analysis for this EIR was determined by the City as a result of initial project review and consideration of agency and public comments received in response to the NOP. A copy of the NOP and comments received during the public comment period are included in Appendix A-1 to this EIR

The City will consider the information in the EIR, public and agency comments on the EIR, and testimony at public hearings in their decision-making process. As a legislative action, the final decision to approve, conditionally approve, or deny the proposed project is made by the Planning Commission (unless the action taken by the Planning Commission is appealed to the City Council). Other discretionary actions, approvals and permits are described in Chapter 2.0, Project Description.

ES.3 Project Location and Setting

The Project site is located at 3111 Manchester Avenue in the Cardiff-by-the-Sea community in San Diego County (Assessor Parcel Numbers [APN 261-210-01 and -12]). Encinitas is surrounded by the cities of Carlsbad to the north and Solana Beach to the south, the unincorporated community of Olivenhain to the east, and the Pacific Ocean to the west. The property is roughly triangle-shaped, with its southern border formed by Manchester Avenue. The majority of the 19.0272 gross, 14.43-net acre site is located north of Manchester Avenue, east of the Interstate 5 (I-5)/Manchester Avenue interchange and west and the Mira Costa Community College, San Elijo Campus parking lot. A small portion of the Project site is located south of Manchester Avenue adjacent to the San Elijo Lagoon.

ES.4 Project Objectives

The objectives of the project are as follows:

- Create an economically viable project that can be realistically implemented within current and projected economic conditions;
- Assure a high-quality development that is consistent with City and community goals and objectives, the Encinitas General Plan and Municipal Code;
- Establish a development that is consistent with the character of existing and planned development in proximity to the site and is aesthetically compatible with adjacent uses;
- Create a mix of assisted living and memory care units that maximizes density on the developable portion of the site and addresses specific needs of the resident population;
- Develop a high quality and safe senior living facility that would respond to the growing demand for senior housing;
- Create a self-sufficient facility that would provide services and amenities to enhance livability for the on-site resident population;
- Develop affordable units that will provide housing for income qualifying residents within the City of Encinitas and provide access to multi-modular transit options via its adjacency to a Caltrans Park and Ride;

- Preserve open space on the Project site that will support San Dieguito Lagoon restoration efforts and provide recreational trail connections consistent with the City of Encinitas Trails Master Plan; and
- Create appropriate landscaping buffers to protect the privacy of adjoining neighbors, preserve sensitive habitat and enhance the project and community.

ES.5 Project Synopsis

The Project proposes the construction and operation of a state-licensed, 200-bed residential senior living facility for the elderly in addition to eight (8) detached single-family homes, each containing one accessory unit. With these accessory units, development of the single-family homes would provide 16 total units, 15 of which would be designated as affordable housing units. Other improvements include an interior access road, surface parking, landscaped and paved/hardscape areas, construction of a segment of Trail 66 through the northern portion of the Project Site, on-site infrastructure, improvements to Manchester Avenue and improvements to off-site drainage culverts. All improvements would be required to comply with the latest California Building Code (CBC) and Americans with Disabilities Act (ADA).

A Tentative Map Density Bonus, Coastal Development Permit, Major Use Permit, Planned Residential Development Permit, Design Review, Grading Permit, Building Permit, Section 404 Nationwide Permit, Section 401 Water Quality Certification and Section 1602 Streambed Alteration Agreement are required for the proposed development.

ES.6 Summary of Significant Impacts and Mitigation Measures

Chapter 3 of this EIR presents the Environmental Analysis of the proposed project. Based on the analysis contained in Chapter 3 of this EIR, the proposed Belmont Village Encinitas-by-the-Sea Project would result in the potential for significant impacts to aesthetics, biological resources, cultural resources, paleontological resources, and tribal cultural resources. Mitigation measures have been identified which would reduce impacts to biological resources, cultural resources, paleontological resources, and tribal cultural resources to below a level of significance.

Table ES-1 summarizes the potential environmental impacts of the Belmont Village Encinitas-by-the-Sea Project by impact area. It also provides a summary of the mitigation measures proposed to avoid or reduce significant adverse impacts and the level of significance after mitigation.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
3.1 AESTHETICS			
Impact 3.1-1: Have a substantial adverse effect on a scenic vista.	Significant and Unmitigable.	None.	Significant and Unmitigable.
Impact 3.1-2: Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	Significant and Unmitigable.	None.	Significant and Unmitigable.
Impact 3.1-3: Substantially degrade the existing visual character or quality of public views of the site and its surroundings.	Significant and Unmitigable.	None.	Significant and Unmitigable.
Impact 3.1-4: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Less Than Significant.	None.	Less Than Significant.
3.2 AGRICULTURAL & FORESTRY RESOURCES			
Impact 3.2-1: Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	No Impact.	None	No Impact.
Impact 3.2.-2: Involve other changes in the existing environment which, due to their location or nature, could	Less Than Significant.	None	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
result in conversion of Farmland, to non- agricultural use.			
3.3 BIOLOGICAL RESOURCES			
Impact 3.3-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	Less Than Significant.	None.	Less Than Significant.
Impact 3.3-2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	Potentially Significant.	**MM BIO-1: Bird Nesting Survey for Proposed Trail** • Construction activities for the proposed trail adjacent to Diegan coastal sage scrub should commence outside of the California gnatcatcher bird breeding season (February 15 to August 31). If construction occurs during the breeding season, then a bird nesting survey shall be conducted by a qualified biologist no more than 10 days prior to construction to determine whether breeding California gnatcatchers or active nests occur onsite or within 300 feet of the construction area boundary. • If breeding activity or an active nest is identified, the biologist and Project Applicant shall postpone construction activity and contact the wildlife agencies to discuss: 1) the best approach to avoid/minimize impacts to breeding/nesting birds (e.g., sound walls), and 2) a monitoring program acceptable to the wildlife agencies.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.3-2 (Continued)		• If the biologist determines that bird breeding activity is being disrupted, the Project Applicant shall stop work and coordinate with the wildlife agencies to review the avoidance/minimization approach. Monitoring of an active nest shall continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by the wildlife agencies. **MM BIO-2: Bird Nesting Surveys for Off-Site Culverts** • Construction activities for the four storm drain culverts/outlets should commence outside of the breeding season for the Belding's Savannah Sparrow and the Ridgway's Rail (March 15 to Sept. 15). If construction occurs during the bird nesting season, then a Pre-construction nesting survey shall be conducted by a qualified biologist no more than 10 days prior to the first day of construction to determine whether breeding activity or active nests of the Belding's Savannah Sparrow and the Ridgway's Rail occur within 300 feet of the construction area boundary. If construction is to take place anytime within the breeding season for these species, then the above bird clearance surveys and associated monitoring shall be conducted by a qualified biologist on each day of construction activity. • If breeding activity or an active nest is identified, the biologist and Project Applicant shall postpone construction activity and contact the wildlife agencies to discuss: 1) the best approach to avoid/minimize impacts to breeding/nesting birds (e.g., sound walls), and 2) a monitoring program acceptable to the wildlife agencies.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.3-2 (Continued)		• If the biologist determines that bird breeding activity is being disrupted, the Project Applicant shall stop work and coordinate with the wildlife agencies to review the avoidance/minimization approach. Monitoring of an active nest shall continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by the wildlife agencies. **MM BIO-3: Conduct Biological Monitoring and Reporting** • Prior to grading permit issuance, the Project Applicant shall provide evidence to the Development Services Department that a qualified biologist has been retained to monitor construction activity verify that construction limits are respected; and that the Project's other biological mitigation requirements and permit terms and conditions are being properly implemented. • Monitoring activities shall be thoroughly and accurately documented on a daily basis. The biologist shall prepare daily, weekly, monthly, annual, and final monitoring reports for the City of Encinitas. Prior to the start of monitoring activities, Project Applicant shall provide proposed monitoring report formats, describing content, organization and submittal schedule for City's Development Services Department review and approval in consultation with wildlife agencies. **MM BIO-4: Development Lighting** The Project Applicant shall ensure that development lighting shall always be directed away from and/or shielded so as not to illuminate sensitive habitat areas.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.3-2 (Continued)		**MM BIO-5: Open Space Easement.** • Prior to grading permit issuance, an open space easement shall be recorded over lots "B" and "C" shown on the approved tentative map. **MM BIO-6: Design Impact Avoidance/Minimization** • Prior to final landscape plan approval, landscape plans shall specify the following: 1. All Project site landscaping shall comply with the City's Invasive Plant Policy. 2. For landscaping proposed adjacent to sensitive habitat areas, the use of non-native, invasive plant species (i.e., container stock and hydroseed material) shall be prohibited. Irrigation, fertilization, pest control, and pruning practices shall be controlled and monitored in these landscaped areas to avoid alteration of habitat conditions and prevent shifts in species composition from native to non-native flora. • Prior to issuance of construction permits, the following measures shall be included in construction plans to the satisfaction of the Development Services Department: 3 All contractors shall abide by the requirements of the biological mitigation measures contained in the Project's EIR, entitlement permit conditions of approval, state and federal wetland permit conditions of approval, and the directions in the field of the project biologist.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.3-2 (Continued)		4. Off-site wetland areas and on-site/off-site sensitive upland habitat areas shall be protected with construction fencing. Construction fencing shall be portrayed on the construction plans to the satisfaction of the Development Services Department. In each work area, fencing will be installed in advance of mobilization and will remain in place until construction in that area is complete and the contractor has demobilized. For sensitive upland habitat, construction fencing shall remain until permanent fencing is installed along the proposed on-site trail. All fencing shall be installed under the direct supervision of a qualified wildlife biologist. 5. All outdoor lighting on the Project site shall be shielded with full-cutoff light fixtures and directed away from the adjacent sensitive habitat areas. If night work is necessary, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded with full-cutoff fixtures, and directed away from sensitive habitat. 6. All construction activity adjacent to wetland and Diegan coastal sage scrub habitat areas shall adhere to measures outlined in the City's Grading, Erosion, and Sediment Control Ordinance to avoid degradation to wetland habitat from erosion. These measures include restrictions on the timing and amount of grading. Grading shall be prohibited during the rainy season (Oct. 1st through April 15th) without an approved Erosion Control Plan And Program. Grading or vegetation removal shall be prohibited adjacent to wetland areas during rainy season unless determined to be allowable on a site-specific basis.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.3-2 (Continued)		7. Erosion and sediment control measures used for the proposed Project, including fiber rolls and bonded fiber matrix, shall be made from biodegradable materials such as jute, with no plastic mesh, to avoid creating a wildlife entanglement hazard. If wattles are used, only certified sterile, weed-free rice straw will be permitted. 8. All hazardous materials used in project construction shall be transported, stored, handled, and used in strict accordance with label restrictions and all applicable federal, state, and local regulations. In the event known or suspected hazardous materials are encountered or released during site preparation, grading, or other Project related activity, work in the vicinity of the find shall be suspended until a qualified contractor (meeting the Environmental Professional qualifications in ASTM E1527-13) is retained by the Project Applicant and can assess the nature of the find and stipulate appropriate follow-up and protective measures.	Less Than Significant.
Impact 3.3-3: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	Potentially Significant.	**MM BIO-7: Wetland Mitigation Credit** Prior to grading permit issuance, the Project Applicant shall mitigate the loss of 0.08 acre of Waters of the U.S. at a 1:1 mitigation ratio to the satisfaction of the wetland permitting agencies. A wetland mitigation credit of at least 0.08 acre shall be purchased from a resource agency-approved wetland mitigation bank within the planning area of the Multiple Habitat Conservation Program. The mitigation bank and the Project Applicant shall provide a receipt to the City's Development Services Department demonstrating the purchase of the required credits in favor of the Proposed Project from the approved mitigation bank prior to grading permit issuance.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.3-3 (Continued)		**MM BIO-2: Wetland Revegetation Plan** Prior to grading permit issuance, a wetland revegetation plan shall be prepared and approved by the City and wetland permitting agencies having jurisdiction over the temporary off-site impacts (784 SF) to wetlands. The revegetation plan will include, but not be limited to, an implementation plan; erosion control measures, appropriate seed mixtures and planting methods; quantitative and qualitative success criteria; a maintenance, monitoring, and reporting program; an estimated completion time; and contingency measures. Provisions of the revegetation plan shall be referenced on the Project's grading plan to the satisfaction of the City's Development Services Department.	
Impact 3.3-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	Less than Significant.	**MM BIO-1 and MM BIO 2.**	Less Than Significant.
Impact 3.3-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Potentially Significant.	**MM BIO-7 and MM BIO-8.**	Less Than Significant.
Impact 3.3-6: Conflict with the provisions of an adopted habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	Potentially Significant.	**MM BIO-1 through MM BIO-6**	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
3.4 CULTURAL RESOURCES			
Impact 3.4-1: Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5.	No Impact.	None.	No Impact.
Impact 3.4-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.	Potentially Significant.	**MM CUL-1: Cultural Resources Construction Monitoring** Due to the high potential for uncovering unknown subsurface archaeological resources, including Native American tribal cultural resources, cultural resource mitigation monitoring shall be undertaken for any and all on-site and off-site ground disturbing activities. If on-site and/or off-site ground disturbing activities (e.g., exploratory trenching or excavations) are required for any informal or formal solicitation (written or spoken) of construction bids or similar requirements, all applicable requirements identified in MMs CUL-2 through CUL-8 below shall be undertaken by the Applicant and/or Owner. **MM CUL-2: Cultural Resource Mitigation Monitoring Program** A Cultural Resource Mitigation Monitoring Program shall be conducted to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a Qualified Archaeologist and a TCA (traditionally and culturally affiliated) Native American Monitor for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.4-2 (Continued)		activities, including the placement of imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and related road improvements, including, but not limited to, Manchester Avenue and Via Poco. Other tasks of the monitoring program shall include the following: • The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. • The Qualified Archaeologist and TCA Native American Monitor shall attend all applicable pre-construction meetings with the Contractor and/or associated Subcontractors. • The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above. • The Qualified Archaeologist and/or TCA Native American Monitor may halt ground disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TCA Native American Monitor, in consultation with the San Luis Rey Band of Mission Indians ("San Luis Rey Band").	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.4-2 (Continued)		• Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the TCA Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources. • The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible a Data Recovery Plan may be authorized by the City as the Lead Agency under CEQA. If a data recovery is required, then the San Luis Rey Band shall be notified and consulted in drafting and finalizing any such recovery plan. • The Qualified Archaeologist and/or TCA Native American Monitor may also halt ground disturbing activities around known archaeological artifact deposits or cultural features if, in their respective opinions, there is the possibility that they could be damaged or destroyed. **MM CUL-3: Pre-Excavation Agreement** Prior to the issuance of a Grading Permit, and subject to approval of terms by the City, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with the San Luis Rey Band, or other TCA tribe. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant or Owner, and/or Contractor, and the San Luis Rey Band for the protection and	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.4-2 (Continued)		treatment of, but not limited to, such items as Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through the cultural resource mitigation monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, soil surveys, grading, or any other ground disturbing activities. **MM CUL-4: Retain City-approved Qualified Archaeologist and TCA Native American Monitor** Prior to the issuance of a Grading Permit, the Applicant or Owner, and/or Contractor shall provide a written and signed letter to the City's Development Services Director, stating that a City-approved Qualified Archaeologist and a TCA Native American Monitor have been retained at the Applicant or Owner and/or Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement. A copy of the letter shall be included in the Grading Plan Submittals for the Grading Permit. **MM CUL-5: Prepare Controlled Grade Procedure** Prior to the issuance of a Grading Permit, and in order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" shall be prepared by a Qualified Archaeologist, in consultation with the TCA Native American Monitor, the San Luis Rey Band, and the Applicant or Owner, subject to the approval of City representatives. The Controlled Grade	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.4-2 (Continued)		Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and TCA Native American Monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Procedure shall be included in the Grading Plan Submittals for the Grading Permit. **CUL-6: Prepare Monitoring Report and/or Evaluation Report** Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which describes the results, analysis and conclusions of the cultural resource mitigation monitoring efforts (such as, but not limited to, the Research Design and Data Recovery Program) shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City's Development Services Director for approval. **CUL-7: Disposition of Tribal Cultural Resources** The landowner shall relinquish ownership of all tribal cultural resources collected during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project site to the San Luis Rey Band for respectful and dignified treatment and disposition, including reburial, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98.	
Impact 3.4-2 (Continued)		**CUL-8: Identification of Human Remains** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American Monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American Monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept *in situ* ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of the TCA Native American Monitor.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.4-3: Disturb any human remains, including those interred outside of formal cemeteries.	Potentially Significant.	**MM CUL-1** through **MM CUL-8**	Less Than Significant.
3.5 GEOLOGY AND SOILS			
Impact 3.5-1a: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault.	Less Than Significant.	None.	Less Than Significant.
Impact 3.5-1b: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking.	Less Than Significant.	None.	Less Than Significant.
Impact 3.5-1c: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction.	Less Than Significant.	None.	Less Than Significant.
Impact 3.5-1d: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.	Less Than Significant.	None.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.5-2: Result in substantial soil erosion or the loss of topsoil.	Less Than Significant.	None.	Less Than Significant.
Impact 3.5-3: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	Less Than Significant.	None.	Less Than Significant.
Impact 3.5-4: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.	Less Than Significant.	None.	Less Than Significant.
Impact 3.5-5: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Potentially Significant.	**MM GEO-1: Paleontological Data Recovery and Monitoring Plan** Prior to grading permit issuance, during grading and excavation activities, and prior to building permit issuance, a Data Recovery and Monitoring Plan shall be prepared and implemented to the satisfaction of the City. The Plan shall document paleontological recovery methods and consist of the following measures, which shall be included on Project grading plans to the satisfaction of the City: • A monitoring program during grading, trenching, or other excavation into undisturbed substratum or deeper bedrock beneath the soil horizons and a fossil recovery program shall be implemented for excavation equal to or greater than 2,500 cubic yards (cy) in the Delmar Formation. A City-approved paleontologist shall be contracted to perform paleontological	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		resource monitoring and a fossil recovery program if significant paleontological resources are encountered during grading, trenching, or other excavation into undisturbed rock layers of the Delmar Formation. The following shall be completed: • A City-approved paleontologist shall perform the monitoring (and recovery, if necessary), and report preparation duties. • A final Paleontological Resource Mitigation Report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program shall be prepared, if excavation into the Delmar Formation occurs and monitoring is required.	
3.6 GREENHOUSE GAS EMISSIONS			
Impact 3.6-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	Less Than Significant.	None.	Less Than Significant.
Impact 3.6-2: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Less Than Significant.	None.	Less Than Significant.
3.7 HYDROLOGY AND WATER QUALITY			
Impact 3.7-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.	Less Than Significant.	None.	Less Than Significant.
Impact 3.7-2: Substantially decrease groundwater supplies or interfere substantially with groundwater	Less Than Significant.	None.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
recharge such that the project may impede sustainable groundwater management of the basin.			
Impact 3.7-3a: Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site.	Less Than Significant.	None.	Less Than Significant.
Impact 3.7-3b: Substantially alter the existing drainage pattern of the site or area, including through the alteration in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.	Less Than Significant.	None.	Less Than Significant.
Impact 3.7-3c: Substantially alter the existing drainage pattern of the site or area in a manner which would substantially increase the rate or amount of surface runoff in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff.	Less Than Significant.	None.	Less Than Significant.
Impact 3.7-4: Result in flood hazard, tsunami, or seiche zones, risk release	Less Than Significant.	None.	Less Than Significant.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
of pollutants due to project inundation.			
3.8 TRANSPORTATION/TRAFFIC			
Impact 3.8-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Less Than Significant.	None.	Less Than Significant.
Impact 3. 8-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	Less Than Significant.	None.	Less Than Significant.
Impact 3.8-3: Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Less Than Significant.	None.	Less Than Significant.
Impact 3.8-4: Result in inadequate emergency access.	No Impact.	None.	No Impact.
3.9 TRIBAL CULTURAL RESOURCES			
Impact 3.9-1: Project would cause a substantial adverse change in the significance of a Tribal Cultural Resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).	No Impact.	None.	No Impact.

TABLE ES-1 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 3.9-2: Project would cause a substantial adverse change in the significance of a Tribal Cultural Resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.	Potentially Significant.	**CUL-1 through CUL-8**	Less Than Significant.

ES.7 Effects Not Found To Be Significant

Several environmental topics were found to be less than significant without mitigation: air quality, energy, hazards and hazardous materials, land use and planning, noise and vibration, mineral resources, population and housing, public services and facilities, recreation, utilities and service systems and wildfires. These topics are described in Chapter 4.0, Effects Not Found to be Significant.

ES.8 Areas Of Controversy

Pursuant to CEQA Section 15123(b)(2), an EIR shall identify areas of controversy known to the lead agency, including issues raised by the agencies, and the public, and issues to be resolved. The NOP for the EIR was distributed on October 4, 2019, for a 30-day public review and comment period, and a scoping meeting was held on October 17, 2019. Public comments were received on the NOP that reflect controversy on several environmental issues.

Issues of controversy raised include concerns related to biological resources, traffic, drainage and alternative developments that would be better suited at the Project site. The NOP and comment letters received are included in this EIR as Appendix A-1.

ES.9 Issues to Be Resolved by the Decision-Making Body

An EIR is an informational document intended to inform decision-makers and the public of the significant effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the proposed project. As the lead agency, the City of Encinitas must respond to each significant effect identified in this EIR by making "findings" for each significant effect. As part of the decision-making process, the review and decision-making authority must determine whether or how to mitigate the associated significant effects of the project, including whether to implement a project alternative. The following significant impacts would be reduced to below significance following implementation of mitigation measures:

- Biological Resources
- Cultural Resources
- Paleontological Resources
- Tribal Cultural Resources

Furthermore, a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 would be required for visual resource impacts found to be to be significant and unavoidable.

ES.10 Summary of Alternatives

The Alternatives section (Chapter 6.0) of this EIR focuses on alternatives capable of avoiding or substantially lessening any of the significant effects of the Project, even if the alternatives would impede, to some degree, the attainment of project objectives. This chapter also includes a discussion of alternatives which were considered but rejected, including an Alternative Project Site and Alternative Land Uses. Both eliminated from further consideration due to a lack of meeting most of the project objectives and will not be discussed further here. The Alternatives section discusses the two project alternatives that were determined to represent the range of reasonable alternatives to the Project that have the potential to feasibly attain most of the basic Project objectives, but which may avoid or substantially lessen one or more the Project's significant effects. A brief summary is provided below.

ES.10.1 No Project/No Development Alternative

Under this alternative, the Proposed Project would not occur, and the site would remain in its existing condition and existing uses would occur. As such, agricultural operations would continue and the few outbuildings, located on the southwestern corner of the Proposed Project site would remain. Implementation of the No Project Alternative would not result in new environmental impacts; however, the No Project Alternative would not satisfy any of the Project objectives.

ES.10.2 Senior Care Facility Only

The Senior Living Facility Only Alternative would result in development of the Project site in a similar manner to the proposed project with the same Senior Living Facility and infrastructure improvements described in Chapter 2.0 of this EIR however, the single-family housing units would be eliminated. This alternative would require construction of improvements similar to those identified for the proposed Project, including grading and installation of an on-site drainage system, connections for utilities, and roadway and trail improvements. This alternative assumes that the area proposed for the single-family housing units (Lots 2 through 9) would either remain undisturbed or would be landscaped for use an open space amenity for residents of the Senior Living Facility. Similar to the proposed Project, this alternative assumes that 0.13 acres of freshwater marsh, and 1.81 acres of coastal sage scrub would be donated to the San Elijo Lagoon Conservancy.

ES.10.3 Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines states that if the No Project Alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. The context of an environmentally superior alternative is based on consideration of several factors, including the project's objectives and the ability to fulfill the goals while reducing potential impacts to the environment.

Table ES-2 summarizes the potential impacts of the alternatives evaluated as compared to the potential impacts of the Project.

TABLE ES-2 SUMMARY OF ALTERNATIVES COMPARED TO THE PROPOSED PROJECT

Environmental Resource	Proposed Project	No Project/ No Development (Alternative A)	Senior Living Facility Only (Alternative B)
1. Aesthetics	SU	NI / +	SU / +
2. Agricultural Resources	LTS	NI / +	LTS / =
3. Biological Resources	LTS-MM	NI / +	LTS-MM / =
4. Cultural Resources	LTS-MM	NI / +	LTS-MM / =
5. Geology and Soils	LTS	NI / +	LTS / =
6. Greenhouse Gas Emissions	LTS	NI / +	LTS / +
7. Hydrology and Water Quality	LTS	NI / +	LTS / =
8. Transportation and Traffic	LTS	NI / +	LTS / +
9. Tribal Cultural Resources	LTS-MM	NI / +	LTS / =
		+ 9	+ 3 = 6
Meets Most of the Basic Project Objectives?	Yes	No	Yes

Notes:

NI	Finding of no environmental impact
LTS	Finding of less than significant environmental impact
LTS-MM	Finding of less than significant environmental impact with mitigation measure(s)
SU	Finding of significant and unmitigable impact
+	Alternative is superior (reduced impacts compared) to the proposed Project
-	Alternative is inferior (greater impacts compared) to the proposed Project
=	Alternative is environmentally similar to the proposed Project or there is not enough information to make a superior or inferior determination.

1.0 INTRODUCTION

1.1. Intent of the California Environmental Quality Act

The City of Encinitas (City), as the lead agency under the California Environmental Quality Act (CEQA), has prepared this Environmental Impact Report (EIR) for the Belmont Village Encinitas-by-the-Sea Project (proposed Project). The proposed Project site is located within the City of Encinitas, a city located in central coastal San Diego County and comprises approximately 19.0272 gross acres. The proposed Project is described in detail in Chapter 2.0, Project Description, of this EIR.

This EIR has been prepared pursuant to CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14, Chapter 3, Section 15000 et seq.). This EIR has been prepared pursuant to CEQA to assess the significant effects on the environment associated with implementation of the proposed Project, to identify alternatives to the proposed Project, and to indicate the manner in which those significant effects can be mitigated or avoided. The main objectives of this document as established by CEQA are listed below:

- To identify the significant effects on the environment of the proposed Project.
- To disclose to decision makers and the public the significant environmental effects of proposed activities.
- To identify ways to avoid or reduce environmental damage.
- To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public reasons for agency approval of projects with significant environmental effects.
- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

1.2. Purpose of the EIR

This EIR is an informational document intended for use by the City decision-makers and members of the general public in evaluating the potential environmental effects of the proposed Project. This EIR includes discussion on the potential environmental impacts of the proposed Project; mitigation measures to reduce any significant impacts; the level of significance of impacts with and without mitigation; any unavoidable adverse impacts that cannot be mitigated; significant cumulative

impacts when taken into consideration with past, present, and reasonably foreseeable future projects; and reasonable and feasible project alternatives that would avoid or reduce significant environmental impacts.

CEQA requires an EIR to reflect the independent judgment of the lead agency. A Draft EIR is circulated for review by responsible agencies, trustee agencies, other public agencies, special districts, organizations, citizen groups, and individual members of the public (collectively referred to as interested parties). As defined in Sections 15050 and 15367 of the State CEQA Guidelines, the lead agency is the public agency that has the principal responsibility for carrying out or approving a project; a responsible agency has discretionary approval over certain project aspects; and a trustee agency has discretionary approval or jurisdiction by law over natural resources affected by a project.

The City of Encinitas is the CEQA lead agency for this EIR, and the Planning Commission will consider the information in this EIR during the public hearing process to approve, conditionally approve, or deny the proposed Project. Other discretionary actions, approvals and permits are described in Chapter 2.0, Project Description.

1.3. Terminology

The terms listed below are defined to assist reviewers in understanding this EIR. Additional definitions of terms are listed in CEQA Article 20 Sections 15350 to 15387.

- **Project** means the whole of an action that has the potential to result in a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.
- **Environment** means the physical conditions that exist in the area and would be affected by the proposed Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved is that in which significant direct or indirect impacts would occur as a result of the proposed Project. The environment includes both natural and man-made (artificial) conditions.
- **Impacts** analyzed under CEQA must be related to a physical change. Impacts are:
  - Direct or primary impacts that would be caused by a project and would occur at the same time and place; or
  - Indirect or secondary impacts that would be caused by a project and would be later in time or further removed in distance, but that would still be reasonably foreseeable. Indirect or secondary impacts may include growth-inducing impacts and other impacts related to induced changes in the pattern of land use, population density, growth rate, or related effects on air and water and other natural systems, including ecosystems.
- **Significant Impact on the Environment** means a substantial, or potentially substantial, adverse change in any of the physical conditions in the area affected by the proposed Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic

significance. An economic or social change by itself is not considered a significant impact on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

- **Mitigation** consists of measures that avoid or substantially reduce the proposed Project's significant environmental impacts by:
  - Avoiding the impact altogether by not taking a certain action or parts of an action;
  - Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
  - Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
  - Reducing or eliminating the impact over time through preservation and maintenance operations during the life of the action; or
  - Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.
- **Cumulative impact** refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.
  - The individual impacts may be changes resulting from a single project or separate projects.
  - The cumulative impact from several projects is the change in the environment which results from the incremental impact of the proposed Project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period.

This EIR uses a variety of terms to describe the level of significance of adverse impacts. These terms are defined as follows:

- A designation of "No Impact" indicates no adverse changes to the environment are expected.
- A "Less than Significant Impact" will not cause a substantial adverse change to the environment.
- A "Less than Significant Impact with Mitigation Incorporated" avoids a substantial adverse impact on the environment through adoption of mitigation measures.
- A "Significant and Unavoidable Impact" is a substantial adverse effect on the environment that cannot be reduced to a less than significant level even with the implementation of feasible mitigation measures.

1.4. CEQA EIR Process

CEQA establishes mechanisms whereby the public and affected public agencies can be informed about the nature of the project being proposed and the extent and types of impacts that the proposed Project and its alternatives would have on the environment should the proposed Project or alternatives be implemented. The CEQA review process allows interested parties to share expertise, discuss the analyses, check for accuracy, detect omissions, discover public concerns, and solicit mitigation measures and alternatives capable of avoiding or reducing the significant effects of a project, while still attaining most of the basic objectives of the proposed Project.

The CEQA process for this EIR includes:

- Preparation of an Initial Study which determined that the proposed Project requires preparation of an EIR (see Appendix A-2);
- Filing and distribution of the Notice of Preparation (see Appendix A-1, Notice of Preparation / Public Comments Received);
- Holding a CEQA public agency scoping meeting;
- Preparation of the Draft EIR;
- Release of the Draft EIR for a 45-day public review period;
- Preparation and release of the Final EIR, including responses to comments on the Draft EIR

1.4.1. Notice of Preparation and Public Scoping Meeting

Pursuant to Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) on October 3, 2019, to interested agencies, organizations, and individuals for a 30-day public review period beginning on October 3, 2019 and ending on November 4, 2019. The NOP was also sent to the State Clearinghouse at the California Governor's Office of Planning and Research.

Pursuant to Section 15082 of the CEQA Guidelines, a public agency scoping meeting was held during the 30-day NOP public review period on October 17, 2019, at Encinitas City Hall, 505 S. Vulcan Avenue, Encinitas, California, to allow for public agency comments regarding environmental effects, mitigation measures, and the range of project alternatives to be considered.

In response to the NOP, the City received comment letters from public agencies and the general public. The Notice of Preparation and scoping letters are included in Appendix A-1 within Volume 2 (Technical Appendices) of this EIR. Table 1-1 summarizes comments received during the public scoping.

TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS

Comment Summary	Where Comment Is Addressed
CALIFORNIA DEPT. OF FISH AND WILDLIFE – NOVEMBER 1, 2019	
• DEIR should include a jurisdictional delineation.	Section 3.3, Biological Resources; Biological Assessment Report (Appendix D-1)
• DEIR should identify potential impacts to stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of a Lake and Streambed Alteration Agreement (LSSA).	Section 3.3, Biological Resources
• DEIR should include an analysis of potential impacts to the Focused Planning Area (FPA) and project consistency with the applicable sections of the draft Subarea Plan (SAP).	Section 3.3, Biological Resources
• Firebreaks and fuel modification zones should be located within development footprint (i.e., included in the impact analysis as loss of habitat) per section 4.3.1.7 of the draft SAP.	Section 2.0, Project Description
• DEIR should include a figure depicting location of fuel management zones.	Brush Management zones are depicted on Figure 2.3a.
• Any agricultural land proposed for conversion should be evaluated for potential benefits to the preserve and analyzed for meeting softline conservation standards prior to development approval as specified in Section 4.3.1.10 of the draft SAP.	Section 3.3, Biological Resources
• DEIR should include the following regarding the pedestrian trail: – an aerial photograph with overlay of the trail alignment; – specifications of the trail design; – measures to avoid/minimize impacts related to hikers straying off-trail and/or trail use by unauthorized vehicles; and – a discussion of how the proposed location and use of the trail would be consistent with the City's draft SAP.	Pedestrian Trail alignment is depicted on Figure 2-7 and on Figure 7 of the Biological Assessment Report (Appendix D-1). Specifications for Trail Segment 65 are provided in Section 2.3.3 of the Project Description. Section 3.3, Biological Resources
• DEIR should address cumulative effects to sensitive species and habitats.	Section 3.3.5, Biological Resources Cumulative Impacts
• Protocol-level surveys should be conducted for listed species with potential to occur within project site and results included in the DEIR.	Section 3.3, Biological Resources Coastal California Gnatcatcher Protocol Surveys are included in Appendix D-2.
• CDFW recommends that bridges be used for all proposed riparian crossings and that all riparian habitat or other sensitive natural communities be avoided.	Comment Noted
• Native plants should be used to the greatest extent feasible.	Section 2.0, Project Description Landscaping Plan Sheets are provided in Appendix M.
• Water runoff from landscaped areas should be directed away from mitigation/open space and/or wetland/riparian areas and contained and/or treated within the development footprint.	Section 2.0, Project Description Section 3.7, Hydrology & Water Quality

TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS

Comment Summary	Where Comment Is Addressed
• DEIR should include a discussion of the purpose and need for, and description of, the proposed project, including staging areas and access routes to staging areas.	Section 1.0, Introduction Section 2.0, Project Description
• DEIR should include a range of feasible alternatives that avoid or otherwise minimize impacts to sensitive biological resources.	Section 6.0, Alternatives
• DEIR should include information on the regional setting.	Section 2.0, Project Description Section 3.3, Biological Resources
• DEIR should include an assessment of special status plants and natural communities; an inventory of biological resources within each habitat type; and, an inventory of rare, threatened, endangered and other sensitive species.	Section 3.3, Biological Resources Biological Assessment Report (Appendix D-1)
• DEIR should include a discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage to on-site or adjacent habitats; impacts on wildlife corridors/movement areas, including access to undisturbed habitats.	Section 3.3, Biological Resources
• DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities.	Section 3.3, Biological Resources
• DEIR should include mitigation measures that alleviate direct and indirect impacts.	Section 3.3, Biological Resources
• DEIR should include a requirement for temporary fencing where proposed grading or clearing is within 100 feet of preserved sensitive habitats.	Section 3.3, Biological Resources
• DEIR should include the requirement that a biological monitor be present during initial clearing, grading, and construction in sensitive habitats.	Section 3.3, Biological Resources
• DEIR should include plans for restoration and revegetation.	Section 3.3, Biological Resources
• DEIR should include measures to protect, in perpetuity, the habitat values of proposed preservation and/or restoration areas from direct and indirect negative impacts. – Permanent fencing should be installed between the impact area and biological open space; designed to minimize intrusion by humans and domestic animals into the sensitive habitats. – There should be no gates that would allow access between the development and biological open space. – DEIR should address land dedications, monitoring and management programs, control of illegal dumping, water pollution, etc.	Section 2.0, Project Description, Section 3.3, Biological Resources
• DEIR should include a management and monitoring plan (MMP), including a funding commitment, for any on- and/or off-site biological open space easements, if applicable.	Section 3.3, Biological Resources
• CDFW recommends measures be taken to avoid impacts to nesting birds.	Section 3.3, Biological Resources

TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS

Comment Summary	Where Comment Is Addressed
CALTRANS – NOVEMBER 20, 2019	
Traffic Impact Study (TIS) • A traffic impact study for the project should include northbound and southbound ramp intersections at I-5/Manchester Avenue. • The TIS study area should include all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 50 to 100 peak hour trips. • TIS should: – Provide detailed project distributions percentages including intersection details. – Include a focused analysis for a State highway facility that is experiencing significant delay. – Implement vehicles miles traveled (VMT) analysis into its modeling projections. – Address any increase in goods movement operations and its impacts. – Data used in the TIS should not be more than 2 years old. – Mitigation measures for impacts to State facilities should be included in TIS and coordinated with Caltrans.	Section 3.8, Transportation Traffic Letter Report (Appendix I-1)
Hydrology and Drainage Studies • Provide a pre-and post-development hydraulics and hydrology study showing drainage configurations and patterns. • Provide drainage plans and details, include detention basin details of inlets/outlet. • Provide a contour grading plan with legible callouts and minimal. building data. Show drainage patterns and Caltrans' Right-of-Way. • Provide hydraulics studies, drainage and grading plans to Caltrans for review.	Preliminary Grading and Drainage plans are provided on Figures 2-11a and 2-11b. Section 3.7, Hydrology and Water Quality
NATIVE AMERICAN HERITAGE COMMISSION (NAHC) – NOVEMBER 1, 2019	
• Assembly Bill 52 (AB 52) applies to any project for which an NOP, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015. • NAHC recommends that lead agencies consult with California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project. • Both Senate Bill (SB 18) and AB 52 have tribal consultation requirements.	Section 3.4, Cultural Resources Section 3.9, Tribal Cultural Resources AB-52 Consultation (Appendix E-3)
• NAHC provided recommendations for Cultural Resource Assessments.	Cultural Resources Assessment (Appendix E-1)
JESSICA CARILLI – NOVEMBER 3, 2019	
• Residents will have to be bussed or take taxis to get into town.	Section 3.8, Transportation & Circulation
• Site should be used for apartments for Mira Costa students and faculty.	Section 6.0, Alternatives

TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS

Comment Summary	Where Comment Is Addressed
• Has soil sampling been done?	Section 4.3, Hazardous Materials
CHARLES FOSTER – OCTOBER 16, 2019	
• The coastal north county needs more senior care facilities. • The project would be an asset to Encinitas and neighboring towns.	Comments Noted.
GLEN JOHNSON – NOVEMBER 1, 2019	
• Proposed use is permitted through the issuance of a conditional use permit (major) only if the property is located on a prime arterial circulation element road as shown on the General Plan.	Section 2.0, Project Description
• In the past the City has designated a roadway as a Prime Arterial even with only 4 lanes and required the applicant to provide land, widen the frontage to Prime Arterial status, and install the pavement. Is this the City's plan for the Belmont Village project?	Comment Noted.
• A traffic study should be required that addresses traffic on Manchester Avenue.	Section 3.8, Transportation and Circulation A Traffic Report is included in Appendix I-1.
SUSAN M. SHEROD – OCTOBER 30, 2019	
• Density exceeds that allowed in the RR-2 zone.	Section 2.0, Project Description
• With regard to the Special Needs Overlay [sic] Proposed use would not be consistent with land use/development, redevelopment efforts, capital improvement projects, transit corridor use/development, economic redevelopment/rehabilitation efforts within the area.	Project's location within the Special Overlay zones is identified in Section 2.0, Project Description.
• With regard to the Cultural/Natural Resources Overlay Zone, land in this location must contain ecologically sensitive plant and animal habitats. Much of the area has been disturbed by the I-5 freeway expansion, railroad and lagoon work being done.	Section 3.3, Biological Resources
• Allowed Lot Coverage in RR-2 zone is 35%. This is too much for this ecologically sensitive location. Setbacks should be increased, for the same reason.	Section 2.0, Project Description
• Encinitas has mass transit, but it is very weak in terms of service. This missing infrastructure should be developed before adding any more residential units.	Section 3.8, Transportation and Circulation
• Landscaping should require large native trees.	Section 2.0, Project Description
• Project should include Single Room Occupancies to serve students and some staff at the nearby Community College.	Section 6.0, Alternatives
• To preserve the Biotic Resources of ecologically sensitive habitat, more of the land should remain undeveloped such as at least 75% open & undeveloped.	Comment noted.
• Project should be a sustainable eco-just community to meet climate action plan criteria.	Section 3.6, Greenhouse Gas Emissions

TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS

Comment Summary	Where Comment Is Addressed
MR & MRS PATRICK J SULLIVAN – OCTOBER 15, 2019	
• As 40-year residents of Encinitas it pains us to think of losing more open spaces. Especially close to the lagoon.	Comment Noted.
• The project will cause more traffic in an area that is already too congested.	Section 3.8, Transportation and Circulation
• We would definitely vote no on any such development and strongly urge the city to keep this area open.	Comment Noted.
• We need more open spaces. Once they are developed you can't get them back.	Section 1.0, Introduction (Project Purpose and Need)
• Consider a park, subsiding the strawberry field or anything but a big development.	Section 6.0 Project Alternatives
KARA WILSON – NOVEMBER 5, 2019	
• The proposed density of the project is too high for the site near an environmentally sensitive lagoon.	Comment Noted.
• Who is the developer on this project?	Comment Noted.
• There is no need for more assisted living communities.	Section 1.0, Introduction (Project Purpose and Need)
• High density housing will add pollution and traffic that is inconsistent with the development or lack of development in the area. Furthermore, all of the traffic congestion on Manchester Avenue will detract from the area.	Section 3.8, Transportation and Circulation
• What zoning variances are the developers seeking for this project?	Section 2.0, Project Description
• Will the City require an Environmental Impact Study to be completed before this development is approved? • Please advise me when there will be a public hearing on this proposed development at the City.	Section 1.0, Introduction (Project Purpose and Need)

1.4.2. Draft EIR Review

The Draft EIR will be circulated to the California State Clearinghouse, responsible and trustee agencies, and interested parties for a 45-day public review period. The Draft EIR will also be made available on the City's website under "Environmental Notices" at https://encinitasca.gov/I-Want-To/Public-Notices/Development-Services-Public-Notices.

Hard copies will also be available at the Encinitas Development Services Department, located at 505 S. Vulcan Avenue in Encinitas. Interested parties are invited to submit written comments to:

Scott Vurbeff, Environmental Project Manager
City of Encinitas Development Services Department
505 S. Vulcan Avenue Encinitas, CA 92024
Email: svurbeff@encinitasca.gov

Phone: (760) 633-2692

1.5. EIR Content and Organization

The content and organization of this EIR are in accordance with the most recent guidelines and amendments to CEQA and the State CEQA Guidelines. Technical studies have been summarized within individual environmental analysis sections and/or summary sections. Full technical studies have been included in the appendices to this EIR (see Volume 2 of the EIR) and are available for review during the public comment period.

This EIR has been organized in the following manner:

- **Executive Summary** is provided at the beginning of the EIR that outlines the conclusions of the environmental analysis and a summary of the proposed Project as compared to the alternatives analyzed in this EIR. The Executive Summary also includes a table summarizing all identified environmental impacts, along with the associated mitigation measures proposed to reduce or avoid each impact.
- **Chapter 1.0, Introduction,** provides an overview of the EIR, introducing the proposed Project, applicable environmental review procedures, and format of the EIR.
- **Chapter 2.0, Project Description, Location, and Environmental Setting,** provides a description of the proposed Project, including its objectives, location (regional and local), background, general environmental setting, identification of discretionary actions and interested parties, and a list of cumulative projects. The setting discussion also addresses the relevant planning documents and existing land use designations of the proposed Project site.
- **Chapter 3.0, Environmental Analysis,** provides a detailed impact analysis for each environmental issue, cumulative impacts and required mitigation measures, as applicable, that would result with project implementation.
- **Chapter 4.0, Environmental Effects Found Not to Be Significant,** provides, for each environmental parameter analyzed, a description of the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the proposed Project; the existing environmental setting; the potential adverse and beneficial effects of the proposed Project; the level of impact significance before mitigation; the mitigation measures for the proposed Project; the level of significance of the adverse impacts of the proposed Project after mitigation is incorporated; and the potential cumulative impacts associated with the proposed Project and other existing, approved, and proposed development in the area.
- **Chapter 5.0, Other CEQA Considerations,** discusses project effects relative to energy conservation, addresses significant unavoidable impacts of the proposed Project, including those that can be mitigated but not reduced to below a level of significance; significant irreversible

environmental changes that would result from the proposed Project, including the use of nonrenewable resources; and growth inducement.

- **Chapter 6.0, Alternatives,** provides a description and evaluation of alternatives to the proposed Project. This section addresses the mandatory "No Project" alternative, as well as development alternatives that would reduce or avoid the proposed Project's significant impacts.

- **Chapter 7.0, Preparers,** identifies persons involved in the preparation of this EIR and/or those contacted during preparation of this EIR who provided information or data incorporated into the document.

- **Chapter 8.0, References,** provides a list of informational sources and technical reports utilized in preparation of the EIR.

- **Appendices** provide information and/or relevant technical studies in support of the environmental analysis contained in this EIR.

Environmental issues evaluated in Chapter 3.0 of this EIR include:

- Aesthetics
- Agricultural and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Transportation
- Tribal Cultural Resources

The analysis each environmental issue in Chapter 3.0 is organized as follows:

- **Existing Conditions** describes the physical environment and conditions that exists at the time of NOP issuance.
- **Regulatory Framework** describes the applicable federal, state, and local laws, as well as City of Encinitas General Plan goals and policies.
- **Threshold for Determination of Significance** identifies applicable significance thresholds and guidelines for determination of significance.
- **Analysis of Project Effects and Determination of Significance** identifies impacts of the proposed Project, including direct, indirect, short-term, and long-term. It also includes feasible mitigation measures to reduce significant impacts; and a determination of the level of significance before and after mitigation.
- **Cumulative Impact Analysis** describes the cumulative setting and evaluates the proposed Project's potential effects on the environment in consideration with other closely related past, present, and reasonably foreseeable future projects in the cumulative study area.

Environmental issues discussed in Chapter 4.0, Environmental Effects Found Not to Be Significant, include:

- Air Quality
- Energy
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise and Vibration
- Mineral Resources
- Population and Housing
- Public Services and Facilities
- Recreation
- Utilities and Service Systems
- Wildfires

1.6. Incorporation by Reference

In accordance with Section 15150 of the State CEQA Guidelines, the following documents are incorporated by reference into this EIR and available for public review at the City of Encinitas, with a brief synopsis of each provided.

1.6.1. City of Encinitas General Plan and Certified Local Coastal Program

The Encinitas General Plan serves as a policy document that provides long-range guidance to City officials responsible for decision-making to ensure that decisions made by the City conform to long-range goals, such as the city's future growth and long-term protection of its resources. The General Plan also provides guidance to ensure that future development conforms to the City's established plans, objectives, and/or policies, as appropriate which protects and furthers the public interest as the city continues to grow and to minimize potential adverse effects potentially occurring with ultimate buildout of the General Plan.

Approximately two-thirds of Encinitas lies within the boundaries of the California Coastal Zone. All local governments located wholly or partially within the Coastal Zone are required to prepare a Local Coastal Program (LCP) for those areas of the Coastal Zone within its jurisdiction therefore, in addition to the General Plan the City also maintains the LCP which goals and policies are directly related to California Coastal Act requirements. The California Coastal Act is intended to protect the natural and scenic resources of the Coastal Zone. The state's goals for the Coastal Zone include the following:

- Protect, maintain, and where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources.
- Assure orderly, balanced utilization and conservation of Coastal Zone resources considering the social and economic needs of the people of the state.

- Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone.

The City's General Plan includes issues and policies related to California Coastal Act requirements; therefore, the General Plan serves as an LCP Land Use Plan (LUP) for the City. The General Plan/LCP incorporates land use plans for future development in the Coastal Zone, provisions of the City's Zoning Regulations, zone overlays for sensitive resources, and other implementing measures to ensure the protection of coastal resources. For those lands located within the Coastal Zone, any conflicts that occur between the LUP and any policy or provision of the General Plan that is not a part of the LCP, the LUP takes precedence. Any such conflicts shall result in identifying a resolution that achieves the highest degree of protection for resources in the Coastal Zone.

The City is responsible for the issuance of Coastal Development Permits (CDPs) within the Coastal Zone, excluding submerged lands, tidelands, or public trust lands. The City's decision on a coastal development permit may be appealed to the Coastal Commission.

1.6.2. City of Encinitas Municipal Code

Title 30, Zoning, of the Encinitas Municipal Code was adopted to promote and protect the public health, safety, and welfare through the orderly regulation of land uses in the city. The Zoning Regulations of Title 30 are used as an implementation mechanism for achieving the goals, objectives, and policies identified in the General Plan and are intended to "regulate the use of real property and the buildings, structures, and improvements located thereon so as to protect, promote, and enhance the public safety, health and welfare" (Ord. 86-19). Further, the Zoning Regulations are "adopted pursuant to, and to implement provisions of, the City of Encinitas General Plan and certified Local Coastal Program Land Use Plan (LUP). The regulatory provisions…shall implement the provisions of the General Plan to carry out the objectives contained therein" (Ord. 94-06).

1.6.3. City of Encinitas Climate Action Plan

Climate Action Plans (CAPs) provide a roadmap for jurisdictions to take in order to reduce greenhouse gas (GHG) emissions and the potential impacts of climate change through the implementation of various strategies, goals, actions and supporting measures. In developing a CAP, jurisdictions evaluate the volume of GHGs emitted during a baseline year and determine the amount of emissions that need to be reduced to achieve statewide GHG reduction targets.

The City of Encinitas' Climate Action Plan was most recently updated in January 2018 and builds upon the goals identified in the 2011 CAP. The updated CAP commits to implementing specific programs and projects aimed at reducing and mitigating the impacts of GHG-emitting activities by certain percentages by targeted dates. The CAP organizes strategies, goals, and actions tied to various emissions sources and includes seven overarching strategies and associated goals. As of this time, the City has not adopted implementing ordinances for these requirements.

2.0 PROJECT DESCRIPTION

2.1. Project Location

The Project site is located at 3111 Manchester Avenue in the Cardiff-by-the-Sea community in San Diego County (Assessor Parcel Numbers [APN 261-210-01 and -12]). As shown on Figure 2-1, Regional Location, Encinitas is surrounded by the cities of Carlsbad to the north and Solana Beach to the south, the unincorporated community of Olivenhain to the east, and the Pacific Ocean to the west. The property is roughly triangle-shaped, with its southern border formed by Manchester Avenue. The majority of the 19.0272 gross, 14.43-net acre site is located north of Manchester Avenue, east of the Interstate 5 (I-5)/Manchester Avenue interchange and Via Poco and west of the Mira Costa Community College/San Elijo Campus parking lot. A small portion of the Project site is located south of Manchester Avenue adjacent to the San Elijo Lagoon (Figure 2-2, Project Site Location).

2.2. Project Objectives

California Environmental Quality Act (CEQA) Guidelines Section 15124(b) requires the project description to contain a statement of objectives that includes the underlying purpose of the proposed Project. The objectives of the Project are identified below.

- Create an economically viable project that can be realistically implemented within current and projected economic conditions;
- Assure a high-quality development that is consistent with City and community goals and objectives, the Encinitas General Plan and Municipal Code;
- Establish a development that is consistent with the character of existing and planned development in proximity to the site and is aesthetically compatible with adjacent uses;
- Create a mix of assisted living and memory care units that maximizes density on the developable portion of the site and addresses specific needs of the resident population;
- Develop a high quality and safe senior living facility that would respond to the growing demand for senior housing;
- Create a self-sufficient facility that would provide services and amenities to enhance livability for the on-site resident population;
- Develop affordable units that will provide housing for income qualifying residents within the City of Encinitas and provide access to multi-modular transit options via its adjacency to a Caltrans Park and Ride;

- Preserve open space on the Project site that will support San Dieguito Lagoon restoration efforts and provide recreational trail connections consistent with the City of Encinitas Trails Master Plan; and

- Create appropriate landscaping buffers to protect the privacy of adjoining neighbors, preserve sensitive habitat and enhance the project and community.

2.3. Project Characteristics

The proposed Project would consist of the construction and operation of a state-licensed, 200-bed residential Senior Living Facility for the elderly in addition to eight (8) detached single-family homes, each containing one accessory unit. With these accessory units, development of the single-family homes would provide 16 total units, 15 of which would be designated for affordable housing. The Project is utilizing the California State Density Bonus law to request waivers to the development standards. The Senior Living Facility would occupy two (2) buildings, referred to herein as the "Upper Building" and the "Lower Building" within the main portion of the Project site. The Single-Family Housing Units would be constructed in the easternmost portion of the Project site. Other improvements include an interior access road, surface parking, landscaped and paved/hardscape areas, construction of a trail segment of Trail 66 through the northern portion of the Project site, on-site infrastructure and improvements to Manchester Avenue. All improvements would be required to comply with the latest California Building Code (CBC) and Americans with Disabilities Act (ADA). Figure 2-3a illustrates the proposed Site Layout and Figure 2-3b presents the proposed Site Plan. The proposed Project would include streetlights with full cutoff in the parking lots; illuminated bollards along pedestrian paths; overhead festival lighting within interior courtyards; downlights at the entry court; tree downlights on courtyard trees; and, sign lights at the entry wayfinding signs. All lighting would be consistent with the City's lighting standards (MC 30.40.010 (I)).

The Project proposes to subdivide the 19.0272-acre Project site into 12 lots, not including public rights-of-way. Lot 1 would be approximately 6.77 acres to accommodate development of a senior living facility. Lots 2 through 9 would include a total of approximately 0.38 acres to accommodate the separate residential lots/units. Lot A would accommodate a private street/access road and would be approximately 1.24 acres. Two (2) open space lots, Lots B and C, would be approximately 6.05 acres and 0.21 acres, respectively. A summary of the parcels is shown on Table 2-1.

TABLE 2-1. PARCEL SUMMARY

Parcel Summary	Total (Acres)
Existing Parcel 1	17.4568
Existing Parcel 2	1.5704
Total Gross Acreage	**19.0272**
Public Street ROW/Street Easements	-2.0478
Remainder Portion Existing Parcel 1 (Lot C)	-0.2108
Pending Caltrans Eminent Domain Action	-2.3362
Total Net Developable Property Acreage	**14.4324**
Proposed Lot 1 (Senior Living Facility)	6.7667
Proposed Lot 2 (single-family with accessory unit)	0.0484
Proposed Lot 3 (single-family with accessory unit)	0.0407
Proposed Lot 4 (single-family with accessory unit)	0.0407
Proposed Lot 5 (single-family with accessory unit)	0.0472
Proposed Lot 6 (single-family with accessory unit)	0.0529
Proposed Lot 7 (single-family with accessory unit)	0.0452
Proposed Lot 8 (single-family with accessory unit)	0.0452
Proposed Lot 9 (single-family with accessory unit)	0.0584
Summary of Single-Family Housing Lots	***0.3787***
Proposed Lot A (Private Street/Reciprocal Access)	1.2376
Proposed Lot B (Landscape/Lagoon Conservancy Easement)	6.0494
Total Net Developable Property Acreage	**14.4324**
Proposed Lot C (Landscape/Lagoon Conservancy Easement)	0.2108
Total Tentative Tract Map Property Acreage	14.6432

2.3.1. Senior Living Facility

The proposed senior care buildings would be two-stories in height and would accommodate a total of 200 units. The 200-unit senior living facility will be a fully licensed Residential Care Facility for the Elderly (RCFE) and would comprise 172 Independent Living (IL), Assisted Living (AL), and Circle of Friends (CF) units and 28 Memory Care units. It is anticipated that 77 of the 172 IL/AL/CF units would be occupied by Independent Living (IL) residents, 68 would be occupied by Assisted Living (AL) residents, and 27 would be occupied by Circle of Friends (CF) residents. Because the entire facility is licensed, IL units can be converted to AL or CF units, and vice-versa, depending on market demand for acuity type.

The senior living buildings would be approximately 216,000 square feet (SF) in size, with approximately 60,000 SF of common area. The buildings would be designed in an eclectic Craftsman style incorporating wood, stone and stucco elements. All design aspects would adhere to the City of Encinitas's Design Guidelines.

2.3.2. Single-Family Housing

The single-family housing units consist of eight (8) two-story structures located on the eastern portion of the Project site (See Figure 2-4, Single-Family Housing Site Plan). Each detached unit would contain one attached accessory unit, providing a total of 16 units, 15 of which would be designated as affordable housing. One of the 16 units would be designated as market rate housing for the on-site manager. The 15 affordable one- and two-bedroom units would be approximately 650 SF in size. The 15 affordable units would be rent, and income restricted and made available to very-low, low- and moderate-income households.

Three (3) units would be rent and income-restricted at 50% of the Area Median Income (AMI); ten (10) units would be rent and income-restricted at 80% of AMI and the remaining two (2) units will be rent and income-restricted at 100% AMI. One of the 50% AMI units will be deed-restricted in perpetuity, and the remaining units will be deed restricted for 55-years (Greystar, 2019) to comply with the City of Encinitas Density Bonus regulations. These affordable units would contribute to the City of Encinitas' Regional Housing Needs Assessment goals.

2.3.3. Access and Circulation

Via Poco is currently a two-lane dead-end street on the north side of Manchester Avenue that provides access to the Project parcel on the east and to the gas station to the west. The California Dept. of Transportation (Caltrans) plans to modify Via Poco and construct a new road (referred to herein as the DAR Access Road), north of Manchester Avenue, as part of the I-5 North Coast Corridor Project [(1)]. Additionally, Caltrans plans to construct a Park and Ride Lot (aka San Elijo Multi-use Facility) west of the I-5/Manchester Avenue Interchange, along with a Direct Access Ramp (DAR) to High Occupancy Vehicle (HOV) Lanes from Manchester Avenue.

Vehicle access to the Project site would be via two driveways off of the planned DAR Access Road. The Project plans to provide two day-to-day access points, both along the DAR Access Road. The southern driveway would be a right-in/right-out only driveway. The northern driveway would be one-way stop controlled with a shared left-turn/right-turn lane on the driveway and one lane in each direction along the DAR Access Road. Secondary emergency access from Manchester Avenue would be provided via a gated entrance near the southeast corner of the Project site as shown on Figure 2-5, Manchester Ave Street Improvements (Sheet C-5A).

[1] I-5 North Coast Corridor Project Final EIR/EIS (SCH# 2004101076).

As a condition of approval, that portion of Manchester Avenue fronting the Project site would be restriped to match Caltrans planned improvements on Manchester Avenue which extend east of Via Poco to accommodate DAR improvements and include installation of an eastbound right-turn pocket onto Via Poco (Figure 2-5, Manchester Ave Street Improvements (Sheet C-5A)). The proposed street improvements, including new pavement, curb/gutter and striping, would shift the existing travel lanes approximately 10 feet to the north to accommodate installation of a 6-foot-wide Class II bicycle lane and 5-foot-wide, soft-surface pedestrian trail along the southside of Manchester Avenue, adjacent to the San Elijo Lagoon. These improvements would generally begin at the DAR line and extend along the frontage of the Project site.

A 10-foot wide pedestrian trail and 10-foot wide parkway, and a 6-foot wide bike lane would be installed on the north side of Manchester Avenue. The parkway improvements would include a vegetated bioswale to retain runoff from Manchester Avenue. East of the Project site, Manchester Avenue would transition back to four-through lanes, with a stripped median as shown on Figure 2-6, Manchester Avenue Street Improvements (Sheet C-5B).

All improvements along Manchester Avenue would be confined to the existing disturbed right-of-way (ROW). No additional ROW would be required, nor would the improvements expand the capacity of Manchester Avenue. Approximately 300-feet of the proposed 10-foot pedestrian trail on the northeast project frontage along Manchester Avenue is outside the existing public right-of-way and would require a pedestrian sidewalk access easement.

Trail Improvements

The proposed Project also includes construction of a soft surface trail segment (Trail Segment 66) through the northern portion of the Project site, the features of which are summarized on Table 2-2. The proposed trail would extend from an existing sidewalk (planned for use as a trail connector through the Mira Costa College property) on the east to Via Poco on the west where it would connect to a trail segment planned for construction along Via Poco (Trail Segment 65) west of the Project site, as shown on Figure 2-7 Trail Exhibit. The proposed trail would be approximately six (6) feet in width and would be constructed as a "soft-surface trail" consistent with specifications in the Encinitas Trail Master Plan (City of Encinitas, 2002).

Trail Segments 66 and 65, along with the proposed 10-foot wide pedestrian trail improvements along Manchester Avenue would form a "loop" around the Project site connecting to existing and planned trail segments to the east and west.

TABLE 2-2. PROPOSED FEATURES/SPECIFICATIONS FOR TRAIL SEGMENT 66

Feature	Details
Trail Type	• Type B – Soft Surface
Trail Users (a)	• Designated as "multi-use" for pedestrians, bicyclists, and equestrians only.
Trail Tread Width	• 6 feet
Easement Width	• 10 - 12 feet
Trail Tread	• Decomposed granite
Fencing (b)	• Fencing, constructed of a material as approved by the City, shall be installed on the north side of the trail
Signage	• Trail markers shall generally be installed every ¼ mile

Notes:

(a) No motorized vehicles, except authorized trail maintenance vehicles and emergency vehicles, are allowed.

(b) Fencing may include PVC, post and rail, peeler poles, or woodcrete. Fencing material should be compatible in character with the physical location of the trail and shall be designed to safely accommodate the expected users of the trail segment.

Source: City of Encinitas, 2002.

2.3.4. Parking

The proposed Project would provide 200 parking spaces for the Senior Living Facility and 16 spaces for the single-family housing units in surface parking areas located south of the Lower Building and north of the Upper Building, for a total of 216 off-street parking spaces, including 209 standard stalls, 3 (three) ADA accessible stalls and 4 (four) van-accessible stalls.

2.3.5. Landscaping

Proposed landscaping would consist of non-invasive, drought tolerant native plant materials that comply with the San Elijo Conservancy Coastal Sage Shrub Plant Field Guide, as shown on Figure 2-3a Illustrative Site Plan. Some of the coastal agrarian features would be preserved to maintain the aesthetic quality of the area for the public. The enhanced paving at the entry points throughout the Project site as well as turf block would be provided in the fire lane to reduce the expanses of paving and improve percolation and stormwater quality. Additionally, appropriately sized trees would be planted within the parkway along the bioswale for screening purposes. The Project site would also include small retaining walls to allow for specific landscape improvements. Private yard wall/fencing would be installed around the single-family housing unit lots. A portion of the site, north of the senior living facility and parking lot, would be reserved for coastal agricultural use. Landscaping plans for the Project are included in Appendix M.

TABLE 2-3. PROJECT PARKING REQUIREMENTS

Land Use	Size		Parking Requirements		Proposed Parking Spaces	Is the minimum required parking provided?
	Dwelling Units (DU)	Beds	Parking Requirement	Required Spaces		
Senior Living Facility (1)						
Independent Living	77 DU	- -	0.61 spaces / unit	47	166	Yes
Assisted Living						
Studio Units (16 Units)	16 DU	16	0.39 spaces /bed	6		
1 Bedroom Units (46 Units)	46 DU	46	0.39 spaces /bed	18		
2 Bedroom Units (6 Units)	6 DU	12	0.39 spaces /bed	5		
Memory Care (2)						
Studio Units (49 Units)	49	49	0.39 spaces /bed	19		
1 Bedroom Units (6 Units)	6	6	0.39 spaces /bed	2		
Subtotal	**200**	- -	- -	**97**	**166**	- -
Single Family Housing (3)						
Single-Family Housing Affordable Units (2)	15	- -	1 space /unit	15	15	Yes
Single- Family Housing (Manager's Unit) (5)	1	- -	2 spaces /unit	2	2	Yes
Subtotal	**16**			**17**	**17**	- -
TOTAL	**216**		- -	**114**	**183**	- -
Accessible Parking Spaces (4)	- -	- -	- -	**6**	6	Yes
Van Accessible Parking Spaces	- -	- -	- -	**1**	4 of 6 spaces	Yes

Notes:

(1) Parking rates from ITE's Parking Generation 5th Edition (Land Uses 252 and 254), 2020.

(2) Includes "Circle of Friends" units.

(3) Encinitas Municipal Code requires 2 spaces per unit (EMC 30.54.030).

(4) 6 of 200 proposed spaces for Senior Living Facility would be ADA accessible per 2016 California Building Code Table 11B-208.2.

Source: Linscott, Law + Greenspan, 2020 (Appendix I-2).

2.3.6. Building Architectural Elements

Because the Project site has historically been in agricultural use, architectural themes for the Senior Living Facility are focused on the early agrarian roots of the Cardiff/Encinitas area. Board-and-batten siding, simple pitched roofs, gables with barge brackets, and detailed window surrounds are coastal agrarian design elements that would be integrated into the Project to create visual interest and are compatible with the local architecture (Figure 2-8, Senior Living Facility Elevations).

The style of the single-family housing would complement the larger senior facility buildings. The design would incorporate board-and-batten siding and pitched roofs. The residences would be sited to form a central "village green" common space (Figure 2-9, Single-Family Housing Elevations).

The houses would be constructed on stepped pads to utilize the natural topography and take advantage of the views.

2.3.7. Utilities/Infrastructure

Drainage/Stormwater Improvements

Storm flows from the Project site as well as off-site stormwater flows are currently conveyed under Manchester Avenue and discharged into the San Elijo Lagoon via six existing corrugated metal pipes (CMPs) located along the Project site frontage. Post-construction, the on-site stormwater management system would consist of area drain and catch basin inlets, polyvinyl chloride (PVC) area drain lines, reinforced concrete pipe (RCP)/reinforced concrete box (RCB) storm drain lines and biofiltration basins. To meet water quality, hydromodification and detention requirements, on-site stormwater project features will, at a minimum, include three (3) on-site biofiltration basins comprised of mulch, engineered soil media, gravel and an underdrain system. The proposed basins would be located near the southeast, southwest and along the west side of the Project site. On-site stormwater detention is proposed to alleviate the increase in development area peak storm flows for the 100-year storm frequency. Additional storage may also be provided in underground storage pipes located onsite.

The proposed Project is categorized as a Priority Development Project for storm water; and thus, is subject to the requirements of hydromodification management. The proposed biofiltration basins would provide water quality treatment for the developed area and hydromodification mitigation. Critical Coarse Sediment Protection for off-site flows will be addressed by constructing two drainage systems to capture and convey off-site flows directly into the San Elijo Lagoon. Storm flows conveyed through the existing soft bottom channel will be captured near the northwest corner of the development area and conveyed through the Project site via a dedicated storm drain line to prevent co-mingling with the on-site development storm flows. The flows would discharge directly into the San Elijo Lagoon via a new reinforced concrete box culvert. Flows from north and east of the site would be conveyed via a storm drain conveyance ditch/channel around the eastern perimeter, where it would outlet to a reinforced concrete box (RCB) that runs underneath Manchester Avenue, then outlet into the San Elijo Lagoon. These systems would convey off-site flows around the on-site biofiltration basins.

Storm flows from the Project site would be captured, treated, and conveyed into the San Elijo Lagoon via four new RCB/RCP storm drain lines underneath Manchester Avenue. The proposed conveyance features would replace four CMPs that would be removed during construction (see Section 3.7 Hydrology and Water Quality for more information). These improvements would maintain existing cumulative flow rates and would outlet to the same location as the four existing CMP discharge locations; thus, post-project flows into the San Elijo Lagoon would not increase from existing conditions. Further, proposed storm conveyance infrastructure would have no greater

hydrological impacts on the lagoon than what occurs with the existing system (Figure 2-10, Off-site Stormwater Culverts).

Utilities

Wastewater would be conveyed off-site within existing sewer lines located along Manchester Avenue west to the San Elijo Water Reclamation Facility (SEWRF). The SEWRF is located at 2695 Manchester Avenue approximately one mile west of the site and is operated by the Cardiff Sanitation District. The Project would generate approximately 15.6 million gallons of wastewater annually (assuming 60% of total water demand) or 43,000 gallons per day (gpd). The SEWRF capacity is 2.5 mgd; thus, additional demand would be approximately 0.01% of capacity. The Project proposes to connect to the future sewer line in the DAR road that will be constructed by Caltrans and joins the existing main line in Manchester.

The Project site is located in the City of Encinitas in the Olivenhain Municipal Water District (OMWD) service area. The proposed Project would connect to existing OMWD infrastructure located along Manchester Avenue with one point of connection and would connect to the future OMWD infrastructure in the planned DAR Access Road that will be constructed by Caltrans. There are two points of connection proposed to the future water line within the planned DAR Access Road. OMWD's potable distribution system consists of approximately 434 miles of pipeline, fourteen reservoirs and six pump stations. Prior to the issuance of building permits, a hydraulic analysis will be conducted by OMWD to determine the size of the facilities required to meet fire flow availability as required by the Encinitas Fire Department. Potential upgrades to 0.04 to 0. 63 miles of waterlines within the Manchester Avenue ROW could be required (OMWD, 2020).

Water demand projections are approximately 19.5 million gallons annually or 53,500 gpd. Per the 2015 Urban Water Management Plan, water demand within the service area was 19,549-acre feet in 2015. Demand is expected to increase to 22,843-acre feet by 2020 and 23,813-acre feet by 2035 (Olivenhain Municipal Water District, 2016). Per the Urban Water Management Plan, future supply is expected to match service area demand. The proposed Project would comply with federal, State, and local plans, policies, and regulations and Executive Order B-29-15, which requires a 20% reduction in potable water use during construction and implementation of Best Management Practices for new development concerning water conservation, both for potable and non-potable uses.

The Project would be required to relocate an existing on-site 30-inch San Dieguito Water District (SDWD) distribution line that crosses the site from west to east. The relocated water line would remain within the property and would be located within a newly dedicated 30-foot easement. The relocated line would join the existing line at the west and east boundaries of the Project site.

2.3.8. Project Construction

Construction of the Project would occur in one phase, projected to last between 18 to 24 months, starting in early 2021. During construction, access the Project site would be obtained from Via Poco or the planned DAR Access Road. Construction staging would occur within the Project site, north of Manchester Avenue. All existing structures would be removed; however existing trees within the brush management zones would be avoided (See Figure 2.3a, Illustrative Site Plan). Of the total 19.027-acre site, 10.35 acres would be graded/disturbed.

The Project would require approximately 120,000 cubic yards (CY) of cut and 1,500 CY of fill (including 118,500 CY of export) to implement the grading plans and to create the development pads and improvement areas, install all underground utilities and stormwater basins (Figures 2.11a and 2.11b, Preliminary Grading and Drainage Plan). The Project site would include manufactured graded slopes with slopes 2:1 or less. The manufactured slopes vary in height across the site from 1-foot to 29-feet. A large back cut slope would be graded at the rear of property to daylight the developed pad to the existing site topography. Grading design also includes top of slope brow ditch and toe of slope v-ditch drainage systems. There is a typical 2:1 max graded slope between site pad elevation changes. All construction activity would occur within the City's allowable construction hours (EMC Section 9.32.410), between 7:00 AM and 7:00 PM, Monday through Saturday. The number of construction staff working on the Project site at a given time would vary, depending on the phase of construction.

The Senior Living Facility is expected to be fully operational and all Single-Family Housing fully leased by early-2023.

2.3.9. Senior Living Facility Operating Characteristics

The Senior Living Facility will be a fully licensed residential care facility for the elderly (RCFE) regulated by the State of California Community Care Licensing Division of the Department of Social Services. All units, including those designated as "Independent Living Units," will be licensed to provide care services to residents including assistance with daily needs and specialized care as needed. The facility will be exclusively for seniors 60 years of age or older, or seniors younger than 60 who have comparable care needs. The average age of residents is expected to be over 80 +/-years.

Independent living units would be clustered together but would not separate from the assisted living units, and residents would share the common dining room as well as other common areas and amenity spaces throughout the Project. Other common areas shared by the residents would include a private group dining room, an outdoor dining area, outdoor courtyard, therapy pool, beauty salon, bistro, movie screening room, computer room, library, flexible multi-purpose meeting room as well as smaller, flexible gathering spaces.

Memory care is required to be secured, and therefore, Memory Care Units would be segregated from the rest of the Project. The memory care wing includes its own dining room and other common areas for use by memory care residents. A secure outdoor courtyard is also included to provide safe outdoor space for memory care residents as required by the State of California for RCFE's.

The proposed Senior Living Facility would operate 24 hours per day and would be staffed with approximately 100 full-time equivalent (FTE) employees. Most employees would be present during the "day shift" which would typically run from approximately 6:00 AM to 2:00 PM. Fewer employees would be on-site during the night shift (2:00 AM to 10:00 PM) and overnight shift (10:00 PM to 6:00 AM). Shift changes are scheduled during off-peak traffic hours to minimize automobile trips during morning and evening peak hours.

In addition to regular staff, some services such as operation of the beauty salon, hospice care, and physical therapy may be provided on-site by outside contractors and vendors. Visitors are permitted 24 hours per day though visitation is encouraged between 9:00 AM and 5:00 PM. Vendors and service providers are generally restricted to visiting between 9:00 AM and 5:00 PM and are required to have an appointment. All visitors, guests, vendors, and service providers are required to check in upon arrival and may park in any available parking space. Residents who wish to park a vehicle on-site must have a valid, current driver's license and vehicle registration and must be active drivers. No long-term vehicle storage would be permitted.

2.4. General Plan Land Use and Zoning

The City of Encinitas General Plan Land Use Map designates the Project site as RR-2 (Rural Residential, 1-2 dwelling units per acre) and the existing zoning is RR-2. These land use and zoning designations are intended to support residential uses while maintaining aesthetic benefits of lands located within this zoning designation. The Project site is located within a California Coastal Appeal Jurisdiction, Scenic/Visual Corridor, and Hillside/Inland Bluff Overlay Zones. The proposed Senior Living Facility is allowed in the RR-2 zone, provided a major use permit is obtained. The proposed single-family units are a permitted land use; however, the Project is utilizing the City's Density Bonus Ordinance and Planned Residential Development standards to accommodate the product type.

2.5. Environmental Setting

2.5.1. Regional Setting

Encinitas is located in northwestern coastal San Diego County. The city is bordered to the south by Solana Beach and to the west by the Pacific Ocean. Carlsbad borders Encinitas to the northeast and extends farther to the east and north, across Batiquitos Lagoon. Regional access to the Project site is via 1-5 to Manchester Avenue.

2.5.2. Local Setting

The Project site is located within the community of Cardiff-by-the-Sea, one of the five communities in the City. Manchester Avenue forms the southern boundary of the Project site and is adjacent to the San Elijo Lagoon. To the south of the Project is the San Elijo Lagoon Ecological Reserve, to the west is developed land and Interstate 5 (I-5), to the east is Mira Costa College and to the north high-density housing sits atop coastal bluffs.

The majority of the Project site is located north of Manchester Avenue and east of the I-5 interchange. The small portion of the Project site (approximately 0.21 acres) is located south of Manchester Avenue and adjacent to the San Elijo Lagoon Ecological Reserve. The southern portion of the Project site located north of Manchester Avenue has historically been used for agricultural production, primarily strawberries and Asian vegetables and agricultural operations still occur on site. Several small agricultural ancillary structures are located at the southwest corner of the Project site. Physically, the general Project area is characterized by a gently sloping flat area. The Project elevations range from 40 to 90 feet above mean sea level. The northern portion of the Project site contains areas of steep slopes 25% and greater with undisturbed native hillside and vegetation cover.

2.6. Intended Uses of this EIR

This EIR is an informational document intended to inform public agency decision-makers and the public of significant environmental effects of the proposed project described above, identify ways to minimize the significant effects, and describe and evaluate a reasonable range of alternatives to the Project.

The City of Encinitas is the lead agency for the Project, as it is the agency with primary authority over the Project's discretionary approvals. Several other agencies, identified as responsible and trustee agencies, will also use the EIR for their consideration of approvals or permits under their respective authorities. For the purposes of CEQA, the term *trustee agency* means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the state of California. The term *responsible agency* includes all public agencies other than the lead agency that may have discretionary actions associated with the implementation of the proposed Project or an aspect of subsequent implementation of the Project. Accordingly, the approvals anticipated to be required from the lead agency, trustee agencies, and/or responsible agencies are listed in Table 2-4.

TABLE 2-4. REQUIRED APPROVALS AND PERMITS

Permit/Action Required	Approving Agency	Agency Designation (Lead/Trustee/Responsible)
Tentative Map Density Bonus	City of Encinitas (City)	Lead Agency
Planned Residential Development Permit	City	Lead Agency

TABLE 2-4. REQUIRED APPROVALS AND PERMITS

Permit/Action Required	Approving Agency	Agency Designation (Lead/Trustee/Responsible)
Major Use Permit	City	Lead Agency
Design Review	City	Lead Agency
Coastal Development Permit	City	Lead Agency
Grading Permit	City	Lead Agency
Building Permit	City	Lead Agency
Pedestrian Sidewalk Access Easement	City	Lead Agency
Section 404 Nationwide Permit	U.S. Army Corps of Engineers	Responsible Agency
Section 1602 Lake and Streambed Alteration Agreement	California Department of Fish and Wildlife	Responsible Agency Trustee Agency
Section 401 Water Quality Certification	San Diego Regional Water Quality Control Board	Responsible Agency

2.7. Past, Present, and Reasonably Anticipated Future Projects

Cumulative effects or impacts are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (California Code of Regulations, Title 14 § 15130[b]). Cumulative impacts are the change caused by the incremental impact of the project evaluated in the EIR combined with the incremental impacts from past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over time.

Section 15130 of the CEQA Guidelines states that cumulative impacts shall be discussed when the project's incremental effect is "cumulatively considerable." It further states that this discussion shall reflect the level and severity of the impact and likelihood of occurrence, but not in as much detail as the project itself. The information used in an analysis of cumulative impacts can come from two sources:

A. A list of past, present, and probable future projects producing related cumulative impacts, including, if necessary, projects outside of the control of the agency.

B. A summary of projections in an adopted general plan or related planning document, or in a prior environmental document that has been adopted or certified, that described or evaluated regional or area-wide conditions contributing to the cumulative impact.

The cumulative impact analyses in this EIR use a combination of sources A and B. Depending on the environmental category, the cumulative impact analysis may use either data source. Some

impacts are site specific, such as biological resources, and others may have impacts outside the City boundaries, such as regional air quality effects.

A list of existing, approved, proposed, and reasonably foreseeable projects used in this cumulative analysis is provided in Table 2-5. The location of Potential Cumulative Projects is shown on Figure 2-12. Please refer to sections in Chapter 3, Environmental Analysis, for a discussion of the potential environmental impacts associated with cumulative development.

TABLE 2-5. POTENTIAL CUMULATIVE PROJECTS

No.	Project Name	Owner/Applicant	Summary Project Description	Status	Approximate Distance from Project
1	I-5 North Coast Corridor Project • Direct Access Ramp (DAR) at Manchester Avenue (a)(b) • San Elijo Park and Ride/Multi-Use Facility	FHWA, Caltrans, and SANDAG	Improvements to maintain or improve existing and future traffic operations on the Interstate 5 (I-5). Improvements include the installation of two High Occupancy Vehicle (HOV)/Managed Lanes in each direction, auxiliary lanes and possibly one general purpose lane in each direction. Includes direct access ramps from Manchester Avenue. The DARs would consist of north- and southbound off- and on-ramps to and from the I-5 median area. The San Elijo Park and Ride/Multi-Use Facility will provide parking for commuters and San Elijo Lagoon visitors along with a staging area for recreational users. The facility will include, bike lockers, electric vehicle charging stations, and recreational access to the San Elijo Lagoon and the new North Coast Bike Trail.	Under construction until 2021; portions completed	Immediately adjacent and 0.12 miles west
2	Olivenhain Trunk Sewer Improvement Project (c)	Olivenhain Municipal Water District	Rehabilitate 50 degraded manholes along a 4-mile segment of the trunk sewer and realign approx. 2,800 linear feet.	In progress (environmental process)	Occurs along Manchester Avenue Less than 0.1 miles north
3	Pacific Canyon Tentative Map (d)	Pacific Canyon LLC	Subdivide a 5.23-acre vacant parcel into 13 lots (10 residential, 2 open space, 2 private street lot) to accommodate the future development of 10 single-family homes on a property located on the southeastern corner of El Camino Real and Sage Canyon Drive.	Approved July 17, 2008	0.92 miles northeast
4	Westmont of Encinitas Assisted Living (e)	Richard Lux	Construct an assisted living facility on approximately 3.24 acres and consolidate two	Approved January 24, 2019	0.72 miles northeast

TABLE 2-5. POTENTIAL CUMULATIVE PROJECTS

No.	Project Name	Owner/Applicant	Summary Project Description	Status	Approximate Distance from Project
			existing legal lots into one. The two-story facility would provide a total of 93 assisted living suites.		
5	San Elijo Water Reclamation Facility Upgrades (f)	San Elijo Joint Powers Authority	San Elijo Water Reclamation Facility upgrades, rehabilitations and replacements as recommended by the 2015 Facility Plan.	In progress (approved June 11, 2018)	0.69 miles northwest
6	The Lakes Residential Subdivision (g)	Buffalo of Birmingham Investors, LLC	Tentative Map, Design Review Permit, and Coastal Development Permit application to subdivide 5.53 acres into 11 legal lots (9 residential, one private road, one common area) and construct 9 single-family homes.	Approved March 21, 2019	0.82 miles northwest
7	Manchester Estates (h)	City of Encinitas	Tentative map, coastal development permit, and design review permit applications to subdivide 22.3 acres into 12 residential lots.	CEQA review completed December 23, 2003	1.24 miles northeast
8	San Elijo Lagoon Restoration Project (i)	San Elijo Lagoon Conservancy	Restoration of San Elijo Lagoon (960 acres, primarily within the Reserve) and disposal or reuse of excavated materials. Restoration would reconfigure lagoon elevations via grading/dredging and modify water flow into the lagoon via changes to the ocean inlet and lagoon channel to allow for appropriate inundation frequencies that would support specific habitat types.	Under construction	Immediately south of project site
9	Encinitas Coastal Rail Trail (j)	SANDAG	A 1.3-mile walking and biking path along the east side of the railroad tracks near San Elijo Avenue, from Chesterfield Drive to the Santa Fe Drive undercrossing.	Construction Completed May 2019	1.12 miles northwest

TABLE 2-5. POTENTIAL CUMULATIVE PROJECTS

No.	Project Name	Owner/Applicant	Summary Project Description	Status	Approximate Distance from Project
10	2019 Housing Element Update (k)	City of Encinitas	Update to the City's Housing Element which considers "upzoning" (increasing the allowable residential density) on 19 candidate sites to accommodate affordable housing. Under the Updated Housing Element, a total of 1,504 affordable housing units could be developed.	Approved June 20, 2018	Various distances from project site Nearest at 0.34 miles southwest (Site Number AD11)

Notes:
I-5 = Interstate 5 FHWA = Federal Highway Administration CALTRANS = California Dept. of Transportation SANDAG – San Diego Association of Governments.

Sources:
(a) SANDAG, 2014.
(b) CALTRANS, 2013.
(c) City of Encinitas, 2018.
(d) City of Encinitas, 2008.
(e) City of Encinitas, 2017.
(f) San Elijo Joint Powers Authority, 2016.
(g) City of Encinitas, 2019a.
(h) City of Encinitas, 2003.
(i) USACE, 2016.
(j) SANDAG, 2019.
(k) City of Encinitas, 2019b.

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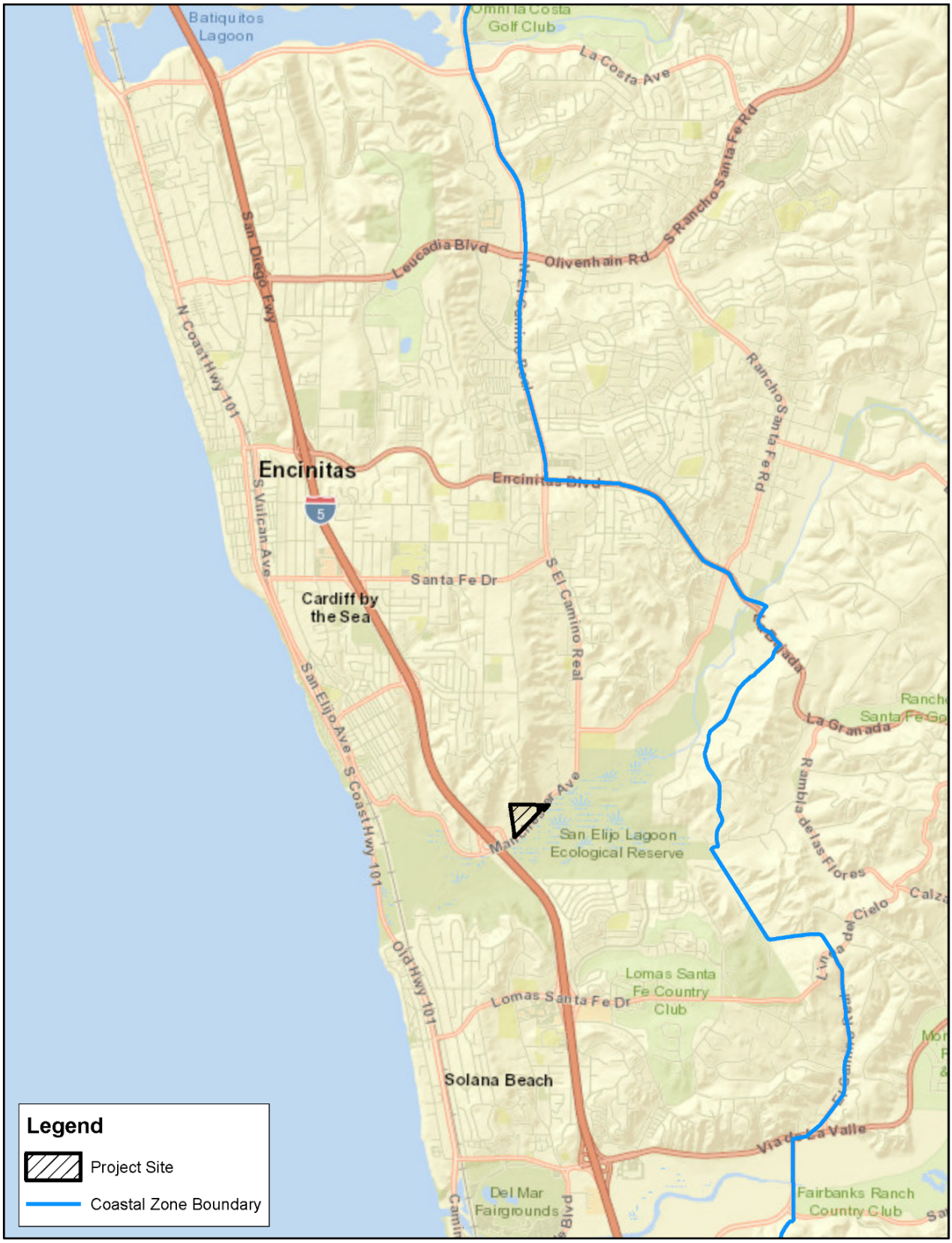

SOURCE: Basemap- Esri

N

0 0.75 1.5 Miles

Regional Location

Belmont Village Encinitas-by-the-Sea

Figure 2-1

SOURCE: Basemap- Esri

BRG CONSULTING, INC.

N

0 0.1 0.2 Miles

Project Location
Belmont Village Encinitas-by-the-Sea
Figure 2-2


DINING COURTYARD (sheet L.3)
COASTAL AGRICULTURE
GARDEN COURTYARD (sheet L.4)
MEMORY CARE COURTYARD (sheet L.5)
PROPOSED PUBLIC RECREATION TRAIL
BRUSH MANAGEMENT ZONE TWO - 75'
BRUSH MANAGEMENT ZONE ONE - 55'-75'
SERVICE YARD
AMENITY SPACE
POOL COURTYARD (sheet L.2)
MAIN ENTRY
SINGLE-FAMILY HOUSING
EMERGENCY VEHICULAR ACCESS ONLY
ENTRY DRIVE
MANCHESTER AVE
DIKE/LEVEE TRAIL
PER SEPERATE IMPROVEMENT
NOT-A-PART

BRUSH MANAGEMENT NOTES

ILLUSTRATIVE SITE PLAN - L.1

December 5, 2019

PREPARED FOR:
Greystar
444 South Cedros Ave, Suite 172
Solana Beach, CA 92075

Senior Housing

3111 Manchester Avenue
Cardiff by the Sea, California 92007

MJS LANDSCAPE ARCHITECTURE

SOURCE: MJS Landscape Architecture, 2019

BRG CONSULTING, INC.

Illustrative Site Plan
Belmont Village Encinitas-by-the-Sea
Figure 2-3a

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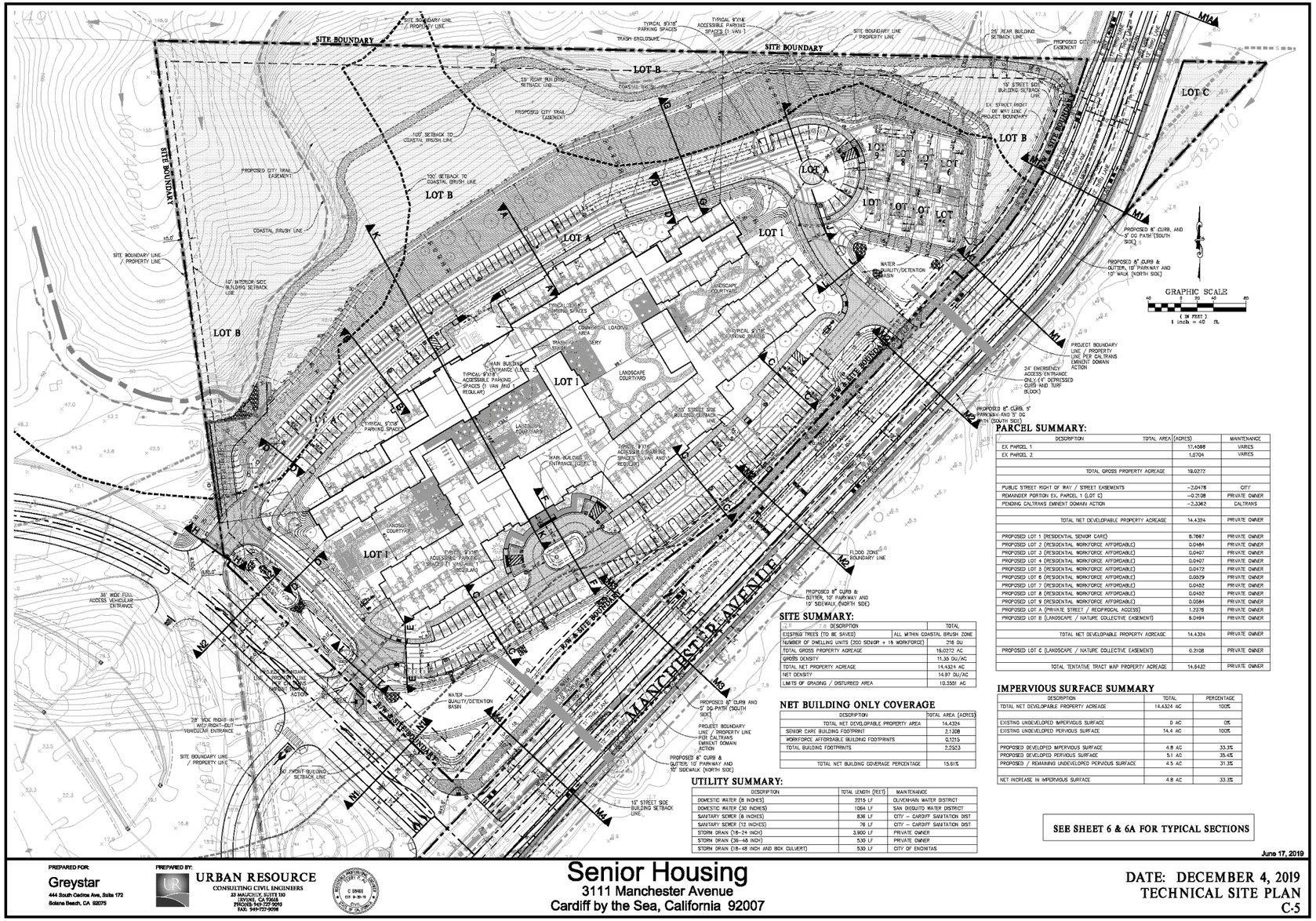

DESCRIPTION	TOTAL AREA (ACRES)	MAINTENANCE
EX PARCEL 1	17.4068	VARIES
EX PARCEL 2	1.8704	VARIES
TOTAL GROSS PROPERTY ACREAGE	19.0272	
PUBLIC STREET RIGHT OF WAY / STREET EASEMENTS	-2.0478	CITY
REMAINDER PORTION EX. PARCEL 1 (LOT C)	-0.2108	PRIVATE OWNER
PENDING CALTRANS EMINENT DOMAIN ACTION	-2.3362	CALTRANS
TOTAL NET DEVELOPABLE PROPERTY ACREAGE	14.4324	PRIVATE OWNER
PROPOSED LOT 1 (RESIDENTIAL SENIOR CARE)	8.7667	PRIVATE OWNER
PROPOSED LOT 2 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0484	PRIVATE OWNER
PROPOSED LOT 3 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0407	PRIVATE OWNER
PROPOSED LOT 4 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0407	PRIVATE OWNER
PROPOSED LOT 5 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0472	PRIVATE OWNER
PROPOSED LOT 6 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0529	PRIVATE OWNER
PROPOSED LOT 7 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0452	PRIVATE OWNER
PROPOSED LOT 8 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0452	PRIVATE OWNER
PROPOSED LOT 9 (RESIDENTIAL WORKFORCE AFFORDABLE)	0.0384	PRIVATE OWNER
PROPOSED LOT A (PRIVATE STREET / RECIPROCAL ACCESS)	1.2376	PRIVATE OWNER
PROPOSED LOT B (LANDSCAPE / NATURE COLLECTIVE EASEMENT)	8.0494	PRIVATE OWNER
TOTAL NET DEVELOPABLE PROPERTY ACREAGE	14.4324	PRIVATE OWNER
PROPOSED LOT C (LANDSCAPE / NATURE COLLECTIVE EASEMENT)	0.2108	PRIVATE OWNER
TOTAL TENTATIVE TRACT MAP PROPERTY ACREAGE	14.6432	PRIVATE OWNER

DESCRIPTION	TOTAL	ALL WITHIN COASTAL BRUSH ZONE
EXISTING TREES (TO BE SAVED)		
NUMBER OF DWELLING UNITS (200 SENIOR + 16 WORKFORCE)	216 DU	
TOTAL GROSS PROPERTY ACREAGE	19.0272 AC	
GROSS DENSITY	11.35 DU/AC	
TOTAL NET PROPERTY ACREAGE	14.4324 AC	
NET DENSITY	14.97 DU/AC	
LIMITS OF GRADING / DISTURBED AREA	10.3551 AC	

DESCRIPTION	TOTAL AREA (ACRES)
TOTAL NET DEVELOPABLE PROPERTY AREA	14.4324
SENIOR CARE BUILDING FOOTPRINT	2.1308
WORKFORCE AFFORDABLE BUILDING FOOTPRINTS	0.1215
TOTAL BUILDING FOOTPRINTS	2.2523
TOTAL NET BUILDING COVERAGE PERCENTAGE	15.61%

DESCRIPTION	TOTAL LENGTH (FEET)	MAINTENANCE
DOMESTIC WATER (8 INCHES)	2515 LF	OLIVENHAIN WATER DISTRICT
DOMESTIC WATER (30 INCHES)	1064 LF	SAN DIEGUITO WATER DISTRICT
SANITARY SEWER (8 INCHES)	836 LF	CITY – CARDIFF SANITATION DIST
SANITARY SEWER (12 INCHES)	76 LF	CITY – CARDIFF SANITATION DIST
STORM DRAIN (18-24 INCH)	3,900 LF	PRIVATE OWNER
STORM DRAIN (36-48 INCH)	530 LF	PRIVATE OWNER
STORM DRAIN (18-48 INCH AND BOX CULVERT)	530 LF	CITY OF ENCINITAS

DESCRIPTION	TOTAL	PERCENTAGE
TOTAL NET DEVELOPABLE PROPERTY ACREAGE	14.4324 AC	100%
EXISTING UNDEVELOPED IMPERVIOUS SURFACE	0 AC	0%
EXISTING UNDEVELOPED PERVIOUS SURFACE	14.4 AC	100%
PROPOSED DEVELOPED IMPERVIOUS SURFACE	4.8 AC	33.3%
PROPOSED DEVELOPED PERVIOUS SURFACE	5.1 AC	35.4%
PROPOSED / REMAINING UNDEVELOPED PERVIOUS SURFACE	4.5 AC	31.3%
NET INCREASE IN IMPERVIOUS SURFACE	4.8 AC	33.3%

SOURCE: Urban Resource, 2019

BRG CONSULTING, INC.

Proposed Technical Site Plan
Belmont Village Encinitas-by-the-Sea
Figure 2-3b

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	LOT WIDTH *		LOT DEPTH *	LOT AREA *	GROSS FLOOR AREA **	LOT COVERAGE
	SOUTH	NORTH				
LOT 2	51.6'	27.99'	62.71'	0.0484 acres (2,108 sf)	1,369 sf	792 sf / 2,108 sf = 37.6%
LOT 3	28.53'	28.53'	62.71'	0.0407 acres (1,773 sf)	1,325 sf	756 sf / 1,773 sf = 42.6%
LOT 4	28.53'	28.53'	62.71'	0.0407 acres (1,773 sf)	1,308 sf	739 sf / 1,773 sf = 41.7%
LOT 5	39.18'	33.58'	62.71'	0.0472 acres (2,056 sf)	1,325 sf	756 sf / 2,056 sf = 36.8%
LOT 6	33.58'	38.39'	69.77'	0.0529 acres (2,304 sf)	1,369 sf	792 sf / 2,304 sf = 34.4%
LOT 7	28.53'	28.53'	69.77'	0.0452 acres (1,969 sf)	1,325 sf	756 sf / 1,969 sf = 38.4%
LOT 8	28.53'	28.53'	69.77'	0.0452 acres (1,969 sf)	1,369 sf	792 sf / 1,969 sf = 40.2%
LOT 9	27.99'	59.26'	69.77'	0.0584 acres (2,543 sf)	1,308 sf	739 sf / 2,543 sf = 29.1%
TOTAL				0.3787 acres (16,496 sf)	10,698 sf	

* Lot Width/Depth & Lot Area:
Referenced from Civil Drawings; C-4A, Mapping Lot Dimensions.

** Gross Floor Area:
The Gross Floor Area includes exterior walls & porches.

OPEN SPACE CALCULATIONS

- A minimum of 40% of the site area is required to be Open Space with a minimum dimension of 10 feet.
- A minimum of 365 square feet for each single-family unit required to be Developed Open Space. (to be active and/or passive recreational facilities or flat grassy play areas with an average slope of less than 15%)
- The remainder of open space can be developed or undeveloped.

REQUIRED OPEN SPACE

Minimum Open Space Required: 16,496 sf X 40% = 6,598 sf
Minimum Developed Open Space Required: 8 units* X 365 sf =2,920 sf

*Each unit includes an additional accessory dwelling unit on the second floor.

PROVIDED OPEN SPACE

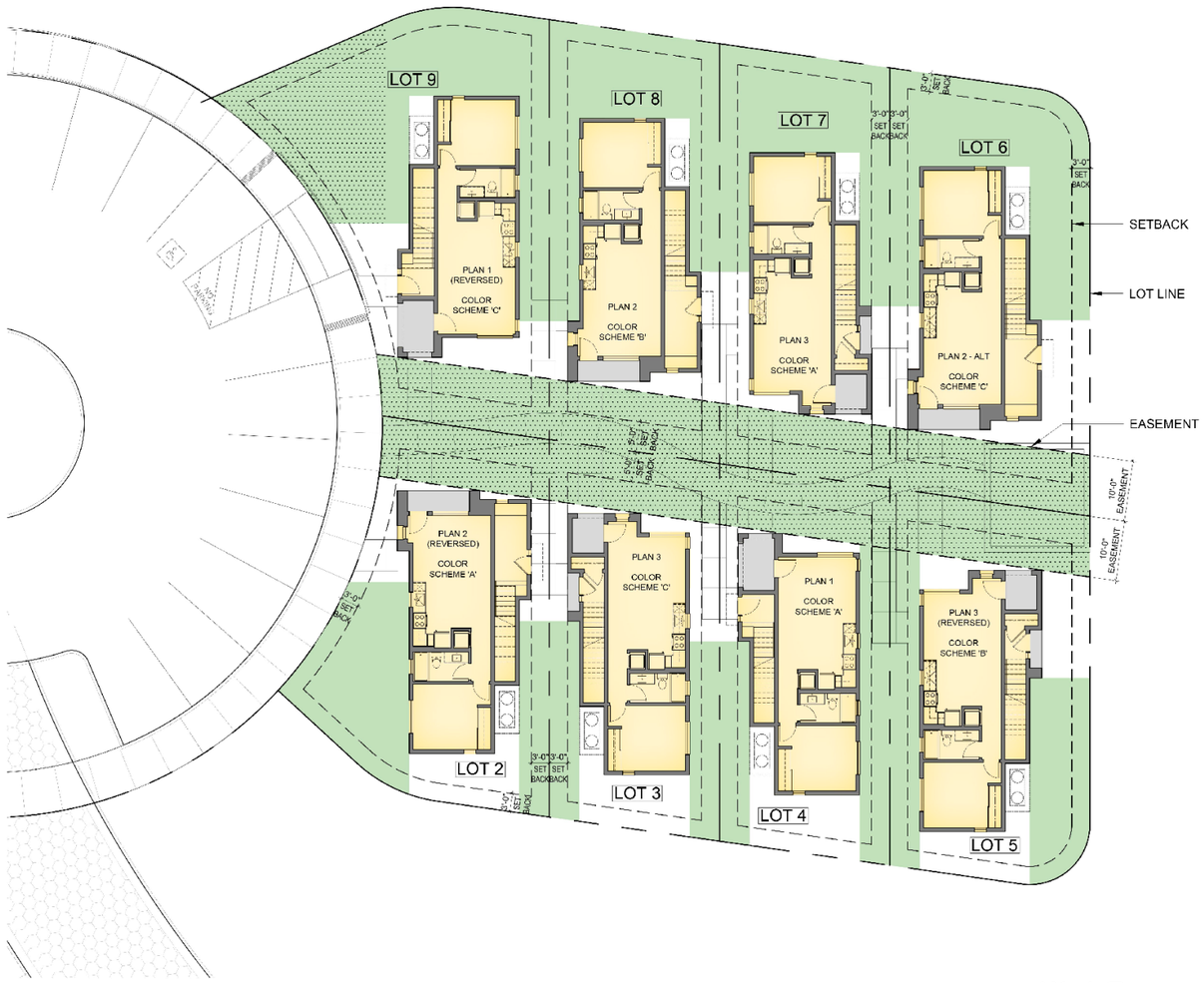
Undeveloped Open Space:	4,846 sf
Developed Open Space:	2,932 sf
Open Space	7,778 sf

LANDSCAPING

8,860 sf Landscape Area (hardscape not included)

FAR

Gross Floor Area / Lot Area
10,698 sf / 16,496 sf = 0.648



Work Force
Site Plan A-11

January 4, 2019

VTBS #17066

PREPARED FOR:
Greystar
444 South Cedros Ave. Suite 172
Solana Beach, CA 92075

Senior Housing
3111 Manchester Avenue
Cardiff by the Sea, California 92007

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SANTA MONICA • IRVINE • SAN JOSE
VAN TILBURG, BANVARD & SODERBERGH, AIA
ARCHITECTURE • PLANNING • URBAN DESIGN

SOURCE: Van Tilburg, Banvard & Soderbergh, AIA, 2019

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Single-Family Housing Site Plan
Belmont Village Encinitas-by-the-Sea
Figure 2-4

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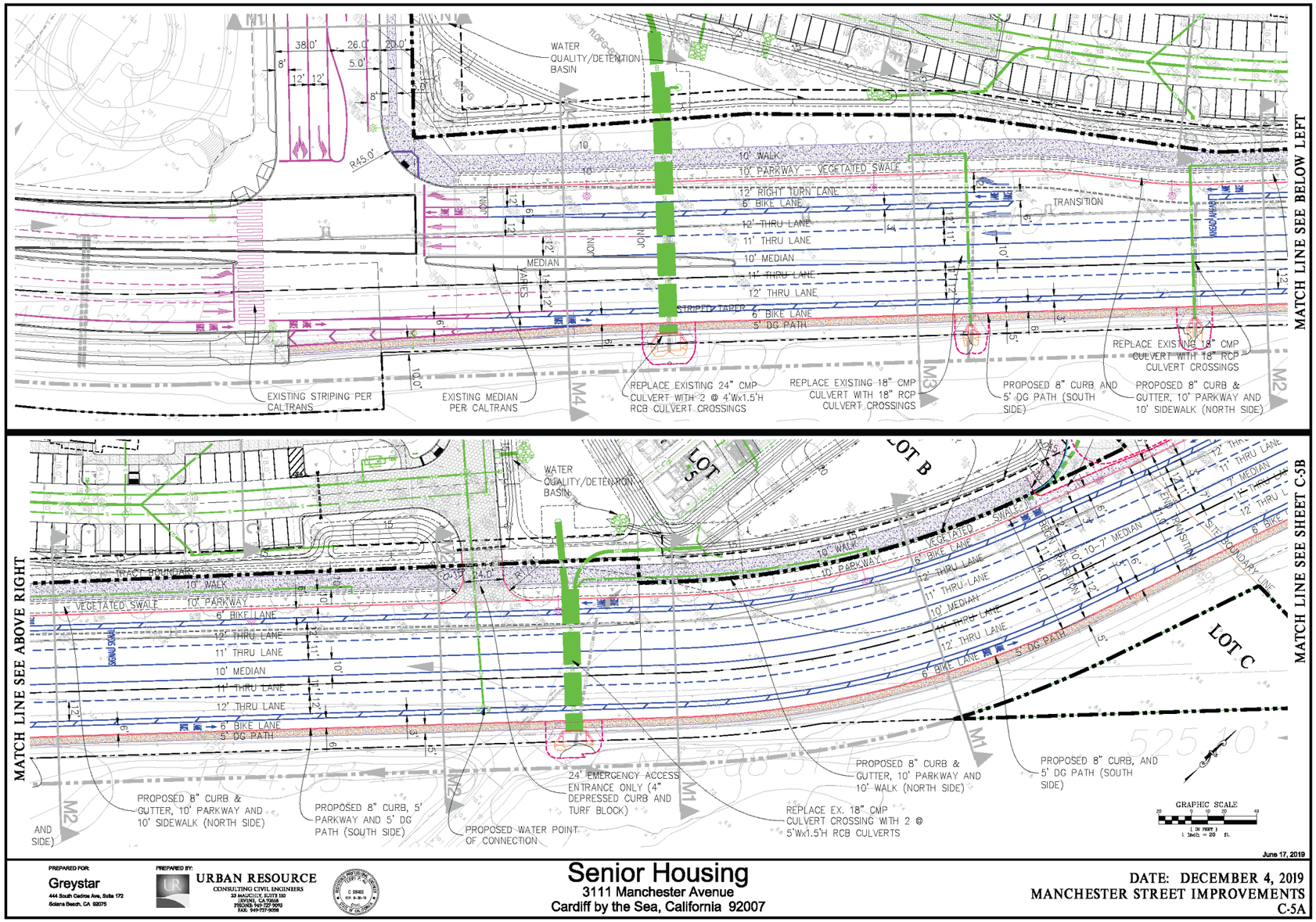

SOURCE: Urban Resource Consulting Civil Engineers, 2019

Manchester Ave Street Improvements (Sheet C-5A)
Belmont Village Encinitas-by-the-Sea
Figure 2-5

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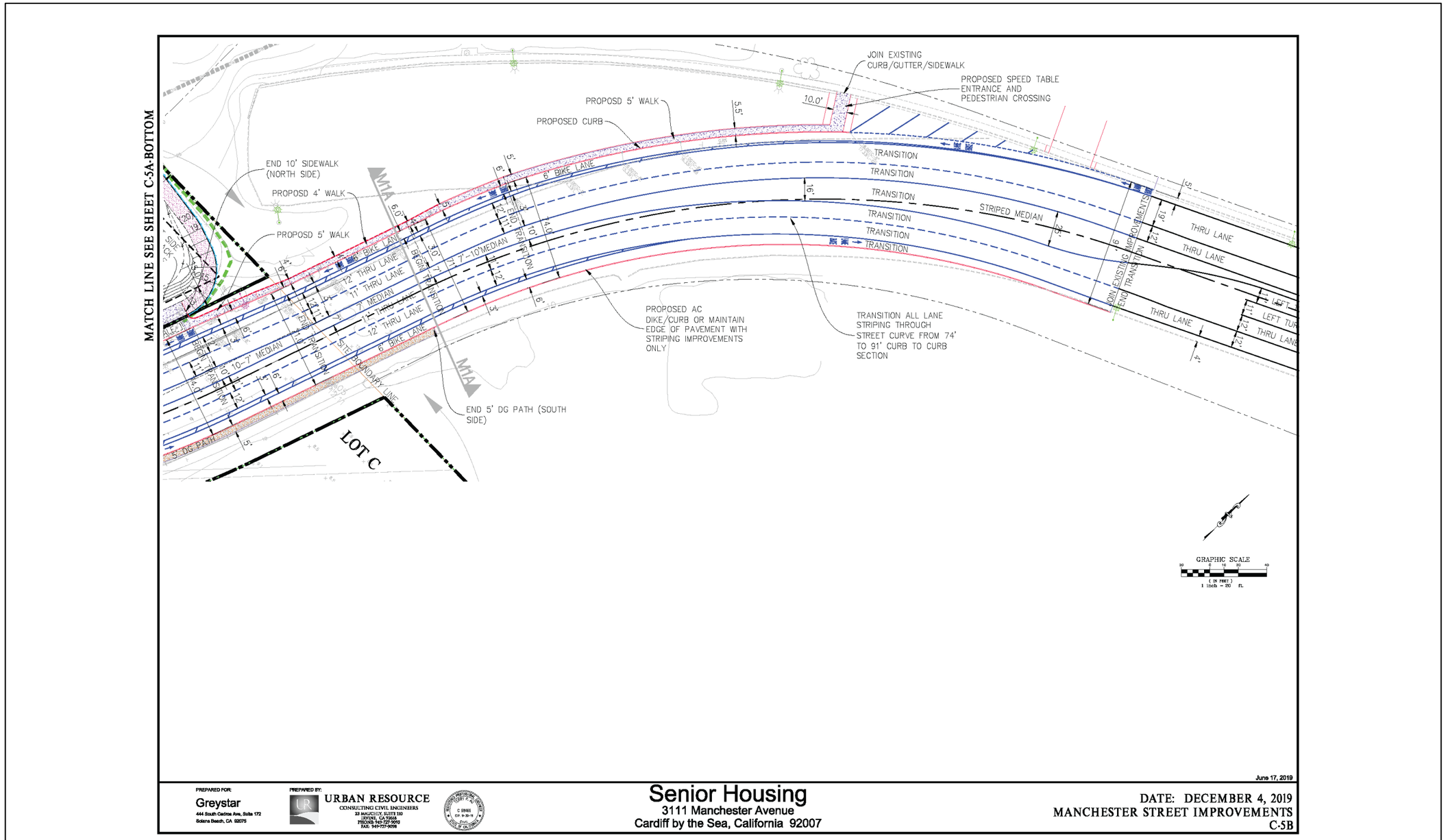

SOURCE: Urban Resource Consulting Civil Engineers, 2019

Manchester Ave Street Improvements (Sheet C-5B)
Belmont Village Encinitas-by-the-Sea
Figure 2-6

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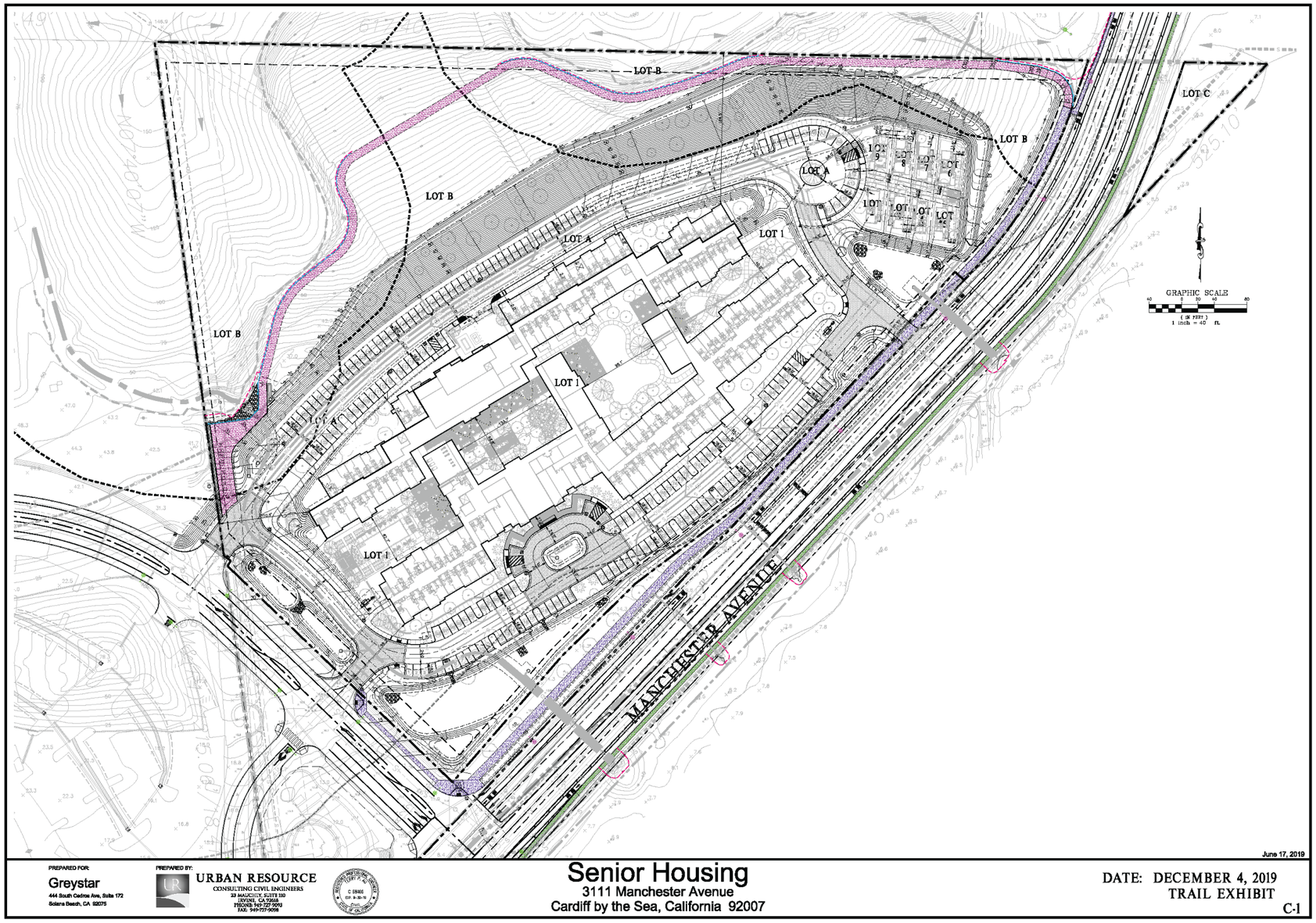

SOURCE: Urban Resource Consulting Civil Engineers, 2019

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Trail Exhibit
Belmont Village Encinitas-by-the-Sea
Figure 2-7

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CONCEPTUAL SOUTHEAST ELEVATION (Lower Building)
Upper Building
Lower Building
CONCEPTUAL SOUTHWEST ELEVATION
EXTERIOR BUILDING MATERIALS
1 PORTLAND CEMENT PLASTER 20/30 FINISH
2 FIBER CEMENT SIDING, SMOOTH FINISH, 5" EXPOSURE
3 ASPHALT ROOFING SHINGLES
4 CULTURED STONE
5 FIBER CEMENT FASCIA
6 FAUX WOOD OUTLOOKER
7 PAINTED METAL AWNING
8 ALUMINUM WINDOW
9 PLASTER FINISHED TRIM, 2x4 OR 2x3
10 PAINTED FIBER CEMENT TRIM
11 PAINTED METAL GUARDRAIL/POST
12 PAINTED METAL TRELLIS
13 PAINTED METAL GUTTER
14 PAINTED METAL DOWNSPOUT
15 METAL LOUVER
16 METAL LIGHT FIXTURE
17 METAL CONTROL JOINT
18 PROJECT SIGNAGE
Elevations A-05
December 5, 2019
PREPARED FOR:
Greystar
Senior Housing
3111 Manchester Avenue
Cardiff by the Sea, California 92007
VAN TILBURG, BANVARD & SODERBERGH, AIA

SOURCE: Van Tilburg, Banvard & Soderbergh, AIA, 2019

BRG CONSULTING, INC.

Senior Living Facility Elevations

Belmont Village Encinitas-by-the-Sea

Figure 2-8

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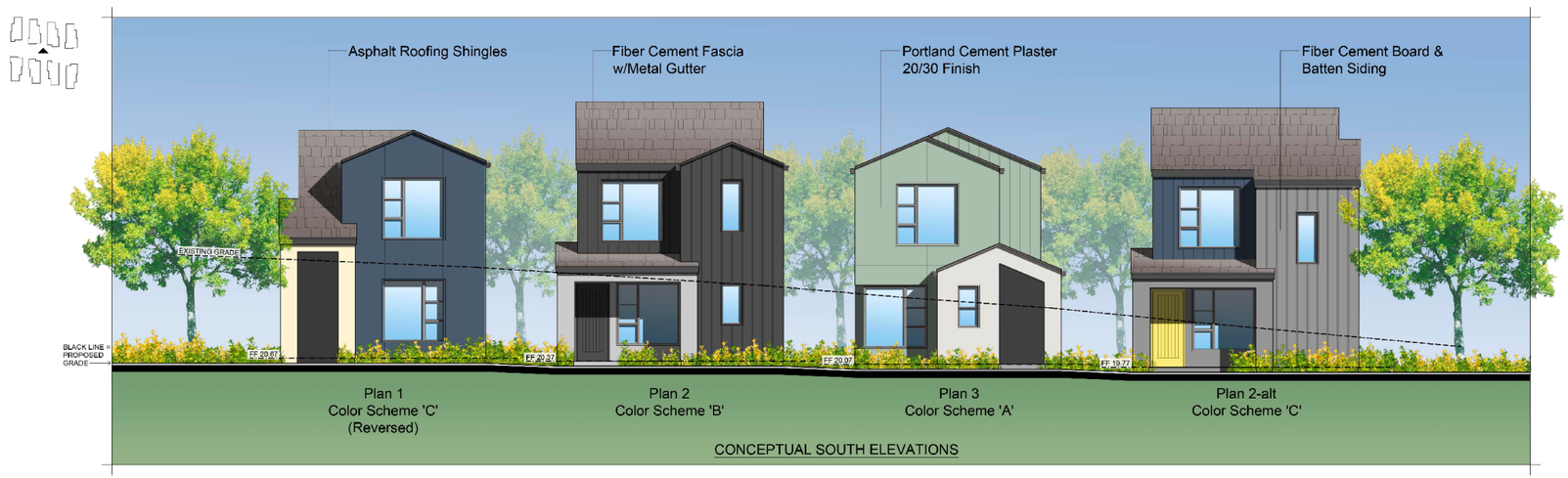

SOURCE: Van Tilburg, Banvard & Soderbergh, AIA, 2019

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Single-Family Housing Elevations
Belmont Village Encinitas-by-the-Sea
Figure 2-9

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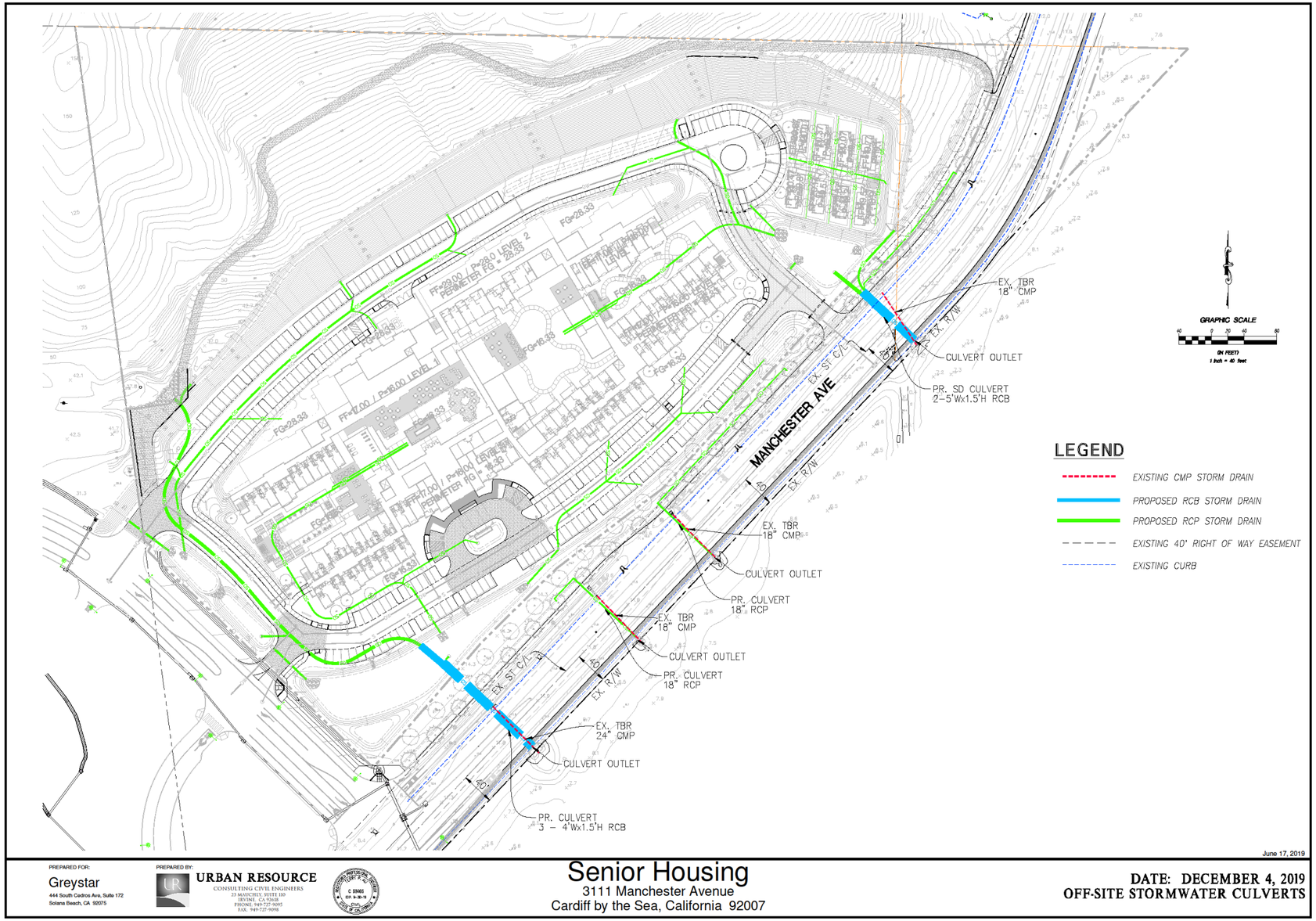

SOURCE: Urban Resource Consulting Civil Engineers, 2019

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Off-Site Stormwater Culverts
Belmont Village Encinitas-by-the-Sea
Figure 2-10

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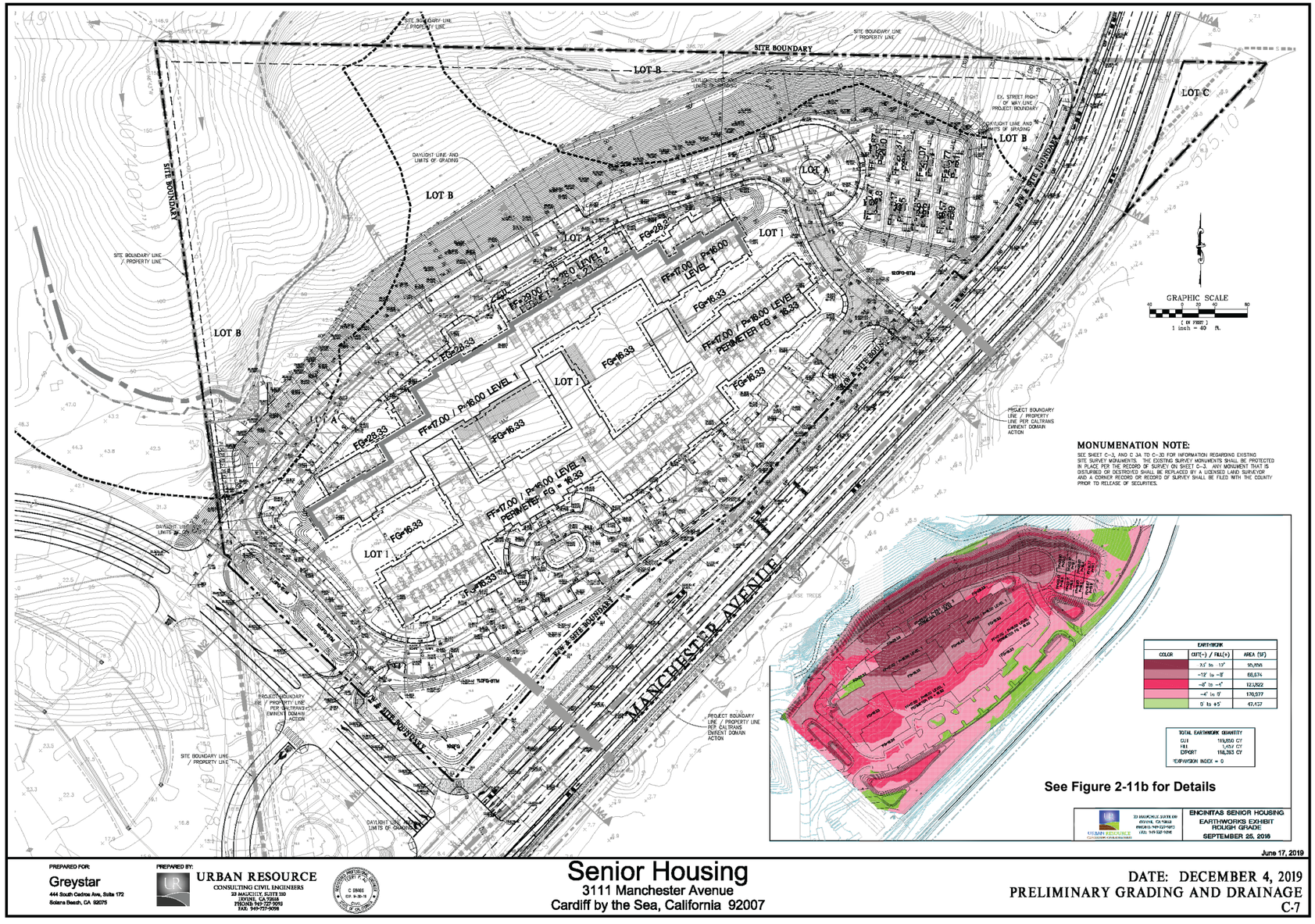

SOURCE: Urban Resource Consulting Civil Engineers, 2019

Preliminary Grading and Drainage Plan
Belmont Village Encinitas-by-the-Sea
Figure 2-11a

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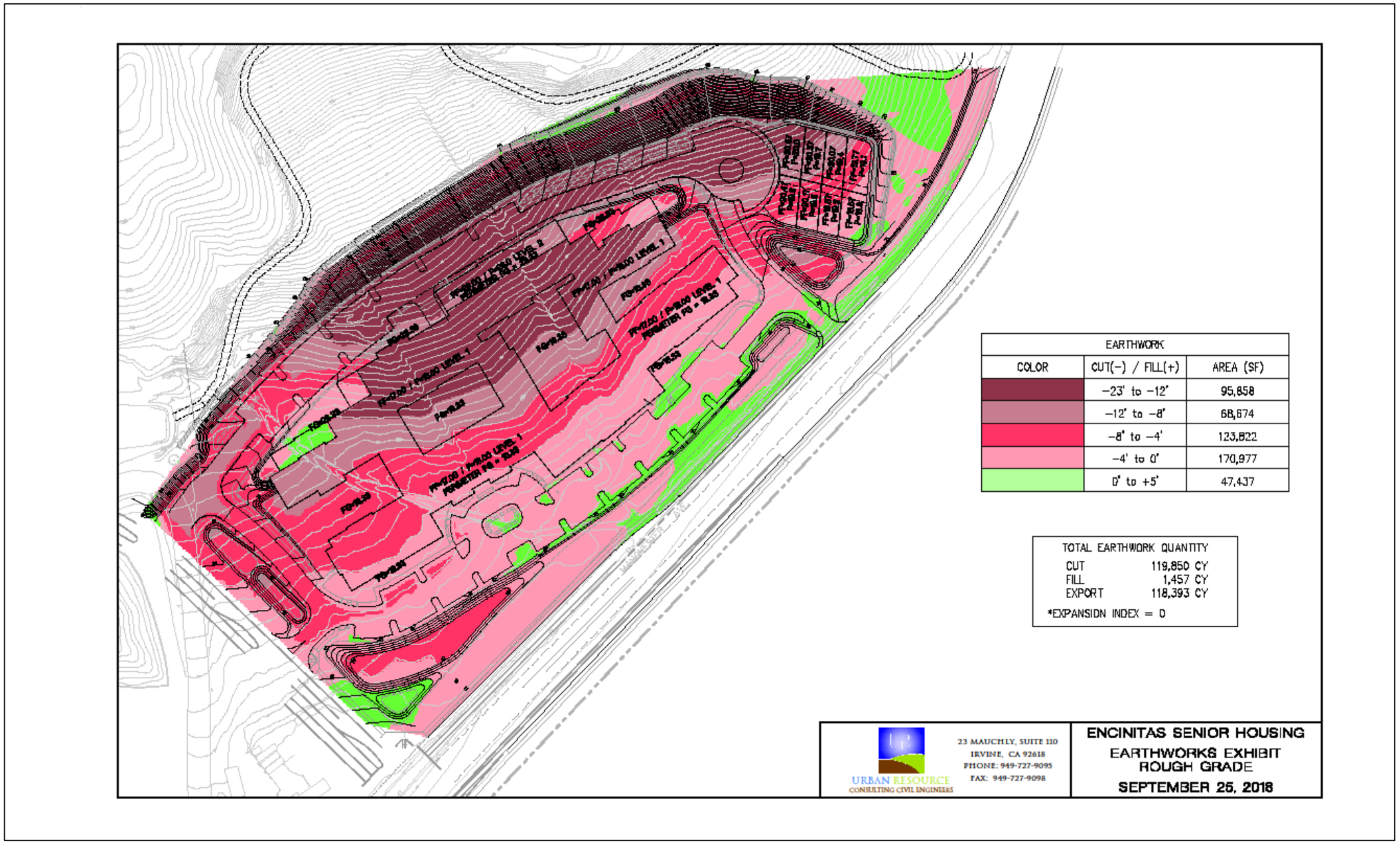

SOURCE: Urban Resource Consulting Civil Engineers, 2019

BRG CONSULTING, INC.

Preliminary Grading and Drainage Plan
Belmont Village Encinitas-by-the-Sea
Figure 2-11b

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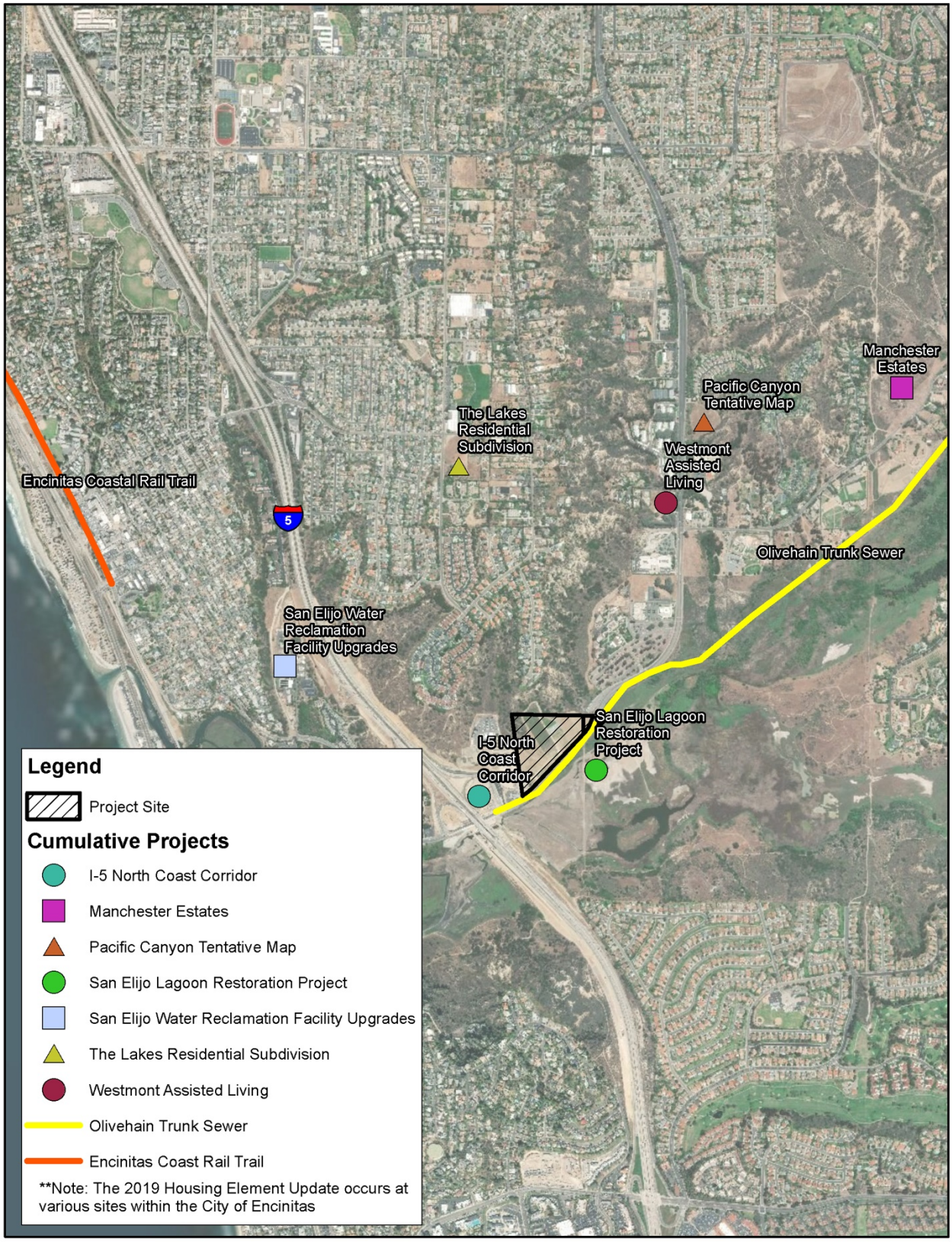

SOURCE: Basemap- Esri

BRG CONSULTING, INC.

N

0 0.35 0.7 Miles

Location of Potential Cumulative Projects
Belmont Village Encinitas-by-the-Sea
Figure 2-12

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3.0 EVIRONMENTAL ANALYSIS

3.1. Aesthetics

This section addresses potential aesthetic and visual character impacts that may result from construction and/or operation of the Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the Project, as applicable.

The analysis in this section is based on the *Community Character and Scenic Resource Study* prepared by Latitude 33 (2019). The Community and Scenic Resource Study was peer reviewed by BRG Consulting Inc. and is included as Appendix B.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted, and written comments were received from agencies and the public. No comments related to aesthetics or community character were raised.

3.1.1. Existing Conditions

Existing Visual Environment

Project Setting

The Project site is located in Encinitas, in central coastal San Diego County within the Cardiff-by-the-Sea community. The site is located between Via Poco to the west and the Mira Costa Community College, San Elijo Campus parking lot to the east. The majority of the site is located north of Manchester Avenue and east of the Interstate 5 (I-5) interchange. A small portion is located south of Manchester Avenue adjacent to the San Elijo Lagoon.

The existing site land area is generally characterized by a mix of moderately sloped open terrain and steep vegetated coastal bluffs. The adjacent San Elijo Lagoon and hillsides consist of natural bluffs and native habitat. Although the majority of the Project site is disturbed by agricultural operations, the coastal and pastoral setting provides a high scenic value, and the Project site is located in a designated viewshed.

The overall property is sloped from the north to south with property elevations that range from approximately 158 to 8 feet above mean sea level (AMSL) across the site. The small coastal bluff area in the northwest corner of the property slopes from 158 to 37 feet and contains the highest point of the Project site. The north central coastal bluff area slopes from approximately 80 to 70 feet. The larger centralized agricultural area, which encompasses the majority of the site, slopes from

approximately 100 to 8 feet. The existing agricultural operations give the Project site an agrarian character.

Project Viewshed

The project viewshed is generally comprised of all the surface areas visible from an observer's viewpoint and consists mainly of foreground views (0.25-0.5 miles from the viewer) since intervening topography and/or human-made screening block the majority of middleground views (3-5 miles from the viewer) and background views (3-5 miles to infinite miles). The viewshed is composed of such elements as topography and natural land features (i.e., hillsides, mountains) and other physical features within the landscape, such as buildings, vegetation, and water features. The limits of a viewshed are defined as the visual limits of the views located from the proposed Project. The viewshed also includes the locations of viewers likely to be affected by visual changes brought about by project features. Potential visual impacts in the viewshed may be affected by the distance of the viewer from a site, the frequency and length of views, the personal perception of the viewer, and physical and/or atmospheric conditions at the time viewing occurs.

Neither CEQA nor the City of Encinitas has technical methodologies for assessing visual resource impacts. Therefore, the methodology used for the proposed Project was based on the Federal Highway Administration (FHWA) *Visual Impact Assessment for Highway Projects Manual* (FHWA, 1981) because it is a widely accepted and defensible process, even though the Project is not a highway project and does not occur on or cross lands under the jurisdiction of the FHWA. To inventory and characterize the affected environment for visual resources, the following visual components were considered: viewer response, viewer sensitivity, viewer groups and viewer exposure including key observation points (KOPs). These visual components are described below.

Viewer Response

Viewer response is composed of two elements: viewer sensitivity and viewer exposure. These elements combine to form a method of predicting how the viewers might react to visual changes brought about by a project. Viewer response varies based on the type of viewer and the characteristics of the visual environment that would ultimately be affected.

Viewer Sensitivity

Viewer sensitivity is the extent to which the viewing public would notice or experience a substantial change in visual quality. Viewer sensitivity is influenced by a number of factors that can differ in level of importance from one viewer to another such as awareness of the viewer, personal interest in a particular visual resource, and/or viewer activity during the time that views of a resource occur.

In addition, a community's goals or values can influence viewer sensitivity to a particular site, land area, or viewshed. Viewer sensitivity may vary between those people with a vested interest in a community (e.g., residents) versus those traveling through an area with little or no knowledge of the

community or the existing visual landscape. Based on these conditions, viewer sensitivity can be assigned a value of Low, Moderate, or High.

It is likely that community members would be more sensitive to changes at the Project site than those who experience it as a tourist or visitor. The area draws a large number of visitors on a daily basis, primarily as a result of the proximity of the Pacific Ocean. Viewer sensitivity may be higher among those who experience views of the area more frequently, such as area residents or employees who travel to/from work each day along I-5.

Viewer Groups

Viewer groups are viewers that are affected by their exposure to a project. Viewer groups are anticipated to consist of those individuals traveling in proximity to the Project site, generally along Manchester Avenue, I-5, local roads, and the San Elijo Lagoon trail network including:

- Scenic Drivers and Cyclists – Local residents, employees and/or visitors traveling through the area viewing the subject site from surrounding public roads. Roadway users are primarily drivers and passengers in cars, in trucks, and on motorcycles, as well as bicyclists.
- Reserve Trail Users - Local residents, employees and/or visitors using trails within the San Elijo Preserve.

Viewer Exposure

Viewer exposure is typically assessed by measuring the number of viewers exposed to the resource change, type of viewer activity, duration of their view, the speed at which the viewer moves, and the proximity of the viewer. The number of people within each visual character unit who might have a view of the Project elements have been divided into three groups: Low (L)- less than 100 people daily; Moderate (M) – between 100 and 1,000 people daily; and High (H) - more than 1,000 people daily.

In terms of scenic drivers, there are approximately 250,000 travelers per day on I-5 in the Project area (Caltrans, 2017) and more than 28,000 vehicles on Manchester Avenue, east of I-5 (Linscott, Law & Greenspan, 2019b). No data is available on the number of cyclists that use Manchester Avenue or on users of the Reserve Trails. To provide a conservative assessment, the EIR assumes the number of such viewers would fall into the "Moderate" category of between 100 and 1,000 people daily.

Another element in determining the impact on the viewer exposure is the length of time, or duration, the viewer will have to view the project elements. The viewing durations have been divided into three groups: Short (S) - short or intermittent views when passing near the project elements; Moderate (M) – occasional views of the project elements from a few minutes to a few hours per day; and Extended (E) - extended views of more than several hours per day on a regular or constant basis.

The number of views and duration of views factor into the influence a project has on viewers. Views of the Project site from vehicles (or other modes of transportation) traveling along area roadways would vary due to distance. Views would generally be restricted by existing development, intervening vegetation, area topography, and the length of time the Project site is actually visible from a particular location. In determining the exposure of each viewer group, several factors are considered, including the number of viewers experiencing visual changes, duration of views, anticipated speed at which viewers would be traveling, and the relation of the viewer to the Project site.

Table 3.1-1 summarizes the anticipated viewer groups and the potential viewing experience of each.

TABLE 3.1-1 LIST OF KEY VIEWS

Key View Number	Location	Representative Viewer Group	Sensitivity	Quantity	Viewing Duration
Key View 1	I-5, Northbound	Scenic Driver	High to Moderate	High	Short to Moderate
Key View 2	Manchester Avenue, traveling east, just past Via Pico	Scenic Driver and Cyclist	High to Moderate	High to Moderate	Short
Key View 3	Existing Dike Levee Trail within San Elijo Lagoon	Reserve Trail User	High	Moderate	Moderate
Key View 4	Manchester Avenue traveling west approaching Project site	Scenic Driver and Cyclist	High to Moderate	High	Short

Principal Public Viewpoints Considered (Key Observation Points)

The Project site would be intermittently visible from a number of principal public viewpoints near the Project site. In the viewshed, varied views of the Project site would largely occur from vehicles (or other modes of transit, such as bicycles) as they travel along Manchester Avenue and I-5 and from the San Elijo Lagoon.

Figure 3.1-1 shows the locations of the following key observation points (KOPs) used to assess views of the Project site and represent typical views as seen by different viewer groups:

- Key View 1: View from northbound I-5 past San Elijo Lagoon approaching Manchester Avenue
- Key View 2: View from Manchester Avenue traveling east past Via Pico

- Key View 3: View from San Elijo Lagoon at the Dike Levee Trail facing north
- Key View 4: View from Manchester Avenue traveling west approaching Project site

Existing and Proposed Conditions from these viewpoints are depicted on Figures 3.1-2 to 3.1-5.

Light and Glare

There are no existing operational light sources on the Project site. Existing light sources near the site include exterior and interior building lights on the adjacent gas station, and vehicle lights on Manchester Avenue and I-5.

3.1.2. Regulatory Framework

State

California Scenic Highway Program

The State of California adopted a Scenic Highway Program (Streets and Highways Code Section 260 et seq.) in order to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view.

The nearest designated state scenic highway is State Route 163 through Balboa Park, located 20 miles south of the Project site. However, I-5 is an “eligible” state scenic highway and Manchester Avenue is a locally designated scenic road.

California Coastal Act

The California Coastal Act (Public Resources Code § 30000 et seq.) includes amongst its objectives prioritizing “the protection of important scenic resources and views from public areas,” including views from roads, trails, parks and beaches. In addition, Sections 30251 and 30253 require that development protect coastal scenic, visual qualities, and special communities that add “visual attractiveness” to the coast (California Coastal Act Section 30253).

Under the act, local governments are encouraged to adopt Local Coastal Programs (LCP) within their jurisdictions. The LCP consists of a Land Use Plan (LUP) with goals and regulatory policies as well as a set of implementing ordinances. Because the proposed Project site falls within the California Coastal Zone, the Coastal Act requires its goals and polices be implemented by the City of Encinitas through the LUP.

Local

City of Encinitas General Plan

The City's General Plan includes background information, goals, and policies aimed at the protection and maintenance of community character and aesthetic resources (which incorporate goals and policies of the City's LCP). As indicated within the Resource Management Element of the City's General Plan, I-5 and Manchester Avenue are located within designated scenic corridors, and Manchester Avenue, from San Elijo Avenue to Encinitas Boulevard, is a designated as a scenic highway (City of Encinitas, 2011). Relevant goals and policies are listed below.

Land Use Element

POLICY 7.10:	Both residential and non-residential development shall be limited to a maximum height of two stories and 30 feet. Limited exceptions for non-residential development may be allowed, but only for designated specific sites as developed and adopted through area specific plans. Exceptions may also be made for Medical Complex development projects at the discretion of the City pursuant to conditional use permit applications as provided by the Zoning Code, to allow building heights up to a maximum height of three stories. An exception is also authorized for a public high school with a minimum 10-acre site.

Resource Management Element

POLICY 3.1:	Mature trees of community significance cannot be removed without City authorization.
POLICY 3.2:	Mature trees shall not be removed or disturbed to provide public right-of-way improvements if such improvements can be deferred, redesigned, or eliminated. This policy is not meant to conflict with the establishment of riding/hiking trails and other natural resource paths for the public good, or with the preservation of views.
POLICY 3.3:	The City will examine ways to aesthetically trim street trees and vegetation within the public right-of-way including the possibility of using contract services or City personnel. (Coastal Act/30240/30251)
POLICY 3.6:	Future development shall maintain significant mature trees to the extent possible and incorporate them into the design of development projects.
POLICY 4.5:	The City will designate "Scenic/Visual Corridor Overlay" areas within which the character of development would be regulated to protect the integrity of the Vista Points according to the following criteria:

- Critical viewshed areas should meet the following requirements:
    - extend radially for 2,000 feet (610M) from the Vista Point; and
    - cover areas upon which development could potentially obstruct, limit, or degrade the view.
- Development within the critical viewshed area should be subject to design review based on the following:
    - building height, bulk, roof line and color and scale should not obstruct, limit or degrade the existing views;
    - landscaping should be located to screen adjacent undesirable views (parking lot areas, mechanical equipment, etc.). (Coastal Act/30251/30253)

POLICY 4.6: The City will maintain and enhance the scenic highway/visual corridor viewsheds. (Coastal Act/30251)

POLICY 4.7: The City will designate the following view corridors as scenic highway/visual corridor viewsheds:

- Saxony Road, from Leucadia Blvd., north to La Costa Ave.
- Highway 101 from Encinitas Blvd. south to Santa Fe Drive
- El Camino Real from Encinitas Blvd. north to La Costa Blvd.
- Highway 101, La Costa Ave. to South Carlsbad Beach
- La Costa Ave. from just west of I-5 to El Camino Real
- Highway 101, from Encinitas Blvd. to La Costa Ave.
- Leucadia Blvd. between Hwy 101 and El Camino Real
- San Elijo Ave. (and Hwy 101) south of Cardiff Beach State Park to Santa Fe Drive
- Manchester Ave. from San Elijo Ave. to Encinitas Blvd.
- Interstate 5, crossing San Elijo Lagoon (Coastal Act/30251/30253)

POLICY 4.10: It is intended that development would be subject to the design review provisions of the Scenic/Visual Corridor Overlay Zone for those locations within Scenic View Corridors, along scenic highways and adjacent to significant viewsheds and vista points with the addition of the following design criteria:

- Road Design

- Type and physical characteristics of roadway should be compatible with natural character of corridor, and with the scenic highway function.

- Development Design
  - Building and vegetation setbacks, scenic easements, and height and bulk restrictions should be used to maintain existing views and vistas from the roadway.
  - Off-site signage should be prohibited, and existing billboards removed.
  - Development should be minimized and regulated along any bluff silhouette line or on adjacent slopes within view of the lagoon areas and Escondido Creek.
  - Where possible, development should be placed and set back from the bases of bluffs, and similarly, set back from bluff or ridge top silhouette lines; shall leave lagoon areas and floodplains open, and shall be sited to provide unobstructed view corridors from the nearest scenic highway.
  - Development that is allowed within a viewshed area must respond in scale, roof line, materials, color, massing, and location on site to the topography, existing vegetation, and colors of the native environment. (Coastal Act/30251/30253)

POLICY 4.11: The City will develop a program to preserve views that also preserves the appropriate vegetation and removes obstacles that impact views. Trees and vegetation which are themselves part of the view quality along the public right-of-way will be retained. (Coastal Act/30251)

POLICY 9.1: The City will initiate and pursue the landscaping of appropriate median and parking areas with trees on all new and existing arterial streets. (Coastal Act/30251)

POLICY 9.6: Require landscaping in the design of new residential, commercial, and industrial areas and buildings as detailed in the City Zoning Code regulations. (Coastal Act/30251/30253)

GOAL 12: The City will encourage the preservation of "prime" agriculture lands within its sphere of influence. (Coastal Act/30241)

City of Encinitas Municipal Code

Title 30 of the City's Municipal Code contains the Zoning Regulations which are used as an implementation mechanism for achieving the goals, objectives, and policies identified in the General Plan. General Plan land use designations provide basic criteria and guidelines for future development in the city while specific development standards are included in the Zoning Regulations which better define such guidelines. The land use designations identified in the General Plan Land Use Element correspond to the boundaries of one or more zoning districts identified on the City's Zoning Map.

The Encinitas Municipal Code also defines several Special Purpose Overlay Zones, in Chapter 30.34. The Project site is located within the following overlay zones: Coastal Bluff Overlay Zone, Hillside/Inland Bluff Overlay Zone, and Scenic/Visual Corridor Overlay Zone.

Special Purpose Overlay Zones

Coastal Bluff Overlay Zone

The Coastal Bluff Overlay Zone regulations apply to all areas of the City where there is the presence of a coastal bluff. The Project site is located within the Coastal Bluff Overlay Zone and is subject to all development and design regulations and standards which otherwise apply in order to protect public health and safety given coastal bluff recession, shoreline erosion, and sea level rise.

Hillside/Inland Bluff Zone

The Hillside/Inland Bluff Overlay Zone regulations apply to all areas within the Special Study Overlay Zone where site-specific analysis indicates that 10 percent or more of the area of a parcel of land exceeds 25 percent slope. The Project site has 10 percent or more of its land area that exceeds 25 percent slope and is subject to additional standards.

Scenic/Visual Corridor Overlay Zone

The Scenic/Visual Corridor Overlay Zone regulations apply to all properties within the Scenic View Corridor along Scenic Highways and adjacent to Significant Viewsheds and Vista Points as described in the Visual Resource Sensitivity Map of the Resource Management Element of the General Plan. When development is proposed on any properties triggering design review within the Scenic View Corridor Overlay Zone, consideration is given to the overall visual impact of the proposed project and to the preservation of scenic corridor viewsheds. The proposed Project is located along Manchester Avenue near I-5, both of which the City's General Plan designates as scenic view corridors. The corridor along Manchester extends just northwest of the intersection of El Camino Real and Manchester Avenue southeast of the intersection encompassing large portions of the San Elijo Lagoon. Interstate 5's viewshed is considered the area crossing San Elijo Lagoon.

Local Coastal Program

In accordance with the Coastal Act, the City has adopted and implements a Local Coastal Program (LCP), which is incorporated into its General Plan, Municipal Code and various specific plans. The LCP implements the provisions and policies of the Coastal Act. These goals and policies include, protect, maintain, and enhance the Coastal Zone environment; ensure balanced utilization and conservation; maximize public access to and along the coast; prioritize coastal-dependent and related development; and encourage coordinated state and local initiatives to implement beneficial programs and other educational uses.

Approximately two-thirds of the City is comprised within the City of Encinitas LCP. Under this program, which is required to be approved by the Coastal Commission, a coastal development permit is required for all development within the City's Coastal Zone. The Project site is located within the Coastal Zone, and the City's decision on a coastal development permit may be appealed to the Coastal Commission.

3.1.3. Analysis of Project Effects and Significance Determination

This section lists the thresholds used to conclude whether an aesthetic impact would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

1) Have a substantial adverse effect on a scenic vista.

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

3) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality.

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

Analysis

Impact 3.1-1: Have a substantial adverse effect on a scenic vista.

The Resource Management Element of the City's General Plan identifies scenic vista points, defines critical viewsheds, and identifies scenic roads and scenic view corridors. The Project site is located within a scenic view corridor and there is a vista point along I-5 southbound northwest of the Project

site. Development within a scenic view corridor along scenic highways and/or adjacent to significant viewsheds or vista points are subject to compliance with Encinitas Municipal Code Section 30.34.080. The City requires that consideration be given to the project's overall visual impact and conditions or limitations on project bulk, mass, height, architectural design, grading, and other visual factors that.

The Project site lies within the designated scenic view corridor that runs along I-5 which is eligible for listing as a state scenic highway, and Manchester Avenue, which is a locally designated as a scenic highway. Buildings have been shifted to the north to allow for better views for motorists traveling southwest on Manchester Avenue. Additionally, the southeastern wing has been canted relative to the rest of the senior living facility to follow the angle of Manchester Avenue as it flows to the northeast. As the building steps up the hillside, views of the open space to the north are preserved. In addition, the proposed Project includes landscape features such as trees and shrubs that will complement the surrounding area. Surface parking areas have been broken up by landscaped areas that would be planted every six to seven stalls along the building frontage.

The proposed Project would be in compliance with the established regulatory framework, and the Project would not result in substantial view blockage. However, Project implementation would result in a significant contrast with the natural character of the surrounding area, which contains a protected regional lagoon and undeveloped hillsides providing natural bluffs. The natural character of these areas provides high scenic value for public viewers within the designated scenic view corridors along I-5, Manchester Avenue, and surrounding public trails. In addition, the coastal farmland use of the Project site provides scenic value for public viewers. Project implementation would significantly contrast with the scenic views associated with this use.

While the design features have been incorporated into the proposed Project that incorporate materials and colors that mimic the native would reduce adverse impacts, the Project would be highly visible at Key Viewpoints 1, 2, 3 and 4. Public views of the Project from I-5, Manchester Avenue and the San Elijo Lagoon would substantially contrast with the existing agrarian character of the site and natural character of the designated scenic viewsheds. These visual impacts would be significant and unmitigable.

Impact 3.1-2: Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

The Project site has been previously disturbed for agricultural purposes. It contains no scenic trees, rocks, outcroppings, or historic buildings; however, the existing agrarian character of the site, set within a scenic coastal area, give the site a pastoral quality with high scenic value. The Project site is also located within a designated viewshed along a state scenic highway.

The Visual Resource Sensitivity Map prepared as part of the Resource Management Element of the City's General Plan, describes regulations that apply to properties that lie within the scenic view

corridor along scenic highways and adjacent to significant viewsheds and vista points. The City of Encinitas Municipal Code helps to regulate development in these areas to ensure the visual impact of the proposed development is properly evaluated, and the integrity of scenic resource is maintained or enhanced.

The Project site is located west of I-5, a designated local scenic highway. Because of its location relative to I-5 and Manchester Avenue, the site would be highly visible from these designated local view corridors. The Project has been designed to allow for the existing topography to be incorporated into the site planning. There is approximately 200' in elevation change from the highest roof on the senior/workforce site to the ground level elevation in the single-family residential area to the north. The proposed buildings are relatively low-slung and step up the hillside. Due to the existing site topography, the lower, flatter portion of the site where the proposed buildings are to be sited, allows for ample views of the hillsides to the north for motorists traveling along Manchester Avenue and I-5.

Scenic resources along this section of I-5 for northbound motorists are primarily of the San Elijo Lagoon areas south of the Project site.

The Project includes landscaping to enhance the visual setting and blend the proposed development into the surrounding setting. As the newly planted landscaping matures over time, the visual appearance of the site would continue to be improved as it blends with the visual setting of mature trees in adjacent established neighborhoods. This would reduce adverse effects on the scenic views along Manchester Avenue in accordance with the City of Encinitas guidelines. However, the current agrarian and pastoral nature of the site would be adversely affected. Therefore, long-term impacts to the scenic highway would be adversely affected by the proposed Project, and impacts would be significant and unmitigable.

Impact 3.1-3: Substantially degrade the existing visual character or quality of public views of the site and its surroundings.

The development of the Belmont Village Encinitas-by-the-Sea Project would contain features intended to enhance its surroundings using landscape, streetscape, and architectural designs that would reduce the overall aesthetic impact of the Project. The Project proposes a residential development that is consistent with the Resource Management Element of the General Plan, City of Encinitas Design Guidelines and Cardiff Community Character policies. The Although the Project would introduce a building design that is characteristic of the architectural context of the study area with design features that help to minimize the height, bulk and scale of the proposed buildings, the Project would degrade the existing pastoral character of the site and degrade the quality of the public views of the current site and its surroundings.

Existing land uses surrounding the site include natural bluffs and wetlands, including the scenic San Elijo Lagoon. The Project proposes to replace the existing coastal agrarian use with a senior living facility and affordable/workforce housing units.

Although the proposed Project conforms with neighboring sites and the underlying zoning by proposing approximately 16% coverage while respecting and incorporating the natural transition from the coastal bluffs to the north, the proposed development nonetheless creates a significant impact to the existing neighborhood character and is considered an adverse contrast. The visual changes associated with the Project would be significant and unmitigable.

Impact 3.1-4: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As shown on the proposed Landscape Lighting Plan (Figures 3.1-6a, 3.1-6b and 3.1-6c), the proposed Project would include streetlights with full cutoff in the parking lots; illuminated bollards along pedestrian paths; overhead festival lighting within interior courtyards; downlights at the entry court; tree downlights on courtyard trees; and, sign lights at the entry wayfinding signs. All lighting would be consistent with the City's lighting standards (MC 30.40.010 (I)), which require:

- All light sources to be shield in such a manner that light is directed away from streets or adjoining properties;
- All residential zones must have a measured sustained light standard that does not exceed one-half foot-candle at the property line; and,
- Outdoor lighting fixtures to be fully shielded so as to cause all emitted sustained light to be projected below an imaginary horizontal plane passing through the lowest point of the luminary, lamp or light source used in the fixture.

As shown in the Landscape Lighting Plan, light levels are reduced to zero (0) candle-feet[1] at adjacent properties. This ensures that potential impacts associated with the provision of night-lighting that could otherwise adversely affect nighttime views in the area are minimized. The building design minimizes any outward and unnecessary light pollution.

The Project would not include the construction or installation of structures using highly reflective materials or surfaces that could otherwise create a new source of substantial glare adversely affecting daytime views in the area.

Impacts on day and nighttime views related to light and glare would be less than significant, and no mitigation would be required.

[1] A foot-candle is a unit of illuminance or light intensity. One foot-candle represents "the illuminance cast on a surface by a one-candela source one foot away".

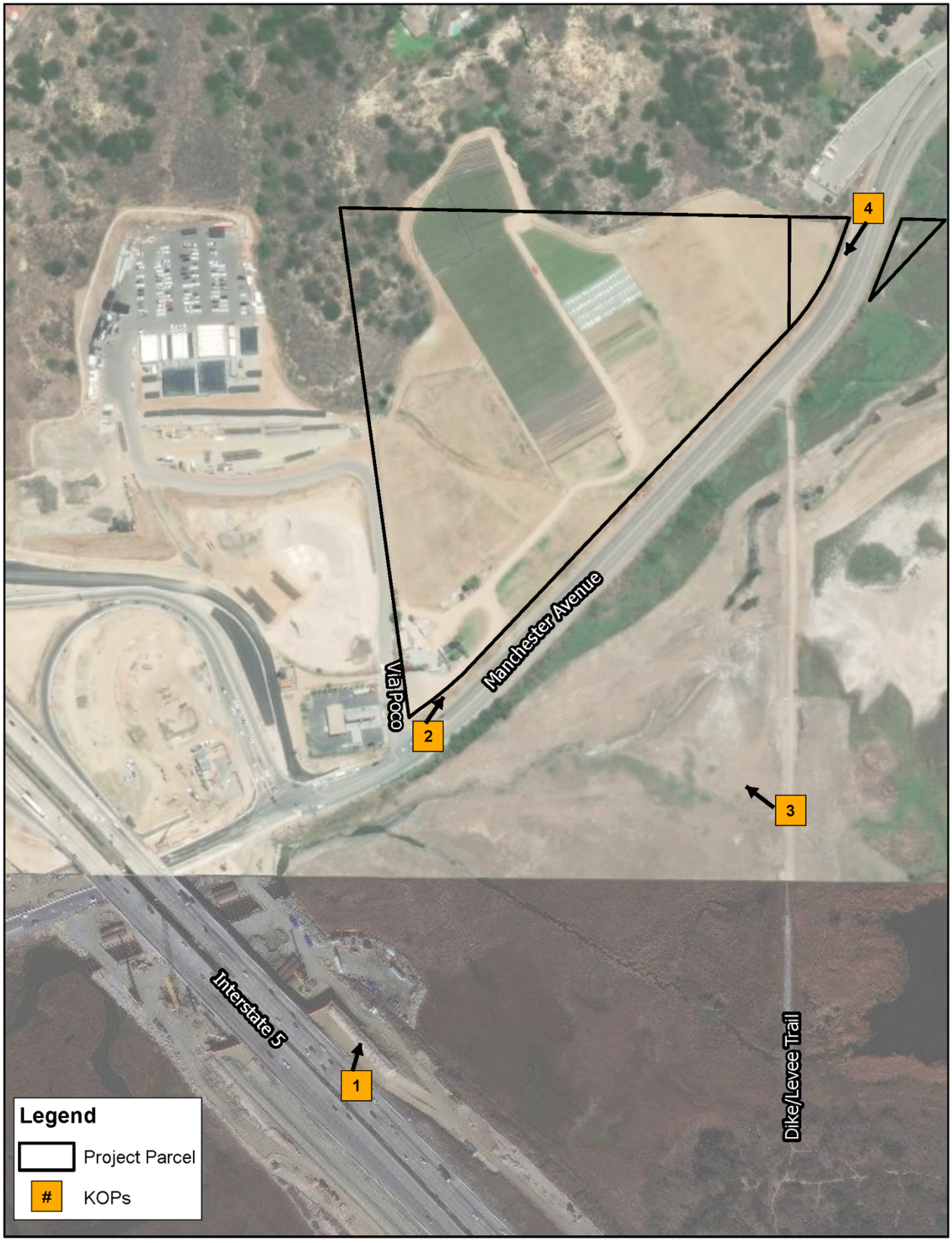
3.1.4. Mitigation Measures

No mitigation measures have been identified that would reduce impacts to below a level of significance.

3.1.5. Cumulative Impact Analysis

When analyzing cumulative visual impacts, it is important to consider those projects listed on Table 2-5, Potential Cumulative Projects, that could alter the existing visual environment with the same viewshed as the Project. Other cumulative projects, such as the I-5 Park n Ride/Multi-Use Facility and the Direct Access Ramp to I-5 could add to the Project's short-term temporary construction visual impacts within the lagoon. These other cumulative projects could contribute to the short-term visual impact by adding more construction equipment operating in the area, increasing vegetation removal, landform modifications, stockpiling, and other construction-related activities.

Mitigation measures, such as screening of staging areas, are available to reduce visual impacts of construction; however, due to the expansive nature of construction throughout the lagoon basin and surrounding areas, mitigation is not feasible to fully minimize the visual impacts of construction activities or off-set long-term visual contrast. There are also no additional feasible mitigation measures beyond those described above that have been identified to further reduce the cumulative visual impact. Therefore, the Project would make a cumulatively considerable contribution to a significant cumulative visual impact.



SOURCE: Basemap- Esri; Latitude 33, 2019

BRG CONSULTING, INC.

N

0 0.05 0.1 Miles

Location of Key Observation Points (KOPs)
Belmont Village Encinitas-by-the-Sea
Figure 3.1-1

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SOURCE: Lattitude 33, 2019

BRG CONSULTING, INC.

Existing and Proposed Conditions from View Point #1
Belmont Village Encinitas-by-the-Sea
Figure 3.1-2

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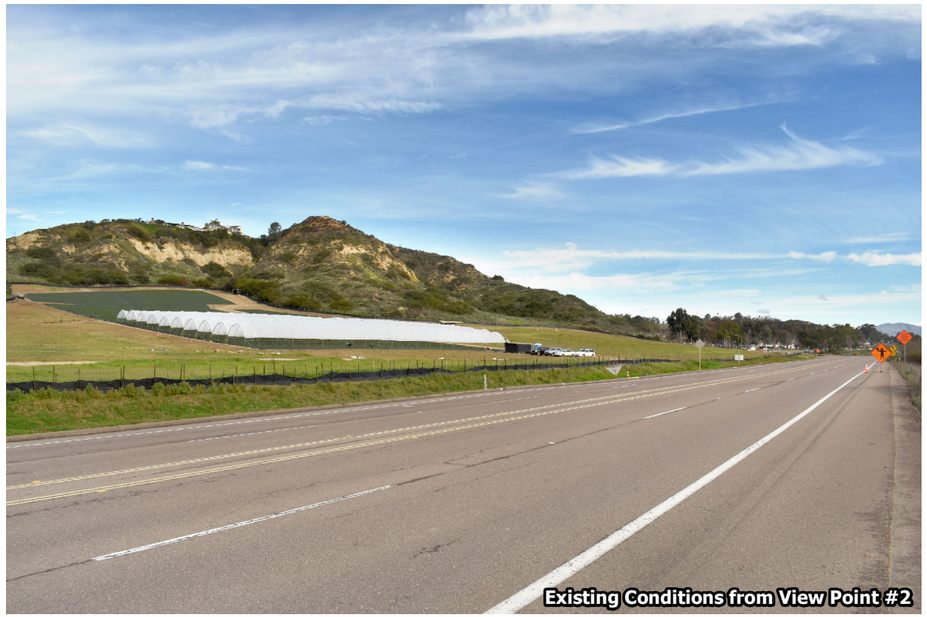

SOURCE: Lattitude 33, 2019

BRG CONSULTING, INC.

Existing and Proposed Conditions from View Point #2
Belmont Village Encinitas-by-the-Sea
Figure 3.1-3

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SOURCE: Lattitude 33, 2019

BRG CONSULTING, INC.

Existing and Proposed Conditions from View Point #3
Belmont Village Encinitas-by-the-Sea
Figure 3.1-4

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SOURCE: Lattitude 33, 2019

BRG CONSULTING, INC.

Existing and Proposed Conditions from View Point #4
Belmont Village Encinitas-by-the-Sea
Figure 3.1-5

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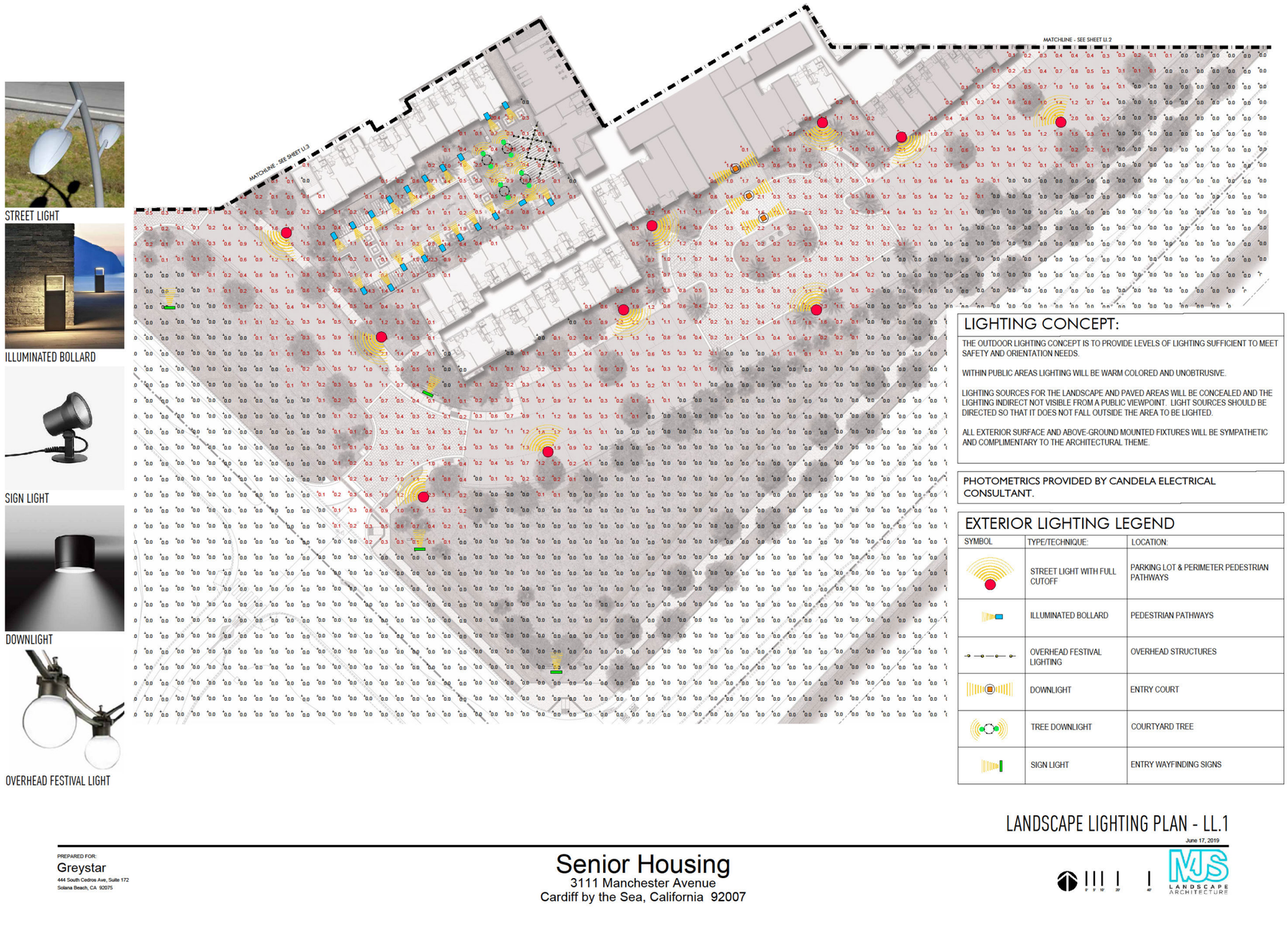

STREET LIGHT

ILLUMINATED BOLLARD

SIGN LIGHT

DOWNLIGHT

OVERHEAD FESTIVAL LIGHT

LIGHTING CONCEPT:

THE OUTDOOR LIGHTING CONCEPT IS TO PROVIDE LEVELS OF LIGHTING SUFFICIENT TO MEET SAFETY AND ORIENTATION NEEDS.

WITHIN PUBLIC AREAS LIGHTING WILL BE WARM COLORED AND UNOBTRUSIVE.

LIGHTING SOURCES FOR THE LANDSCAPE AND PAVED AREAS WILL BE CONCEALED AND THE LIGHTING INDIRECT NOT VISIBLE FROM A PUBLIC VIEWPOINT. LIGHT SOURCES SHOULD BE DIRECTED SO THAT IT DOES NOT FALL OUTSIDE THE AREA TO BE LIGHTED.

ALL EXTERIOR SURFACE AND ABOVE-GROUND MOUNTED FIXTURES WILL BE SYMPATHETIC AND COMPLIMENTARY TO THE ARCHITECTURAL THEME.

PHOTOMETRICS PROVIDED BY CANDELA ELECTRICAL CONSULTANT.

EXTERIOR LIGHTING LEGEND

SYMBOL	TYPE/TECHNIQUE:	LOCATION:
	STREET LIGHT WITH FULL CUTOFF	PARKING LOT & PERIMETER PEDESTRIAN PATHWAYS
	ILLUMINATED BOLLARD	PEDESTRIAN PATHWAYS
	OVERHEAD FESTIVAL LIGHTING	OVERHEAD STRUCTURES
	DOWNLIGHT	ENTRY COURT
	TREE DOWNLIGHT	COURTYARD TREE
	SIGN LIGHT	ENTRY WAYFINDING SIGNS

LANDSCAPE LIGHTING PLAN - LL.1

June 17, 2019

PREPARED FOR:
Greystar
444 South Cedros Ave, Suite 172
Solana Beach, CA 92075

Senior Housing
3111 Manchester Avenue
Cardiff by the Sea, California 92007

SOURCE: MJS Landscape Architecture, 2019

BRG CONSULTING, INC.

Landscape Lighting Plan
Belmont Village Encinitas-by-the-Sea
Figure 3.1-6a

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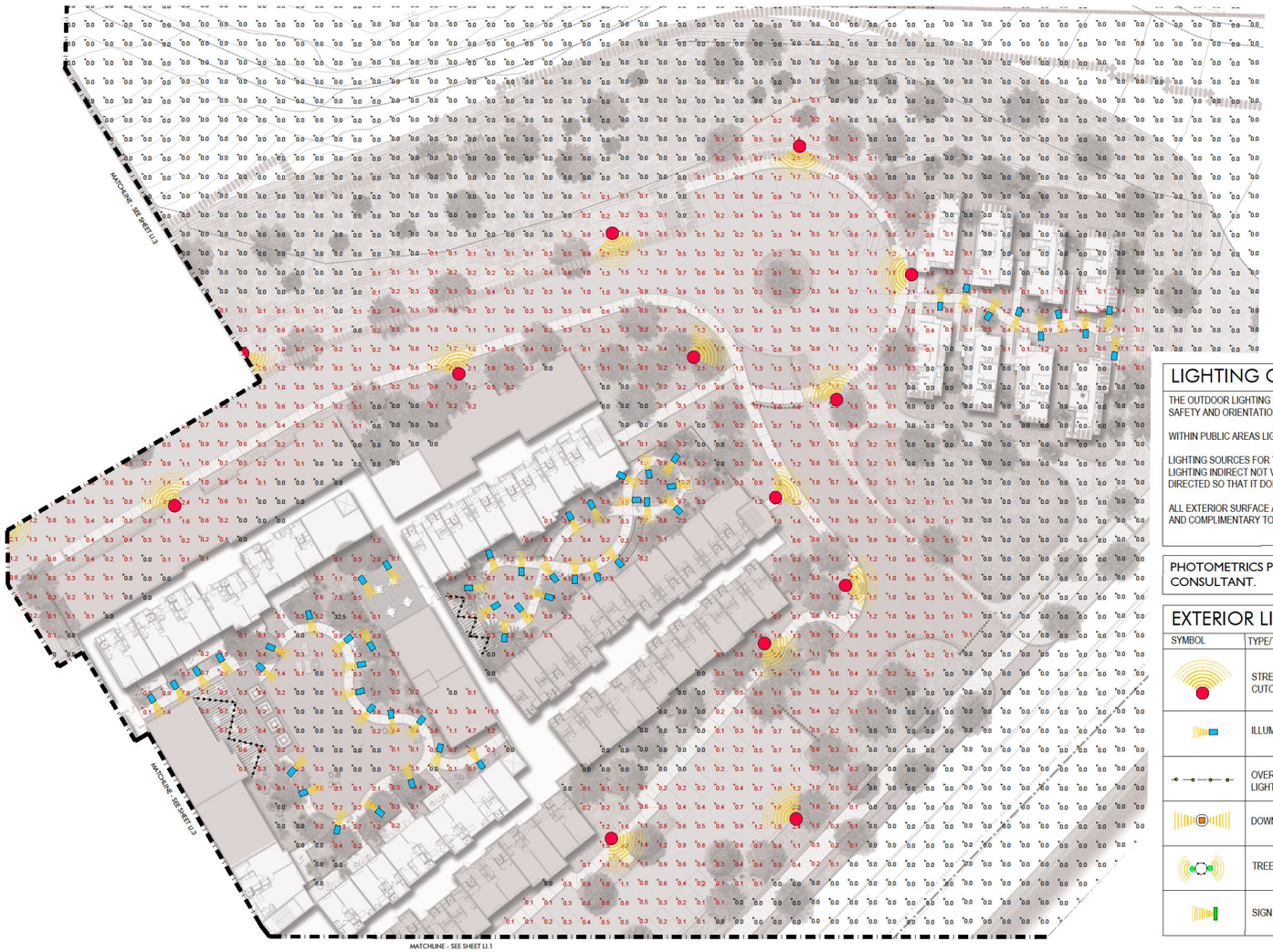

LIGHTING CONCEPT:

THE OUTDOOR LIGHTING CONCEPT IS TO PROVIDE LEVELS OF LIGHTING SUFFICIENT TO MEET SAFETY AND ORIENTATION NEEDS.

WITHIN PUBLIC AREAS LIGHTING WILL BE WARM COLORED AND UNOBTRUSIVE.

LIGHTING SOURCES FOR THE LANDSCAPE AND PAVED AREAS WILL BE CONCEALED AND THE LIGHTING INDIRECT NOT VISIBLE FROM A PUBLIC VIEWPOINT. LIGHT SOURCES SHOULD BE DIRECTED SO THAT IT DOES NOT FALL OUTSIDE THE AREA TO BE LIGHTED.

ALL EXTERIOR SURFACE AND ABOVE-GROUND MOUNTED FIXTURES WILL BE SYMPATHETIC AND COMPLIMENTARY TO THE ARCHITECTURAL THEME.

PHOTOMETRICS PROVIDED BY CANDELA ELECTRICAL CONSULTANT.

EXTERIOR LIGHTING LEGEND

SYMBOL	TYPE/TECHNIQUE:	LOCATION:
	STREET LIGHT WITH FULL CUTOFF	PARKING LOT & PERIMETER PEDESTRIAN PATHWAYS
	ILLUMINATED BOLLARD	PEDESTRIAN PATHWAYS
	OVERHEAD FESTIVAL LIGHTING	OVERHEAD STRUCTURES
	DOWNLIGHT	ENTRY COURT
	TREE DOWNLIGHT	COURTYARD TREE
	SIGN LIGHT	ENTRY WAYFINDING SIGNS

LANDSCAPE LIGHTING PLAN - LL.2

June 17, 2019

PREPARED FOR:
Greystar
444 South Cedros Ave, Suite 172
Solana Beach, CA 92075

Senior Housing
3111 Manchester Avenue
Cardiff by the Sea, California 92007

MJS LANDSCAPE ARCHITECTURE

SOURCE: MJS Landscape Architecture, 2019

BRG CONSULTING, INC.

Landscape Lighting Plan
Belmont Village Encinitas-by-the-Sea
Figure 3.1-6b

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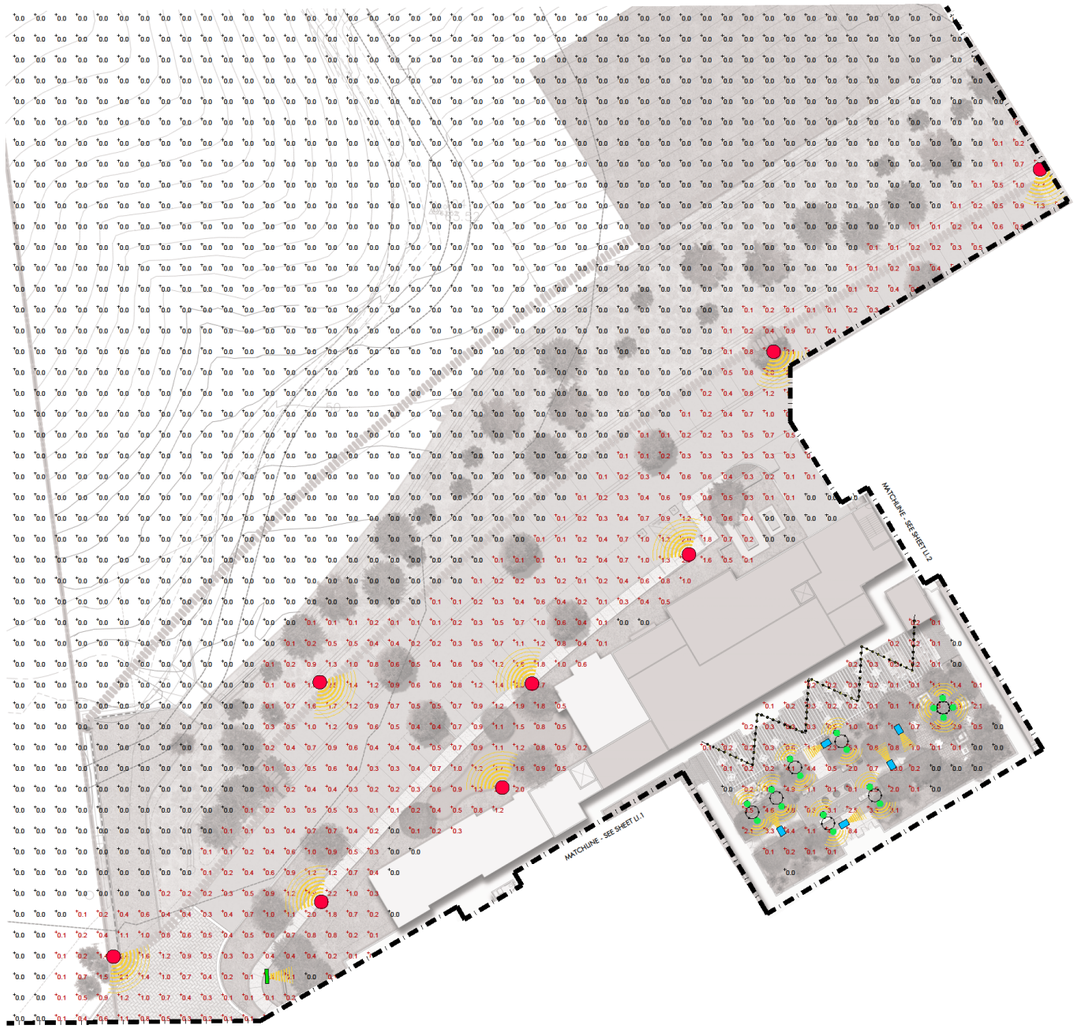

LIGHTING CONCEPT:

THE OUTDOOR LIGHTING CONCEPT IS TO PROVIDE LEVELS OF LIGHTING SUFFICIENT TO MEET SAFETY AND ORIENTATION NEEDS.

WITHIN PUBLIC AREAS LIGHTING WILL BE WARM COLORED AND UNOBTRUSIVE.

LIGHTING SOURCES FOR THE LANDSCAPE AND PAVED AREAS WILL BE CONCEALED AND THE LIGHTING INDIRECT NOT VISIBLE FROM A PUBLIC VIEWPOINT. LIGHT SOURCES SHOULD BE DIRECTED SO THAT IT DOES NOT FALL OUTSIDE THE AREA TO BE LIGHTED.

ALL EXTERIOR SURFACE AND ABOVE-GROUND MOUNTED FIXTURES WILL BE SYMPATHETIC AND COMPLIMENTARY TO THE ARCHITECTURAL THEME.

PHOTOMETRICS PROVIDED BY CANDELA ELECTRICAL CONSULTANT.

EXTERIOR LIGHTING LEGEND

SYMBOL	TYPE/TECHNIQUE:	LOCATION:
	STREET LIGHT WITH FULL CUTOFF	PARKING LOT & PERIMETER PEDESTRIAN PATHWAYS
	ILLUMINATED BOLLARD	PEDESTRIAN PATHWAYS
	OVERHEAD FESTIVAL LIGHTING	OVERHEAD STRUCTURES
	DOWNLIGHT	ENTRY COURT
	TREE DOWNLIGHT	COURTYARD TREE
	SIGN LIGHT	ENTRY WAYFINDING SIGNS

LANDSCAPE LIGHTING PLAN - LL.3

June 17, 2019

PREPARED FOR:
Greystar
444 South Cedros Ave, Suite 172
Solana Beach, CA 92075

Senior Housing
3111 Manchester Avenue
Cardiff by the Sea, California 92007

MJS LANDSCAPE ARCHITECTURE

SOURCE: MJS Landscape Architecture, 2019

BRG CONSULTING, INC.

Landscape Lighting Plan
Belmont Village Encinitas-by-the-Sea
Figure 3.1-6c

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3.2. Agricultural and Forestry Resources

This section addresses potential agricultural and forestry impacts that may result from construction and/or operation of the Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable.

Information used in preparing the evaluation of potential impacts on agricultural and forestry resources was derived from a number of sources including the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) and the Land Evaluation and Site Assessment (LESA) prepared by Birdseye Planning Group (2018). The LESA was peer reviewed by BRG Consulting Inc. and is included as Appendix C. No forestry resources are present within the Project area, and therefore, this section focuses on issues related to agricultural resources.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted and written comments were received from agencies and the public. No comments related to agricultural resources were raised.

3.2.1. Existing Conditions

Regional Setting

The Project site is located at 3111 Manchester Ave., in the Cardiff-by-the-Sea community of Encinitas, San Diego County, California, and has historically been used for agricultural production, primarily strawberries and Asian vegetables. The Project site is zoned Rural Residential 2 (RR-2), which allows single-family residential development. With the approval of A Major Use Permit, a senior living facility also is an allowable use within this zone.

San Diego's Mediterranean-like climate makes it an ideal place to grow agricultural crops and livestock products. Irrigated agricultural products grown in the County include a variety of nursery and cut flower products, fruit and nut crops, vegetable and vine crops, field crops, as well as livestock and poultry products. According to the San Diego County Crop Statistics and Annual Report for 2017, the top 10 County-wide commodities, in terms of dollar value included:

- ornamental trees and shrubs;
- indoor flowering and foliage plants;
- bedding plants;
- avocados;
- cacti and succulents;
- lemons;
- tomatoes;
- other cut flower products and bulbs;
- oranges; and
- eggs/chicken meat

The total harvested acreage in the County for 2016 was 243,029, and the County's gross annual agricultural value totaled $$1,774,206,410 (County of San Diego, 2017).

Project Site Zoning

Pursuant to the City of Encinitas General Plan, the Project site is designated for residential uses, and is zoned RR-2 (Rural Residential 2), which provides for low density single-family detached residential units. Title 30 of the Encinitas Municipal Code, Zoning, Chapter 30.09 (Zoning Use Matrix), also referred to as the Zoning Code, indicates that "residential care facilities (for 7 or more)" are permitted in the RR-2 zone (City of Encinitas, 2019), subject to the City's approval of a conditional use permit (major). Attached single-family units are also allowed, provided each unit is located on a separate legal lot and submitted to the City for a Planned Residential Development Permit (PRD).

Land Evaluation and Assessment Model

The California Agriculture Land Evaluation and Assessment (LESA) Model was used to rate the quality and availability of agricultural resources on the Project site and to identify whether the proposed Project would meet the threshold criteria of having a significant impact on agricultural resources under California Environmental Quality Act (CEQA) Guidelines. The LESA evaluates land use and site assessment factors to determine whether a proposed project would result in a significant agricultural resources impact.

The LESA evaluates measures of soil resource quality, project size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, the factors are rated, weighted, and combined, resulting in a Land Evaluation (LE) sub-score and a Site Assessment (SA) sub-score. The sub-scores are combined to determine a single numeric score. A project's single numeric score becomes the basis for making a determination of a project's potential significance, based upon a range of established scoring thresholds (Dept. of Conservation, 2011).

Conversion of Agricultural Land

The California Department of Conservation (Dept. of Conservation) monitors the conversion of the state's farmland through the Farmland Mapping and Monitoring Program (FMMP). Table 3.2-1 summarizes the conversions of agricultural land to non-agricultural uses within San Diego County from 2010 to 2012 (Dept. of Conservation, 2015) and represents the most recent data available at the time of the Draft EIR's publication.

As shown in Table 3.2-1, there was a net loss of 3,128 acres of Important Farmlands in San Diego County between 2010 and 2012. The conversion of farmland in the Prime and Statewide categories was primarily due to conversions of potted plant nurseries to in-ground, irrigated agriculture. The

conversion of Farmland of Local Importance was primarily due to land left idle or land used for dryland grain production for three or more update cycles (Dept. of Conservation, 2015).

TABLE 3.2-1 CONVERSION OF AGRICULTURAL LAND TO NON-AGRICULTURAL LAND WITHIN SAN DIEGO COUNTY

Land Use Category	Total Acreage Inventoried		2010-2012 Acreage Changes			
	2010	2012	Acres Lost (-)	Acres Gained (+)	Total Acreage Changed	Net Acreage Changed
Important Farmland						
Prime Farmland	7,084	6,989	-414	319	733	-95
Farmland of Statewide Importance	9,440	8,836	1,101	497	1,598	-604
Unique Farmland	48,539	47,458	2,271	1,370	3,641	-901
Farmland of Local Importance	154,038	152,510	4,661	3,133	7,794	-1,528
Important Farmland Subtotal	***218,921***	***215,793***	***8,447***	***5,319***	***13,766***	***-3,128***
Grazing Land	126,495	125,017	1,567	89	1,656	-1,478
Agricultural Land Subtotal	***345,416***	***340,810***	***10,014***	***5,408***	***15,422***	***-4,606***
Urban and Built-Up Land	355,144	360,919	541	6,316	6,857	5,775
Other Land	1,452,833	1,451,664	6,399	5,230	11,629	-1,169
Water Area	13,298	13,298	0	0	0	0
Total Area Inventoried	**2,166,691**	**2,166,691**	**16,954**	**16,954**	**33,908**	**0**

Source: Dept. of Conservation, 2015.

Agricultural Soil Productivity

The U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) uses two systems to assess a soil's agricultural productivity: the Soil Capability Classification System and the Storie Index Rating System. Under both systems, the prime soil classifications would require the least application of management techniques to produce a consistent and high yield of agricultural products. Common management techniques that are used on non-prime soils include fertilization and drainage or leveling of an area.

Soil Capability Classification System

Under the Soil Capability Classification System, soils are characterized according to their appearance, depth, consistency, slope, and erosion factors. The soil survey groups the various soil types into eight Soil Capability Classes. These classes are indicated in Table 3.2-2. Soils are graded I through VIII, with Class I denoting the most suitable class and VIII denoting the least suitable class for cultivation.

TABLE 3.2-2 SOIL CAPABILITY CLASSIFICATION

Class	Description
I	Soils have few limitations that restrict their use.
II	Soils have moderate limitations that reduce the choice of plants or that require special conservation practices.
III	Soils have severe limitations that reduce the choice of plants or that require special conservation practices or both.
IV	Soils have very severe limitations that reduce the choice of plants or that require very careful management or both.
V	Soils are not likely to erode but have other limitations, impractical to remove, that limit their use.
VI	Soils have severe limitations that make them generally unsuitable for cultivation.
VII	Soils have very severe limitations that make them unsuitable for cultivation.
VIII	Soils and landforms have limitations that nearly preclude their use for commercial crop production.

Source: USDA 1981.

Storie Index Rating System

Soils are also rated by the Storie Index, a numerical system expressing the relative degree of suitability or value of a soil for general intensive agriculture use. The index considers a soil's color and texture, the depth of nutrients, presence of stones, and slope, all of which relate to the adequacy of a soil type for use in crop cultivation. The rating does not take into account other factors such as the availability of water for irrigation, the climate, and the distance from markets. Values of the index range from 1 to 100 and are divided into six grades, with an index of 100 and a grade of 1 being the most suitable and a grade of 6 being the least suitable for farming.

Soils that have a Storie rating of 10 or below are considered to have a very low agricultural potential. Soils are considered to be prime for high-quality agricultural production if their Storie Index Rating is 80 or greater. Table 3.2-3 lists the six NRCS soil grades, ranges in index rating, and definitions for each soil grade.

TABLE 3.2-3 STORIE INDEX RATING SYSTEM

Grade	Storie Index Rating	Description
1 - Excellent	80 through 100	Soils are well suited for growing irrigated crops that are climatically suited to the region.
2 - Good	60 through 79	Soils are good agricultural soils, although they may not be as desirable as Grade 1 because of moderately coarse or gravelly surface soil texture; somewhat less permeable subsoil; lower plant-available water holding

TABLE 3.2-3 STORIE INDEX RATING SYSTEM

Grade	Storie Index Rating	Description
		capacity, fair fertility; less well-drained conditions or slight to moderate flood hazards, all acting separately or in combination.
3 – Fair	40 through 59	Soils are only fairly well suited to general agricultural use and are limited in their use because of moderate slopes; moderate soil depths; less permeable subsoil; fine, moderately fine, or gravelly surface soil textures; poor drainage; moderate flood hazards; or fair to poor fertility levels, all acting alone or in combination.
4 - Poor	20 through 39	Soils are poorly suited. They are severely limited in their agricultural potential because of shallow soil depths; less permeable subsoil; steeper slope; or more clayey or gravelly surface soil textures than Grade 3 soils, as well as poor drainage; greater flood hazards; hummocky micro-relief; salinity; or fair to poor fertility levels, all acting alone or in combination.
5 - Very Poor	10 through 19	Soils are very poorly suited for agriculture, are seldom cultivated and are more commonly used for range, pasture, or woodland.
6 - Nonagricultural	Less than 10	Soils are not suited for agriculture at all due to very severe to extreme physical limitations, or because of urbanization.

Source: USDA, 1981.

Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program produces Important Farmland maps, which are a hybrid of soil resource quality and land use information. USDA soil survey information and the corresponding Important Farmland candidacy recommendations are used to assess local land. The goal of the program is to provide consistent and impartial data to decision makers for use in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. The categories of Important Farmlands mapped by the FMMP in San Diego County are presented on Table 3.2-4.

TABLE 3.2-4. CATEGORIES OF IMPORTANT FARMLANDS IN SAN DIEGO COUNTY

Farmland Category	Definition
Prime Farmland.	Has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. To be classified as Prime Farmland, this land must have been producing irrigated crops at some time during the four years prior to the mapping date.
Unique Farmland	Consists of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards, as found in some climatic zones in California. The land must have been cultivated at some time during the four years prior to the mapping date.

TABLE 3.2-4. CATEGORIES OF IMPORTANT FARMLANDS IN SAN DIEGO COUNTY

Farmland Category	Definition
Farmland of Statewide Importance	Similar to Prime Farmland but with minor shortcomings such as greater slopes or with less ability to hold and store moisture. The land must have been used for the production of irrigated crops at some time during the four years prior to the mapping date.
Farmland of Local Importance	Land of importance to the local economy, as defined by each county's board of supervisors and a local advisory committee. In San Diego County, Farmland of Local Importance includes non-irrigated and uncultivated lands with Prime and Statewide soils that do not qualify as Prime, Statewide, or Unique but are currently irrigated crops or pasture or non-irrigated crops; lands that would meet the Prime or Statewide designation and have been improved for irrigation but are now idle; and lands that currently support confined livestock, poultry operations, and aquaculture.
Grazing Land	Land on which the existing vegetation, whether grown naturally or through management, is suited for grazing livestock. The minimum mapping unit for this category is 40-acres.
Urban and Built-Up Land	Urban and Built-Up Land is occupied by structures with a building density of at least one unit to 1.5-acres, or approximately six structures. Common examples include residential, industrial, commercial, and institutional facilities; cemeteries; airports; golf courses; sanitary landfills; sewage treatment plants; and water control.
Water	This category consists of perennial water bodies with an extent of at least 40-acres.
Other Land	Other Land is land that is not included in any other mapping category. Common examples include low-density rural developments; brush; timber; wetland; riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities; strip mines; borrow pits; and water bodies smaller than 40-acres. Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40-acres is mapped as Other Land.

Source: Dept. of Conservation, 2015.

Acreage of Important Farmland on the Project Site

Based on a review of the FMMP 2016 Important Farmland Map for San Diego County, the Project site contains no Prime Farmland, no Farmland of Statewide Importance, approximately 8.38 acres of Farmland of Local Importance and approximately 10.65 acres of "Urban and Built-Up" lands or "Other Lands". The site is not subject to the provisions of a Williamson Act contract (Dept. of Conservation, 2014).

Table 3.2-5 provides the approximate acreage of Important Farmlands on the Project site as shown on Figure 3.2-1.

TABLE 3.2-5 IMPORTANT FARMLANDS ON PROJECT SITE

Classification	Approximate Acreage
Prime Farmland	0.00
Farmland of Statewide Importance	0.00
Farmland of Local Importance	8.38
Grazing Land	0.00
Urban and Built-Up Land	0.00
Water	0.00
Other Lands	10.65
TOTAL	19.03

Source: California Department of Conservation 2016a.

Production and Soil Characteristics

The following discussion is summarized from the LESA (Birdseye Planning Group, 2018) which is included as Appendix C.

As discussed above, the Storie Index provides a numeric index (based upon a 100-point scale) of the relative degree of suitability or value of a given soil for intensive agriculture use. This rating is based upon the following soil characteristics only: soil color and texture, depth of nutrients, presence of stones, and slope. The Project site contains Corralitos loamy-sand (CsC) (5-9% slopes), which has a Storie Index rating of 61 and is a Capability Class III-s soil (Birdseye Planning Group, 2018). As shown in Table 3.2-3, Class III soils have severe limitations which minimizes the selection of plants, requires special conservation practices or both (Birdseye Planning Group, 2018). Thus, Class III soils are not Prime soils under the Dept. of Conservation, or the USDA's definitions, unless they are irrigated.

The LESA assigns ratings to each land capability class and multiplies that number by the proportion of a project area that contains each soil class to find the Land Capability Classification (LCC) score. This analysis assumes the entire Project area is Corralito loamy sand. A Storie Index score is calculated by multiplying the proportion of the Project within each soil type by the soil type's Storie Index rating (Birdseye Planning Group, 2018).

Table 3.2-6 provides a summary of the LE and SA scores. The final LE and SA scores are entered into the Final LESA Score Sheet as shown in Table 3.2-4. In this case, Class III-s soils have an LCC Rating of 60 (Dept. of Conservation, 1997). Because 100% of the Project site has Class III-s soils and a Storie Index of 61, the Storie Index Rating score is 61 (Birdseye Planning Group, 2018).

TABLE 3.2-6 SUMMARY OF LESA ANALYSIS

	Factor Rating (0 - 100 Points)	Factor Weighting (Total = 1.00)	Weighted Factor Rating
I. SCORE SHEET SUMMARY			
Land Evaluation (LE)			
1. Land Capability Classification	60	0.25	15.00
2. Storie Index Rating	61	0.25	15.25
LE Subtotal		**0.50**	**30.25**
Site Assessment (SA)			
1. Project Size	10	0.15	1.50
2. Water Resource Availability	100	0.15	15.00
3. Surrounding Agricultural Lands	0	0.15	0
4. Protected Resource Lands	0	0.05	0
SA Subtotal		**0.50**	**16.50**
TOTAL LESA SCORE (LE +SA)		**1.00**	**46.75**
II. LESA MODEL SCORING THRESHOLDS			
Total LESA Score	Scoring Decision		
0 to 39 Points	Not considered significant		
40 to 59 Points	Considered significant only if LE and SA subscores are greater than or equal to 20 points		
60 to 79 Points	Considered significant unless either LE or SA subscore is less 0 than 20 points		
80 to 100 Points	Considered significant		

Source: Birdseye Planning Group, 2018 (Appendix C)

3.2.2. Regulatory Framework

Federal and State

Farmland Protection Policy Act

The Farmland Protection Policy Act (FPPA) (7 USC 4201 and 7 CFR Ch. VI Part 658) was passed by Congress in 1981. It has three purposes: minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to non-agricultural uses; consider alternative actions; and assures that—to the extent possible—federal programs are administered to be

compatible with state, local units of government, and private programs and policies to protect farmland. The FPPA is overseen by the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) (NRCS, 2013).

California Land Conservation Act (Williamson Act)

The California Land Conservation Act of 1965, also known as the Williamson Act, has been the state's primary agricultural land protection program since it was enacted in 1965. Since its inception, more than half of the State's 31.4 million acres of farm and ranch land have participated in the program. Of California's 58 counties, 52 have executed Land Conservation Act (LCA) contracts with landowners. Private landowners voluntarily restrict their land to agricultural and compatible open-space uses under primarily 10- or 20-year rolling term contracts with local governments such as their city or county. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value (Dept. of Conservation, 2016b).

No portion of the Project Site is currently under a Williamson Act contract (Dept. of Conservation, 2014). Therefore, conversion of land under an LCA on the Project Site is not an issue and will not be discussed in the analysis of impacts.

California Coastal Act

The California Coastal Act has specific language and standards applicable to agricultural lands. Section 30241 of the Coastal Act states that farmland within the Coastal Zone must meet any of the following criteria to be designated as Prime Farmland:

1) Have a NRCS soil classification of Class I or II;

2) Have a Storie Index Rating of 80 through 100;

3) Have the ability to support livestock, at least one animal unit per acre as defined by the USDA; or

4) Have been planted with fruit or nut bearing trees, vines, bushes or crops that have a nonbearing period of fewer than five years and that will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than $200 per acre.

Local

City of Encinitas General Plan

The City of Encinitas General Plan establishes community goals and policies designed to shape the long-term development of the City as well as protect its environmental, social, cultural and economic

resources. The Resource Management Element of the General Plan addresses the city's natural and cultural resources, including agriculture.

Resource Management Element

GOAL 12:	The City will encourage the preservation of "prime" agriculture lands within its sphere of influence. (Coastal Act/30241)
POLICY 12. 1:	For the purpose of this plan and the LCP, "prime" agriculture is defined as land in the sphere of influence of the City of Encinitas Coastal Zone presently producing or with the future potential for commercial production of agricultural products and with a soil classification of Class I-IV. (Coastal Act/30241)
POLICY 12. 2:	No "prime" agriculture lands are located within the City of Encinitas Coastal Zone. However, the Ecke Holdings, et. al. are within the City of Encinitas' Coastal Zone sphere of influence, and may, therefore, be influenced by the City's LCP and General Plan policies. The City recognizes this land as "prime" agriculture suitability and as such, designates it for long term preservation as "Agriculture/Open Space Preserve." (Coastal Act/30241)

3.2.3. Analysis of Project Effects and Significance Determination

This section lists the thresholds used to conclude whether an agricultural or forestry impact would be significant, describes in impact analysis for the project relative to such thresholds, and identifies mitigation measures, as appropriate, to avoid or to reduce significant impacts.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

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

2) Conflict with existing zoning for agricultural use, or a Williamson Act contract.

3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).

4) Result in the loss of forest land or conversion of forest land to non-forest use.

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

Issues Not Discussed Further

Agricultural Zoning, Williamson Act Contracts and Forest Land

The Project site is not subject to a Williamson Act Contract (Dept. of Conservation 2014), nor is it designated or zoned for agricultural use. The Project site is zoned RR-2 (Rural Residential) and would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). Therefore, there would be no impact relative to conflicts with zoning for agricultural use, forests, timberland, or with Williamson Act contracts. These issues are not evaluated further.

Analysis

Impact 3.2-1: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

The proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, according to the California FMMP maps for San Diego County. No Prime Farmland, Unique Farmland, or Farmlands of Statewide Importance (Farmland) are mapped on the Project site (Dept. of Conservation, 2016a). According to the 2016 FMMP map for the western part of San Diego County, the Project site contains lands designated as Farmland of Local Importance and Other Land (Dept. of Conservation 2016a). No Prime Farmland, Unique Farmland, or Farmlands of Statewide Importance (Farmland) are mapped on the Project site.

A LESA analysis was performed to assess whether the Project's conversion of agricultural land to non-agricultural use would constitute a significant impact (see Appendix C). The LESA Model is an approach used to rate the relative quality of land resources based upon six specific measurable features. Two land evaluation factors are based upon measures of soil resource quality. Four site assessment factors provide measures of a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Table 3.2-6 provides a summary of the LESA analysis.

The LESA Model is weighted so that one-half of the total score is derived from the Land Evaluation (LE) and one half from the Site Assessment (SA). As shown in Table 3.2-6, the Project's LE subscore is 30.25, while the SA subscore is 16.5. The final LESA score is 46.75. A final LESA score between 40 and 59 is considered significant only if both the LE and SA sub-scores are each greater than or equal to 20 points. In this case, the LE subscore is greater than 20 points (30.25); however,

the SA subscore is less than 20 (16.50). Therefore, the LESA Model found that conversion of the Project site to non-agricultural use would not constitute a significant impact.

While the California Coastal Act seeks to preserve Prime farmland within the Coastal Zone the Project site does not meet the Coastal Commission's criteria for prime agricultural land for the following reasons:

- The Project site is zoned RR-2, for residential use. It is not zoned for agricultural use;
- The Project site is located contiguous with existing residential (i.e., developed) areas and is located within an area with adequate public services to support the proposed uses (See Section 4.8, Public Services and Facilities);
- The Project site is not surrounded by agricultural developments; thus, development of residential uses on the Project site would have no physical impact on surrounding agricultural uses; and,
- The City of Encinitas General Plan Resource Management Element indicates that there are no "prime" agriculture lands within the City of Encinitas Coastal Zone (City of Encinitas, 2011).

Therefore, there would be no impact under this criterion.

Impact 3.2-2: Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

The proposed Project does not include changes in the existing environment which, due to their location or nature would result in the conversion of neighboring farmland to non-agricultural use. The Project area is surrounded by land that is either developed, under development or within an ecological preserve (San Elijo Lagoon).

Therefore, the proposed Project would not result in the conversion of farmlands off-site to non-agricultural uses, and conversion of onsite Farmland of Local Importance would not be considered a significant impact according to the LESA results and the California Coastal Act. Impacts under this criterion would be less than significant, and no mitigation would be required.

3.2.4. Mitigation Measures

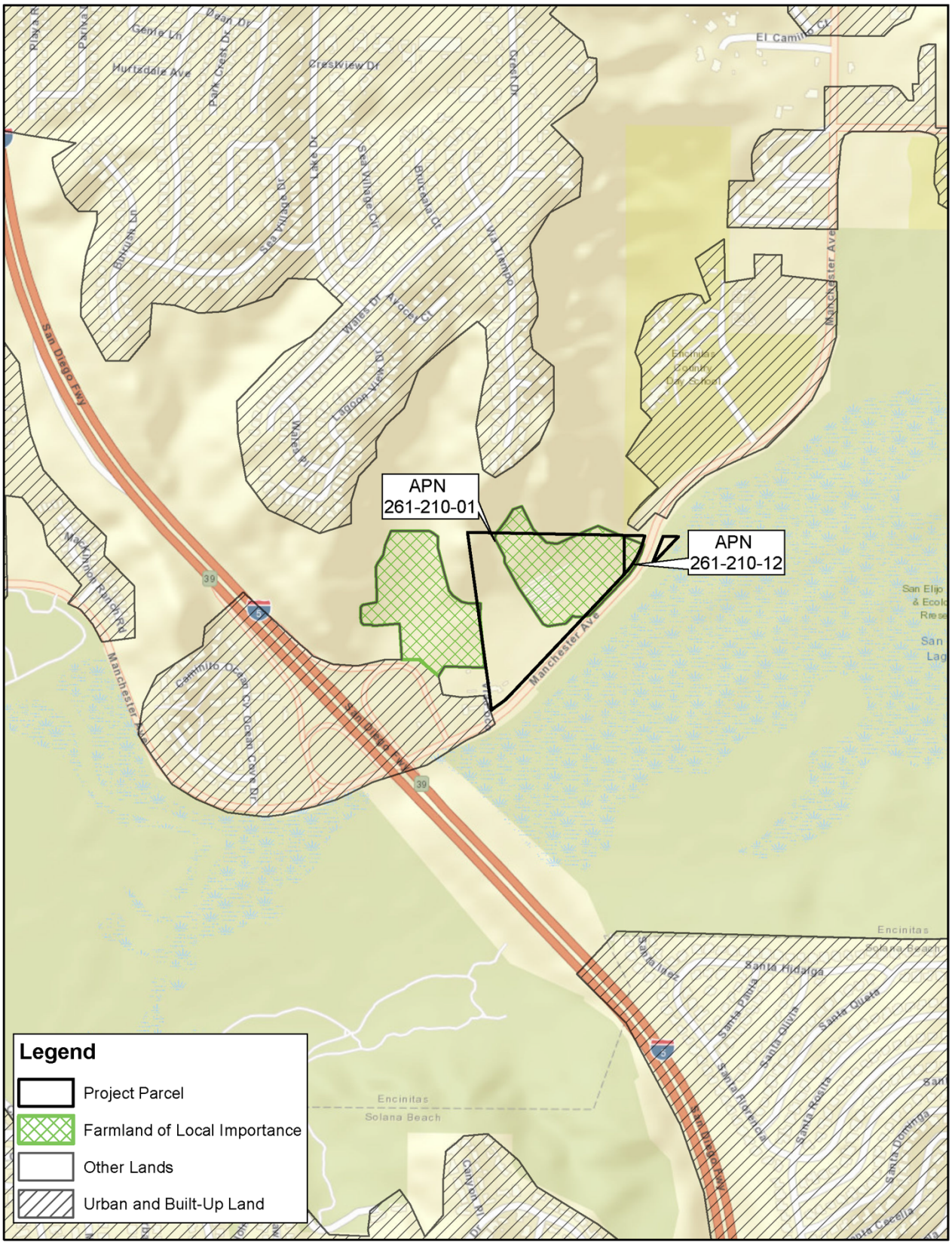
The proposed Project would not result in significant impacts to agricultural resources and no mitigation measures would be required.

3.2.5. Cumulative Impact Analysis

Other development projects in the region, shown on Table 2-5, Potential Cumulative Projects, would also involve ground disturbances and could convert important farmlands to non-agricultural uses, if present. The majority of existing, approved, proposed, and other reasonably foreseeable projects

listed on Table 2-5 are not located on sites that support agricultural uses. The only exception would be one of the Candidate sites included in the 2019 Housing element Update. Candidate Site #9 is located within the Encinitas Ranch Specific Plan and is zoned ER-AG (Encinitas Ranch – Agriculture Zone). Candidate Site #9 is mapped as Unique Farmland and is currently used as a flower nursery.

Mitigation measures will be imposed on the potential cumulative projects, which will minimize the Projects' contribution to the cumulative impact to the extent possible. Therefore, the proposed Project, in combination with the development of other existing, proposed, and reasonably foreseeable projects would not incrementally contribute to the cumulative impact of the loss of important agricultural land, and the impact would be less than cumulatively considerable.



SOURCE: Basemap- Esri; Farmland Mapping and Monitoring Program

BRG CONSULTING, INC.

N

0 0.15 0.3 Miles

Farmland Mapping and Monitoring Program Designations

Belmont Village Encinitas-by-the-Sea

Figure 3.2-1

3.3. Biological Resources

This section addresses potential biological resources impacts that may result from construction and/or operation of the Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions in the Project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the Project, as applicable.

The analysis in this section is based on the Biological Assessment Letter Report prepared by BLUE Consulting Group (2019), which includes a Jurisdictional Waters/Wetland Delineation Report prepared by RECON (2019) (Appendix D-1). The results of the Focused Protocol Coastal California Gnatcatcher Survey Report prepared by BLUE Consulting Group (2019) are also presented in this section (Appendix D-2). These documents were peer reviewed by BRG Consulting, Inc.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted, and written comments were received from agencies and the public. The following issues related to biological resource impacts were raised by the California Department of Fish and Wildlife (CDFW) and the general public and are addressed in this section:

- DEIR should include a jurisdictional delineation.
- DEIR should identify potential impacts to stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of a Lake and Streambed Alteration Agreement (LSSA).
- DEIR should include an analysis of potential impacts to the Focused Planning Area (FPA) and project consistency with the applicable sections of the draft Subarea Plan (SAP).
- DEIR should include a figure depicting location of fuel management zones.
- Any agricultural land proposed for conversion should be evaluated for potential benefits to the preserve and analyzed for meeting softline conservation standards prior to development approval as specified in Section 4.3.1.10 of the draft SAP.
- DEIR should include the following regarding the pedestrian trail:
  - measures to avoid/minimize impacts related to hikers straying off-trail and/or trail use by unauthorized vehicles; and
  - a discussion of how the proposed location and use of the trail would be consistent with the City's draft SAP.
- DEIR should address cumulative effects to sensitive species and habitats

- Protocol-level surveys should be conducted for listed species with potential to occur within project site and results included in the DEIR.
- DEIR should include an assessment of special status plants and natural communities; an inventory of biological resources within each habitat type; and, an inventory of rare, threatened, endangered and other sensitive species.
- DEIR should include a discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage to on-site or adjacent habitats; impacts on wildlife corridors/movement areas, including access to undisturbed habitats.
- DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities (i.e. threatened habitats having both regional and local significance from project-related impacts.
- DEIR should include mitigation measures that alleviate direct and indirect impacts. For unavoidable impacts, on-site habitat restoration or enhancement and/or off-site mitigation through habitat creation and/or acquisition should be discussed.
- DEIR should include a requirement for temporary fencing where proposed grading or clearing is within 100 feet of preserved sensitive habitats.
- DEIR should include the requirement that a Wildlife Agency-approved biological monitor be present during initial clearing, grading, and construction in sensitive habitat areas.
- DEIR should include plans for restoration and revegetation.
- DEIR should include measures to protect, in perpetuity, the habitat values of proposed preservation and/or restoration areas from direct and indirect negative impacts.
- DEIR should include a management and monitoring plan (MMP), including a funding commitment, for any on- and/or off-site biological open space easements, if applicable.
- Measures should be taken to avoid impacts to nesting birds.

CDFW also requested that the Draft EIR evaluate the Project's consistency with the City of Encinitas' Draft Subarea Plan for the North County Multiple Habitat Conservation Program.

3.3.1. Existing Conditions

The Project site is situated adjacent to the northern boundary of the San Elijo Lagoon. To the south of the Project site is the San Elijo Lagoon Open Space, to the west is developed land and I-5, to the east is Mira Costa College and to the north are coastal bluffs, atop which supports high density housing. The Project site has been impacted by nursery operations and intense cultivation for several decades. The southwest corner of the property has been acquired by Caltrans via eminent domain and is being utilized for Caltrans' San Elijo Park and Ride/Multi-Use Facility. This area was included in the biological surveys, but is not considered a part of the Project site.

Biological Surveys

The Biological Assessment documents surveys conducted on the site between October 21, 2017 and June 6, 2019. Prior to conducting the biological surveys, a thorough review of relevant maps, databases, and literature pertaining to biological resources was performed. Recent aerial imagery, topographic maps, soils maps, and other maps of the Project site and immediate vicinity were acquired and reviewed to obtain updated information on the natural environmental setting. In addition, a query of sensitive species and habitat databases was conducted, including the California Natural Diversity Database, the California Native Plant Society Electronic Inventory, and the Consortium of California Herbarium applications, as well as a review of regional species lists produced by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW).

A general habitat, sensitive and rare species biological survey, along with a protocol wetland delineation were conducted for the Project site and the area approximately 100 feet beyond the property lines on October 21, 2017. USFWS protocol surveys for the Coastal California Gnatcatchers were conducted on May 17, May 27 and June 9, 2017. A wetland delineation was also conducted in August 2019 for the off-site areas, south of Manchester Avenue, in the vicinity of proposed improvements to four existing drainage culverts.

Jurisdictional Delineations

A preliminary U.S. Army Corps of Engineers (ACOE) jurisdictional wetland delineation of the Project site was also conducted in on October 21, 2017 to identify potential features to determine whether they met the criteria of a potentially jurisdictional feature. An additional jurisdictional wetland delineation was conducted on August 21, 2019. The survey area for this delineation included four (4) off-site existing culvert locations south of Manchester Avenue that are proposed for improvement as part of this Project, and a 100-foot buffer around each.

Delineation of Non-Wetland Waters of the U.S.

Methods for the delineation of Non-Wetland Waters of the U.S were based on indicators for Ordinary High Water Mark (OHWM), following established criteria outlined in the *U.S. Army Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987), *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (USACE 2008a), and *A Field Guide to the Identification of the OHWM in the Arid West Region of the Western United States* (USACE 2008b).

All jurisdictional features within the study area were determined by the presence of OHWM indicators.

Delineation of SWRCB)/ RWQCB) Jurisdictional Resources

Evaluation of State Water Resource Control Board (SWRCB)/Regional Water Quality Control Board (RWQCB) jurisdiction followed guidance from Section 401 of the Clean Water Act (CWA) and follows the same jurisdictional areas as ACOE, unless an isolated water is determined to be present. Isolated water features are not considered jurisdictional under ACOE, but are still delineated using the OHWM or wetted area. Isolated water bodies are considered SWRCB/RWQCB jurisdictional under the Porter-Cologne Act.

Delineation of CDFW Jurisdictional Resources

Evaluation of CDFW jurisdiction followed the guidance of standard practices by CDFW personnel. CDFW jurisdiction was delineated by measuring the width of top of bank of watercourses, which equaled the bed and bank limits in these small systems, all of which are deeply incised under the currently existing condition. Riparian vegetation was observed within the study area, to the south of Manchester Avenue.

Vegetation Communities

A total of six vegetation communities or habitat types occur within the Project site including freshwater marsh, unvegetated ephemeral Waters of the U.S. (channel), coastal sage scrub, agricultural, urban disturbed (previously graded), and developed (Figure 3.3-1a, On-Site Existing Vegetation and Habitats). Off-site vegetation and habitats mapped within the study area south of Manchester Avenue are depicted on Figure 3.3-1b and include south coastal salt marsh, coastal brackish marsh, herbaceous wetland, southern willow scrub, mule fat scrub, coastal scrub, intertidal estuary, Diegan coastal sage scrub, disturbed habitat, and urban/developed land. Table 3.3-1 summarizes the vegetation communities and habitats mapped within the survey areas. A brief description of each vegetation community is provided below.

TABLE 3.3-1. VEGETATION COMMUNITIES/HABITATS WITHIN THE SURVEY AREAS

Habitat Type	Acreage
On-Site	
CDFW Fresh/Saltwater Marsh	0.13
ACOE/CDFW/RWQCB Non-wetland water of the US, Unvegetated ephemeral	0.08
Coastal Sage Scrub	1.81
Agricultural/Greenhouse (graded/maintained)	15.74
Disturbed Habitat (urban)	0.68
Developed (paved/developed area)	0.59
On-Site Subtotal	**19.03**

TABLE 3.3-1. VEGETATION COMMUNITIES/HABITATS WITHIN THE SURVEY AREAS

Habitat Type	Acreage
Off-Site	
South Coastal Salt Marsh	0.806
Coastal Brackish Marsh	0.042
Herbaceous Wetland	0.017
Southern Willow Scrub	0.072
Mule Fat Scrub	0.109
Coastal Scrub	0.228
Intertidal Estuary	0.021
Diegan Coastal Sage Scrub	0.032
Disturbed Habitat	0.365
Urban/Developed Land	1.038
Off-Site Subtotal	**2.730**

Notes:
ACOE = U.S. Army Corps of Engineers CDFW = California Dept. of Fish and Wildlife
RWQCB = Regional Water Quality Control Board

Source: BLUE Consulting Group, 2019 (Appendix D-1).

On-Site

Fresh/Saltwater Marsh (CDFW Jurisdictional)

The observed Freshwater Marsh, a jurisdictional wetland totaling 0.13 acres, occurs within the northwestern-most portion of the Property, on the south side of Manchester Avenue. This habitat is within the San Elijo Lagoon. Typically, and in this location, this jurisdictional vegetation community is comprised of typical perennial emergent monocots including salty dodder (*Cuscuta salina*), alkali heath (*Frankenia grandifolia*), saltgrass (*Distichlis spicata*), pickleweed (*Salicornia virginica*) and southwestern spiny rush (*Juncus acutus*).

Non-Wetland Water of the U.S.; Unvegetated Ephemeral Channel (Federal/State Jurisdictional Habitat)

The unvegetated non-wetland Waters of the U.S. ephemeral channel is located on-site in the form of a managed and maintained soft bottom channel, totaling 0.08 acres, which follows the general historical course of this natural drainage feature. The channel enters the Project site from the west, adjacent to the toe of the bluff and Caltrans park and ride/multi-use facility, and exits the Project site at the southern property line draining into a roadside ditch which then enters the San Elijo

Lagoon. Waddles[1] are located within the channel, and due to regular maintenance, no vegetation was observed within the channel, which is on average 3 feet wide.

The on-site portion of the developed drainage ditch/flood control infrastructure associated with the development of Manchester Avenue, located on the northern side of the street, is not a natural drainage channel and is not located in the historic location of a natural channel. Therefore, this developed and maintained flood control brow ditch/street infrastructure is not considered jurisdictional.

Diegan Coastal Sage Scrub

The 1.81 acres of Diegan coastal sage scrub on-site is of high quality, with little to no areas supporting concentrated non-native species. This habitat is located on the northern portion of the Project site and adjacent to the coastal bluff located to the north of the site.

Agricultural

On-site, the 15.74 acres of agricultural use is the dominant feature and is comprised of fields, roads and irrigation infrastructure.

Urban Disturbed Habitat

On-site, the 0.68 acres of urban/disturbed land is generally located on the perimeter of the Project site and has been historically graded (slopes and pads) and are maintained. Disturbed land typically provides little habitat for wildlife species.

Developed

On-site, the 0.59 acres of developed land is limited to the development of the roads and business structures. This is inclusive of the south west corner of the Property that Caltrans assumed by eminent domain, portions of Manchester Avenue and the drainage brow ditch located on the north side of the road.

Off-Site

The following six vegetation communities contain hydrophytic vegetation: south coastal salt marsh, coastal brackish marsh, herbaceous wetland, southern willow scrub, mule fat scrub, and coastal scrub, were mapped (See Figure 3.3-1b).

South Coastal Salt Marsh

South coastal salt marsh occurs within the majority of the survey areas southeast of Manchester Avenue. It generally occurs within the low flat portions of the lagoon and extends as a large expanse

[1] Typically used for sediment control.

throughout the lagoon outside the survey areas. The south coastal salt marsh areas are dominated by alkali heath (*Frankenia salina*;) and salty susan (*Jaumea carnosa*), which tend to separately dominate different portions of this vegetation community. Other commonly occurring species include salt grass (*Distichlis spicata*), glasswort (*Arthrocnemum subterminale*), coastal goldenbush (*Isocoma menziesii*), and large-flower salt marsh dodder (*Cuscuta pacifica* var. *pacifica*).

Coastal Brackish Marsh

Coastal brackish marsh occurs as a small patch near Manchester Avenue. This habitat consists of a dense stand of common tule (*Schoenoplectus acutus* var. *occidentalis*) with occasional great marsh evening-primrose (*Oenothera elata*) and coastal goldenbush.

Herbaceous Wetland

Herbaceous wetland occurs as a small patch around the outfall of the existing culvert in the Northeastern Survey Area. This patch is dominated by great marsh evening-primrose, which has a vegetation cover of approximately 50 percent.

Southern Willow Scrub

Southern willow scrub occurs as two small patches both of which are dominated by mature arroyo willow (*Salix lasiolepis*).

Mule Fat Scrub

Mule fat scrub occurs as three patches within the survey area, generally occurring adjacent to the outfalls of the existing culverts. All three patches are dominated by mule fat with two (2) patches containing substantial vegetation cover of arroyo willow.

Coastal Scrub

Coastal scrub occurs as patches interspersed, generally between the existing culvert outfalls and on slightly sloped areas between the disturbed habitat along Manchester Avenue and the expanses of southern coastal salt marsh. These coastal scrub areas are dominated by coastal goldenbush and contain a variety of herbaceous species in the understory, including alkali heath and western ragweed.

Vegetation communities or land cover types within the off-site survey area that lack hydrophytic vegetation include areas mapped as intertidal estuary, Diegan coastal sage scrub, disturbed habitat, and urban/developed land. The small patch of Diegan coastal sage scrub is dominated by California buckwheat (*Eriogonum fasciculatum*). Intertidal estuary was mapped within the unvegetated portions of the San Elijo Lagoon, which occurs in the eastern and southeastern portions of the survey area.

Disturbed habitat was mapped mostly along the edge of the road and the top of the slope leading down from Manchester Road. These areas were dominated by a combination of native and non-native herbaceous species, such as horseweed, short-pod mustard (*Hirschfeldia incana*), telegraph weed (*Heterotheca grandiflora*), great marsh evening-primrose; freeway iceplant (*Carpobrotus edulis*) and western ragweed. The areas mapped as urban/developed areas include the paved roadway of Manchester Avenue.

Sensitive Habitats

Sensitive habitats are those which generally support sensitive plant or wildlife species and have limited distribution, restricted habitat requirements, particular susceptibility to human disturbance, degradation due to development or invasion by non- native species, or a combination of all of these factors. Three sensitive habitat types were observed on-site: coastal sage scrub, CWA Section 404 jurisdictional freshwater marsh and CWA jurisdictional unvegetated non-wetland waters (ephemeral channel running through the existing agricultural fields). Note that CWA jurisdictional areas are also protected as Waters of the State of California under the Porter Cologne Water Quality Act. Offsite to the south is the San Elijo Lagoon.

Sensitive Plant Species

Sensitive or special status plant species are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal resource conservation agencies. Sensitive plant species are so called because of their limited distribution, restricted habitat requirements, or particular susceptibility to human disturbance, or a combination of these factors.

No sensitive plant species were observed on-site during the 2017 biological survey, and due to the condition of the site, none would be expected to occur on-site or within the off-site development envelope. Due to lack of appropriate habitat, the potential for sensitive plant species to occur on-site ranges from none to moderate, but none has greater than a moderate potential to occur on-site

Sensitive Animal Species

Sensitive or special status wildlife species are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal resource conservation agencies. Sensitive species are so called because of their limited distribution, restricted habitat requirements, or particular susceptibility to human disturbance, or a combination of these factors.

A total of eight (8) wildlife species were identified on-site. Of these eight (8) only one is considered a sensitive wildlife species. A single sensitive wildlife species was observed flying overhead, a turkey vulture (*Cathartes aura*). USFWS protocol coastal California gnatcatcher surveys have been completed and were negative for on-site coastal California gnatcatcher (Appendix D-2). A portion

of the Project site supports coastal sage scrub habitat which is appropriate for the coastal California gnatcatcher; however, no gnatcatchers were observed on-site during the completed surveys.

Nesting Birds and Raptors

The Property contains numerous scattered mature trees as well as mature ornamental landscaping. These features are located within the southwest corner, which is being utilized for Caltrans' San Elijo Park and Ride/Multi-Use Facility and is not considered a part of the Project site. There are no appropriate nesting areas for raptors within the Project site.

Mature trees can support raptor nesting. Raptors are large predatory or scavenger birds that typically require tall trees for perching and nesting associated with adjacent open grasslands to forage. Due to declining habitat and the associated declining numbers of these species on the whole, many raptor species have been designated as California Species of Special Concern by the CDFW. These species are protected, especially during their critical nesting and wintering stages. Raptors are protected under the CDFW California Raptor Protection Act (Title 14, Section 670). No historic raptor nests were observed within the trees adjacent to the Project site.

Wildlife Corridors

Corridors are smaller constrained areas of habitat that connect larger areas of habitat which are otherwise separated by rugged terrain, changes in vegetation, or urban development. A corridor is a specific route that is used for the movement and migration of species. In San Diego County, important corridors have been identified on the local and regional scale in establishing a connection between the northern and southern regions.

The Project site is itself generally developed and actively utilized with the surrounding area to the north and east dominated by high density development. While the San Elijo Lagoon and Open Space is immediately adjacent to the southern property line, the Project site is not within an existing recognized habitat corridor.

3.3.2. Regulatory Framework

Federal

Endangered Species Act

The federal Endangered Species Act (ESA) establishes the legal framework for the listing and protection of species (and their habitats) identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered a "take" under the ESA. Take of a federally listed threatened or endangered species is prohibited without a special permit. The ESA allows for take of a threatened or endangered species incidental to development activities once a Habitat Conservation Plan has been prepared to

the satisfaction of the USFWS and an Incidental Take Permit has been issued under Section 10 of the Act. The ESA allows for the take of threatened or endangered species after consultation has deemed that development activities will not jeopardize the continued existence of the species. The ESA also provides for a Section 7 consultation when a federal permit is required, such as a Clean Water Act Section 404 Permit.

"Critical habitat" is a term within the ESA designed to guide actions by federal agencies (as opposed to state, local, or other agency actions) and defined as an area occupied by a species listed as threatened or endangered within which are found physical or geographical features essential to the conservation of the species, or an area not currently occupied by the species which is itself essential to the conservation of the species.

Clean Water Act

Under Section 401 of the Clean Water Act (CWA), a federal agency may not issue a permit or license to conduct any activity that may result in any discharge into Waters of the United States unless a state or authorized tribe where the discharge would originate issues a Section 401 Water Quality Certification verifying compliance with existing water quality requirements or waives the certification requirement.

CWA Section 404 prohibits the discharge of dredged or fill material into Waters of the United States without a permit from the ACOE. The ACOE and the US Environmental Protection Agency (EPA) administer the act. In addition to streams with a defined bed and bank, the definition of Waters of the United States includes wetland areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (33 CFR 328.3 7b). The lateral extent of non-tidal waters is determined by delineating the ordinary high-water mark (33 CFR Section 328.4[c][1]).

If adjacent wetlands occur, the limits of jurisdiction extend beyond the ordinary high-water mark to the outer edge of the wetlands. The presence and extent of wetland areas are normally determined by examination of a site's vegetation, soils, and hydrology. The majority of jurisdictional wetlands exhibit three wetland criteria: hydrophytic vegetation, wetland hydrology, and hydric soils.

Impacts such as the placement of fill in Waters of the United States may require an individual permit. Small-scale projects may qualify for permitting under the nationwide permit program, which typically has an expedited process compared to the individual permit process. Compensatory mitigation for impacts to Waters of the United States is required as a condition of the Section 404 Permit and Section 401 Water Quality Certification. Typically, 1:1 establishment or re-establishment of the habitat impacted is the minimum compensatory mitigation required. Additional mitigation may include preservation, restoration, and/or enhancement, either on- or off-site. The

characteristics of the restored or enhanced Waters of the United States must be equal to or better than those of the affected resource to achieve no net loss of function and values.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the California Fish and Game Code (FGC).

All raptors and their nests are protected from take or disturbance under the MBTA (16 USC Section 703 et seq.) and California statute (FGC Section 3503.5).

State

California Endangered Species Act

The California Endangered Species Act (CESA) generally parallels the main provisions of the FESA and is administered by the CDFW. State lead agencies are required to consult with CDFW to ensure any action it undertakes is not likely to jeopardize the continued existence of any state-listed endangered, threatened, or candidate plant and animal species. The take of a state endangered species is approved in a manner similar to that of the federal act, with a take permit being granted through Section 2081 of the CESA. In addition to listed species, the CDFW also maintains a list of "species of special concern," including species whose breeding populations in California may face local extirpation. To avoid future listing of these species of special concern as endangered or threatened, the CDFW recommends consideration of these species (although they do not as yet carry legal status) during analysis of the impacts of proposed projects.

There are no state agency consultation procedures under the CESA. For projects that affect both a state and federal listed species, compliance with the federal Endangered Species Act will satisfy the CESA act if the California Department of Fish and Wildlife (CDFW) determines that the federal incidental take authorization is "consistent" with the CESA under FGC Section 2080.1. For projects that will result in a take of a state-only listed species, the Project proponent must apply for a take permit under Section 2081(b).

California Fish and Game Code

The California Fish and Game Code codifies regulations for the management and protection of the state's fish, wildlife, plant and native habitats.

Native Plant Protection Act

The Native Plant Protection Act (FGC Sections 1900–1913) prohibits the take, possession, or sale within the state of any plants with a state designation of rare, threatened, or endangered (as defined by the CDFW). An exception in the act allows landowners, under specified circumstances, to take listed plant species, provided that the owners first notify the CDFW and give that state agency at least 10 days to retrieve the plants before they are plowed under or otherwise destroyed (FGC Section 1913). Project impacts to these species are not considered significant unless the species are known to have a high potential to occur in the area of disturbance associated with construction of a proposed project.

Sensitive Vegetation Communities

Sensitive vegetation communities are natural communities and habitats that are unique, of relatively limited distribution in the region, or of particularly high wildlife value. These resources have been defined by various federal, state, and local conservation plans, policies, or regulations. The CDFW ranks sensitive communities as threatened or very threatened and keeps records of their occurrences in the California Natural Diversity Database (CNDDB). The CDFW also identifies sensitive vegetation communities on its List of California Natural Communities Recognized by the CNDDB. Impacts to sensitive natural communities and habitats identified in local or regional plans, policies, and regulations, or by federal or state agencies, must be considered and evaluated under the California Environmental Quality Act (CEQA).

Species of Special Concern

Species of special concern are broadly defined as animals not listed under the CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for listing under the CESA and recovery efforts that might ultimately be required. The designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species and to focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under CEQA during project review. Species of special concern are included in the list of Special Animals List tracked by the CNDDB.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act defines Waters of the state as any surface water or groundwater, including saline waters, within the boundaries of the state. The Regional Water Quality Control Boards (RWQCBs) protect all waters in their regulatory scope but have special responsibility for isolated wetlands and headwaters. These water bodies have high resource value,

are vulnerable to filling, and may not be regulated by other programs, such as CWA Section 404. The RWQCBs regulate Waters of the State under the Water Quality Certification Program, which regulates discharges of dredged and fill material under CWA Section 401 and the Porter-Cologne Water Quality Control Act.

Projects that require an ACOE permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit but involves activities that may result in a discharge of harmful substances to Waters of the State, the applicable RWQCB has the option to regulate such activities under its state authority in the form of waste discharge requirements or certification of waste discharge requirements.

Lake and Streambed Alteration Program

The California Fish and Game Code Section 1602 requires any person, state, or local governmental agency to notify the CDFW prior to initiating any activity that would (1) divert or obstruct the natural flow of or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; or (2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The state definition of "lakes, rivers, and streams" includes all rivers or streams that flow at least periodically or permanently through a well-defined bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation.

Natural Community Conservation Planning Act of 1991

The Natural Community Conservation Planning Act is aimed at conservation of natural communities at the ecosystem scale while allowing for compatible land uses. The CDFW is primarily responsible for implementation of the act, which is intended to allow comprehensive protection and management of wildlife species and provides for regional protection of natural wildlife diversity while allowing appropriate land development.

Local

Multiple Habitat Conservation Program

The Multiple Habitat Conservation Program (MHCP) is a comprehensive, multiple jurisdictional planning program designed to develop an ecosystem preserve in San Diego County. Implementation of the regional preserve system is intended to protect viable populations of key sensitive plant and animal species and their habitats, while accommodating continued economic development and quality of life for residents of the North County region. The North County MHCP, adopted and certified by the SANDAG Board of Directors on March 28, 2003, extends the County's MHCP program into the northwestern areas of the County. The North County MHCP includes six (6) incorporated cities in northwestern San Diego County: Carlsbad Encinitas, Escondido, San Marcos,

Solana Beach, and Vista. These jurisdictions will implement their respective portions of the MHCP through "subarea" plans, which describe the specific implementing mechanisms each city will institute. The goal of the MHCP is to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46 percent) are already in public ownership and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species.

City of Encinitas Draft Subarea Plan

The City of Encinitas Draft Subarea Plan addresses how the City could conserve natural biotic communities and sensitive plant and wildlife species under the MHCP framework. The Draft Subarea Plan would provide regulatory certainty to landowners in the city and aid in conserving the region's biodiversity and enhancing the quality of life. The Draft Subarea Plan addresses the potential impacts to natural habitats and rare, threatened, or endangered species caused by projects in the City. The Draft Subarea Plan also forms the basis for Implementing Agreements, which would be the legally binding agreements between the City and the wildlife agencies that ensure implementation of the plan and provide the City with state and federal "take authority."

The Project site is located within the southern area of the Subarea Plan and is within a "softline" focused planning area (FPA); however, the Subarea Plan has not been adopted by the City of Encinitas.

City of Encinitas General Plan

The City of Encinitas General Plan (General Plan) serves as a blueprint for the long-range physical planning of the City. The General Plan contains goals and policies designed to shape the long-term development of the City, as well as protect its environmental, social cultural, and economic resources. The relevant goals and policies for the Project include:

Resource Conservation Element

Policy 3.1:	Mature trees of community significance cannot be removed without City authorization.
Policy 3.2:	Mature trees shall not be removed or disturbed to provide public right-of-way improvements if such improvements can be deferred, redesigned, or eliminated. This policy is not meant to conflict with the establishment of riding/hiking trails and other natural resource paths for the public good, or with the preservation of views.
Policy 3.6:	Future development shall maintain significant mature trees to the extent possible and incorporate them into the design of development projects.
Policy 5.1:	The City will monitor and cooperate with the ongoing efforts of the U.S. Environmental Protection Agency, the San Diego Air Pollution Control

District, and the State of California Air Resources Board in improving air quality in the regional air basin. The City will implement appropriate strategies from the San Diego County SIP which are consistent with the goals and policies of this plan.

Policy 5.2: The City will monitor and cooperate with the ongoing efforts of the U.S. Environmental Protection Agency, the State of California Water Resources Control Board, and the Regional Water Quality Control Board in improving water quality in the San Diego region.

Policy 9.2: All drainage courses should be maintained in natural or semi- natural vegetation utilizing existing topography as opposed to concrete ditches or pipes. (Coastal Act/30231/30240)

Policy 9.3: Where possible, bridges should be used in lieu of pipes, box culverts, or underground channels to preserve the integrity of the natural stream courses, in keeping with community character in the Planning Area. (Coastal Act/30231/30240)

Policy 10.1: The City will minimize development impacts on coastal mixed chaparral and coastal sage scrub environmentally sensitive habitats by preserving within the inland bluff and hillside systems, all native vegetation on natural slopes of 25% grade and over other than manufactured slopes. A deviation from this policy may be permitted only upon a finding that strict application thereof would preclude any reasonable use of the property (one dwelling unit per lot). This policy shall not apply to construction of roads of the City' s circulation element, except to the extent that adverse impacts on habitat should be minimized to the degree feasible. Encroachments for any purpose, including fire break brush clearance around structures, shall be limited as specified in Public Safety Policy 1.2. Brush clearance, when allowed in an area of sensitive habitat or vegetation, shall be conducted by selective hand clearance. (Coastal Act/30240/30250/30251/30253)

Policy 10.5: The City will control development design on Coastal Mixed Chaparral and Coastal Sage Scrub environmentally sensitive habitats by including all parcels containing concentrations of these habitats within the Special Study Overlay designation. The following guidelines will be used to evaluate projects for approval.

- conservation of as much existing contiguous area of Coastal Mixed Chaparral or Coastal Sage Scrub as feasible while protecting the remaining areas from highly impacting uses;

- minimize fragmentation or separation of existing contiguous natural areas;
- connection of existing natural areas with each other or other open space areas adjacent to maintain local wildlife movement corridors;
- maintenance of the broadest possible configuration of natural habitat area to aid dispersal of organisms within the habitat;
- where appropriate, based on community character and design,
- clustering of residential or other uses near the edges of the natural areas rather than dispersing such uses within the natural areas;
- where significant, yet isolated habitat areas exist, development shall be designed to preserve and protect them;
- conservation of the widest variety of physical and vegetational conditions on site to maintain the highest habitat diversity;
- design of development, with adjacent uses given consideration, to maximize conformance to these guidelines; and
- preservation of rare and endangered species on site rather than by transplantation off site. (Coastal Act/ 30240/30250)

In addition, all new development shall be designed to be consistent with multi- species and multi- habitat preservation goals and requirements as established in the statewide Natural Communities Conservation Planning (NCCP) Act. Compliance with these goals and requirements shall be implemented in consultation with the United States Fish and Wildlife Service and California Department of Fish and Game. Policy 10.5 amended 5/11/95 (Resolution 95-32)

Policy 10.9: The City will encourage the preservation and the function of San Elijo Lagoon and Batiquitos Lagoon and their adjacent uplands as viable wetlands, ecosystems and habitat for resident and migratory wildlife, by prohibiting actions (subject to the detailed provisions of RM policy 10.6) which:

- involve wetland fill or increased sedimentation into wetlands;
- adversely decrease stream flow into the wetlands;
- reduce tidal interchange;

- reduce internal water circulation; or
- adversely affect existing wildlife habitats. (Coastal Act/30231)

Policy 10.11: In acting to maintain and, where feasible, restore the biological productivity and quality of San Elijo Lagoon, the City will limit alterations and uses to minor public facilities; restorative measures; nature study; passive, non- degrading recreational activities; and facilities necessarily adjunct aquaculture uses. No recreational boating facilities will be permitted in San Elijo Lagoon. Coastal- dependent developments (i.e., utility facilities, boating facilities, etc.) shall not be sited in the wetland area (San Elijo Lagoon and contiguous wetlands). (Coastal Act/30231)

Policy 13.5: The City shall promote and require the conservation and preservation of natural resources and features of the area in their natural state and avoid the creation of a totally urbanized landscape. Encourage the planting of trees and other vegetation, especially native species, to enhance the environment. (Coastal Act/30240/30251)

Policy 13.6: Establish and preserve wildlife corridors. (Coastal Act/30231/30240)

3.3.3. Thresholds for Determination of Significance

This section lists the thresholds used to conclude whether a biological impact would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

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

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

3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

3.3.4. Analysis of Project Effects and Significance Determination

Impact 3.3-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

No species identified as a candidate, sensitive, or special-status species were observed on-site during the 2017 biological surveys and none would be expected to occur onsite. USFWS protocol coastal California gnatcatcher surveys were completed for the Project and were negative for on-site coastal California gnatcatcher (Appendix D-2). However, the Biological Assessment Report indicated a high potential for the gnatcatcher to occupy the on-site Diegan coastal sage scrub. This sensitive on-site habitat would be protected by a proposed open space easement and would not be modified or directly impacted by the Project.

Although no special-status plant or animal species are expected to be directly impacted by the Project through habitat modification, indirect impacts on California gnatcatchers may occur during construction activities, as discussed below under Impact 3.3-2. In addition, reconstruction of the four off-site storm drain outlets would result in minor impacts on wetland habitat associated with the San Elijo Lagoon, which supports sensitive bird species in the nearby area, such as the Belding's Savannah Sparrow and Ridgway's Rail. These impacts consist of permanent impacts to 12 square feet (SF) and temporary impacts to 784 SF of jurisdictional wetlands. Overall, with implementation of wetland mitigation measures (MM BIO-3 and MM BIO-4) discussed below, the Project's minor direct impacts on sensitive habitat are not expected to result in significant effects on sensitive species. However, the edge effects associated with construction activities within and/or near sensitive wetland and upland habitat areas may result in significant indirect effects on sensitive species. These indirect effects and mitigation are addressed below under Impact 3.3-2.

Raptors have been historically observed in the area and there are large open areas on-site, raptor foraging within this area may occur. However, as this area is currently and historically utilized by human activity, no historic raptor nests have been observed on-site, the loss of this area does not constitute a significant habitat impact or loss of significant raptor foraging area. As a condition of

approval, the City will require a pre-construction survey of potential nesting habitat if initial grading and vegetation removal activities must occur with the general bird breeding season for migratory birds and raptors (January 15 and September 15), to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the MBTA and California FGC.

Overall, the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Direct impacts on such species would be less than significant.

Impact 3.3-2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

During construction of the Project, short-term indirect impacts include noise and construction-related erosion, which could temporarily affect sensitive habitat and the vitality of sensitive species that utilize the habitat. These species include the California gnatcatcher, which has a high potential of occurring within the on-site Diegan coastal sage scrub. Other sensitive species that could experience short-term indirect impacts include wetland bird species that occur off-site within the San Elijo Lagoon, where nearby observations of the Belding's Savannah Sparrow and Ridgway's Rail have been documented. Long-term indirect impacts may include intrusions by humans and domestic pets using the proposed trail, lighting, invasion by exotic plant and wildlife species, use of toxic chemicals (fertilizers, pesticides, herbicides, and other hazardous materials), soil erosion, and hydrological changes. The Project site is located in the City of Encinitas draft Subarea Plan area and within a 'softline' focused planning area (FPA). In order to prevent potential significant indirect impacts to the proposed open space, sensitive adjacent upland habitats and/or the San Elijo Lagoon, MM BIO-1 through MM BIO-6 would be implemented by the Project.

The Project would not directly impact sensitive upland habitat (Diegan coastal sage scrub) identified on- or off-site. However, as discussed below, the project would have direct impacts on the jurisdictional non-wetland drainage channel onsite and off-site wetland habitat.

Impact 3.3-3: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Implementation of the Project would result in a direct impact to the vegetation community acreages, as presented on Table 3.3-2. As shown on Table 3.3-2, the Project would permanently and temporarily impact a total of 16.69 acres. Of this total, 12.94 acres of disturbance would occur on-site, and 3.75 acres would be impacted by off-site improvements. This total is comprised of the following vegetation types: agricultural, developed, ACOE/CDFW jurisdictional non-wetland water

ephemeral drainage channel, off-site CDFW jurisdictional marsh wetlands**.** (See Figure 3.3-2). The only federally protected Waters of the U.S. as defined by the CWA that would be permanently impacted on-site are 0.08 acres of jurisdictional non-wetland water ephemeral drainage channel and compensatory mitigation is required. This impact would be mitigated to below a level of significance with implementation of MM BIO-2.

Reconstruction of the off-site storm drain culverts would result in off-site permanent impacts to 12 SF and temporary impacts to 784 SF of CDFW jurisdictional wetlands. As discussed above, all on-site freshwater marsh and coastal sage scrub would be preserved (See Table 3.3-2). The Project would also mitigate for the 12 SF of permanent impacts and 784 SF of temporary impacts to the off-site CDFW jurisdictional wetland habitat(s) to a level below significance.

Mitigation measure MM BIO-7 will mitigate permanent impacts to Waters of the U.S. on the Project site. Temporary impacts to off-site CDFW jurisdictional wetland habitat will be immediately addressed by recontouring to the natural grade and restoring as the appropriate type of wetland (MM BIO-8). Therefore, with implementation of these mitigation measures, the Project would not have a substantial adverse effect on federally protected Waters of the U.S. as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Impacts after mitigation would be less than significant.

TABLE 3.3-2. PROPOSED IMPACTS AND MITIGATION REQUIREMENTS

Habitat Type		Impact (acres)				Mitigation Ratio	Mitigation Acreage	Avoided
		On-site/	Off-site	Permanent	Temporary			
ACOE/CDFW Non-wetland Water of the US, Unvegetated ephemeral		0.08	0.0	0.08	0.0	1:1	0.08	0.0
CDFW Fresh/Saltwater Marsh		0.0	0.0183	0.0003 *	0.018 **	1:1	0.018	0.13
Diegan Coastal Sage Scrub		0.0	0.0	0.0	0.0	N/A	N/A	1.81
Agricultural/Greenhouse (graded/maintained)		12.18	0.0	12.18	0.0	N/A	N/A	4.32
Disturbed habitat (urban)		0.68	0.0	0.68	0.0	N/A	N/A	0.0
Developed (paved/developed area)		0.0	3.73	0.0	3.73	N/A	N/A	0.0
TOTAL		**12.94**	**3.75**	**16.67**	**0.018**	**- -**	**0.08**	**6.26**

Notes:
* Denotes 12 square feet of off-site permanent impacts to CDFW jurisdictional marsh
**Denotes 784 square feet of off-site temporary impacts to CDFW jurisdictional marsh
ACOE = U.S. Army Corps of Engineers
CDFW = California Dept. of Fish and Wildlife
NA/ - - = Not Applicable.

Source: BLUE Consulting Group, 2019 (Appendix D-1).

Impact 3.3-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

All riparian habitat or other sensitive natural community, as well as the potential existing wildlife corridors and nursery sites have been avoided and preserved and pre-construction nesting surveys are required by MM BIO-1 and MM BIO-2. Therefore, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Impacts under this criterion would be less than significant.

Impact 3.3-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The Project would impact 0.08 acres of Waters of the U.S. on site, 12 SF of permanent impacts and 784 SF of temporary impacts to off-site CDFW jurisdictional wetland habitats and mitigate to a level below significance after mitigation (MM BIO-7 and MM BIO-8). Mature trees are located within the southwest corner of the property that is being utilized for the Caltrans project but are not located within the Project site. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Impacts under this criterion would be less than significant.

Impact 3.3-6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

With exception of minor wetland impacts described above, the project would not result in direct impacts on biological resources within the designated MHCP preserve. Therefore, the majority of MHCP conservation policies do not apply to the Proposed Project. With respect to MCHP wetland policies, project mitigation for the wetland impacts would comply with the MHCP's no net loss policy for wetland functions and values.

Although not adopted, the City's Draft Subarea Plan provides adjacency guidelines for development next to designated focused planning areas. These guidelines are intended to implement the MHCP's preserve management policies by ensuring minimal development impacts to biological resources within the MHCP's focused planning area (FPA). The adjacency guidelines were intended to be addressed during the planning stages of new development and include measures for addressing development effects related to drainage and toxics, erosion and sedimentation, lighting, noise, barriers, landscaping, and fire/brush management guidelines.

Project implementation would not conflict with FPA adjacency guidelines intended to minimize adverse effects of drainage, toxics, erosion, and sedimentation. The Project is required to comply

with local, state, and federal regulations pertaining to water quality. Section 402 of the Clean Water Act authorizes the State Water Resources Control Board to issue a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit. NPDES regulations would require the Project to implement a stormwater pollution prevention plan (SWPPP) that specifies best management practices (BMPs) to prevent grading/construction-related pollutants (including sediment from erosion) from contacting stormwater and moving off-site into receiving waters, as well as elimination/reduction of non-stormwater discharges. In addition, inspections of all associated construction BMPs would be required. The Project would also be required to comply with provisions of the city's Grading, Erosion, and Sediment Control Ordinance, which includes engineering and construction standards to avoid degradation of the lagoon from erosion and sedimentation. Post-construction BMPs, as required by provisions the San Diego Regional MS4 Permit, would be implemented by the Project. These BMPs are described in Sections 2.3.7. and 3.7.4. of this EIR.

Lighting

A Photometric Study was conducted to analyze the effects of proposed outdoor lighting. The results of the study concluded that outdoor lighting levels would not be significant in surrounding sensitive habitat areas, including the Diegan coastal sage scrub area to the north and lagoon area to the south. The Photometric Study indicated that outdoor lighting would have no measurable foot-candle levels in these areas. In addition, streetlights proposed for the parking lot areas and perimeter pedestrian pathways would have full cutoff fixtures to minimize glare. For these reasons, the Project would not conflict with adjacency guidelines for lighting impacts.

Noise

As previously discussed, construction activity may result in significant edge effects related to noise. During the bird breeding season, these indirect effects may impact the breeding and nesting behaviors of sensitive bird species within the Diegan coastal sage scrub habitat areas to the north and lagoon areas to the south. Implementation of mitigation measures MM BIO-1 and MM BIO-2 which require preconstruction nesting surveys and provide for biological monitoring if active nests are identified, would reduce significant indirect effects on sensitive bird species to less than significant.

Barriers

The adjacency guidelines include provisions for the installation of barriers along the FPA boundaries to discourage human encroachment within the sensitive habitat areas. Implementation of MM BIO-6 would require the installation of temporary fencing for any construction activities adjacent to sensitive habitat areas. This construction fencing would be installed along the limits of disturbance for reconstruction of the storm drain outlets/culverts in the lagoon area. In addition, prior to construction of the on-site trail, construction fencing would be installed between the limits of disturbance and sensitive habitat areas. As part of the trail's construction, permanent fencing would

be installed along the trail and maintained in perpetuity. The above fencing requirements would be consistent with provisions of the adjacency guidelines for barriers.

Mitigation measure MM BIO-6 includes provisions to ensure consistency with landscape restrictions provided in the adjacency guidelines. These restrictions pertain to prohibiting the planting of non-native, invasive species within or adjacent to the FPA, directing irrigation away from the FPA, and implementation of a fertilization program that minimizes the use of fertilizers.

The adjacency guidelines also include provisions for brush management when wildfire hazards are identified for development. These guidelines are not be applicable since the City's Fire Marshal would not require brush management for the Project.

Overall, with implementation of MM BIO-1 through MM BIO-6, the Project would be consistent with land use adjacency guidelines provided in the City's Draft Subarea Plan and the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Impacts under the Impact 3.3-6 criterion would be less than significant.

3.3.5. Mitigation Measure(s)

The following mitigation measures would reduce impacts to below a level of significance.

MM BIO-1: Minimize and Mitigate Indirect Impact Avoidance/Minimization Measures

To avoid and/or minimize indirect impacts to off-site sensitive wetland and on- or off-site upland habitat and any associated sensitive species, the Project Applicant shall implement MM BIO-1 through MM BIO-6

MM BIO-1. Bird Nesting Survey for Proposed Trail

Construction activities for the proposed trail adjacent to Diegan coastal sage scrub should commence outside of the California gnatcatcher bird breeding season (February 15 to August 31). If construction occurs during the breeding season, then a bird nesting survey shall be conducted by a qualified biologist no more than 10 days prior to construction to determine whether breeding California gnatcatchers or active nests occur onsite or within 300 feet of the construction area boundary.

The wildlife agencies and the City's Development Services Department shall be notified if any breeding behavior or active nests are detected. If breeding activity or an active nest is identified, the biologist and Project Applicant shall postpone construction activity and contact the wildlife agencies to discuss: 1) the best approach to avoid/minimize impacts to breeding/nesting birds (e.g., sound walls), and 2) a monitoring program acceptable to the wildlife agencies. Subsequent to these

discussions, work may be initiated subject to implementation of the agreed-upon avoidance/minimization approach and monitoring program.

If the biologist determines that bird breeding activity is being disrupted, the Project Applicant shall stop work and coordinate with the wildlife agencies to review the avoidance/minimization approach. Upon agreement as to the necessary revisions to the avoidance/minimization approach, work may resume subject to the revisions and continued monitoring. Success or failure of an active nest shall be established by regular and frequent trips to the site, as determined by the biologist and through a schedule approved by the wildlife agencies. Monitoring of an active nest shall continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by the wildlife agencies.

MM BIO-2. Bird Nesting Survey for Off-Site Culverts

Construction activities for the four storm drain culverts/outlets should commence outside of the breeding season for the Belding's Savannah Sparrow and the Ridgway's Rail (March 15 to September 15). If construction occurs during the bird nesting season, then a Pre-construction nesting survey shall be conducted by a qualified biologist no more than 10 days prior to the first day of construction to determine whether breeding activity or active nests of the Belding's Savannah Sparrow and the Ridgway's Rail occur within 300 feet of the construction area boundary. If construction is to take place anytime within the breeding season for these species, then the above bird clearance surveys and associated monitoring shall be conducted by a qualified biologist on each day of construction activity.

The wildlife agencies and the City's Development Services Department shall be notified if any breeding behavior or active nests are detected during the surveys for the Belding's Savannah Sparrow and the Ridgway's Rail. If breeding activity or an active nest is identified, the biologist and Project Applicant shall postpone construction activity and contact the wildlife agencies to discuss: 1) the best approach to avoid/minimize impacts to breeding/nesting birds (e.g., sound walls), and 2) a monitoring program acceptable to the wildlife agencies. Subsequent to these discussions, work may be initiated subject to implementation of the agreed-upon avoidance/minimization approach and monitoring program. If the biologist determines that bird breeding activity is being disrupted, the Project Applicant shall stop work and coordinate with the wildlife agencies to review the avoidance/minimization approach. Upon agreement as to the necessary revisions to the avoidance/minimization approach, work may resume subject to the revisions and continued monitoring. Success or failure of an active nest shall be established by regular and frequent trips to the site, as determined by the biologist and through a schedule approved by the wildlife agencies. Monitoring of an active nest shall

continue until fledglings have dispersed or the nest has been determined to be a failure, as approved by the wildlife agencies.

Reporting. Prior to final engineering inspection for the off-site storm drain outlets and on-site trail, the Project Applicant shall submit a final bird survey monitoring report prepared by the project biologist to the wildlife agencies and City's Development Services Department. The report shall include documentation of all bird survey, monitoring activities, coordination efforts with the wildlife agencies, as-built construction drawings with an overlay of any active nests in the survey areas, photographs of habitat areas during pre-construction and post-construction conditions, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance was achieved for the avoidance/minimization provisions and the biological monitoring program required by the wildlife agencies.

MM BIO-3. Conduct Biological Monitoring and Reporting.

Prior to grading permit issuance, the Project Applicant shall provide evidence to the Development Services Department that a qualified biologist has been retained to monitor construction activity; verify that construction limits are respected; and that the Project's other biological mitigation requirements and permit terms and conditions are being properly implemented.

Monitoring activities shall be thoroughly and accurately documented on a daily basis. The biologist shall prepare daily, weekly, monthly, annual, and final monitoring reports for the City of Encinitas. Prior to the start of monitoring activities, Project Applicant shall provide proposed monitoring report formats, describing content, organization and submittal schedule for City's Development Services Department review and approval in consultation with wildlife agencies.

MM-BIO-4. Development Lighting

The Project Applicant shall ensure that development lighting shall always be directed away from and/or shielded so as not to illuminate sensitive habitat areas.

MM-BIO-5. Open Space Easement.

Prior to grading permit issuance, an open space easement shall be recorded over lots "B" and "C" shown on the approved tentative map.

MM-BIO-6. Design Impact Avoidance/Minimization

Prior to final landscape plan approval, landscape plans shall specify the following:

1. All Project site landscaping shall comply with the City's Invasive Plant Policy.

2. For landscaping proposed adjacent to sensitive habitat areas, the use of non-native, invasive plant species (i.e., container stock and hydroseed material) shall be prohibited. Irrigation, fertilization, pest control, and pruning practices shall be controlled and monitored in these landscaped areas to avoid alteration of habitat conditions and prevent shifts in species composition from native to non-native flora.

Prior to issuance of construction permits, the following measures shall be included in construction plans to the satisfaction of the Development Services Department:

3 All contractors shall abide by the requirements of the biological mitigation measures contained in the Project's EIR, entitlement permit conditions of approval, state and federal wetland permit conditions of approval, and the directions in the field of the project biologist.

4. Off-site wetland areas and on-site/off-site sensitive upland habitat areas shall be protected with construction fencing. The construction fencing shall be portrayed on the construction plans to the satisfaction of the Development Services Department. In each work area, fencing will be installed in advance of mobilization and will remain in place until construction in that area is complete and the contractor has demobilized. For sensitive upland habitat, construction fencing shall remain until permanent fencing is installed along the proposed on-site trail. All fencing shall be installed under the direct supervision of a qualified wildlife biologist.

5. All outdoor lighting on the project site shall be shielded with full-cutoff light fixtures and directed away from the adjacent sensitive habitat areas. If night work is necessary, night lighting shall be of the lowest illumination necessary for human safety, selectively placed, shielded with full-cutoff fixtures, and directed away from sensitive habitat.

6. All construction activity adjacent to wetland and Diegan coastal sage scrub habitat areas shall be required to adhere to measures outlined in the City's Grading, Erosion, and Sediment Control Ordinance to avoid degradation to wetland habitat from erosion. These measures include restrictions on the timing and amount of grading. For example, grading shall be prohibited during the rainy season (October 1st through April 15th) without an approved erosion control plan and program in place. Grading or vegetation removal shall be prohibited adjacent to wetland areas during the rainy season unless determined to be allowable on a site-specific basis with the

provision of all necessary erosion control devices, which must be in place and maintained throughout the grading period.

7. Erosion and sediment control measures used for the proposed Project, including fiber rolls and bonded fiber matrix, shall be made from biodegradable materials such as jute, with no plastic mesh, to avoid creating a wildlife entanglement hazard. If wattles are used, only certified sterile, weed-free rice straw will be permitted.
8. All hazardous materials used in project construction shall be transported, stored, handled, and used in strict accordance with label restrictions and all applicable federal, state, and local regulations. In the event known or suspected hazardous materials are encountered or released during site preparation, grading, or other Project related activity, work in the vicinity of the find shall be suspended until a qualified contractor (meeting the Environmental Professional qualifications in ASTM E1527-13) is retained by the Project Applicant and can assess the nature of the find and stipulate appropriate follow-up and protective measures.
9. All contractors shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced Project footprint. No construction staging shall occur with sensitive habitat or open space easement areas.
10. To avoid attracting predators, the Project site shall be kept as clean of debris as possible. All food related trash items shall be disposed of on a daily basis and shall be enclosed in sealed containers and regularly removed from the site.
11. Pets of project personnel shall not be allowed on the Project site.

Timing/Implementation:	*Prior to grading permit and/or construction permit issuance; during grading, excavation and construction activities, upon completion of monitoring activities, and prior to final engineering inspection.*
Enforcement/Monitoring:	*City of Encinitas Development Services Department*

Level of Significance After Mitigation

Implementation of mitigation measures **MM BIO-1 through MM BIO-6** would reduce impacts to below a level of significance.

MM BIO-7. Wetland Mitigation Credit

Prior to grading permit issuance, the Project Applicant shall mitigate the loss of 0.08 acre of Waters of the U.S. at a 1:1 mitigation ratio to the satisfaction of the wetland permitting agencies. A wetland mitigation credit of at least 0.08 acre shall be purchased from a resource agency-approved wetland mitigation bank within the planning area of the Multiple Habitat Conservation Program. The mitigation bank and the Project Applicant shall provide a receipt to the City's Development Services Department demonstrating the purchase of the required credits in favor of the Proposed Project from the approved mitigation bank prior to grading permit issuance.

Timing/Implementation:	*Prior to grading permit issuance.*
Enforcement/Monitoring:	*City of Encinitas Development Services Department*

Level of Significance After Mitigation

Implementation of mitigation measure **MM BIO-2** would reduce permanent impacts to on-site Waters of the U.S. to below a level of significance.

MM BIO-8.: Wetland Revegetation Plan

Prior to grading permit issuance, a wetland revegetation plan shall be prepared and approved by the City and wetland permitting agencies having jurisdiction over the temporary off-site impacts (784 SF) to wetlands. The revegetation plan will include, but not be limited to, an implementation plan; erosion control measures, appropriate seed mixtures and planting methods; quantitative and qualitative success criteria; a maintenance, monitoring, and reporting program; an estimated completion time; and contingency measures. Provisions of the revegetation plan shall be referenced on the Project's grading plan to the satisfaction of the City's Development Services Department.

Timing/Implementation:	*Prior to grading permit issuance, and during construction activities.*
Enforcement/Monitoring:	*City of Encinitas Development Services Department*

Level of Significance After Mitigation

Implementation of mitigation measure **MM BIO-3** would reduce temporary impacts off-site wetlands to below a level of significance.

MM BIO-9.: Obtain Approval of All Necessary Resource Agency Permits

Prior to grading permit issuance, the applicant shall obtain all necessary resource agency permits and provide copies to the City. All conditions identified within each of the resource agency permits shall be implemented in accordance with the permit and referenced on project grading plans to the satisfaction of the Development Services Department. The applicable resource agency permits for the proposed project include a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers (Nationwide 18-Minor Discharges), a Clean Water Act Section 401 Water Quality Certification from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife.

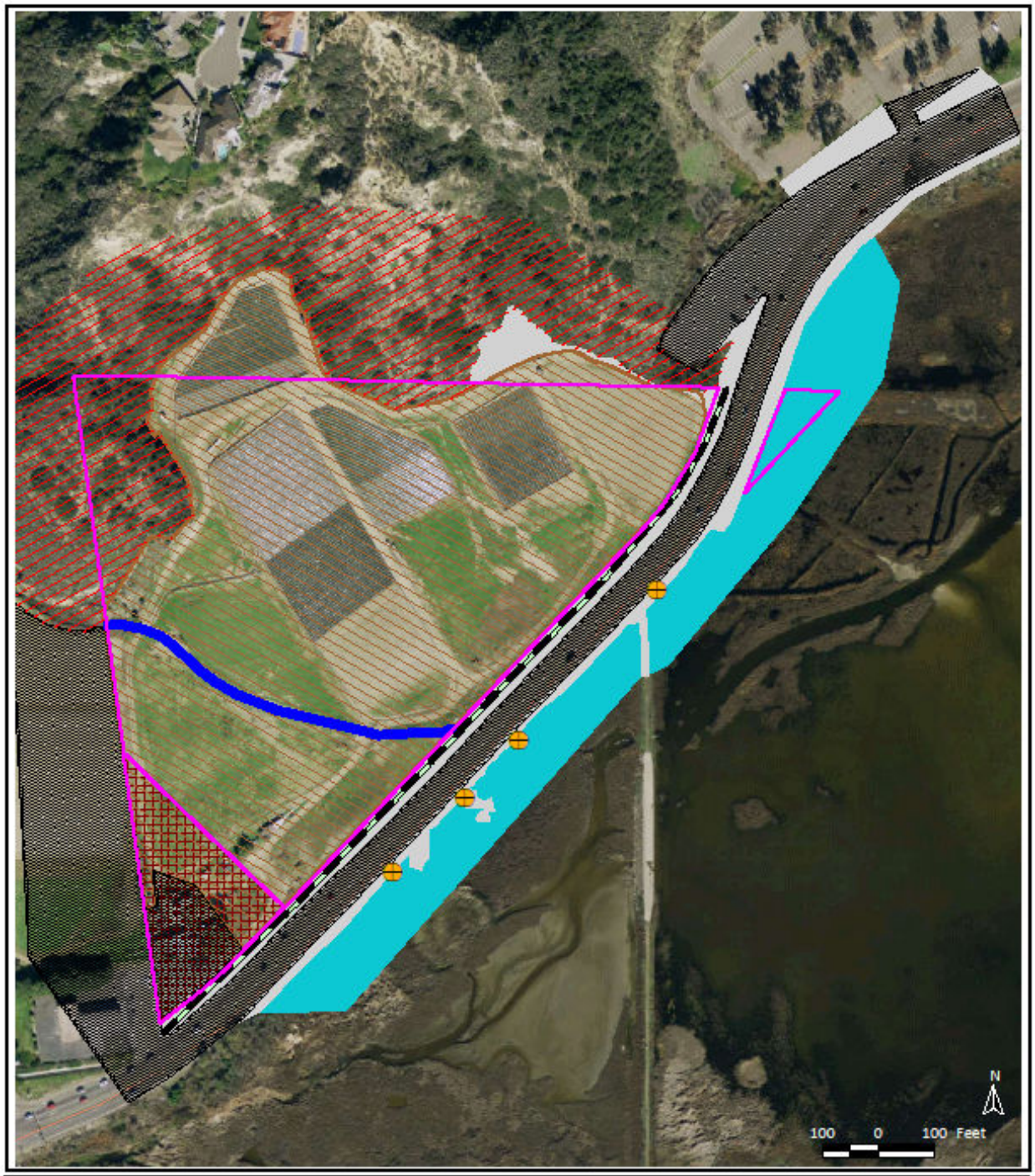
Timing/Implementation:	*Prior to grading permit issuance, and during construction activities.*
Enforcement/Monitoring:	*City of Encinitas Development Services Department*

Level of Significance After Mitigation

Implementation of mitigation measure **MM BIO-4** would reduce impacts to below a level of significance.

3.3.6. Cumulative Impact Analysis

In conjunction with other development projects in the project vicinity (Table 2-5), the proposed Project would not have a cumulative considerable impact on biological resources. As discussed above, with implementation of mitigation measures, the Project would be consistent with applicable policies of the regional MHCP. In addition, the project would not impact any upland habitat (Figure 3.3-3). Permanent impacts to the 0.08 acres of jurisdictional unvegetated, non-wetland, ephemeral waters (on-site) and 12 SF of jurisdictional CDFW wetlands (off-site) would be fully mitigated and no-net-loss of wetlands would occur. All 784 SF of temporary impacts to the jurisdictional CDFW wetlands would be mitigated with the restoration of the impacted areas. The applicant proposes to convey 0.13 acre of on-site freshwater marsh and 1.81 acres of on-site Diegan coastal sage scrub to the Nature Collective, a non-profit organization that conserves and manages sensitive habitat and other biological resources within the San Elijo Lagoon. This donated land would be managed by the Nature Collective in perpetuity. Lastly, during construction activity, significant indirect effects on sensitive species would be avoided with implementation of **MM BIO-1** through **MM BIO-6**. For above reasons, the Project's impacts on biological resources would not be cumulatively considerable.



SOURCE: BLUE Consulting Group, 2019

BRG CONSULTING, INC.

Existing Vegetation and Habitats
Belmont Village Encinitas-by-the-Sea
Figure 3.3-1a

SOURCE: RECON Environmental, Inc., 2019

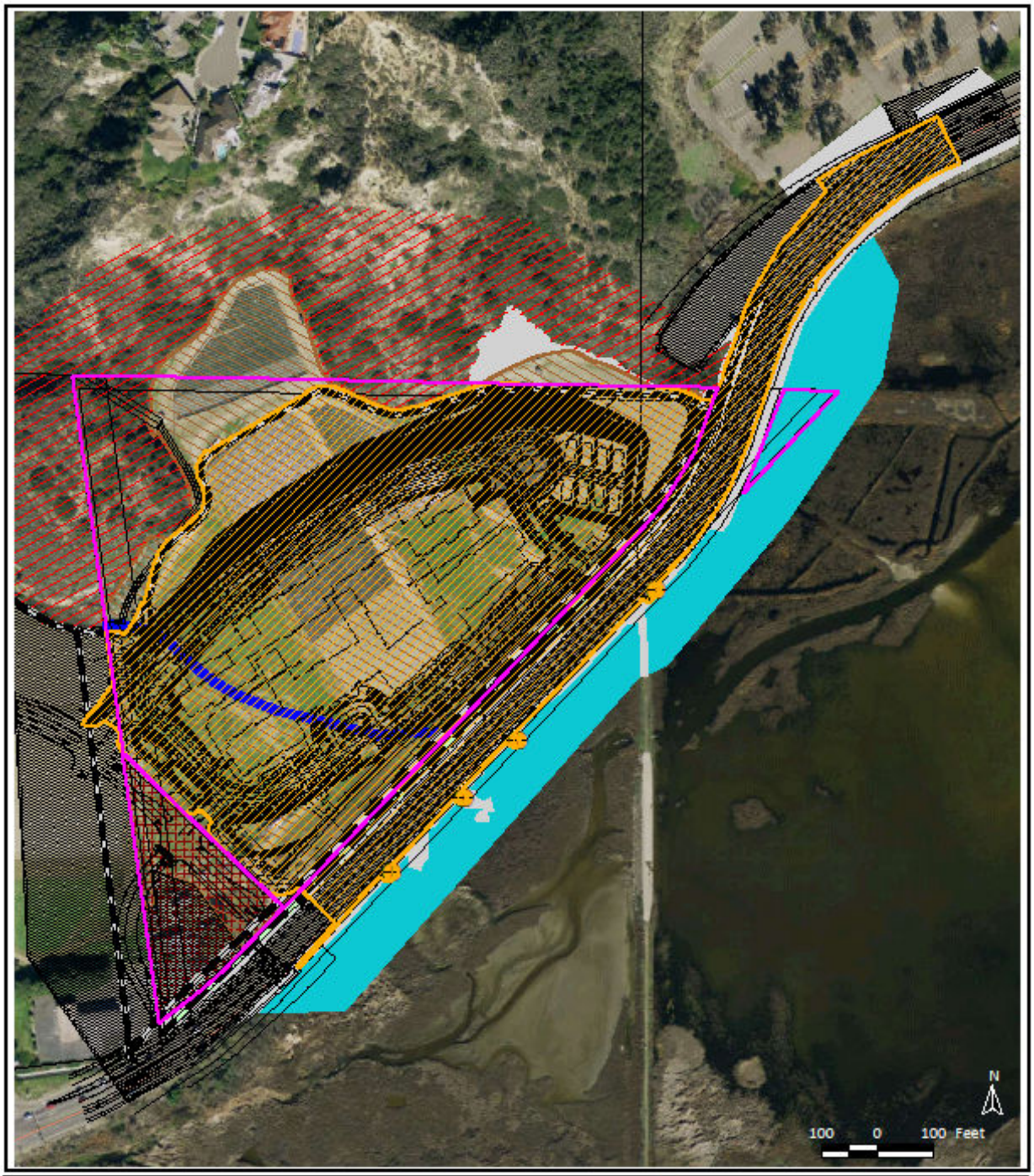
BRG CONSULTING, INC.

Existing Vegetation and Habitats – Off-Site
Belmont Village Encinitas-by-the-Sea
Figure 3.3-1b

SOURCE: BLUE Consulting Group, 2019

BRG CONSULTING, INC.

Jurisdictional Delineation
Belmont Village Encinitas-by-the-Sea
Figure 3.3-2



SOURCE: BLUE Consulting Group, 2019

BRG CONSULTING, INC.

Proposed Biological Resouce Impacts
Belmont Village Encinitas-by-the-Sea
Figure 3.3-3

3.4. Cultural Resources

This section addresses potential cultural impacts that may result from construction and/or operation of the Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable.

The analysis in this section is based on the *Phase I Cultural Resources Study* prepared by Brian F. Smith and Associates, Inc. (2018). The Phase I Cultural Report was peer reviewed by BRG Consulting, Inc. and is included as Appendix E-1.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted and written comments were received from agencies and the public. The following issues related to cultural resources and Native American Tribal Consultations were raised by the Native American Heritage Commission and are addressed in this section:

- AB 52 applies to any project for which an NOP, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.
- NAHC recommends that lead agencies consult with California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project.
- Both SB 18 and AB 52 have tribal consultation requirements.
- NAHC provided recommendations for Cultural Resource Assessments.

Because the Project does not include a General Plan Amendment, compliance with SB-18 is not applicable. Tribal consultations, pursuant to SB-18 are not required and are not addressed in this EIR.

3.4.1. Existing Conditions

The study area is located in western San Diego County, directly north of San Elijo Lagoon on the coastal plain. The coastal strip has a 130-kilometer-long shoreline and is comprised of raised Pleistocene marine and non-marine terraces ranging from five to 20 kilometers in width. Cretaceous, Tertiary, and Quaternary marine and non-marine sedimentary deposits define these terraces, which have been extensively modified by erosion. Drainages of varied catchment size are closely spaced along the coast, and lagoons have formed at the mouths of many of these rivers.

The area of western San Diego County has a very rich and extensive record of both prehistoric and historic activity. The cultures that have been identified in the general vicinity of the Project area include the Paleo Indian Period manifestation of the San Dieguito Complex, the Early Archaic

Period represented by the La Jolla Complex, and the Late Prehistoric Period represented by the Kumeyaay Indians. Following the Hispanic intrusion into the region, the Presidio of San Diego, the Mission San Diego de Alcalá, and the Pueblo of San Diego were established. The Project area was possibly used in conjunction with the agricultural activities of the mission until the period of mission secularization. The pastoral activities of the Mexican Period (1822 to 1846) likely included use of the areas near the project for grazing purposes. Farming also blossomed and gradually replaced cattle ranching in many of the coastal areas. The site is currently used for agriculture.

An archaeological records search was conducted at the South Coastal Information Center (SCIC) on August 21, 2018. The SCIC search identified that 58 cultural resource studies have been conducted within a one-mile radius of the Project site. Nine of the previous studies include parcels within the Project site. These sources did not indicate the presence of cultural resources within or immediately adjacent to the Project.

The SCIC search also identified 64 cultural resource locations within a one-mile radius of the Project site, four of which (P-37-025108, P-37-025109, P-37-025110, and P-37-025112), all prehistoric isolated marine shell fragments, have been recorded within the project boundaries. These resources are identified on Table 3.4-1. Of the 64 cultural resources found within a one-mile radius of the Project site, 58 are prehistoric resources. Of the prehistoric resources, 36 are recorded as either isolates or small sites consisting of lithic flakes, fire-affected rock, shell fragments, and/or Tizon Brown Ware fragments, while 22 are shell midden sites. The midden sites are mainly situated along the bluffs overlooking San Elijo Lagoon and Escondido Creek (west of the Project site). The prehistoric resources are mostly tied to extraction behavior and are likely associated with the prehistoric exploitation of Escondido Creek and San Elijo Lagoon. The remaining six (6) sites are historic, and include an old water line, an animal/pet grave marker, building foundations, and associated trash deposits.

Brian F. Smith and Associates, Inc. (BFSA) also requested a records search of the Sacred Lands File (SLF) of the Native American Heritage Commission (NAHC). The SLF search did not indicate the presence of any sacred sites or locations of religious or ceremonial importance within the search radius; however, the search did indicate that the general area is sensitive for cultural resources.

In accordance with the recommendations of the NAHC, BFSA contacted all Native Americans listed in the NAHC response letter. NAHC identified 25 tribes, 28 contact persons, and BFSA contacted those tribes and person listed in the NAHC and received a response from one tribe, the Agua Caliente tribe, which indicated that a records check of the Tribal Historic preservation office's cultural registry revealed that the Project is not located within the Agua Caliente Tribe's Traditional Use Area. Therefore, they stated they would defer to the other tribes in the area.

An intensive pedestrian survey of the Project site was conducted by BFSA on August 16, 2018. Aerial photographs and development maps permitted orientation and location of project boundaries. Where possible, narrow transect paths were employed to ensure maximum survey coverage. No

constraints were encountered during the survey and ground visibility was classified as excellent. The entire property had been recently plowed, which allowed for unobstructed ground visibility and all exposed ground was inspected for cultural materials. The soil on the property is generally free of rocks. A survey form, field notes, and photographs documented the survey work undertaken. Photographs were taken to document field conditions during the investigations. During the field survey, no evidence of an archaeological site was observed, and the survey did not identify any significant cultural resources.

TABLE 3.4-1. CULTURAL RESOURCE SURVEY RESULTS

Resource Number	Description	Status
P-37-025108	Prehistoric Isolated Marine Shell Fragment	Not an Archaeological Resource
P-37-025109	Prehistoric Isolated Marine Shell Fragment	Not an Archaeological Resource
P-37-025110	Prehistoric Isolated Marine Shell Fragment	Not an Archaeological Resource
P-37-025112	Prehistoric Isolated Marine Shell Fragment	Not an Archaeological Resource

Source: Brian F. Smith and Associates, Inc. 2018 (Appendix E)

3.4.2. Regulatory Framework

Cultural resources may be subject to plans and policies developed to ensure that adequate consideration is given to mitigating impacts to historical resources. The Project is subject to the following plans, regulations, goals, and policies.

State

California Environmental Quality Act

For the purposes of CEQA, a significant historical resource is one that qualifies for the California Register of Historical Places (CRHR) or is listed in a local historic register or deemed significant in an historical resources survey, as provided under Section 5025.1(g) of the Public Resources Code (PRC). A resource that is not listed in or is not determined to be eligible for listing in the CRHR, is not included in a local register or historic resources or is not deemed significant in a historical resources survey may nonetheless be deemed significant by a CEQA lead agency.

CEQA Section 21083.2(g) defines the criteria for determining the significance of archaeological resources. These criteria include definitions for a “unique” resource, based on its:

- Containing information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
- Having a special and particular quality such as being the oldest or best available example of its type; and/or
- Being directly associated with a scientifically recognized important prehistoric or historic event or person.

Assembly Bill 52 (AB52)

On September 25, 2014, Governor Brown signed Assembly Bill (AB) 52, which created the new category of "tribal cultural resources" that must be considered under CEQA. It applies to all projects that file a notice of preparation (NOP) or notice of negative declaration or mitigated negative declaration on or after July 1, 2015. AB 52 requires lead agencies to provide notice to and begin consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of a Project if that tribe has requested, in writing, to be kept informed of projects by the lead agency prior to the determination whether a negative declaration, mitigated negative declaration, or environmental impact report will be prepared. If a tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe. The bill also specifies mitigation measures that may be considered to avoid or minimize impacts on tribal cultural resources.

California Health and Safety Code

California Health and Safety Code Section 7050.5 regulates the procedure in the event of the discovery of Native American human remains. Pursuant to PRC Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are determined to be Native American, the coroner is required to contact the Native American Heritage Commission. The commission is responsible for contacting the most likely Native American descendent, who will consult with the local agency regarding how to proceed with the remains. According to CEQA Guidelines Section 15064.5, Native American human remains are a significant resource.

California Register of Historical Resources

The State Historical Resources Commission has designated the California Register for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The California Register is the authoritative guide to the state's significant historical and archaeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

Local

City of Encinitas General Plan

GOAL 7:	The City will make every effort to ensure significant scientific and cultural resources in the Planning Area are preserved for future generations.
POLICY 7.1:	Require that paleontological, historical and archaeological resources in the planning area are documented, preserved or salvaged if threatened by new development.
POLICY 7.2:	Conduct a survey to identify historic structures and archaeological/cultural sites throughout the community and ensure that every action is taken to ensure their preservation.

City of Encinitas Municipal Code

Section 30.34.050, Cultural/Natural Resources Overlay Zone, of the City's Municipal Code (Chapter 30.34, Special Purpose Overlay Zones) includes regulations that apply to areas within the Special Study Overlay Zone where site-specific analysis indicates the presence of sensitive cultural, historic, and biological resources, including sensitive habitats. For parcels containing archaeological or historical sites, the Municipal Code requires a site resource survey and impact analysis to determine the significance of, and possible mitigation for, sensitive resources.

3.4.3. Thresholds for Determination of Significance

This section lists the thresholds used to conclude whether a cultural resource impact would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

1) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines § 15064.5.

3) Disturb any human remains, including those interred outside of formal cemeteries.

3.4.4. Analysis of Project Effects and Significance Determination

Impact 3.4-1: Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

The Project site is used for agricultural purposes and has several outbuildings located near the southwest corner of the site. There are no resources on the Project site which are considered "historical resources" within the meaning of CEQA. Neither the Project site nor the existing structures are listed in, or determined to be eligible for listing in, state or local registers of historical resources. In addition, the City has not determined that the project site or existing structures are "historically significant" within the meaning of CEQA Guidelines section 15064.5(a)(3).

These structures are not a historical resource as defined in § 15064.5. There are no historic buildings, structures, rock outcroppings or other features on or in proximity to the site. Implementation of the project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5 as none exist. No impact would occur due to project implementation.

Impact 3.4-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines § 15064.5.

An intensive pedestrian survey of the Project site was conducted by BFSA on August 16, 2018No evidence of an archaeological site was observed during the pedestrian survey and no significant cultural resources were identified. One isolate metate fragment was observed in the plowed field and due to the extensive agricultural use of the property, it's not clear where the object originated, and therefore, the artifact lacks scientific integrity and is not considered significant. However, based upon the identification of isolated artifacts within the Project site area, and the high cultural resource sensitivity surrounding San Elijo Lagoon a significant impact to archaeological resources could occur from the various construction disturbances associated with the proposed Project. Mitigation measures **MM CUL-1** through **MM CUL-8** and conformance with applicable state regulations would address the recovery of known archaeological historical resources and the potential for encountering undiscovered cultural and/or tribal cultural resources.

With implementation of the proposed mitigation measures, impacts would be less than significant.

Impact 3.4-3: Disturb any human remains, including those interred outside of formal cemeteries.

The potential for encountering human remains at the Project site is low. No known burial sites have been identified on the site or in the vicinity. With implementation of mitigation measures **MM CUL-1** through **MM CUL-8**, impacts would be less than significant.

3.4.5. Mitigation Measures

The following mitigation measures would reduce cultural resource impacts to below a level of significance:

MM CUL-1: Cultural Resources Construction Monitoring

Due to the high potential for uncovering unknown subsurface archaeological resources, including Native American tribal cultural resources, cultural resource mitigation monitoring shall be undertaken for any and all on-site and off-site ground disturbing activities. If on-site and/or off-site ground disturbing activities (e.g., exploratory trenching or excavations) are required for any informal or formal solicitation (written or spoken) of construction bids or similar requirements, all applicable requirements identified in MM CUL-2 through MM CUL-8 below shall be undertaken by the Applicant and/or Owner.

MM CUL-2: Cultural Resource Monitoring Program

A Cultural Resource Mitigation Monitoring Program shall be conducted to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a Qualified Archaeologist and a TCA (traditionally and culturally affiliated) Native American Monitor for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and related road improvements, including, but not limited to, Manchester Avenue and Via Poco. Other tasks of the monitoring program shall include the following:

- The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.
- The Qualified Archaeologist and TCA Native American Monitor shall attend all applicable pre-construction meetings with the Contractor and/or associated Subcontractors.
- The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above.

- The Qualified Archaeologist and/or TCA Native American Monitor may halt ground disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TCA Native American Monitor, in consultation with the San Luis Rey Band of Mission Indians ("San Luis Rey Band"). Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the TCA Native American Monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources.
- The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible a Data Recovery Plan may be authorized by the City as the Lead Agency under CEQA. If a data recovery is required, then the San Luis Rey Band shall be notified and consulted in drafting and finalizing any such recovery plan.
- The Qualified Archaeologist and/or TCA Native American Monitor may also halt ground disturbing activities around known archaeological artifact deposits or cultural features if, in their respective opinions, there is the possibility that they could be damaged or destroyed.

MM CUL-3 Pre-Excavation Agreement

Prior to the issuance of a Grading Permit, and subject to approval of terms by the City, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with the San Luis Rey Band, or other TCA tribe. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant or Owner, and/or Contractor, and the San Luis Rey Band for the protection and treatment of, but not limited to, such items as Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through the cultural resource mitigation monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, soil surveys, grading, or any other ground disturbing activities.

MM CUL-4 Retain Qualified Archaeologist and TCA Native American Monitor

Prior to the issuance of a Grading Permit, the Applicant or Owner, and/or Contractor shall provide a written and signed letter to the City's Development Services Director, stating that a City-approved Qualified Archaeologist and a TCA Native American Monitor have been retained at the Applicant or Owner and/or Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement. A copy of the letter shall be included in the Grading Plan Submittals for the Grading Permit.

MM CUL-5 Prepare Controlled Grade Procedure

Prior to the issuance of a Grading Permit, and in order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" shall be prepared by a Qualified Archaeologist, in consultation with the TCA Native American Monitor, the San Luis Rey Band, and the Applicant or Owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the Qualified Archaeologist and TCA Native American Monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Procedure shall be included in the Grading Plan Submittals for the Grading Permit.

MM CUL-6 Prepare Monitoring Report and/or Evaluation Report

Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which describes the results, analysis and conclusions of the cultural resource mitigation monitoring efforts (such as, but not limited to, the Research Design and Data Recovery Program) shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City's Development Services Director for approval.

MM CUL-7 Disposition of Tribal Cultural Resources

The landowner shall relinquish ownership of all tribal cultural resources collected during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the Project site to the San Luis Rey Band for respectful and dignified treatment and disposition, including reburial, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods

will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98.

MM CUL-8 Identification of Human Remains

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American Monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American Monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept *in situ* ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of the TCA Native American Monitor.

Timing/Implementation:	*Prior to grading permit issuance, during grading and excavation activities, and upon completion of monitoring activities.*
Enforcement/Monitoring:	*City of Encinitas Development Services*

Level of Significance After Mitigation

Implementation of mitigation measures MM CUL-1 through MM CUL-8 would reduce impacts to below a level of significance.

3.4.6. Cumulative Impact Analysis

Other development projects in the region as shown in Table 2-5, Potential Cumulative Projects would also involve ground disturbances and thus could disturb surface or buried archaeological

resources. Without proper mitigation, the cumulative effects of these types of development projects on cultural resources could be significant.

Although no historical resources that meet the criteria for listing on the California Register of Historic Resources were identified within the boundaries of the Project site, it is possible that subsurface resources are present that have not yet been identified. Although unlikely, Project-related ground-disturbing activities could uncover previously unknown prehistoric or historic, as resources within Project boundaries. Therefore, the proposed Project has the potential to incrementally contribute to the disturbance of previously unknown cultural resources.

The proposed Project will be required to implement mitigation measures MM CUL-1 through MM CUL-8 to reduce potential impacts to archaeological, and historical resources to below a level of significance. Existing, approved, proposed, and other reasonably foreseeable projects with potentially significant impacts to archaeological and historical resources would be required to comply with federal, state, and local regulations and ordinances protecting cultural resources through implementation of similar mitigation measures. Therefore, with implementation of regulatory requirements and standard conditions of approval, and Mitigation Measures MM CUL-1 through MM CUL-8, the proposed Project's contribution to impacts to cultural resources would not be cumulatively considerable.

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3.5. Geology and Soils

This section addresses potential geology and soil impacts that may result from construction and/or operation of the Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions on the Project site, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the Project, as applicable.

The analysis in this section is based on the Geotechnical Summary for Due Diligence prepared by Alta California (2018). The Geotechnical Summary for Due Diligence was peer reviewed by BRG Consulting Inc. The report and its attachments are included as Appendix F-1. Findings from the *Vibro Replacement Stone Columns Memo*, prepared by Hayward Baker, Inc (2018, Appendix F-2) are also included in this analysis.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted, and written comments were received from agencies and the public. No comments were received regarding geology and soils.

3.5.1. Existing Conditions

Geologic Setting

Regional Geology

The Project site is located within the Peninsular Ranges Geomorphic Province. This geomorphic province extends from the Transverse Ranges and the Los Angeles Basin approximately 900 miles south to the southern tip of Baja California in Mexico. It varies in width from 30 to 100 miles. This province is characterized by mountainous terrain on the east composed mostly of Mesozoic igneous and metamorphic rocks, and relatively low-lying coastal terraces to the west underlain by late Cretaceous-age, Tertiary-age, and Quaternary-age sedimentary units. Most of coastal San Diego County is found on these coastal terraces and is underlain by sedimentary units (City of Encinitas, 2019a).

Site-Specific Geology

The Project site is underlain by Holocene- to late Pleistocene-age "young alluvial flood-plain deposits" that slope gently southward into the northern edge of the San Elijo Lagoon located to the south across Manchester Avenue. The Eocene-age sandstone bluffs composed of Torrey sandstone and Del Mar formations along the northern portions of the site and offsite are the sources for these sediments. The distribution of these geologic units is shown on Figure 3.5-1. Very minor prisms of artificial fill associated with agricultural practices occur throughout the site. Landslides and active

faulting are not known to occur within the Project site. Both are discussed in more detail later in this section. Groundwater was encountered during subsurface investigation at 9 to 26.5 feet below ground surface (bgs) (Alta California, 2018, Appendix F-1).

Seismic and Geologic Hazards

Several new faults developed in southern California during the Pliocene era. These created a new tectonic regime superposed on the flat-lying section of Tertiary and late Cretaceous rocks in the San Diego region. In southernmost California the principal known onshore faults are the San Andreas, San Jacinto, Elsinore, Imperial, and Rose Canyon faults. Collectively, these faults transfer most of this deformation. The offshore zone of faults that include the Coronado Bank, Descanso, San Diego Trough, and San Clemente faults off the San Diego and northern Baja California coastline take the balance of the plate margin slip. Most of the offshore faults come together south of the U.S.- Mexico border, where they come onshore as the Agua Blanca fault, which transects the Baja California peninsula (City of Encinitas, 2019a).

Active Faults

A fault is defined as is a shear or zone of closely associated shears across which earth materials on one side have been displaced with respect to those on the other side. This displacement is a result of tectonic forces. A fault can be distinguished from those fractures or shears caused by landslides or other gravity-driven surficial failures. A fault whose age of most recent movement is not known or is unconstrained by dating methods or by limitations in stratigraphic resolution is commonly referred to as an age-undetermined fault. A fault that has had surface displacement within Holocene time is known as a Holocene-active fault. A fault whose recency of past movement is older than 11,700 years, and thus does not meet the criteria of Holocene-active fault is a pre-Holocene fault. This is as defined in the State of California's Mining and Geology Board regulations. An Earthquake Fault Zone is a regulatory zone (also known as A-P Zones) that encompass traces of Holocene-active faults to address hazards associated with surface fault rupture. Earthquake Fault Zones are delineated by the California State Geologist and implemented by lead agencies through permitting, inspection and land-use planning activities (Department of Conservation, 2018).

Based on a review of the U.S. Geological Survey (USGS) quarternary fault mapping program (USGS, 2019) there are no known active or potentially active faults that transect or project toward the project site. In addition, the Project site is not located within an earthquake fault zone mapped by the State or by the County of San Diego.

Seismicity

The primary earthquake effect that produces the vast majority of damage is ground shaking. There are several factors that control the interaction of ground motion with structures. This makes ground shaking hazards difficult to predict. Earthquakes, or landslides induced by earthquake activity, can cause damage regardless of proximity to fault lines. Significant economic loss can result from

damage to public and private structures and infrastructure which can also threaten public health and safety. Ground shaking is the most commonly felt effect of earthquakes that has the potential to adversely affects humans and infrastructure. During earthquakes, seismic waves are propagated through the earth's crust. This results in the ground vibrations normally felt during an earthquake. Depending on the frequency content of the earthquake rupture mechanism and the path and material through which the waves are propagated, seismic waves can vibrate in all directions and at a variety of frequencies. The earthquake rupture mechanism is the distance from the earthquake source, or epicenter, to an affected site (City of Encinitas, 2019a).

Six different Seismic Design Categories, based on building occupancy type and the severity of the potential ground motion from an earthquake at the site, are defined by the California Building Code (CBC). The six Seismic Design Categories are designated A through F. Category A has the lowest seismic potential and Category F has the greatest seismic potential. All of San Diego County, including the Project site, is in Seismic Design Category E or F. Therefore, buildings on the Project site must comply with the specifications for Categories E and F (City of Encinitas, 2019a).

The Rose Canyon Fault lies offshore (2.5 miles west of the City of Encinitas at its closest point) and has the capability to generate a magnitude 6.2 to 7.2 earthquake that could potentially damage public and private structures and infrastructure throughout the city. A magnitude 6.9 earthquake on the Rose Canyon Fault has the potential to reach a peak ground acceleration of .40 within downtown Encinitas and the Coast Highway 101 corridor. These sections of the city are more likely to suffer greater damage to infrastructure and human life than other parts of the city due to the following factors:

- Presence of older buildings,
- Relatively higher population density and
- Softer soils susceptible to liquefaction, lurch cracking, lateral spreading and local subsidence.

The Rose Canyon Fault has a citywide extent. As a result, there is a greater percentage of the city's population that is potentially exposed to this hazard relative to others, and comparatively, potential losses from an earthquake would be larger than in most cases (County of San Diego, 2019).

Secondary Seismic Hazards

Liquefaction, Dynamic Settlement, and Lateral Spread

Seismic agitation of relatively loose saturated sands, silty sands, and some silts have the potential to result in an increase in pore pressure. A temporary quick condition known as liquefaction can occur if the pore pressure exceeds the overburden stresses. Generally speaking, more recent sediment deposits are more likely to be susceptible to liquefaction. Other factors that need to be considered when discussing liquefaction include:

- Groundwater;
- Confining stresses;
- Relative density; and

Intensity and duration of seismically-induced ground shaking.

The effect of liquefaction can manifest in several ways including: 1) loss of bearing; 2) lateral spread; 3) dynamic settlement; and 4) flow failure. Among these, the most damaging form of failure has typically been lateral spread (Alta California, 2018, Appendix F-1).

Landslides

There are several formations in the San Diego region which are prone to landslides. Generally, these formations have high clay content and mobilize when they become saturated with water. There are other factors, such as steeply dipping bedding, that projects out of the face of the slope and/or the presence of fracture planes, that could also increase the potential for landslides (City of Encinitas 2019a). However, according to the Geotechnical Report prepared for the Project, landslides and active faulting are not known to occur on the Project site (Alta California, 2018, Appendix F-1).

Paleontological Resources

Paleontological resources are the fossiliferous remains or traces of prehistoric plant and animal life that are not connected with human cultural resources (Deméré and Walsh, 2003). Paleontological resources (such as bones, teeth, shells, and wood) are found in geologic deposits within which they were originally buried and can provide a historic record of environmental conditions outside of human influence, depending on the age and characteristics of the formation. These resources represent a limited, nonrenewable, and sensitive scientific and education resource.

A variety of studies have been completed to characterize geologic formations and their potential for containing paleontological resources. This analysis relies on Paleontological Resources, San Diego County California, prepared by Thomas Deméré, PhD, and Stephen Walsh (Deméré and Walsh, 2003), to identify the potential for resources in the study). Based on past studies and findings throughout the San Diego region, local geologic formations have been assigned paleontological resource sensitivity, indicating their potential to contain paleontological resources of scientific importance. Resources could be disturbed as part of excavation activities, which are proposed for specific areas within the Project site.

Due to the relationship between fossils and geologic formations in which they can occur, the geology of an area provides a reasonable basis for predicting the potential for the presence of paleontological resources. As shown on Figure 3.5-1, terraces and slopes within the Project site are underlain by Delmar and Torrey sandstone formations (Td and Tt), topped by sediment classified as alluvium and colluvium (Qal).

Paleontological Resources, San Diego County California (Deméré and Walsh, 2003) provides generalized potential sensitivity for different geologic deposits within San Diego County. The proposed Project is located within the Coastal Plain region of the Peninsular Ranges Province. The Coastal Plain region is underlain by a "layer cake" sequence of marine and nonmarine sedimentary rock units that record portions of the last 140 million years of earth history. Over this period of time, the relationship of land and sea has fluctuated drastically such that today we have ancient marine rocks preserved up to elevations of around 900 feet above sea level and ancient river deposits as high as 1,200 feet. Faulting related to the local La Nación and Rose Canyon fault zones has broken up this sedimentary sequence into a number of distinct fault blocks in the southwestern part of San Diego County, while in the northern area the effects of faulting are not as great and the rock units are relatively undeformed (Deméré and Walsh, 2003). Descriptions of specific formations found within the Project site are summarized below in Table 3.5-1.

TABLE 3.5-1. PALEONTOLOGICAL FORMATION CHARACTERISTICS AND SENSITIVITY

Formation	Characteristics	Sensitivity
Later Quaternary Alluvium	Alluvial sediments of relatively recent age (i.e., generally younger than 10,000 years old). Consists of poorly consolidated clays, silts, sands, and gravels generally laid down by ephemeral streams.	Low
Delmar	Consists of greenish silty mudstones, brown siltstones, and greenish sandstones deposited in a lagoonal/estuarine setting. This formation supports well-preserved to poorly preserved remains of estuarine invertebrates and estuarine vertebrates.	High
Torrey Sandstone	Consists primarily of yellowish-white, coarse-grained, locally cross-bedded, arkosic sandstones deposited in an ancient nearshore marine environment. This formation has produced important remains of fossil plants and marine invertebrates.	Moderate

Source: Deméré and Walsh 2003.

3.5.2. Regulatory Framework

Federal

International Building Code

The International Building Code (IBC) is a model building code developed by the International Code Council and provides the basis for the California Building Code (CBC) which is discussed below. The IBC includes minimum standards for building construction to ensure human health and safety. Prior to the creation of the IBC, a variety of building codes were used. By the year 2000, these previous codes had been replaced by the IBC. Updates to the IBC are provided every 3 years (City of Encinitas, 2019a).

Occupational Safety and Health Administration Regulations

The Occupational Safety and Health Administration (OSHA) Excavation and Trenching Standard (29 CFR, Part 1926(P) et seq.) covers requirements for excavation and trenching operations. Excavation and trenching are among the most hazardous construction activities. OSHA requires that all excavations where employees could potentially be exposed to cave-ins, be protected by

- Sloping or benching the sides of the excavation,
- Supporting the sides of the excavation, or
- Placing a shield between the side of the excavation and the work area (City of Encinitas, 2019a).

State

California Building Code

As discussed above, the design standards in the CBC are largely based on the IBC. However, due to the geological conditions in California, the CBC includes the addition of more specific design provisions for structures located in seismic zones. The provisions of the CBC apply throughout the state to the construction, alteration, movement, replacement, and/or demolition of all buildings and structures or any appurtenances connected or attached to such buildings or structures (City of Encinitas, 2019a).

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act addresses non-surface fault rupture earthquake hazards, including liquefaction and seismically induced landslides. Passed by the California Legislature in 1990, this law was codified in the Public Resources Code (PRC) as Division 2, Chapter 7.8A and became operative in April 1991. The act resulted in a mapping program that is intended to reflect areas with the potential for liquefaction, landslide, strong ground shaking, or other earthquake and geologic hazards. The Project site does not have an official seismic-hazard zone map (City of Encinitas, 2019a).

Alquist-Priolo Earthquake Fault Zoning Act

As a result of the San Fernando earthquake which occurred in 1971, the California Legislature passed the Alquist-Priolo Earthquake Fault Zoning Act (PRC Section 2621 et seq.) in 1972. The Act provides a mechanism to reduce losses from surface fault ruptures throughout the state. Specifically, the Act requires that proposed developments that have tracts of four or more dwelling units investigate the potential for ground rupture in designated Alquist-Priolo zones. These zones serve as an official notification of the probability of ground rupture during earthquake events. Where designated Alquist-Priolo zones are found, no building may be constructed on the line of fault. In addition, before construction is allowed, a geologic study must be conducted to determine the location of all active fault lines within the Alquist-Priolo fault zones. In general, local agencies are

required to regulate development proposed in designated Alquist-Priolo fault zones (City of Encinitas, 2019a).

Paleontological Resources

California Environmental Quality Act (CEQA)

CEQA affords paleontological resources explicit protection, specifically in item V(c) of CEQA Guidelines Appendix G, the Environmental Checklist Form, which addresses the potential for adverse impacts to "unique paleontological resource[s] or site[s] or … unique geological feature[s]." This provision covers fossils of significant importance—remains of species or genera new to science, as well as localities that yield fossils significant in their abundance, diversity, preservation, and so forth.

In addition, CEQA provides that generally, a resource shall be considered "historically significant" if it has yielded or may be likely to yield information important in prehistory (PRC Section 15064.5[a][3][D]). Paleontological resources would fall within this category. Sections 5097.5 and 30244 of PRC Chapter 1.7 also defined unauthorized removal of fossil resources as a misdemeanor and require mitigation of disturbed sites.

Paleontological resources are classified as nonrenewable scientific resources and are protected by state statute (PRC Section 5097.5). However, neither state nor local agencies have specific jurisdiction over paleontological resources, but all must evaluate potential impacts and provide any applicable mitigation measures. State and local agencies do not require a paleontological collecting permit to allow for the recovery of fossil remains discovered as a result of construction-related earthmoving on state or private land in a project site.

Regional

San Diego County Multi-Jurisdictional Hazard Mitigation Plan

In 2010, the City of Encinitas, along with the 18 other jurisdictions in San Diego County, adopted the Multi- Jurisdictional Hazard Mitigation Plan (MHMP). The MHMP identifies risks and ways to minimize damage by natural and manmade disasters throughout the county. It is a comprehensive document that includes creating a decision tool for management, promoting compliance with state and federal requirements, enhancing local policies for hazard mitigation capability, and providing interjurisdictional coordination. The City of Encinitas's specific hazard mitigation goals, objectives, and related potential actions for earthquake hazards are included in the MHMP (City of Encinitas 2019a).

Local

City of Encinitas General Plan

The City of Encinitas General Plan (General Plan) serves as a blueprint for the long-range physical planning of the City. The General Plan contains goals and a policies designed to shape the long-term development of the City, as well as protect its environmental, social cultural and economic resources. The relevant goals and policies for the project include:

Land Use Element

Policy 8.1:	Require that any improvement constructed in an area with a slope of more than 25% and other areas where soil stability is at issue to submit soils and geotechnical studies to the City for review and approval.

Resource Management Element

The following goal and policies are relevant in protecting cultural and paleontological resources in the City.

GOAL 7:	The City will make every effort to ensure significant scientific and cultural resources in the Planning Area are preserved for future generations (Coastal Act/30250).
Policy 7.1:	Require that paleontological, historical and archaeological resources in the planning area are documented, preserved or salvaged if threatened by new development (Coastal Act/30250).
Policy 7.2:	Conduct a survey to identify historic structures and archaeological/cultural sites throughout the community and ensure that every action is taken to ensure their preservation.
Policy 8.5:	The City will encourage the retention of the coastal bluffs in their natural state to minimize the geologic hazard and as a scenic resource. Construction of structures for bluff protection shall only be permitted when an existing principal structure is endangered and no other means of protection of that structure is possible. Only shoreline/bluff structures that will not further endanger adjacent properties shall be permitted as further defined by City coastal bluff regulations. Shoreline protective works, when approved, shall be aligned to minimize encroachment onto sandy beaches. Beach materials shall not be used as backfill material where retaining structures are approved. Approved devices protecting against marine waves shall be designed relative to a design wave, at least equal to 1982–83 winter storm waves.
GOAL 13:	Create a desirable, healthful, and comfortable environment for living while preserving Encinitas' unique natural resources by encouraging land use policies that will preserve the environment.

Policy 13.1:	The City shall plan for types and patterns of development which minimize water pollution, air pollution, fire hazard, soil erosion, silting, slide damage, flooding and severe hillside cutting and scarring.
GOAL 14:	The City shall stringently control erosion and sedimentation from land use and development to avoid environmental degradation of lagoons and other sensitive biological habitat, preserve public resources and avoid the costs of dealing with repair and sedimentation removal.
Policy 14.1:	The best strategy to reduce erosion and sedimentation is to reduce to the maximum extent feasible, grading and removal of vegetation. It is the policy of the City that, in any land use and development, grading and vegetation removal shall be limited to the minimum necessary.
Policy 14.3:	The City will reduce the rate of sedimentation of the lagoons by requiring procedures for controlling runoff and erosion associated with upland grading and development based on a minimum 10-year, six-hour storm event. The City shall provide regulations for the use of sedimentation basins and the potential transfer of sediment as beach replenishment (if of an acceptable material).
Policy 14.4:	Revegetation and appropriate landscaping of all areas graded and scraped of vegetative cover shall be required with land use and development. Plantings, hydroseeding, and irrigation systems used shall be selected on the bases of minimizing erosion and conserving water.
Policy 14.5:	To minimize erosion and allow sedimentation control systems to work, no grading or vegetation removal shall be allowed to occur during the wet season, October 1– April 15, without all systems and devices per an approved erosion control plan and program being in place. During other times of the year such systems shall be provided and operative as required by a comprehensive City erosion control ordinance. No grading shall occur during the rainy season within the Special Study Overlay area, or in areas upland of sensitive areas including lagoons, floodplains, riparian or wetland habitat areas, unless by site-specific determination, the grading would not be occurring on sensitive slopes, in floodplain areas or upland of floodplains, where sedimentation might occur in other sensitive habitat areas. Then, if grading is determined to be allowable, all necessary erosion control devices, including sedimentation basins, must be in place, and shall be monito red and maintained throughout the grading period.
Policy 14.6:	To achieve the ends of erosion control, a comprehensive erosion control plan shall be required with final building permit and improvement plans, subject to review and approval prior to commencement of grading and construction.
Policy 14.7:	Minimize extensive or premature grading or filling and penalize illegal grading or filling.

City of Encinitas Municipal Code

The City of Encinitas Grading, Erosion and Sediment Control Ordinance (Chapter 23.24) establishes minimum requirements for grading, excavating and filling of land. It also provides for the issuance of grading permits and provides for the enforcement of those requirements. This ordinance was adopted pursuant to, and to implement provisions of, the Encinitas General Plan and certified Local Coastal Program Land Use Plan (LUP). It is the City's intent to protect life and property, promote the general welfare; enhance and preserve the physical environment of the community; and maintain the natural scenic character of Encinitas.

- Section 23.24.140 requires that a grading plan be prepared and stamped by a civil engineer registered in the State of California. If a soils and geology report is required, the grading plan is required to be signed by a licensed soil engineer and a licensed engineering geologist.
- Sections 23.24.150 and 23.24.160 require an interim and final erosion and sediment control plan be included as part of the grading plan provided by a California registered civil engineer. The interim erosion control plan must be prepared with respect to conditions existing on the site during land disturbance or filling activities or soil storage. The final erosion control and sediment plan shall be provided with respect to the conditions existing on the site after final structures and improvements (except those required under this section) have been completed and where these final structures were not covered by an interim plan.
- Section 23.24.170 states that a soil engineering report, when one is required by the City Engineer, shall be prepared and certified by a licensed California soils engineer and shall be based on adequate and necessary test borings.
- Section 23.24.180 requires the preparation of an engineering geology report in addition to a soils report when the City Engineer determines that the proposed development is in an existing or a potential geologic hazardous area. A geological hazard area is an area subject to landslide, faulting, or other hazards as identified by the City Engineer. The report must be prepared by a licensed California engineering geologist and a licensed California civil engineer or geotechnical engineer and is required to be based on adequate and necessary test borings.

3.5.3. Thresholds for Determination of Significance

This section lists the thresholds used to conclude whether a geology and soils impact would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

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

b) Strong seismic ground shaking.

c) Seismic-related ground failure, including liquefaction.

d) Landslides.

2) Result in substantial soil erosion or the loss of topsoil.

3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

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

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

6) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Issues Not Discussed Further

As described in Chapter 2, Project Description, the proposed Project does not include the installation of a septic system or alternative wastewater treatment system. Therefore, the site's ability to support the use of septic tanks or alternative wastewater disposal systems is not analyzed further.

3.5.4. Analysis of Project Effects and Significance Determination

Impact 3.5-1a: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

All of Southern California, including the Project site, is subject to seismic activity as a result of the active faults that traverse the region. As discussed in subsection 3.5.1, Existing Conditions, no known active faults transect or project toward the site, nor is the site located within an earthquake

fault zone mapped by the State or by the County of San Diego. The nearest fault is the Rose Canyon fault zone, approximately 2.5 miles west of the City of Encinitas at its closest point.

Because of the distance to the nearest fault and the magnitude of previous seismic activity, the proposed Project would neither negate nor supersede the requirements of the Alquist-Priolo Earthquake Fault Zoning Act, nor would the Project expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the current Alquist-Priolo Earthquake Fault Zoning Map. Even though no active faults traverse the Project site, all new development would have to comply with the requirements of the Alquist-Priolo Fault Zoning Act as well as the CBC. Therefore, impacts would be less than significant, and no mitigation would be required.

Impact 3.5-1b: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking.

As discussed in Issue 1a, Southern California has numerous active seismic faults potentially subjecting people to earthquake- and seismic-related hazards. Seismic activity poses two types of potential hazards for people and structures, categorized as either primary or secondary hazards. Primary hazards include ground rupture, ground shaking, ground displacement, subsidence, and uplift from earth movement. Secondary hazards include ground failure (lurch cracking, lateral spreading, and slope failure), liquefaction, water waves (seiches), movement on nearby faults (sympathetic fault movement), dam failure, and fires. These secondary hazards are discussed in Impact 3.5-1c, below.

The Project site is in a seismically active region and could experience ground shaking associated with an earthquake along nearby faults, including the Rose Canyon fault zone, which is located 2.5 miles west of the City of Encinitas at its closest point and has the capability to generate a magnitude 6.2 to 7.2 earthquake that could potentially damage public and private structures and infrastructure throughout the city. A magnitude 6.9 earthquake on the Rose Canyon Fault has the potential to reach a peak ground acceleration of 0.40 within downtown Encinitas and the Coast Highway 101 corridor (City of Encinitas 2019).

Regardless of the seismic activity anticipated to occur on-site, the project would be designed in accordance with CBC requirements that address structural seismic safety. This would include design criteria for seismic loading and other geologic hazards. As discussed in Section 3.5.1, Existing Conditions, the CBC defined six different Seismic Design Categories. All of San Diego County, including the Project site, is in Seismic Design Category E or F (the most severe). Therefore, the proposed Project would be required to comply with the design requirements for Categories E and F. Specifically, the Project would be required to meet development design measures specific to Seismic Design Categories E and F intended to maximize structural stability in the event of an earthquake. The requirements of the CBC address structural seismic safety and include design criteria for seismic

loading and other geological hazards. This includes design criteria for geologically induced loading that governs structural member sizing, building supports and materials, and provide design process calculation methods. The CBC also includes provisions for buildings to structurally survive an earthquake without collapse as well as measures such as foundation anchors and structural frame design. Thus, while shaking impacts would be potentially damaging, they would also tend to be reduced in their structural effects due to CBC criteria that recognize this potential. The CBC includes provisions for buildings to structurally survive an earthquake without collapse and includes measures such as foundation anchors and structural frame design.

Project conformance with CBC and the specifications for Seismic Design Categories E and F, as well as local requirements relative to grading and construction would ensure that the Project does not result in exposure of people or structures to potentially substantial adverse effects involving strong seismic ground shaking. Therefore, impacts would be less than significant, and no mitigation would be required.

Impact 3.5-1 c: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction.

Based on the historical and current depth to groundwater, the potential for liquefaction is very high at the Project site due to groundwater at a depth of 9 to 20 feet and existing alluvial soils. The liquefaction analysis included in the Geotechnical Report indicates that there is potential for liquefaction occurring within the layers of alluvium between the depths of 10 to 50 feet, and on-grade structures could experience about 7 to 11 inches of total liquefaction settlement during peak ground acceleration. The following project design features incorporated into the building plans in accordance with the CBC and as summarized within the Geotechnical Report, would reduce potential impacts associated with liquefaction, including the risk of life or injury due to local seismic events to an acceptable level of risk.

Project Design Features

The upper 30 feet of onsite alluvium would be remediated for liquefaction using specialized ground improvement techniques consisting of vibro replacement stone columns. The proposed installation of these columns would be sufficient to yield a 4-inch or less potential for settlement and a maximum dynamic differential settlement of 2.0 inches or less over 40 feet.

With these project design features, the impacts associated with liquefaction would be avoided and less than significant.

Impact 3.5-1d: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.

Non-seismically induced landslides are often the result of water from rainfall, septic systems, landscaping, or other origins that infiltrate slopes with unstable material. According to the Geotechnical Report prepared for the Project (Appendix F-1), landslides and active faulting are not known to occur on the Project site. However, the report anticipated that graded fill slopes will be stable to heights of at least 30 feet if they are designed at ratios of 2:1 (horizontal: vertical) or flatter. This is assuming they are graded to the City of Encinitas design criteria and observed and tested by a qualified geotechnical consultant. The report anticipated that slopes cut in alluvium will not be surficially stable and, as such, would require replacement with a drained stabilization fill. Additionally, the report anticipated that slopes exposing bedrock Del Mar Formation or Torrey Sandstone Formation would likely be grossly and surficially stable at ratios of 2:1 (horizontal: vertical) or flatter. Assuming detailed grading recommendations would be developed when grading plans become available and that grading recommendations and liquefaction mitigation techniques would be coordinated, and all grading recommendations would conform to the City of Encinitas design criteria would reduce impacts involving landslides to less than significant levels, and no mitigation would be required.

Impact 3.5-2: Result in substantial soil erosion or the loss of topsoil.

Soil erosion has the potential to occur during construction of the proposed Project, as grading and construction can loosen surface soils and make them susceptible to the effects of wind and water movement across the surface. All construction activities related to the proposed Project would be required to comply with the CBC. Additionally, the proposed Project would be subject to compliance with the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit (Order No. 2009-0009-DWQ) for construction activities and includes preparation and implementation of a SWPPP and BMPs. The SWPPP would be completed prior to project construction (discussed in further detail in Section 3.7, Hydrology and Water Quality, of this EIR).

Compliance with the CBC and the State General Construction Permit would minimize adverse effects from erosion and sedimentation and ensure consistency with San Diego Regional Water Quality Control Board requirements, which establish water quality standards for the groundwater and surface water of the region. The State General Permit also requires that construction contractors implementing SWPPPs have prerequisite qualifications that demonstrate the skills, knowledge, and experience necessary to implement those plans. The requirements of the NPDES would substantially reduce the potential for erosion or topsoil loss to occur in association with the proposed Project. Water quality features intended to reduce construction-related erosion impacts will be clearly noted on the grading plans for implementation by the construction contractor. Limiting certain construction activities to dry weather, covering exposed excavated dirt during periods of rain, and

protecting excavated areas from flooding with temporary berms would minimize the potential for erosion to occur. Additionally, implementation of the recommendations from the Geotechnical Report such as:

- Preparation of detailed grading recommendations should be developed when grading plans become available.
- Coordination of grading recommendations and liquefaction mitigation techniques.
- All grading recommendations should conform to the City of Encinitas criteria.
- If infiltration systems are required on this site, care should be taken in designing systems that control the storm water as much as possible.
- Import soils, if any are required, be low to very low in with negligible sulfate and chloride contents, as verified by appropriate laboratory testing.

Thus, the proposed Project would comply with required erosion and runoff control measures included as part of the approval of a grading plan. These factors, coupled with conformance to applicable federal, state, and local regulations, and implementation of appropriate BMPs means the proposed Project would not result in substantial soil erosion or the loss of topsoil. Impacts would be less than significant, and no mitigation would be required.

Impact 3.5-3: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

As discussed in Impact 3.5-1c, based on the historical and current depth to groundwater, it has been determined that the potential for liquefaction is very high on the Project site. The results of the Geotechnical Report (Appendix F-1) indicate that as much as 7 to 11 inches of settlement is possible for the proposed Project during a seismic event (earthquake). According to the study, half to two-thirds of that settlement should be considered differential. Given the proposed grading concept that would result in a "free-face" fill slope along the site limits paralleling Manchester Avenue in the southern portions of the Project site, it is anticipated that there also is a high probability for lateral spread to occur.

The following project design features incorporated into the building plans in accordance with the CBC and as summarized within the Geotechnical Report, would reduce potential impacts associated with landslide, lateral spreading, subsidence, liquefaction or collapse to an acceptable level of risk.

Project Design Features

The upper 30 feet of onsite alluvium be remediated for liquefaction using specialized ground improvement techniques consisting of vibro replacement stone columns. The proposed installation

of these columns would yield a 4-inch or less potential for settlement and a maximum dynamic differential settlement of 2.0 inches or less over 40 feet.

With these project design features, the impacts associated with landslide, lateral spreading, subsidence, liquefaction or collapse would be less than significant. No mitigation would be required.

Impact 3.5-4: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.

The Geotechnical Report (Appendix F-1) determined that the alluvium consists of largely of sands, silty sands, sandy silts and clayey silts. Clays and silty clays become predominant in the central portion of the site below 40 feet below the ground surface. Consistencies in the sands range from "very loose" to "loose". Moistures range from slightly moist near the ground surface increasing to very moist to wet below groundwater surface. Thus, the expansion potential of the alluvium appears to be "very low" based on laboratory testing. Impacts under this criterion would therefore be less than significant, and no mitigation would be required.

Impact 3.5-5: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Direct impacts to a paleontological resource could result from grading, excavation, trenching, or other ground-disturbing activity that disrupts subsurface geologic formations and causes the destruction or alteration of a paleontological resource. Indirect impacts to paleontological resources are not specifically caused by development of a project, but rather may be a reasonably foreseeable result of such a project. An example of an indirect impact to paleontological resources could be the destruction or loss of surface fossils from increased erosion during or after completion of a project or the unauthorized tampering or removal of a fossil or paleontological resource from a project site. Actions that place material on top of existing surface areas, such as building up dikes or placement of material to level a surface, do not have the potential to adversely impact subsurface resources.

The majority of project-related ground-disturbing activities would occur within portions of the Project site that are generally underlain by alluvial deposits. Quaternary alluvial deposits in San Diego County are assigned low paleontological resource sensitivity because of their young age. This indicates a low potential for paleontological resources to be present within the Project area requiring excavation within the lagoon. Some other formations within the Project site have higher paleontological resource sensitivity ratings.

A considerable number of known paleontological resources have been identified in areas immediately adjacent to the San Elijo Lagoon, which indicates a potential for additional resources to be discovered within sensitive underlying formations.

For example, the highly sensitive Delmar Formation (Tt/Td) is located on the northern border of the Project site's area of disturbance (Figure 3.5-1, Geologic Formations). Excavation of any depth in this area would have the potential to impact paleontological resources. Thus, even shallow grading activities may disturb the underlying sensitive formation, resulting in a potential for paleontological resources to be damaged or destroyed. Grading within the Delmar Formation could destroy a unique paleontological resource or affect an area of underlying sensitive parent material with moderate to high sensitivity, and impacts are potentially significant. Mitigation Measure GEO-1 would be required to mitigate impacts. With the implementation of MM GEO-1, impacts under this criterion would be reduced to less than significant.

3.5.5. Mitigation Measures

Grading within the highly sensitive Delmar Formation could result in potentially significant impacts to paleontological resources. Other excavations would extend only into upper soil layers and are not anticipated to reach underlying bedrock formations where sensitive paleontological resources may exist. Mitigation measure GEO-1 will be required under CEQA for excavation/grading activities that occur within the Delmar Formation.

MM GEO-1 Paleontological Data Recovery and Monitoring Plan

Prior to grading permit issuance, during grading and excavation activities, and prior to building permit issuance, a Data Recovery and Monitoring Plan shall be prepared and implemented to the satisfaction of the City. The Plan shall document paleontological recovery methods and consist of the following measures, which shall be included on Project grading plans to the satisfaction of the City:

1. A monitoring program during grading, trenching, or other excavation into undisturbed substratum or deeper bedrock beneath the soil horizons and a fossil recovery program shall be implemented for excavation equal to or greater than 2,500 cubic yards (cy) in the Delmar Formation. A City-approved paleontologist shall be contracted to perform paleontological resource monitoring and a fossil recovery program.
2. If significant paleontological resources are encountered during grading, trenching, or other excavation into undisturbed rock layers of the Delmar Formation. The following shall be completed:
    a. A City-approved paleontologist shall perform the monitoring (and recovery, if necessary), and report preparation duties.
    b. A final Paleontological Resource Mitigation Report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program shall be prepared, if excavation into the Delmar Formation occurs and monitoring is required.

Timing/Implementation:	*Prior to grading permit issuance, during grading and excavation activities, and prior to building permit issuance*
Enforcement/Monitoring:	*City of Encinitas Development Services*

Level of Significance After Mitigation

Implementation of mitigation measure MM GEO-1 would reduce impacts to below a level of significance.

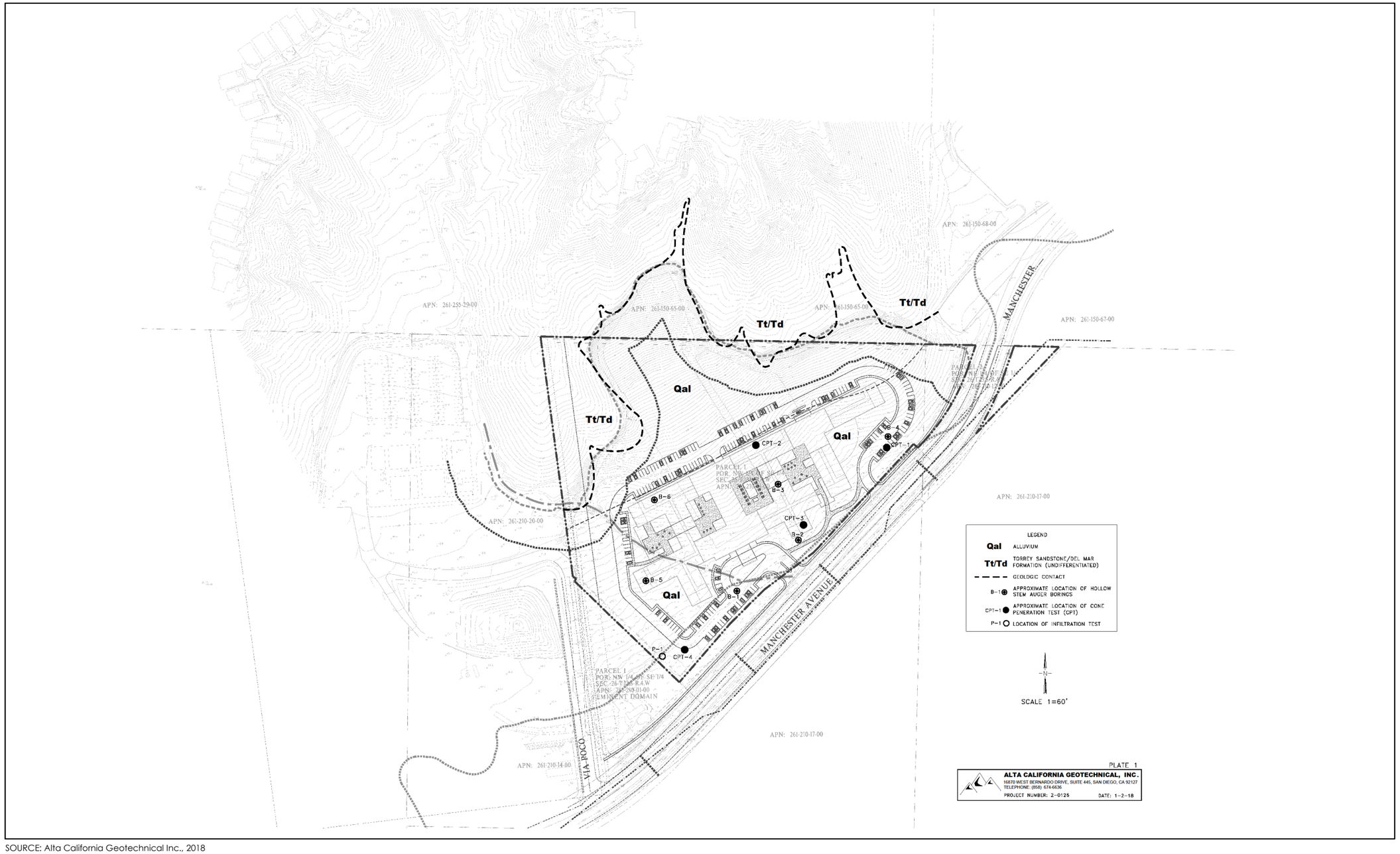
3.5.6. Cumulative Impact Analysis

The geographic scope for cumulative impacts to geology and soils includes the projects identified in Table 2-5 of this EIR. Impacts to geology and soils tend to be site-specific rather than cumulative in nature. Seismic events may damage or destroy a building on a project site, but the development of a project on one site would not cause any adjacent parcels to become more susceptible to seismic events. Similarly, a project cannot affect local geology in such a manner as to increase risks regionally. Impacts regarding surficial deposits, namely erosion and sediment deposition, however, can be cumulative in nature in a watershed.

Soils associated with the Project site are similar to other soils in the area. Site-specific conditions result in impacts associated with fault rupture and strong seismic ground shaking, seismic-related ground failure, including liquefaction and unstable soils, landslides, and shallow groundwater. These inherent conditions are the result of natural historical events that occur through vast periods of geologic time and are not based on cumulative development.

The proposed Project will require grading of portions of the Project site to allow for development of the proposed Project. It is expected that the Project and other area development will comply with the IBC, CBC, and the Encinitas Municipal Code. Thus, the proposed Project, when considered in combination with other past, present, and reasonably foreseeable projects within the vicinity, would not result in significant cumulative impacts. Accordingly, the Project's contribution to a significant cumulative geology and soils impact is less than cumulatively considerable.

No additional mitigation would be required.



SOURCE: Alta California Geotechnical Inc., 2018

BRG CONSULTING, INC.

Geologic Formations
Belmont Village Encinitas-by-the-Sea
Figure 3.5-1

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3.6. Greenhouse Gas Emissions

This section addresses potential greenhouse gas impacts that may result from construction and/or operation of the proposed Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions in the Project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the Project, as applicable.

The analysis in this section is based on the *Greenhouse Gas Study* prepared by Birdseye Planning Group (Birdseye, 2019). The Greenhouse Gas Study was peer reviewed by BRG Consulting, Inc. The report and its attachments are included as Appendix G.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted, and written comments were received from agencies and the public. The following issue related to the City's Climate Action Plan were raised by the general public and is addressed in this section:

- Project should be a sustainable eco-just community to meet climate action plan criteria.

3.6.1. Existing Conditions

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6).

GHGs are emitted by both natural processes and human activities. Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO_2E), and is the amount of a GHG emitted multiplied by its GWP.

Total U.S. GHG emissions were 6,587 million metric tons (MMT) CO_2E in 2015 however, emissions vary annually due to factors such as economic activity, demographic influences, environmental conditions such as drought, and the impact of regulatory efforts to control GHG emissions. Based upon the California Air Resources Board (CARB) California Greenhouse Gas Inventory, 2016 edition, California produced 441.5 MMT CO_2E in 2014. The major source of GHG in California is transportation, contributing 37 percent of the state's total GHG emissions. The industrial sector is the second largest source, contributing 24 percent of the state's GHG emissions.

In 2018, the City of Encinitas adopted the City of Encinitas Climate Action Plan (CAP) to provide guidance to the City to achieve statewide reduction targets and to respond and adapt to the impacts of climate change. The City of Encinitas emitted 483,773 metric tons (MT) CO_2E during 2012 (City of Encinitas, 2018). In order to be consistent with recommendations from the Assembly Bill (AB) 32 2008 Scoping Plan, the City must achieve a 13 percent reduction from 2012 levels by 2020 and a 41 percent reduction by 2030 to be in line with the statewide targets which equates to reducing emissions by 53,232 MT CO_2E by 2020 and 197,724 MT CO_2E by 2030.

3.6.2. Regulatory Framework

Federal

Federal Clean Air Act (CAA)

In 2007, the U.S. Supreme Court ruled that CO_2 is an air pollutant as defined under the CAA, and the U.S. Environmental Protection Agency has the authority to regulate emissions of GHG.

State

Executive Order S-3-05

In 2005, former Governor Schwarzenegger issued Executive Order (EO) S-3-05, establishing statewide GHG emissions reduction targets. EO S-3-05 states that by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent of 1990 levels. In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report"). The 2006 CAT Report recommended various strategies that the state could pursue to reduce GHG emissions. These strategies could be implemented by various state agencies to ensure that the emission reduction targets in EO S-3-05 are met and can be met with existing authority of the state agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc.

Assembly Bill 32 (AB 32)

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006," signed into law in 2006. AB 32 codifies the Statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels; the same requirement as under S-3-05) and requires ARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires ARB to adopt regulations to require reporting and verification of statewide GHG emissions. After completing a comprehensive review and update process, the ARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO_2E. The Scoping Plan was

approved by ARB on December 11, 2008 and includes measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. The Scoping Plan includes a range of GHG reduction actions that may include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms.

Executive Order S-01-07

Executive Order S-01-07 was enacted on January 18, 2007. The order mandates that a Low Carbon Fuel Standard ("LCFS") for transportation fuels be established for California to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.

Assembly Bill 939 and Senate Bill 1374

Assembly Bill 939 (AB 939) requires that each jurisdiction in California to divert at least 50 percent of its waste away from landfills, whether through waste reduction, recycling or other means. Senate Bill 1374 (SB 1374) requires the California Integrated Waste Management Board to adopt a model ordinance by March 1, 2004 suitable for adoption by any local agency to require 50 to 75 percent diversion of construction and demolition of waste materials from landfills.

Senate Bill 1368

Senate Bill 1368 (SB 1368) is the companion Bill of AB 32 and was adopted September 2006. SB 1368 required the California Public Utilities Commission (CPUC) to establish a performance standard for baseload generation of GHG emissions by investor-owned utilities by February 1, 2007 and for local publicly owned utilities by June 30, 2007. These standards could not exceed the GHG emissions rate from a baseload combined-cycle, natural gas-fired plant. Furthermore, the legislation states that all electricity provided to the State, including imported electricity, must be generated by plants that meet the standards set by CPUC and California Energy Commission (CEC).

Senate Bill 97

Senate Bill 97 (SB 97) was adopted August 2007 and acknowledges that climate change is an environmental issue that requires analysis under CEQA. SB 97 directed the Governor's Office of Planning and Research (OPR), which is part of the State Natural Resources Agency, to prepare, develop, and transmit to CARB guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA, by July 1, 2009. The Natural Resources Agency as required to certify and adopt those guidelines by January 1, 2010. Pursuant to the requirements of SB 97 as stated above, on December 30, 2009 the Natural Resources Agency adopted amendments to the state CEQA guidelines that address GHG emissions. The CEQA Guidelines Amendments changed sections of the CEQA Guidelines and incorporated GHG language throughout the Guidelines. However, no GHG emissions thresholds of significance were provided

and no specific mitigation measures were identified. The GHG emission reduction amendments went into effect on March 18, 2010 and are summarized below:

- Climate action plans and other greenhouse gas reduction plans can be used to determine whether a project has significant impacts, based upon its compliance with the plan.

Local governments are encouraged to quantify the greenhouse gas emissions of proposed projects, noting that they have the freedom to select the models and methodologies that best meet their needs and circumstances. The section also recommends consideration of several qualitative factors that may be used in the determination of significance, such as the extent to which the given project complies with state, regional, or local GHG reduction plans and policies. OPR does not set or dictate specific thresholds of significance. Consistent with existing CEQA Guidelines, OPR encourages local governments to develop and publish their own thresholds of significance for GHG impacts assessment.

- When creating their own thresholds of significance, local governments may consider the thresholds of significance adopted or recommended by other public agencies or recommended by experts.
- New amendments include guidelines for determining methods to mitigate the effects of greenhouse gas emissions in Appendix F of the CEQA Guidelines.
- OPR is clear to state that "to qualify as mitigation, specific measures from an existing plan must be identified and incorporated into the project; general compliance with a plan, by itself, is not mitigation."
- OPR's emphasizes the advantages of analyzing GHG impacts on an institutional, programmatic level. OPR therefore approves tiering of environmental analyses and highlights some benefits of such an approach.
- Environmental impact reports (EIRs) must specifically consider a project's energy use and energy efficiency potential.

Senate Bills 1078, 107, and X1-2 and Executive Orders S-14-08 and S-21-09

Senate Bill 1078 (SB 1078) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. Senate Bill 107 (SB 107) changed the target date to 2010. Executive Order S-14-08 was signed on November 2008 and expands the State's Renewable Energy Standard to 33 percent renewable energy by 2020. Executive Order S-21-09 directed CARB to adopt regulations by July 31, 2010 to enforce S-14-08. Senate Bill X1-2 codifies the 33 percent renewable energy requirement by 2020.

California Code of Regulations (CCR) Title 24, Part 6

CCR Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Although it was not originally intended to reduce GHG emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

The Energy Commission adopted 2008 Standards on April 23, 2008 and the Building Standards Commission approved them for publication on September 11, 2008. These updates became effective on August 1, 2009. All buildings for which an application for a building permit is submitted on or after July 1, 2014 must follow the 2013 standards. The 2013 commercial standards are estimated to be 30 percent more efficient than the 2008 standards; 2013 residential standards are at least 25 percent more efficient. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas emissions.

Senate Bill 375

Senate Bill 375 (SB 375) was adopted in September 2008 and aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPO) to adopt a Sustainable Communities Strategy (SCS) or alternate planning strategy (APS) that will prescribe land use allocation in that MPOs Regional Transportation Plan (RTP). CARB, in consultation with each MPO, will provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets will be updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction strategies to achieve the targets. CARB is also charged with reviewing each MPO's sustainable community's strategy or alternate planning strategy for consistency with its assigned targets.

The San Diego Association of Governments (SANDAG) is the MPO for the San Diego region. SANDAG completed and adopted its SCS, San Diego Forward, in October 2015. CARB's targets for the SANDAG region call for a 7 percent reduction in GHG emissions per capita from automobiles and light-duty trucks compared to 2005 levels by 2020, and a 13 percent reduction by 2035. (The reduction targets are to be updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction strategies to achieve the targets.) As stated by SANDAG, the strategy set forth in San Diego Forward is to "focus housing and job growth in the urbanized areas where there is existing and planned infrastructure, protect sensitive habitat and open space, invest in a network that gives residents and workers transportation options that reduce GHG emissions, promote equity for all and implement the Plan through incentives and collaboration." In December 2015, CARB–by executive order G-15-075–accepted SANDAG's

GHG emissions quantification analysis and determination that, if implemented, the SCS would achieve CARB's 2020 and 2035 GHG emission reduction targets for the region.

City and County land use policies, including General Plans, are not required to be consistent with the RTP and associated SCS or APS. However, CEQA incentivizes, through streamlining and other provisions, qualified projects that are consistent with an approved SCS or APS and categorized as "transit priority projects."

Senate Bill X7-7

Senate Bill X7-7 (SB X7-7), enacted on November 9, 2009, mandates water conservation targets and efficiency improvements for urban and agricultural water suppliers. SB X7-7 requires the Department of Water Resources (DWR) to develop a task force and technical panel to develop alternative best management practices for the water sector. Additionally, SB X7-7 required the DWR to develop criteria for baseline uses for residential, commercial, and industrial uses for both indoor and landscaped area uses. The DWR was also required to develop targets and regulations that achieve a statewide 20 percent reduction in water usage.

California Green Building Standards

On January 12, 2010, the State Building Standards Commission unanimously adopted updates to the California Green Building Standards Code, which went into effect on January 1, 2011. The Code is a comprehensive and uniform regulatory code for all residential, commercial and school buildings. The California Green Building Standards Code does not prevent a local jurisdiction from adopting a more stringent code as state law provides methods for local enhancements. The Code recognizes that many jurisdictions have developed existing construction and demolition ordinances, and defers to them as the ruling guidance, provided they provide a minimum 50-percent diversion requirement. The code also provides exemptions for areas not served by construction and demolition recycling infrastructure. State building code provides the minimum standard that buildings must meet for occupancy certification. Enforcement is generally through the local building official.

27 CCR Title 24, Part 11: California Green Building Standards (Title 24) became effective in 2001 in response to continued efforts to reduce GHG emissions associated with energy consumption. CCR Title 24, Part 11 now require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. One focus of CCR Title 24, Part 11 is water conservation measures, which reduce GHG emissions by reducing electrical consumption associated with pumping and treating water. CCR Title 24, Part 11 has approximately 52 nonresidential mandatory measures and an additional 130 provisions for optional use. Some key mandatory measures for commercial occupancies include specified parking for clean air vehicles, a 20 percent reduction of potable water use within buildings, a 50 percent construction waste diversion from

landfills, use of building finish materials that emit low levels of volatile organic compounds, and commissioning for new, nonresidential buildings over 10,000 square feet.

Executive Order B-30-15

On April 29, 2015, Governor Brown issued an executive order to establish a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030 - the most aggressive benchmark enacted by any government in North America to reduce dangerous carbon emissions over the next decade and a half. This executive action set the stage for the important work being done on climate change by the Legislature. The Governor's executive order aligns California's greenhouse gas reduction targets with those of leading international governments.

California is on track to meet or exceed the current target of reducing greenhouse gas emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32). California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the ultimate goal of reducing emissions 80 percent from 1990 levels by 2050.

Senate Bill 32 and Assembly Bill 197

Senate Bill 32 and Assembly Bill 197 (enacted in 2016) are companion bills that set new statewide GHG reduction targets, make changes to CARB's membership, increase legislative oversight of CARB's climate change–based activities and expand dissemination of GHG and other air quality–related emissions data to enhance transparency and accountability. More specifically, SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies which is comprised of at least three members of the Senate and three members of the Assembly that provide ongoing oversight over implementation of the state's climate policies. AB 197 added two members of the Legislature to CARB as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and toxic air contaminants from reporting facilities; and requires CARB to identify specific information for GHG emissions reduction measures when updating the Scoping Plan.

California Environmental Quality Act

The adopted CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents but contain no suggested thresholds of significance for GHG emissions. Instead, lead agencies are given the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. The general approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move the state towards climate

stabilization. If a project would generate GHG emissions above the threshold level, its contribution to cumulative impacts would be considered significant.

Local

City of Encinitas Climate Action Plan

The City of Encinitas approved a Climate Action Plan in January 2018. No GHG emission thresholds have been formally adopted by the San Diego Air Pollution Control District (SDAPCD) or City of Encinitas for development projects. For environmental review purposes, the City uses a screening threshold of 900 annual MT CO_2E, which is a suggested CEQA threshold published by the California Air Pollution Control Officers Association for development projects. Projects generating less than 900 MT CO_2E annually are not considered individually or cumulatively significant with respect to impact on climate change. For projects estimated to generate more than 900 MT CO_2E annually, emission reduction measures are incorporated into CalEEMod to achieve a 41% or greater reduction over business as usual (BAU) conditions or that reduce emissions to below 900 MT of CO_2E annually. A reduction of 41% is the statewide average necessary to achieve SB 32 GHG reduction goals and consistency with the City's Climate Action Plan.

City of Encinitas General Plan

Circulation Element

Policy 1.15:	The City will actively support an integrated transportation program that encourages and provides for mass-transit, bicycle transportation, pedestrians, equestrians, and car-pooling. (Coastal Act/30252)
Policy 3.2:	Continue to assist in expanding public transportation and emphasize public transportation in future development with preference given to cost-effective alternatives. (Coastal Act/30252)
Policy 3.4:	Cooperate with San Diego County, SANDAG, and other jurisdictions to help plan and implement: a regional multi-modal transportation system that is accessible to residents in the City. (Coastal Act/30252)
Policy 3.5:	Encourage development of mass transit and transit access points along the existing I-5 freeway corridor or along the railroad right-of-way. (Coastal Act/30252)
Policy 3.6:	The City should provide and encourage efficient links between possible rail transit service and other transportation modes, including rerouting of bus service to interface with transit stops.

Resource Management Element

Policy 1.1:	Require new development to utilize measures designed to conserve water in their construction.

Policy 1.10:	Promote the use of water efficient sprinkling and gardening systems to include ordinances and technology to encourage drought tolerant plants.
Policy 5.1:	The City will monitor and cooperate with the ongoing efforts of the U.S. Environmental Protection Agency, the San Diego Air Pollution Control District, and the State of California Air Resources Board in improving air quality in the regional air basin. The City will implement appropriate strategies from the San Diego County SIP which are consistent with the goals and policies of this plan.
Policy 6.1:	The City will phase in all practical forms of mandatory recycling as soon as possible.
Policy 9.4:	Encourage and adopt standards for the use of drought tolerant and/or natural landscaping and efficient irrigation systems throughout the City. (Coastal Act/30231/30240)
Policy 13.1:	The City shall plan for types and patterns of development which minimize water pollution, air pollution, fire hazard, soil erosion, silting, slide damage, flooding and severe hillside cutting and scarring. (Coastal Act/30250)
Policy 15.1:	The City will encourage the use of alternate energy systems, including passive solar and architectural and mechanical systems, in both commercial and residential development. (Coastal Act/30253)
Policy 15.2:	The patterns of proposed subdivisions and the orientation and design of structures on lots shall be designed with the objective of maximizing the opportunities for solar energy use and energy conservation.
Policy 15.3:	Energy conserving construction standards and requirements shall be enforced in the field inspection of new construction.

3.6.3. Thresholds for Determination of Significance

This section lists the thresholds used to conclude whether an impact to greenhouse gases would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

2) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

3.6.4. Analysis of Project Effects and Significance Determination

Impact 3.6-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355).

For future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan). The City of Encinitas and the SDAPCD do not have specific emissions thresholds for development projects. Therefore, the City uses the California Air Pollution Control Officers Association suggested annual significance threshold of 900 MT CO_2E to assess significance for project-related GHG emissions. To determine whether GHG emissions associated with the proposed project are "cumulatively considerable," consistency with applicable GHG emissions reductions strategies recommended by the City of Encinitas 2018 Climate Action Plan is discussed herein.

GHG emissions associated with construction and operation of the proposed Project and existing development have been estimated using California Emissions Estimator Model (CalEEMod) version 2016.3.2.

Construction Emissions

Construction of the proposed Project would generate temporary GHG emissions primarily associated with the operation of construction equipment and truck trips. Site preparation and grading typically generate the greatest emission quantities because the use of heavy equipment is greatest during this phase of construction. Emissions associated with the construction period were estimated based on the projected maximum amount of equipment that would be used onsite at one time. Air districts have recommended amortizing construction-related emissions over a 30-year period to calculate annual emissions.

Construction activity, including site preparation, is assumed to occur over a period of approximately 18 to 24 months beginning in early 2021 and concluding in December 2022. Based on CalEEMod results, construction activity for the Project would generate an estimated 1,127 metric tons of carbon dioxide equivalent (CO_2E), as shown in Table 3.6-1. Amortized over a 30-year period (the assumed life of the Project), construction of the proposed Project would generate 38 metric tons of CO_2E per year.

TABLE 3.6-1. ESTIMATED CONSTRUCTION-RELATED GHG EMISSIONS

Year	Annual Emissions (metric tons CO_2E)
2020	736
2021	391
Total	**1,127**
Amortized over 30 years	**38 metric tons per year**

Source: Birdseye Planning Group, 2019 (Appendix G).

Long Term Emissions

Long-term emissions relate to energy use, solid waste, water use, and transportation. Default values used in CalEEMod version 2016.3.2 are based on the California Energy Commission (CEC) sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies. CalEEMod provides operational emissions of CO_2, N_2O and CH_4. This methodology has been subjected to peer review by numerous public and private stakeholders, and in particular by the CEC Therefore, it is considered reasonable and reliable for use in GHG impact analysis pursuant to CEQA.

Operation of onsite development would consume both electricity and natural gas. The generation of electricity through combustion of fossil fuels typically yields CO_2, and to a smaller extent, N_2O and CH_4. Natural gas emissions can be calculated using default values from the CEC sponsored CEUS and RASS studies which are built into CalEEMod. As shown in Table 3.6-2, the overall net increase in energy use at the Project site would result in approximately 316 metric tons of CO_2E per year.

TABLE 3.6-2. ESTIMATED ANNUAL ENERGY-RELATED GHG EMISSIONS

Emission Source	Annual Emissions (metric tons CO_2E)
Natural Gas	83
Electricity	233
Total	**316**

Source: Birdseye Planning Group, 2019 (Appendix G).

Emissions associated with area sources (i.e., consumer products, landscape maintenance, and architectural coating) were calculated in CalEEMod based on standard emission rates from CARB, USEPA, and district supplied emission factor values. Emissions from waste generation were also calculated in CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste. Waste disposal rates by land use and

overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery.

Emissions from water and wastewater usage calculated in CalEEMod were based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for Northern and Southern California. Emissions from mobile sources were quantified based on trip generation estimates included in CalEEMod version 2016.3.2 for congregate care facilities.

The CalEEMod results indicate that the Project would use approximately 18.2 million gallons of water per year. Based on the amount of electricity generated to supply and convey this amount of water, as shown in Table 3.6-3, the Project would generate approximately 89 metric tons of CO_2E per year. For solid waste generated onsite, it was assumed that the Project would not achieve a 75% diversion rate, as required by the California Integrated Waste Management Act of 1989 (AB 939). The CalEEMod results indicate that the Project would result in approximately 24 metric tons of CO_2E per year associated with solid waste disposed within landfills.

TABLE 3.6-3. ESTIMATED ANNUAL SOLID WASTE AND WATER USE GHG EMISSIONS

Emission Source	Annual Emissions (metric tons CO_2E)
Water	89
Solid Waste	24
Total	**113**

Source: Birdseye Planning Group, 2019 (Appendix G).

Mobile source GHG emissions were estimated using the average daily trips calculated by CalEEMod for the proposed Project. Table 3.6-4 shows the estimated mobile emissions of GHGs for the Project based on the estimated annual VMT of 971,786. CalEEMod does not calculate N_2O emissions related to mobile sources. As such, N_2O emissions were calculated based on the Project's VMT using calculation methods provided by the California Climate Action Registry General Reporting Protocol and fleet mix percentages calculated by CalEEMod. As shown in Table 3.6-4, the Project would generate approximately 425 metric tons of CO_2E associated with new vehicle trips.

As shown on Table 3.6-5, the combined annual emissions generated by the proposed Project would total approximately 892 metric tons per year in CO_2E. This total represents less than 0.001% of California's total 2016 emissions of 429.4 million metric tons. The majority (48%) of the Project's GHG emissions are associated with mobile sources. The 892 metric tons represent unmitigated BAU emissions. As noted above, the City of Encinitas uses a 900 MT CO_2E annual standard as the GHG emission threshold for land use projects. Project-related annual GHG emissions would not exceed

the threshold of 900 metric tons per year. Therefore, the Project's GHG emissions would not have a significant impact on the environment. Impacts under this criterion would be less than significant.

TABLE 3.6-4. ESTIMATED ANNUAL GHG MOBILE EMISSIONS

Emission Source	Annual Emissions (metric tons CO_2E)
Mobile Emissions (CO_2 and CH_4)	405
Mobile Emissions (N_2O)	20
Total	**425**

Source: Birdseye Planning Group, 2019 (Appendix G).

TABLE 3.6-5. TOTAL ANNUAL GHG EMISSIONS BY SOURCE

Emission Source	Annual Emissions (metric tons CO_2E)
Construction	38
Operational Energy Water Solid Waste	 316 89 24
Mobile	425
Total	**892**

Source: Birdseye Planning Group, 2019 (Appendix G).

Impact 3.6-2: Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

In the absence of specific federal, state or local thresholds, GHG emissions associated with a specific project are not considered cumulatively significant if design and operational features incorporated into a project reduces emissions by more than 41% or to less than 900 MT CO_2E annually. The 882 MT CO_2E BAU GHG emissions would not exceed the 900 MT CO_2E annual screening threshold. Therefore, under baseline conditions the Project could not be considered a significant contributor to cumulative GHG emissions.

The Project would implement the following design strategies to lower GHG emissions. These features focus on reducing energy consumption, water demand and transportation vehicles miles traveled and include the following:

- Exceed Title 24 standards by 15%;
- Install energy efficient mechanical systems and appliances;

- Install low flow plumbing fixtures;
- Implement water conservation system to reduce demand by 20%;
- Install water efficient irrigation system to achieve 6.1% reduction in water use;
- Install pedestrian network improvements to facilitate site access for pedestrians accessing the facility by foot or from the adjacent park and ride lot; and
- Project features that reduce VMT include the proximity to the Manchester Avenue Park-and-Ride lot which is under construction adjacent to and west of the site as well as the density of units constructed on-site.

In addition, the Project would implement the following measures from the City of Encinitas Climate Action Plan:

- **BE-2 Require New Single-Family Homes to Install Solar Water Heaters.** Require all new single-family homes to install solar water heaters or other efficiency technology, unless the installation is impracticable due to poor solar resources. Other efficiency technology would include installation of a renewable energy technology system that uses renewable energy as the primary energy source for water heating.
- **RE-2 Require New Homes to install Solar Photovoltaic Systems.** Require new single-family homes to install at least 1.5 Watt solar per square feet or minimum 2 kilowatt (kW) per home. Require new multi-family homes to install at least 1 Watt solar per square foot or minimum 1 kW per unit, unless the installation is impracticable due to poor solar resources.
- **CET-4 Require Residential Electric Vehicle Charging Stations.** Require new residential units to install EVCS equipment. For single family residence, install complete 40-Amp electrical circuit (EV Ready). For multi-family residences, install EVCS equipment at 5% of the total number of parking spaces.
- **ZW-1 Implement a Zero Waste Program.** Implement a Zero Waste Program to reduce waste disposal from residents and businesses in the community. By 2020, divert 65% of total solid waste generated (equivalent to 5.3 pounds per capita per day waste disposal). By 2030, divert 80% of total solid waste generated (equivalent to 3 pounds per capita per day waste disposal).

Therefore, Project emissions would be less than 900 MT CO_2E per year as demonstrated above under Impact 3.6-1. The Project would not conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases, and no significant impact would occur. Impacts under this criterion would be less than significant, and no mitigation is required.

3.6.5. Mitigation Measures

The proposed Project would not result in significant impacts related to GHG emissions, and no mitigation measures would be required.

3.6.6. Cumulative Impact Analysis

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, impacts under Impact 3.6-1 and 3.6-2 are not project-specific impacts, but the proposed Project's contribution to the cumulative impact of global warming. The design and operational features incorporated into the proposed Project reduce emissions to less than 900 MT CO_2E annually. Although other cumulative projects in the area might exceed the City's threshold or otherwise not align with applicable plans and regulations, these projects would be required to implement GHG reduction measures. Even if other such projects did not achieve a reduction to below the City's threshold, such projects would be the cause of any cumulatively considerable impact as opposed to the proposed Project. The Project's GHG emissions and contribution to global climate change impacts would be below the City's threshold and therefore not cumulatively considerable.

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3.7. Hydrology and Water Quality

This section addresses potential hydrology and water quality impacts that may result from construction and/or operation of the Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable.

The analysis in this section is based on the following technical studies.

- Preliminary Hydrology Study for Encinitas Senior Apartments, 3111 Manchester Avenue, Urban Resource Corporation, June 17, 2019 (Appendix H-2).
- Stormwater Intake Form and Priority Development Project Stormwater Quality Management Plan (SWQMP) For Encinitas Senior Apartments, 3111 Manchester Avenue, Urban Resource Corporation, June 17, 2019 (Appendix H-1).

The Initial Study identified that the Project would not conflicts with a water quality control plan or sustainable groundwater management plan (Appendix A-2). This issue is not further analyzed in this DEIR. This section focuses on impacts to drainage, surface water, and surface water quality.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted, and written comments were received from agencies and the public. The following issues related to hydrology and water quality were raised by Caltrans and are addressed in this section:

- Provide hydraulics studies, drainage and grading plans to Caltrans for review.
- Provide a pre-and post-development hydraulics and hydrology study showing drainage configurations and patterns.
- Provide drainage plans and details, include detention basin details of inlets/outlet.
- Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns and Caltrans' Right-of-Way (R/W).

3.7.1. Existing Conditions

Regional Drainage

The Project site is in the Carlsbad Watershed Management Area (WMA), which is approximately 211 square miles and is formed by a group of six individual watersheds in northern San Diego County (RWQCB, 2015). The City of Encinitas is situated entirely within the Carlsbad Hydrologic Unit (Carlsbad Watershed Management Area) and is split between the San Marcos Watershed to the

north and Escondido Creek Watershed to the south. The City is naturally divided by eight (8) distinct drainage areas (sub-basins); Cardiff, Lower Escondido, La Orilla, La Costa South, Leucadia, Encinitas, Rancho Santa Fe, and Lux Canyon sub-basins. In general, the City drains to three creeks: Cottonwood Creek, Encinitas Creek, and Escondido Creek. Cottonwood Creek drains the heart of Encinitas and discharges to the Pacific Ocean at Moonlight Beach. Encinitas Creek drains the north-central portion of the city into Batiquitos Lagoon. Escondido Creek drains the southern and northeast (Olivenhain) portion of the city into San Elijo Lagoon. San Elijo Lagoon is a 303(d) impaired water body for eutrophic, indicator bacteria and sediment/siltation.

Local Surface Waters and Drainage

The existing drainage from the project site and off-site run-on from existing residential and undeveloped areas north of the Project site are collected within a natural earthen channel along the north side of Manchester Avenue. Flows are then collected via six (6) l storm drain inlets and conveyed to the south side of Manchester via 18" and 24" corrugated metal pipe (CMP) storm drain culvert crossings that discharge into the San Eligo Lagoon Regional Park drainage area (Figure 2-10, Off-Site Stormwater Culverts). The San Elijo Lagoon outlets into the Pacific Ocean.

Post development, the runoff from the Project site would be captured and routed to three (3) proposed bioretention basins via an on-site reinforced concrete pipe (RCP) storm drain (include figure that denotes location. Runoff from the disturbed areas within the limits of grading will be captured and conveyed to the bioretention/biofiltration basins for treatment. Offsite stormwater run-on would be collected by proposed concrete trapezoidal channels and conveyed through the Project site via proposed RCP/ RCB storm drains for discharge directly to the San Elijo Lagoon.

Flooding

As illustrated on Federal Emergency Management Agency (FEMA) map panel 06073C1045G (dated December 20, 2019), the southern edge of the Project site along Manchester Avenue is located in Flood Zone A (FEMA, 2019). This portion of the Project site is therefore determined to be within the FEMA-mapped 100-year floodplain (Figure 3.7-1).

3.7.2. Regulatory Framework

Federal

Clean Water Act

The federal Water Pollution Control Act (or Clean Water Act [CWA]) is the principal statute governing water quality. It establishes the basic structure for regulating discharges of pollutants into the waters of the United States and gives the US Environmental Protection Agency (EPA) authority to implement pollution control programs, such as setting wastewater standards for industry. The statute's goal is to completely end all discharges and to restore, maintain, and preserve the integrity

of the nation's waters. The CWA regulates direct and indirect discharge of pollutants; sets water quality standards for all contaminants in surface waters; and makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit is obtained under its provisions. The CWA mandates permits for wastewater and stormwater discharges; requires states to establish site-specific water quality standards for navigable bodies of water; and regulates other activities that affect water quality, such as dredging and the filling of wetlands. The CWA funds the construction of sewage treatment plants and recognizes the need for planning to address nonpoint sources of pollution. Section 402 of the CWA requires a permit for all point source (a discernible, confined, and discrete conveyance, such as a pipe, ditch, or channel) discharges of any pollutant (except dredge or fill material) into waters of the United States.

Section 303(d) of the CWA requires that states assess the quality of their waters every two years and publish a list of those waters not meeting water quality standards. For water bodies placed on the 303(d) List of Water Quality Limited Segments, states are required to develop total maximum daily loads (TMDLs) for the pollutant(s) that are causing standards impairment. Once a water body is placed on the 303(d) List of Water Quality Limited Segments, it remains on the list until a TMDL is adopted and/or water quality standards are attained. As identified in the 2012 California 303(d) List and TMDL Priority Schedule (303(d) List). San Elijo Lagoon is listed as an impaired water body for sediment/siltation, bacteria indicators, and eutrophic condition.

National Pollutant Discharge Elimination System

Under the National Pollutant Discharge Elimination System (NPDES) program (under Section 402 of the CWA), all facilities that discharge pollutants from any point source into waters of the United States must have a NPDES permit. The term "pollutant" broadly applies to any type of industrial, municipal, and agricultural waste discharged into water. Point sources can be publicly owned treatment works (POTWs), industrial facilities, and urban runoff. (The NPDES program addresses certain agricultural activities, but the majority are considered nonpoint sources and are exempt from NPDES regulation.) Direct sources discharge directly to receiving waters, and indirect sources discharge to POTWs, which in turn discharge to receiving waters. Under the national program, NPDES permits are issued only for direct, point-source discharges. The National Pretreatment Program addresses industrial and commercial indirect dischargers. Municipal sources are POTWs that receive primarily domestic sewage from residential and commercial customers. Specific NPDES program areas applicable to municipal sources are the National Pretreatment Program, the Municipal Sewage Sludge Program, Combined Sewer Overflows, and the Municipal Storm Water Program. Nonmunicipal sources include industrial and commercial facilities. Specific NPDES program areas applicable to these industrial/commercial sources are: Process Wastewater Discharges, Non-process Wastewater Discharges, and the Industrial Storm Water Program. NPDES issues two basic permit types: individual and general. Also, the EPA has recently focused on integrating the NPDES program further into watershed planning and permitting (USEPA, 2012).

The NPDES has a variety of measures designed to minimize and reduce pollutant discharges. All counties with storm drain systems that serve a population of 100,000 or more, as well construction sites one acre or more in size, must file for and obtain an NPDES permit. Another measure for minimizing and reducing pollutant discharges to a publicly owned conveyance or system of conveyances (including roadways, catch basins, curbs, gutters, ditches, man-made channels and storm drains, designed or used for collecting and conveying stormwater) is the EPA's Storm Water Phase I Final Rule. The Phase I Final Rule requires an operator (such as a city) of a regulated municipal separate storm sewer system (MS4) to develop, implement, and enforce a program (e.g., best management practices [BMPs], ordinances, or other regulatory mechanisms) to reduce pollutants in postconstruction runoff to the city's storm drain system from new development and redevelopment projects that result in the land disturbance of greater than or equal to one acre.

State

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (Water Code Sections 13000 et seq.) is the basic water quality control law for California. Under this Act, the State Water Resources Control Board (SWRCB) has ultimate control over state water rights and water quality policy. In California, the EPA has delegated authority to issue NPDES permits to the SWRCB. The state is divided into nine regions related to water quality and quantity characteristics. The SWRCB, through its nine Regional Water Quality Control Boards (RWQCBs), carries out the regulation, protection, and administration of water quality in each region. Each regional board is required to adopt a water quality control plan or basin plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems. Encinitas is in the San Diego Basin, Region 9, in the Upper Santa Ana Watershed. The water quality control plan for the San Diego Basin was updated in 2016. This Basin Plan gives direction on the beneficial uses of the state waters in Region 9; describes the water quality that must be maintained to support such uses; and provides programs, projects, and other actions necessary to achieve the standards in the Basin Plan.

Fish and Game Code Section 1602

Section 1602 of the California Fish and Game Code regulates activities affecting the geomorphology and function of the state's rivers, streams, and lakes. Administered by the California Department of Fish and Wildlife (CDFW), it requires CDFW approval for activities that would:

- Divert or obstruct the natural flow of a river, stream, or lake.
- Modify the bed, channel, or bank of a river, stream, or lake.
- Use material from the bed, channel, or bank of a river, stream, or lake.

- Place debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

Persons or organizations proposing such activities must notify CDFW in writing prior to beginning work and must provide detailed information on the location and nature of the proposed work. If granted, authorization takes the form of a Streambed Alteration Agreement or Lakebed Alteration Agreement, and typically includes terms and conditions required to protect water quality, aquatic system function, and habitat value. Section 1602 is sometimes viewed as providing a state parallel to the federal protection afforded under Section 404 of the CWA, and this is broadly true, but CDFW's particular responsibility focuses on the value of the state's watercourses in providing habitat for fish and wildlife. As such, CDFW's jurisdiction is typically understood as extending across the "bed and banks" of the aquatic system in question; it generally encompasses not only the active channel but also the adjacent riparian corridor and may be more extensive than Corps jurisdiction under Section 404.

Storm Water Pollution Prevention Plans (SWPPP)

Pursuant to the CWA, in 2001, the SWRCB issued a statewide general NPDES Permit for stormwater discharges from construction sites (NPDES No. CAS000002). Under this statewide permit, construction sites with a disturbed area of one or more acres are required to obtain individual NPDES permits for stormwater discharges or be covered by the Construction General Permit. Coverage by the general permit is accomplished by completing and filing a notice of intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Each applicant under the Construction General Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must estimate sediment risk from construction activities to receiving waters; list BMPs to be implemented on the construction site to protect stormwater runoff; and contain a visual monitoring program, a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs, and a monitoring plan if the site discharges directly to a water body listed on the state's 303(d) list of impaired waters.

Regional

Water Quality Improvement Plan

The MS4 Permit for the part of San Diego County in the San Diego RWQCB region, Order No. R9-2013- 0001, provides a pathway for the co-permittees on the MS4 Permit to select and address the highest priority water quality issues. This process is incorporated in watershed-specific water quality improvement plans (WQIPs). RWQCB Region 9 is divided into nine WMAs. The WQIPs are developed through a collaborative effort between the co-permittees in each WMA and other key stakeholders, including the RWQCB. The WQIPs include descriptions of the highest-priority pollutants or conditions in a specific watershed, goals and strategies to address those pollutants or conditions, and schedules for those goals and strategies.

Local

City of Encinitas Jurisdictional Runoff Management Program

The Jurisdictional Runoff Management Program sets forth strategies, standards, and protocols to address the priorities and goals established in the WQIP. The purpose of this document is to present an integrated programmatic approach to reducing the discharge of pollutants from the MS4 to the maximum extent practicable (MEP) standard, and to protect and improve the quality of water bodies in Encinitas. It describes operational programs and activities developed to meet the requirements of Municipal Stormwater Permit and serves as the implementation mechanism for WQIP strategies. The highest-priority water quality conditions in the area are discharges of bacteria (City of Encinitas, 2017).

City of Encinitas Stormwater Best Management Practices Manual, Part II

The City of Encinitas Stormwater Best Management Practices Manual, Part II (BMP Manual) addresses updated stormwater requirements and defines the formal process and procedure to select and design BMPs for development project to ensure compliance with minimal local standards in conformance with the MS4 Permit.

Encinitas General Plan

Land Use Element

Policy 2.8:	Development shall not be permitted where it will result in significant degradation of ground, surface, or ocean water quality, or where it will result in significant increased risk of sewage overflows, spills, or similar accidents. (Coastal Act/30231)
Policy 2.10:	Development shall not be allowed prematurely, in that access, utilities, and services shall be available prior to allowing the development. (Coastal Act/30252)
Policy 8.2:	Development within coastal and flood plain areas identified in the Land Use and Resource Management Elements must be limited, designed to minimize hazards associated with development in these areas, and to preserve area resources. Within the floodway, channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to necessary water supply projects, flood control projects where no other method for protecting existing public or private structures is feasible and where such protection is necessary for public safety or to protect existing development, and other development where the primary function is the improvement of fish and wildlife habitats. No development shall occur in the 100-year Floodplain that is not consistent and compatible with the associated flood hazard. Only uses which are safe and compatible with

periodic flooding and inundation shall be considered, such as stables, plant nurseries, a minimum intrusion of open parking, some forms of agriculture, and open space preservation, as appropriate under zoning, and subject to applicable environmental review and consistency with other policies of this Plan. No grading or fill activity other than the minimum necessary to accommodate those uses found safe and compatible shall be allowed. Such grading shall not significantly redirect or impede flood flows or require floodway modifications. Exceptions from these limitations may be made to allow the following:

a. Minimum private development (defined as one dwelling unit per legal parcel under residential zoning, and an equivalent extent of development under non-residential zoning) only upon a finding that strict application thereof would preclude a minimum use of the property.

b. Development of circulation element roads, other necessary public facilities, flood control projects where no feasible method for protecting existing public or private structures exists and where such protection is necessary for public safety or to protect existing development, and other development which has as its objective the improvement of fish and wildlife habitat.

c. Limited reconfiguration of the flood plain in previously degraded areas provided it is determined by the City that the reconfiguration of the flood plain is incidental to the improvement of an overall storm water system and that the reconfigured storm water system is substantially based on natural channels with vegetation to accommodate storm water management. This is applicable to the El Camino Real creek corridor draining into Encinitas Creek.

These exceptions shall be allowed only to the extent that no other feasible alternatives exist and minimum disruption to the natural floodplain environment is made. The City shall not approve subdivisions or boundary line adjustments which would allow increased impacts for development in 100-year floodplains. For specific policy provisions regarding wetlands which may be associated with floodplains, refer to Resource Management Element Policy 10.6. (Coastal Act/30253) *Policy 8.2 amended 1/30/91, 9/21/94 (Reso. 94-29) and 5/11/95 (Resolution 95-32)*

Public Safety Element

Policy 2.6: Except as provided in Public Safety Policy 1.1, no development or filling shall be permitted within any 100-year floodplain.

Resource Management Element

Policy 1.1: Require new development to utilize measures designed to conserve water in their construction.

Policy 2.1:	In that ocean water quality conditions are of utmost importance; the City shall aggressively pursue the elimination of all forms of potential unacceptable pollution that threatens marine or human health. (Coastal Act/30230/30231)
Policy 2.3:	To minimize harmful pollutants from entering the ocean environment from lagoons, streams, storm drains and other waterways containing potential contaminants, the City shall mandate the reduction or elimination of contaminants entering all such waterways; pursue measures to monitor the quality of such contaminated waterways, and pursue prosecution of intentional and grossly negligent polluters of such waterways. (Coastal Act/30230/30231/30233)

City of Encinitas Municipal Code

EMC 20.08 Stormwater Management

The purposes of this chapter is to protect the health, safety and welfare of the public by regulating all discharges into the Stormwater Conveyance System and the Waters of the State in order to preserve and enhance water quality for beneficial uses. Chapter 20.08 promotes these purposes by:

A. Prohibiting non-Stormwater discharges to the Stormwater Conveyance System;

B. Eliminating pollutants in Stormwater to the Maximum Extent Practicable, including pollutants from both point and non-point sources;

C. Prohibiting activities which cause, or contribute to, exceedance of state and federal Receiving Water quality objectives; and

D. Protecting Watercourses from disturbance and pollution.

The intent of this Chapter is to use the police power of the City to protect, enhance, and regulate water quality in a manner which complies with all applicable laws related to water quality, including the federal Clean Water Act, the state Porter-Cologne Water Quality Control Act, and the California Regional Water Quality Control Board San Diego Region Order No. R9-2013-0001 adopted on May 8, 2013, NPDES No. CAS0109266 and any subsequent amendments, revisions, or reissuance of the permit.

EMC 23.24.480 Drainage Requirements

This section of the EMC provides an outline for drainage requirements during excavation and grading activities in the City. The requirements relate to disposal, site drainage, drainage terraces, and overflow protection.

3.7.3. Thresholds for Determination of Significance

This section lists the thresholds used to conclude whether a hydrology/water quality impact would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would:

   a) Result in substantial erosion or siltation on- or off-site.

   b) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

   c) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff.

4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

3.7.4. Analysis of Project Effects and Significance Determination

Impact 3.7-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Stormwater runoff generally discharges into storm drains and/or flows directly to creeks, rivers, lakes, and the ocean. If polluted, it can result in harmful effects on drinking water, recreational water, and wildlife. The characteristics of stormwater runoff depend on site conditions (e.g., land use, impervious cover, pollution prevention, types and amounts of best management practices), rain events, soil type and particle sizes, multiple chemical conditions, the amount of vehicular traffic,

and atmospheric deposition. Major pollutants typically found in runoff include sediments, nutrients, oxygen-demanding substances, heavy metals, petroleum hydrocarbons, pathogens, and bacteria. The majority of stormwater discharges are considered nonpoint sources and are regulated by an NPDES Municipal General Permit or Construction General Permit.

A net effect of development can be to increase pollutant export to adjacent streams and downstream receiving waters. However, an important consideration in evaluating stormwater quality from a site is to assess whether it impairs the beneficial use of the receiving waters. Receiving waters can assimilate a limited quantity of various constituent elements, but there are thresholds beyond which the measured amount becomes a pollutant and results in an undesirable impact.

Potential water quality impacts associated with construction activities include the discharge of construction-related sediment and hazardous materials (e.g., fuels). However, by obtaining coverage under the State General Construction Stormwater Permit and implementing best management practices during construction as required by a SWPPP construction-related water quality impacts would be reduced to less than significant.

Additional urban runoff pollutants within the area could include litter, trash, and debris; bacteria and viruses from pet feces; oil, grease, metals, and toxic chemicals from vehicle hydrocarbons; and sediments, nutrients, pesticides, and fertilizers. In the existing condition, runoff is collected within a natural earthen channel along the north side of Manchester Avenue and is conveyed to the south side of Manchester Avenue into the San Eligo Lagoon.

The proposed site plan divides the Project site into three drainage management areas (DMAs), each with a proposed bioretention basin for water quality treatment and for hydromodification control. Stormwater will be collected by an on-site RCP storm drain system and conveyed to the three bioretention basins. Only runoff from the disturbed areas within the limits of grading will be captured and conveyed to the bioretention basins for treatment. Offsite runoff will be collected by proposed concrete trapezoidal channels and conveyed through the Project site via proposed RCP/RCB storm drain, directly to the San Elijo Lagoon. The landscaped parkway and proposed public sidewalk along Manchester Avenue, along with a small portion of the emergency access driveway, which is proposed to drain towards Manchester Avenue, is considered a Self-Mitigating Area, and De Minimis DMA per Sections 5.2.1 and 5.2.2, of the Encinitas BMP Design Manual.

Improvements in Manchester Avenue include widening of the street on the north side, striping, and installation of culvert crossings into the San Elijo Lagoon. Additionally, a vegetated swale will be provided in the parkway along the project frontage, with curb openings, to allow street flows to enter into the vegetated swale for some natural treatment, prior to outletting into the Lagoon.

The bioretention basins will provide hydromodification management flow control and stormwater pollutant control to meet the requirements of the San Diego RWQCB municipal stormwater permit. The proposed Project will increase peak storm flows and onsite stormwater detention is incorporated

into the project design to mitigate the increase in peak storm flows for the 100-year storm frequency. Mitigation of increased peak flows for the 100-year storm frequency will be addressed with the proposed bioretention basins, and if necessary, underground storage pipes. All three basins will be unlined and designed to retain and infiltrate a significant portion of storm flows.

With the proposed improvements to the existing storm drain system, the proposed Project would not result in violation of water quality standards or waste discharge requirements. Rather, it would improve upon existing conditions through the capture and treatment of stormwater before its release toward the lagoon to the south. Potential impacts to water quality would be less than significant. No mitigation would be required.

Impact 3.7-2: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

The proposed Project would not include development activities that could otherwise deplete groundwater supplies. Infiltration would be maintained through project design including detention basins and low impact design requirements of the MS4 permit. This includes management practices, control techniques, system design and engineering methods, and other measures as appropriate. The proposed Project would not interfere substantially with groundwater recharge, and potential impacts to groundwater supplies would be less than significant. No mitigation would be required.

Impact 3.7-3a: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would result in substantial erosion or siltation on- or off-site.

With implementation of BMPs during construction as required by a SWPPP, the proposed Project would not result in substantial erosion or siltation on- or off-site. Post construction BMPs described in the SWQMP (Urban Resource Corporation, 2019a, Appendix H-1) include repairing/reseeding/replanting eroded areas and adjusting the irrigation system, adding erosion control blanket, adding stone at flow entry points, or minor regrading to restore proper drainage according to the original plan. As indicated, with implementation of BMPs the Project would maintain and improve the existing storm drainage. Thus, no potential for substantial erosion or siltation would occur on- or off- site. Impacts would be less than significant and no mitigation would be required.

Impact 3.7-3b: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

As noted in the Preliminary Hydrology Report (Appendix H-2), the Project site would be divided into three drainage management areas. The proposed Project would alter the existing drainage pattern of the site but would not increase the rate or amount of surface runoff in a manner that would result in flooding on or off the Project site. Off-site flows entering the Project site would be captured and conveyed around the on-site stormwater treatment system prior to release off-site into the San Elijo Lagoon.

The proposed bioretention/biofiltration basins will provide mitigation for the 100-year storm event peak discharge. In addition, the project would not alter the course of a stream or river. Therefore, impacts regarding flooding on- or off-site would be less than significant. No mitigation would be required.

Impact 3.7-3c: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would substantially increase the rate or amount of surface runoff in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff.

As noted in the Preliminary Hydrology Report (Appendix H-2), the proposed drainage improvements include additional curbs and gutters, the use of biofilters, on-site storage of stormwater in basins with outlets to regulate the flow rate and duration of stormwater released, and bioretention basins to slow and sequester runoff.

Based on the preliminary hydrology analysis for the existing and proposed condition, there will be an increase in peak flowrate of approximately 17% for the 100 year and 25-year storm events, due to the proposed development. Further analysis of the storm runoff volume for the 100-year storm event indicates an increase in runoff volume due to the proposed development. Three biofiltration basins will be provided for the purpose of water quality treatment and hydromodification control but will also act to reduce and slow the release of the volume, as the basins provide 15” of ponding, and subsurface media pore space, and gravel void space for storage. Additionally, the underdrain flow control system will restrict flow release with an orifice. Based on preliminary evaluation of the sizes and storage volumes available in the three biofiltration basins, additional storage is not necessary, and any increase in storm volumes for the 100-year storm event would be mitigated by

the proposed biofiltration basins. Potential drainage impacts would be reduced to less than significant. No mitigation would be required.

Impact 3.7-4: Project increases in flood hazards, tsunami, or seiche zones, risk release of pollutants due to project inundation.

According to the California Emergency Management Agency Tsunami Inundation Map (California Emergency Management Agency, 2009), the Project site is not located in a tsunami inundation area. Seiches are standing waves that occur on the surface of inland bodies of water (i.e., lakes, harbors, bays, or reservoirs) and are typically caused by seismic activity. The Project site is not within the inundation zone of the nearest reservoir (San Dieguito Reservoir) and thus, would not be affected by a seiche if a seismic event were to occur.

In addition, although the southwestern edge of the Project site is located within the 100-year floodplain, no habitable structures would be constructed within the 100-year floodplain. This area would be developed with the proposed parking lot and landscaping features. The site would be constructed to include offsite diversion of stormwater and other features that would be consistent with construction proposed in a 100-year floodplain. Further, relative to the entire urbanized watershed in which the project site is located, the Project area would not contain substantial or unusual amounts of any pollutants that would be at risk of release in case of flooding in the area. Based on the proposed land use and the majority of the Project site's construction outside of the floodplain, the possibility of the Project causing a risk of a release of pollutants due to project inundation would be less than significant. Additionally, improvements planned for the San Elijo Lagoon will reduce the flood elevations along Manchester Avenue and remove the roadway from the 100-year floodplain (USACOE, 2013). No mitigation would be required.

3.7.5. Mitigation Measures

With the incorporation of construction and post-construction best management practices, the proposed Project would not result in significant hydrology or water quality impacts. No mitigation would be required.

3.7.6. Cumulative Impact Analysis

The geographic scope for cumulative hydrology and water quality impacts includes the surrounding watershed, areas surrounding the project site, and tributaries to the ocean. Future development that could contribute to a cumulative hydrology and water quality impact, as listed on Table 2-5, would be subject to the same requirements as the proposed Project and would be required to apply with the San Diego RWQCB for an NPDES permit, which would include best management practices to prevent water quality impacts during construction and operation. Therefore, cumulative impacts related to hydrology and water quality would be less than significant and the project's contribution to a cumulative impact would be less than cumulatively considerable.

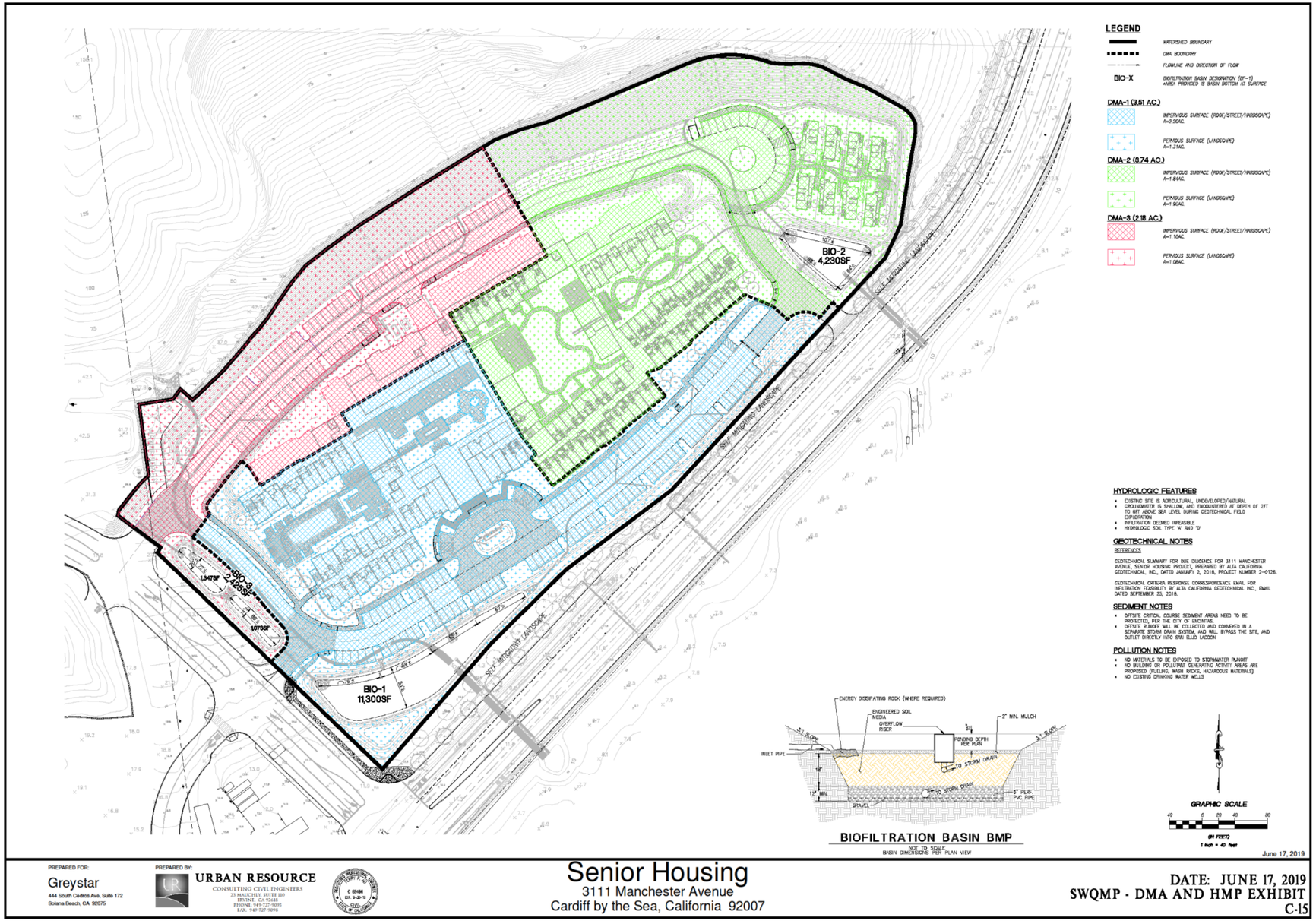
SOURCE: Basemap- Esri; FEMA NFHL, 2019

BRG CONSULTING, INC.

N

0 0.125 0.25 Miles

Floodplain Areas
Belmont Village Encinitas-by-the-Sea
Figure 3.7-1



SOURCE: Urban Resource Consulting Civil Engineers, 2019

BRG CONSULTING, INC.

Project Drainage
Belmont Village Encinitas-by-the-Sea
Figure 3.7-2

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3.8. Transportation

This section addresses potential transportation and circulation impacts that may result from construction and/or operation of the Belmont Village Encinitas-by-the-Sea Project. The following discussion addresses the existing conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable.

The analysis in this section is based on the *Traffic Letter Report* prepared by Linscott, Law & Greenspan (2019). The *Traffic Letter Report* was peer reviewed by BRG Consulting Inc. and is included as Appendix I-1.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted, and written comments were received from agencies and the public. The following issues related to transportation impacts were raised by the California Department of Transportation (Caltrans) and the general public and are addressed in this section:

- A traffic impact study (TIS) for the project should:
  - Addresses traffic on Manchester Avenue and include northbound and southbound ramp intersections at I-5/Manchester Avenue.
  - include all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 50 to 100 peak hour trips.
  - Provide detailed project distributions percentages including intersection details.
  - Include a focused analysis for State highway facilities that are experiencing significant delay.
  - Implement vehicles miles traveled (VMT) analysis into its modeling projections.
  - Address any increase in goods movement operations and its impacts.
  - Include data that is less than 2 years old.
  - Include mitigation measures for impacts to state facilities that are coordinated with Caltrans.
- Residents will have to be bussed or take taxis to get into town.
- The project will cause more traffic in an area that is already too congested.
- High density housing will add pollution and traffic that is inconsistent with the development or lack of development in the area. Furthermore, all of the traffic congestion on Manchester Avenue will detract from the area.

CEQA does not require a VMT analysis until July 2020. Additionally, the Project would not result in any "goods movement" impacts. For these reasons, Caltrans requests for the traffic analysis to

include a VMT analysis and an analysis of goods movement operations are not applicable to the Project and are not addressed in this EIR.

3.8.1. Existing Conditions

Existing Conditions

The Project site is located on the north side of Manchester Avenue, east of the I-5/Manchester Avenue Interchange and east of Via Poco in the City of Encinitas. Manchester Avenue is classified and currently built as a 4-lane Major Augmented Roadway east of I-5, according to the City of Encinitas General Plan Circulation Element (last Amended January 2003). Curbside parking is not permitted along the roadway. The posted speed limit is 45 mph. Class II bike lanes are provided along the north and south sides of the roadway.

Manchester Avenue DAR (Caltrans, 2013)

Planned Circulation Improvements

The I-5 North Coast Corridor Project, sponsored by Caltrans, the Federal Highway Administration (FHWA) and the San Diego Association of Governments (SANDAG), includes specific improvements to maintain or improve the existing and future traffic operations on I-5 from La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton. The planned improvements extend approximately 27 miles from post mile (PM) R28.4 to PM R55.4 on I-5 (Caltrans, 2013). Planned improvements in the vicinity of the Project site include:

- Construction of two (2) new undercrossing structures to accommodate direct access ramps (DARs) at Manchester Avenue. This improvement, referred to herein as the "DAR Access Ramp", would provide vehicles direct access to the HOV/Managed Lanes on I-5 without having to weave across general purpose lanes and would consist of north- and southbound off- and on-ramps to and from the I-5 median area. The I-5 northbound DAR at Manchester Avenue would be accessed via a new road that would connect to Manchester Avenue, and intersection would be signalized. This improvement is referred to herein as the "DAR Access Road."
- Construction of the San Elijo Manchester Avenue Park and Ride/Multi-Use Facility Multi-Use Facility (park and ride) near the I-5 Manchester Avenue interchange.

These improvements have been approved by FHWA, Caltrans and SANDAG and were evaluated in in the I-5 North Coast Corridor Project Final EIR/EIS (SCH# 2004101076) (Caltrans 2013). While they are not a part of the "Proposed Project", they are included in the transportation analysis because of their effect on traffic patterns within the study area.

The following locations were analyzed as part of the traffic study:

Intersections

- I-5 Southbound (SB) Ramps / Manchester Avenue
- I-5 Northbound (NB) Ramps / Manchester Avenue
- Manchester Avenue / DAR Access Road (Future)

Segments

- I-5 SB Ramps to I-5 NB Ramps
- Manchester Avenue, from I-5 to DAR Access Road (Future)
- Manchester Avenue, from DAR Access Road (Future) to Mira Costa College Road

The principal roadways in the project study area are shown on Figure 3.8-1.

Existing intersection and street segment operations are shown on Table 3.8-1 and Table 3.8-2, respectively. As shown on Table 3.8-1 and Table 3.8-2, all study intersections and street segments were calculated to operate at Level of Service (LOS) D or better, with the exception of the: Manchester Ave / I-5 SB Ramp intersection. This intersection operates as LOS F during the AM peak hour (7:15A) and at LOS E during the PM peak hour (4:30P).

Airports

The McClellan-Palomar Airport, located approximately 8.0 miles north of the Project site, is the nearest airport.

Transit Service

While the North County Transit District and the Metropolitan Transit Service offer bus services (Breeze) and rail services (Coaster, Sprinter, Trolley) in the City of Encinitas, no transit service is provided in the immediate vicinity of the Project site. The nearest bus stop is located at Highway 101 & Chart House (Route 101) approximately 1 mile west and the nearest rail station is the Solana Beach Station approximately 1.47 miles southwest of the Project site.

TABLE 3.8-1. EXISTING INTERSECTION OPERATIONS

Intersection	Control Type	Peak Hour	Existing	
			Delay [a]	LOS [b]
Manchester Ave / I-5 SB Ramps	AWSC	AM	147.0	***F***
		PM	38.5	***E***
Manchester Ave / I-5 NB Ramps	Signal	AM	23.1	C
		PM	23.5	C
Manchester Ave / Via Pico (DAR Access Rd)	Signal	AM	DNE	NA
		PM	DNE	NA

Notes:
a. Average delay expressed in seconds per vehicle.
b. LOS = Level of Service. See table at right for delay thresholds.
AWSC = All Way Stop Controlled
DAR = Direct Access Ramp.
DNE = Does not exist in Existing Condition.
NA = Not Applicable
NB = North Bound
SB = South Bound

Signalized Delay/LOS Thresholds		Unsignalized Delay/LOS Thresholds	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 55.0	D	25.1 to 35.0	D
55.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

Source: Linscott, Law & Greenspan, 2019 (Appendix I-1).

TABLE 3.8-2. EXISTING STREET SEGMENT OPERATIONS

Street Segment	Existing Capacity (LOS E) [a]	Existing		
		ADT [b]	LOS [c]	V/C [d]
Manchester Avenue				
I-5 Southbound Ramps to I-5 Northbound Ramps	20,000	17,649 [f]	D	0.882
I-5 to Northbound Ramps to DAR Access Road (Future)	45,400	28,565	+C	0.629
DAR Access Road (Future) to Mira Costa College	45,400	28,565	+C	0.629

Notes:
a. Capacity based on City of Encinitas roadway capacity standards.
b. ADT = Average Daily Traffic Volumes.
c. LOS = Level of Service.
d. V/C = Volume-to-Capacity ratio.
e. +C = Better than LOS C operations.
f. ADT was estimated along this segment based on the ratio of the intersection peak hour volumes and ADT of the adjacent segment.

Source: Linscott, Law & Greenspan, 2019 (Appendix I-1).

Bicycle and Pedestrian Facilities

Class II bike lanes are provided on the north and south sides of Manchester Avenue in the vicinity of the Project site; however, pedestrian facilities (e.g. sidewalks) are not provided.

3.8.2. Regulatory Framework

State

Senate Bill 375

The legislature found that with the adoption of Senate Bill (SB) 375, signed by California Governor Schwarzenegger on September 30, 2008, the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of greenhouse gas emissions, as required by the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32).

SB 375 provides a planning process that coordinates land use planning, regional transportation plans, and funding priorities in order to help California meet GHG reduction goals established in AB 32 (discussed in detail in Section 5.6, Greenhouse Gas Emissions). SB 375 requires regional transportation plans, developed by metropolitan planning organizations (MPOs) to incorporate a "Sustainable Communities Strategy" (SCS) in its regional transportation plan (RTP). The SCS is intended to demonstrate how the coordination of land use and transportation planning efforts may achieve GHG emissions reduction targets set by AB 32. If an SCS cannot achieve the GHG emissions target, the MPO is required to adopt an "alternative planning scenario" that will demonstrate what would need to be done to achieve the GHG emissions reduction target and to define the barriers to accomplishing the reduction.

Assembly Bill 1358

AB 1358 (Complete Streets Act) commenced on January 1, 2011, and requires local governments to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, including motorists, pedestrians, bicyclists, children, seniors, persons with disabilities, and users of public transportation. This bill imposes a state-mandated local program.

Senate Bill 743 (SB 743)

On September 27, 2013, SB 743 was signed into law. SB 743 required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, § 15000 et seq.) regarding the analysis of transportation impacts.

Currently, environmental review of transportation impacts focuses on the delay that vehicles experience at intersections and on roadway segments. That delay is often measured using a metric known as "level of service," or LOS. Under SB 743, the focus of transportation analysis will shift from driver delay to reduction of greenhouse gas emissions, creation of multimodal networks and promotion of a mix of land uses. SB 743 required the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to level of service for evaluating transportation impacts. The alternative criteria must promote the reduction of greenhouse gas

emissions, the development of multimodal transportation networks, and a diversity of land uses (OPR, 2014). According to the legislative intent contained in SB 743, these changes to current practice were necessary to more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.

CEQA Guidelines Section 15064.3

On January 20, 2016, OPR released revisions to its proposed CEQA guidelines for the implementation of SB 743. Once the guidelines are prepared and certified, "automobile delay, as described solely by level of service of similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment" (Public Resources Code Section 21099(b)(2)). As of January 1, 2019, OPR has amended and adopted revisions to the CEQA Guidelines, which must be implemented by the City of Encinitas no later than July 1, 2020.

Local

City of Encinitas General Plan

The City of Encinitas General Plan (General Plan) serves as a blueprint for the long-range physical planning of the City. The General Plan contains goals and policies designed to shape the long-term development of the City, as well as protect its environmental, social cultural and economic resources. The relevant goals and policies for the project include:

Circulation Element

GOAL 1:	Encinitas should have a transportation system that is safe, convenient and efficient, and sensitive to and compatible with surrounding community character.
Policy 1.2:	Endeavor to maintain Level of Service C as a basic design guideline for the local system of roadways understanding that the guideline may not be attainable in all cases.
Policy 1.3:	Prohibit development which results in Level of Service E or F at any intersection unless no alternatives exist, and an overriding public need can be demonstrated.
Policy 1.10:	Encourage the design of roads and traffic controls to optimize safe traffic flow by minimizing turning, curb parking, uncontrolled access, and frequent stops.
Policy 1.15:	The City will actively support an integrated transportation program that encourages and provides for mass transit, bicycle transportation, pedestrians, equestrians, and carpooling.
Policy 1.17:	Standards shall be established and implemented to provide for adequate levels of street lighting, based on criteria of safety and related to

	volumes of vehicular, pedestrian and bicycle activity and potential points of conflict. Such standards shall be designed to respect different community and neighborhood needs for lighting, different community standards for design and special attention given to preservation of dark sky.
GOAL 2:	The City will make every effort to develop a varied transportation system that is capable of serving both the existing population and future residents while preserving community values and character.
Policy 2.2:	Require new residential development to have roadways constructed to City standards before the roads can be dedicated to the City.
Policy 2.10:	Establish landscaping buffer and building setback requirements along all roads which are local augmented status or larger, except where inappropriate.
GOAL 7:	Every effort will be made to have new development, both in the City and in the region, provide for all costs of the incremental expansion of the circulation system necessary to accommodate that development. Costs include, but are not limited to, costs of right-of-way and construction, including costs of moving utilities and structures, and costs for landscaping and intersection improvement.

3.8.3. Thresholds for Determination of Significance

This section lists the thresholds used to conclude whether a transportation impact would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

1) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

2) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

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

4) Result in inadequate emergency access.

3.8.4. Analysis of Project Effects and Significance Determination

Analysis Methodology & Significance Criteria

Level of Service Approach

Level of Service (LOS) is the term used to denote the different operating conditions which occur on a given roadway segment under various traffic volume loads. It is a qualitative measure used to describe a quantitative analysis taking into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. LOS provides an index to the operational qualities of an intersection. LOS designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is reported differently for signalized and unsignalized intersections.

Analysis Approach and Methodology

The traffic analysis prepared for the study was based on the 2010 Highway Capacity Manual (HCM) operations analysis using LOS evaluation criteria. The operating conditions of the study intersections and street segments were measured using the HCM level of service designations, which range from LOS A through LOS F. Because the planned DAR at Manchester Avenue would affect traffic patterns within the study area, the traffic analysis included scenarios both with and without the planned improvements.

The following scenarios are analyzed:

- Existing Conditions
- Near-Term + Project Conditions
- Long-Term (without DAR) Conditions
- Long-Term (without DAR) + Project Conditions
- Long-Term (with DAR) Conditions
- Long-Term (with DAR) + Project Conditions

Signalized intersections were analyzed under AM and PM peak hour conditions. Average vehicle delay was determined utilizing the methodology found in Chapter 19 of the *Highway Capacity Manual (HCM 6th Edition),* with the assistance of the *Synchro* (version 10) computer software. The delay values (represented in seconds) were qualified with a corresponding intersection LOS.

Unsignalized intersections were analyzed under AM and PM peak hour conditions. Average vehicle delay and Levels of Service (LOS) was determined based upon the procedures found in Chapter 20 and Chapter 21 of the HCM 6 with the assistance of the Synchro 10 computer software. The delay values (represented in seconds) were qualified with a corresponding intersection LOS.

Street segments were analyzed based upon the comparison of daily traffic volumes (ADT) to the City of Encinitas's published *Roadway Capacity Standards,* March 1989. This table provides segment capacities for different street classifications, based on traffic volumes and roadway characteristics. Because the Project is not expected to add more than 20 peak hour trips to the I-5 on- ramps, ramp meter analysis is not warranted.

The City of Encinitas utilizes the published, regional SANTEC/ITE criteria for determining the significance of a project's traffic impacts. According to these criteria, a project is considered to have a significant impact if the new project traffic has decreased the operations of surrounding roadways by a defined threshold. The defined thresholds for roadway segments and intersections are defined in Table 3.8-3. If the Project exceeds the thresholds in Table 3.8-3, then the Project may be considered to have a significant project impact.

TABLE 3.8-3. TRAFFIC IMPACT SIGNIFICANT THRESHOLDS

Level of Service With Project [b]	Allowable Increase Due to Project Impacts [(a)]	
	Roadway Segments V/C	Intersections Delay (sec.)
D [(c),] E, & F	0.02	2.0

Notes

a. If a proposed project's traffic causes the values shown in the table to be exceeded, the impacts are determined to be significant. The project applicant shall then identify feasible improvements (within the Traffic Impact Study) that will restore/and maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable (see note b), or if the project adds a significant amount of peak-hour trips to cause any traffic queues to exceed on- or off-ramp storage capacities, the project applicant shall be responsible for mitigating the project's direct significant and/or cumulatively considerable traffic impacts.

b. All LOS measurements are based upon Highway Capacity Manual procedure for peak-hour conditions. However, V/C ratios for roadway segments are estimated on an ADT/24-hour traffic volume basis (using Table 2 of the City's Traffic Impact Study Manual). The acceptable LOS for roadways, and intersections is generally "D" ("C" for undeveloped locations).

c. The City of Encinitas accepts LOS D operations, regardless of project increase in V/C, delay, etc.

Source: Linscott, Law & Greenspan, 2019a (Appendix I-1).

Impact 3.8-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. A discussion of potential impacts is provided below.

Project Generated Traffic

Construction Phase

Short-term construction traffic would be generated with construction of the proposed Project. This would include traffic from construction workers and truck traffic for material removal (i.e. grading export and demolition debris) and material delivery (i.e. building materials, water, etc.), anticipated to be spread throughout the day. The contribution of construction trips to the surrounding street segments and intersections was not modeled because anticipated trip volumes would be temporary and would not generate more than 50 peak hour trips, which is the threshold for modeling.

Traffic generated by construction activities would be temporary and would not result in direct impacts on key street segments and intersections in the study area. Traffic impacts related to construction activities would be less than significant and no mitigation would be required.

Operational Phase

Trips generated during the operation proposed Project are shown in Table 3.8-4. As shown in Table 3.8-4, the proposed Project would generate a total of 712 ADT, with 37 AM peak hour trips (16 inbound and 21 outbound) and 57 PM peak hour trips (32 inbound and 25 outbound).

TABLE 3.8-4. PROJECT TRIP GENERATION

Land Use	Size (units)	Daily Trip Ends (ADTs)[a]		Peak Hour	% of ADT [b]	In: Out	Volume		
		Rate [b]	Volume			Split [b]	In	Out	Total
Retirement Community (Independent Living)	77	4/unit	308	AM	5%	4:6	6	10	16
				PM	7%	6:4	13	9	22
Congregate Care (Assisted Living)	68	2.5/unit	170	AM	4%	6:4	4	3	7
				PM	8%	5:5	7	7	14
Congregate Care (Memory Care)	55	2.5/unit	138	AM	4%	6:4	4	2	6
				PM	8%	5:5	6	6	12
Single-family Units	16	6/unit	96	AM	20%	2:8	2	6	8
				PM	9%	7:3	6	3	9
TOTAL			**712**	AM	--	--	16	21	37
				PM	--	--	32	25	57

Note: a. ADT = Average Daily Traffic
b. Rates taken from the SANDAG (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002.
Source: Linscott, Law & Greenspan, 2019 (Appendix I-1).

The trip generation projections are conservative, in that they do not "net-out" trips related to the current agricultural use of the Project site (i.e., goods movement trips) that would be eliminated by the Project.

Project Trip Distribution and Assignment

Project trip distribution was based on a combination of observed traffic patterns from existing intersection counts, the location of nearby commercial land uses and the potential location of employees, it was estimated that 45% of project traffic would be distributed to the south along I-5; 35% to the north along I-5; 15% to the east along Manchester Avenue; and 5% to the west along and Manchester Avenue. Using this distribution, Project traffic was assigned to the proposed driveway and nearby street system. If the Direct Access Ramp (DAR) planned for I-5 at Manchester Avenue is constructed, 5% of Project traffic was assumed to utilize the Direct Access Ramp.

Analysis of Existing and Near-Term Plus Project Conditions

Near-Term Conditions

This section evaluates the impacts of the Existing and Near-Term Plus Project analysis. Caltran's completion of the DAR Access Road; the proposed signalization of the Manchester Avenue/DAR Access Road intersection; and, completion of the I-5/Manchester Avenue Interchange improvements is assumed in the "Near-Term" condition. This analysis evaluates the Project's direct impacts by comparing Existing conditions without the Project and Near-Term conditions with the Project.

Table 3.8-5 summarizes the Existing and Near-Term + Project intersection operations. Under "Near-Term" conditions, completion of the DAR Access Road; the signalization of the Manchester Avenue/DAR Access Road intersection; and, completion of the I-5/Manchester Avenue Interchange improves operations of the Manchester Ave/I-5 SB Ramps from LOS F to LOS C during the AM peak hour and from LOS E to LOS A during the PM peak hour.

The addition of project traffic to Near-Term conditions would not cause either of the intersection to operate below LOS C during the AM or PM peak hours. Thus, the Project would a less than significant impact on intersection operations under Existing + Project conditions.

The Existing and Near-Term + Project street segment operations are shown on Table 3.8-6. As shown on Table 3.8-6, two of the street segments would operate at LOS C. Manchester Avenue operates at LOS D in both existing and with project. Therefore, the Project would have a less than significant impact on street segment operations in the Existing + Project condition.

TABLE 3.8-5. EXISTING & NEAR-TERM + PROJECT INTERSECTION OPERATIONS

Intersection	Control Type	Peak Hour	Existing		Near-Term + Project		Delay (c)
			Delay (a)	LOS (b)	Delay	LOS	
Manchester Ave / I-5 SB Ramps	Signal	AM	147.0	F	21.8	C	125.2
		PM	38.5	E	9.8	A	28.7
Manchester Ave / I-5 NB Ramps	Signal	AM	23.1	C	23.3	C	0.2
		PM	23.5	C	24.0	C	0.5
Manchester Ave / DAR Access Rd	Signal	AM	DNE	NA	17.6	B	NA
		PM	DNE	NA	12.8	B	NA

Notes:
a. Average delay expressed in seconds per vehicle.
b. LOS = Level of Service. See table at right for delay thresholds.
c. Project-induced change in delay.
DAR = Direct Access Ramp DNE = Does not exist in Existing Condition.
NA = Not Applicable NB = North Bound
SB = South Bound
Source: Linscott, Law & Greenspan, 2019 (Appendix I-1).

Signalized Delay/LOS Thresholds	
Delay	LOS
0.0 ≤ 10.0	A
10.1 to 20.0	B
20.1 to 35.0	C
35.1 to 55.0	D
55.1 to 80.0	E
≥ 80.1	F

TABLE 3.8-6. EXISTING + PROJECT STREET SEGMENT OPERATIONS

Street Segment	Existing Capacity (LOS E) (a)	Existing			Near-Term + Project			Net Diff. (b)
		ADT	LOS	V/C	ADT	LOS	V/C	
Manchester Avenue								
I-5 SB Ramps to I-5 NB Ramps	20,000	17,649	D	0.882	17,969	D	0.898	0.016
I-5 to DAR Access Road (Future)	45,400	28,565	+C (c)	0.629	29,170	+C	0.643	0.014
DAR Access Road (Future) to Mira Costa College	45,400	28,565	+C	0.629	28,672	+C	0.632	0.002

Notes:
(a) = Capacity based on City of Encinitas roadway capacity standards.
(b) = Project-induced change in V/C.
(c) = Better than LOS C operations.
Source: Linscott, Law & Greenspan, 2019 (Appendix I-1).

Analysis of Long-Term (2030) Conditions

Long-Term (2030) Conditions

The Long-Term (2030) + Project intersection and street segment operations are shown in Table 3.8-7 and Table 3.8-8, respectively. If an intersection would operate at LOS E or F under existing/baseline conditions, the Project would have a significant direct impact if it causes delays to increase by more than 2 seconds (Linscott, Law & Greenspan, 2019a, Appendix I-1). As shown in Table 3.8-7, the addition of Project traffic to key intersections would not cause any intersections to operate below LOS D during the AM or PM peak hours, with or without the DAR improvements. Therefore, the Project would not result in a significant impact to intersection operations in the Future (2030) conditions. No mitigation would be required.

If a roadway segment would operate at LOS E or F under existing/baseline conditions, the Project would have a significant direct impact if it increases the vehicle-to-capacity (V/C) ratio by more than 0.02 (Linscott, Law & Greenspan 2019). As shown on Table 3.8-8, the addition of Project traffic would not cause any key street segments to operate below LOS D during the AM or PM peak hours with or without the DAR improvements. Additionally, project traffic would not cause an increase in the vehicle-to-capacity (V/C) ratio by more than 0.02. Therefore, impacts would not be significant.

The City of Encinitas General Plan Circulation Element endeavors to maintain Level of Service C as a basic design guideline for the local system of roadways understanding that the guideline may not be attainable in all cases. Because the proposed Project would not cause any intersection or street segment to operate below an acceptable level of service, traffic impacts would be less than significant and no mitigation would be required.

Proposed Roadway and Trail Improvements

The proposed street improvements, including new pavement, curb/gutter and striping, would shift the existing travel lanes approximately 10 feet to the north to accommodate installation of a 6-foot-wide Class II bicycle lane and 5-foot-wide, soft-surface pedestrian trail along the southside of Manchester Avenue, adjacent to the San Elijo Lagoon. These improvements would generally begin at the DAR line and extend along the frontage of the Project site. A 10-foot wide pedestrian trail, a and 10-foot wide parkway, and a 6-foot wide bikelane would be installed on the north side of Manchester Avenue. The proposed Project also includes construction of a soft surface trail segment (Trail Segment 66) through the northern portion of the Project site.

The proposed roadway improvements would enhance circulation for pedestrians and cyclists in the vicinity of the Project and no conflicts with a circulation system program, plan, ordinance would result. The Project's provision of Trail Segment 66 would implement the City of Encinitas Trail Master Plan, which would be beneficial for the community.

TABLE 3.8-7. LONG-TERM INTERSECTION OPERATIONS

Intersection	Peak Hour	Long-Term (without DAR)		Long-Term + Project (without DAR)		Delay (c) (sec)	Sign?	Long-Term (with DAR)		Long-Term +Project (with DAR)		Delay (c) (sec)	Sign?
		Delay (a)	LOS (b)	Delay (a)	LOS (b)			Delay (a)	LOS (b)	Delay (a)	LOS (b)		
Manchester Ave / I-5 SB Ramps	AM	31.8	C	31.9	C	0.1	No	46.0	D	46.1	D	0.1	No
	PM	18.3	B	18.4	B	0.1	No	14.0	B	14.1	B	0.1	No
Manchester Ave / I-5 NB Ramps	AM	33.6	C	34.4	C	0.8	No	26.7	C	27.1	C	0.4	No
	PM	49.0	D	51.2	D	2.2	No*	36.5	D	37.6	D	1.01	No
Manchester Ave / DAR Access Rd	AM	19.6	B	21.4	C	1.8	No	23.1	B	24.4	C	1.3	No
	PM	19.4	B	22.7	C	3.3	No	17.1	C	17.7	B	0.6	No

Notes:

* = The City of Encinitas accepts LOS D operations, regardless of project increase in V/C, delay, etc.

(a) = Average delay expressed in seconds per vehicle.

(b) = LOS = Level of Service.

(c) = Project-induced change in delay.

Sign = Denotes Project's Significant Impact, "Yes" or "No".

Source: Linscott, Law & Greenspan, 2019 (Appendix I-1).

Signalized Delay/LOS Thresholds	
Delay	LOS
0.0 ≤ 10.0	A
10.1 to 20.0	B
20.1 to 35.0	C
35.1 to 55.0	D
55.1 to 80.0	E
≥ 80.1	F

TABLE 3.8-8. LONG-TERM STREET SEGMENT OPERATIONS

Street Segment	Long-Term (without DAR)			Long-Term+ Project (without DAR)			Net Change V/C [a]	Sign. ?
	ADT	LOS	V/C	ADT	LOS	V/C		
Manchester Ave. I-5 SB Ramps to I-5 NB Ramps	22,740	F	1.137	23,060	F	1.153	0.016	No
I-5 NB Ramps to DAR Access Road (Future)	36,790	D	0.810	37,395	D	0.824	0.013	No
DAR Access Road (Future) to Mira Costa College	36,790	D	0.810	36,897	D	0.813	0.002	No
Street Segment	**Long-Term (with DAR)**			**Long-Term + Project (with DAR)**			**Net Change V/C [a]**	**Sign. ?**
	ADT	**LOS**	**V/C**	**ADT**	**LOS**	**V/C**		
Manchester Ave. I-5 SB Ramps to I-5 NB Ramps	20,260	+C [b]	0.446	20,563	+C [b]	0.453	0.0075	No
I-5 NB Ramps to DAR Access Road (Future)	32,790	+C [b]	0.722	33,395	+C [b]	0.736	0.013	No
DAR Access Road (Future) to Mira Costa College	32,790	+C [b]	0.722	32,897	+C [b]	0.725	0.002	No

Notes:

(a) = Project-induced change in V/C.
(b) = Better than LOS C operations.
ADT = Average Daily Traffic Volumes.
LOS = Level of Service.
V/C = Volume-to-Capacity ratio.
Sign = Denotes Project's Significant Impact, "Yes" or "No".

Source: Linscott, Law & Greenspan, 2019 (Appendix I-1).

Impact 3.8-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Pursuant to CEQA Guidelines Section 15064.3(c), a lead agency may elect to be governed by the provisions of this section immediately or by July 1, 2020, when the provisions apply statewide. At the time of this EIR's publication, the City of Encinitas has not elected to be governed by Guidelines Section 15064(b). Therefore, the proposed Project does not conflict with this provision, and no significant impacts would occur.

Impact 3.8-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Other than to provide street improvements along Manchester Avenue (i.e. re-stripping and installation of an emergency only access) and the provision of site access points from the planned DAR Access Road, the proposed Project would not alter any roadways. The roadway improvements would be constructed to City standards. Traffic associated with the Project will be limited to employees, services and deliveries, along with residents and visitors of the Senior Living Facility and the Workforce Housing Units. Furthermore, because the proposed Project does not propose any change in the design of the existing roadways and the amount of traffic added to Manchester Avenue would be less than significant, (Impact 3.8-1), the proposed Project will not substantially increase hazards due to design features or incompatible uses.

Impact 3.8-4: Result in inadequate emergency access.

Improvements

The Project includes construction of access to the Project site via two new driveways from the planned DAR Access Road. The southernmost driveway would be 28 feet wide. The second driveway would be 24 feet in width connecting to an internal circulation road that would be 24 feet in width and would lead to a turnaround with a 32-foot paved radius near the proposed Workforce Housing Units. An emergency access only driveway (24 feet in width) would also be installed along Manchester Avenue.

Code Compliance

Section 503.2.1, Dimensions, of the 2017 Consolidated Fire Code for San Diego County requires that fire apparatus access roads have an unobstructed improved width of not less than 24 feet. In addition, according to Section 503.2.5, Dead Ends, the minimum unobstructed radius width for a cul-de-sac in a residential area is 36 feet paved, or as approved by the fire official. Therefore, because the access roadway would be 24 feet, the proposed cul-de-sac near the Single-family Housing units would have a turning radius of at least 36 feet, and because the site plans must be approved by the

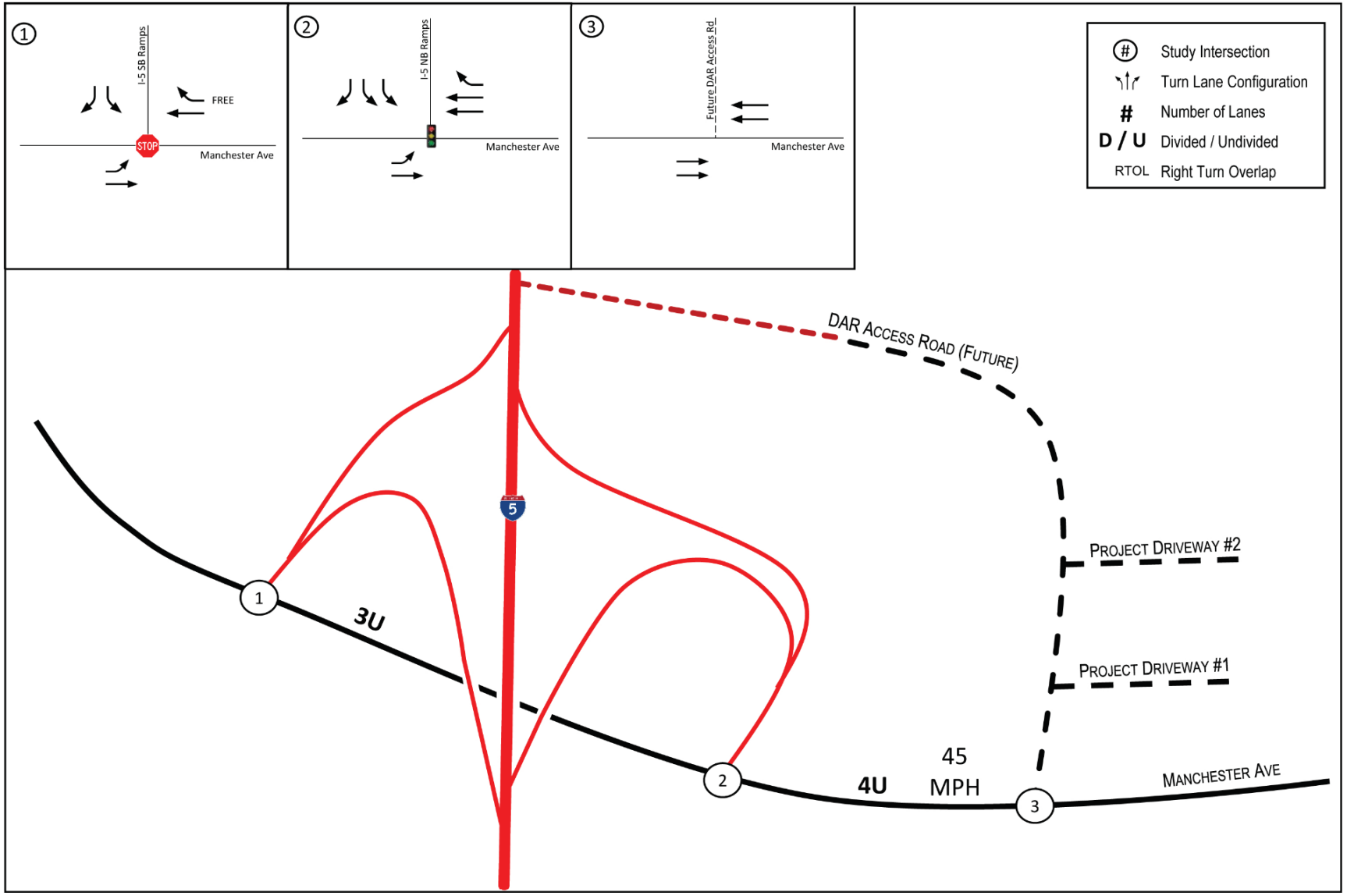
City of Encinitas Fire Department, there would be no significant impact associated with emergency access onto the site.

3.8.5. Mitigation Measure(s)

Impacts would be less than significant, and no mitigation measures would be required.

3.8.6. Cumulative Impact Analysis

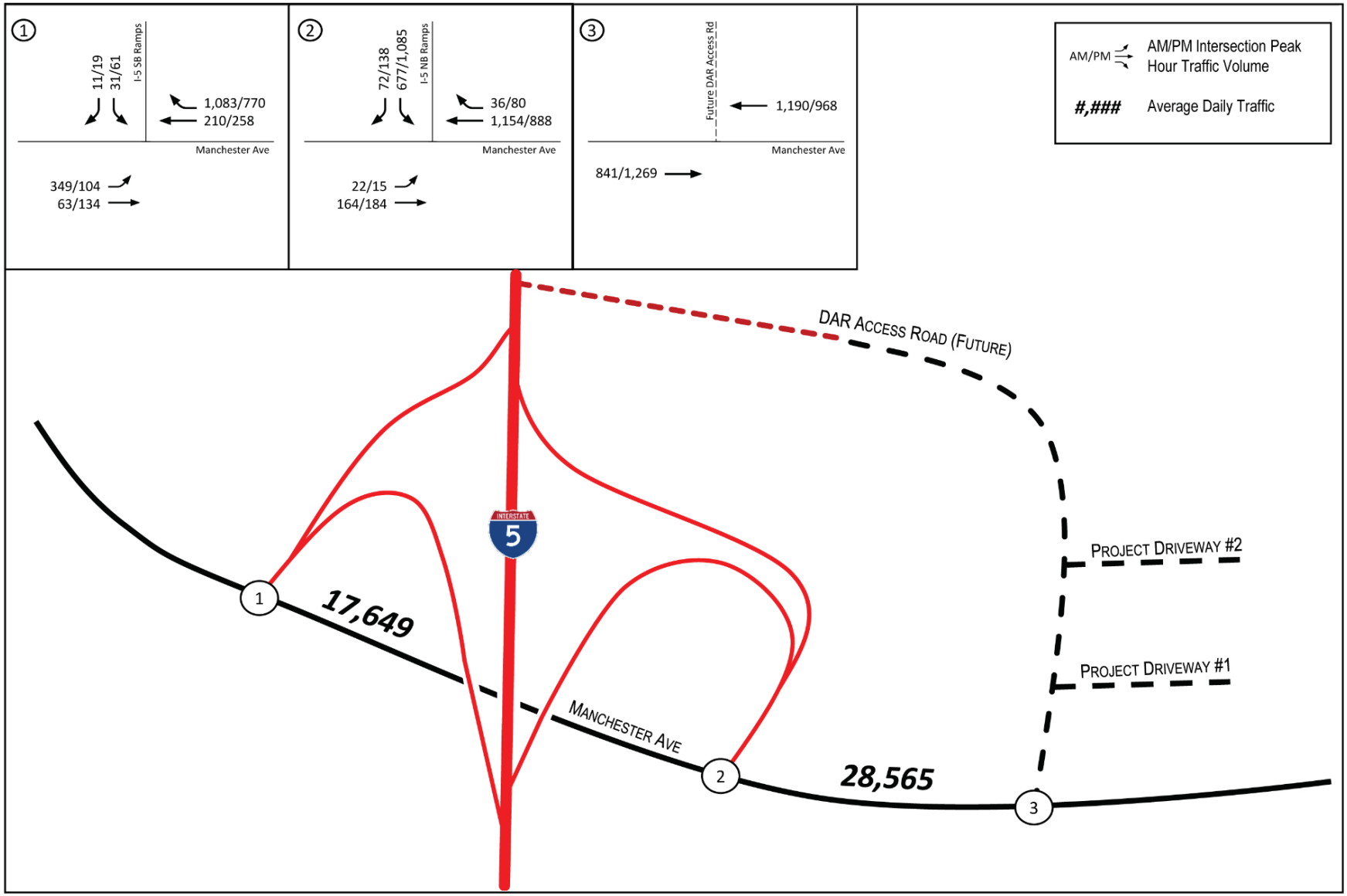
The cumulative traffic impacts associated with the proposed Project include projects in the cumulative projects list included in Table 2-5 to this EIR. The existing conditions scenario assumes additional traffic from ambient regional growth and traffic from developments in the project region; therefore, as identified in the analysis, above, cumulative traffic impacts are less than significant. The impacts of the proposed Project, combined with related projects, would not significantly impact regional transportation facilities or physically increase roadway hazards. Traffic and transportation impacts would not be cumulatively considerable.



SOURCE: Linscott, Law & Greenspan, 2019

BRG CONSULTING, INC.

Existing Circulation System
Belmont Village Encinitas-by-the-Sea
Figure 3.8-1



SOURCE: Linscott, Law & Greenspan, 2019

BRG CONSULTING, INC.

Existing Traffic Volumes
Belmont Village Encinitas-by-the-Sea
Figure 3.8-2

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3.9. Tribal Cultural Resources

This section addresses potential tribal cultural resource impacts that may result from construction and/or operation of the Proposed Project. The following discussion addresses the existing conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable.

The analysis in this section is based on the *Phase I Cultural Resources Study* prepared by Brian F. Smith and Associates, Inc. (2018). The Phase I Cultural Report was peer reviewed by BRG Consulting, Inc. and is included as Appendix E-1.

Scoping Issues Addressed

During the scoping period for the Project, a scoping meeting was conducted, and written comments were received from agencies and the public. The following issues related to cultural resources and Native American Tribal Consultations were raised by the Native American Heritage Commission and are addressed in this section:

- AB 52 applies to any project for which a NOP, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.
- NAHC recommends that lead agencies consult with California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project.
- Both SB 18 and AB 52 have tribal consultation requirements.
- NAHC provided recommendations for Cultural Resource Assessments.

Because the Project does not include a General Plan Amendment, compliance with SB-18 is not applicable. Tribal consultations, pursuant to SB-18 are not required and are not addressed in this EIR.

3.9.1. Existing Conditions

Refer to Section 3.4 Cultural Resources of this Draft EIR for history and background of the Project site. The cultures that have been identified in the general vicinity of the project area include the Paleo Indian Period manifestation of the San Dieguito Complex, the Early Archaic Period represented by the La Jolla Complex, and the Late Prehistoric Period represented by the Kumeyaay Indians. Following the Hispanic intrusion into the region, the Presidio of San Diego, the Mission San Diego de Alcalá, and the Pueblo of San Diego were established.

3.9.2. Regulatory Framework

Federal

United States Code, Title 25, Sections 3001 et seq.

The Native American Graves Protection and Repatriation Act is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Indian tribes.

State

Assembly Bill 52

The Native American Historic Resource Protection Act (AB 52) took effect July 1, 2015 and incorporates tribal consultation and analysis of impacts to Tribal Cultural Resources (TCRs) into the CEQA process. It requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation (NOP) of an EIR or Notice of Intent to adopt an ND or MND are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact and requires feasible mitigation measures.

AB 52 adds tribal cultural resources to the categories of cultural resources in CEQA, which had formerly been limited to historic, archaeological, and paleontological resources. TCRs must have certain characteristics:

1) Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. (Public Resources Code [PRC] § 21074[a][1])

2) The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC § 21074[a][2])

The first category requires that the TCR qualify as a historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource—under the conditions that it support its determination with substantial evidence and consider the resource's significance to a California tribe. The following is a brief outline of the process. (PRC §§ 21080.3.1-3.3)

1) A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.

2) Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.

3) A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.

4) The lead agency must initiate consultation within 30 days of receiving the request from the tribe.

5) Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, or a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.

6) Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and discuss feasible alternatives or mitigation that avoid or lessen the impact.

Native American Historic Resource Protection Act

Public Resources Code Sections 5097 et seq. codify the procedures to be followed in the event of the unexpected discovery of human remains on nonfederal public lands. Section 5097.9 states that no public agency or private party on public property shall "interfere with the free expression or exercise of Native American Religion." The code further states that:

> No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine… except on a clear and convincing showing that the public interest and necessity so require. County and city lands are exempt from this provision, expect for parklands larger than 100 acres.

California Health and Safety Code

California Health and Safety Code, Section 7050.5 requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the

human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

3.9.3. Thresholds for Determination of Significance

This section lists the thresholds used to conclude whether a tribal cultural resource impact would be significant.

Guidelines for Determination of Significance

A project would be considered to have a significant impact if it would:

1) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

    a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

    b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

3.9.4. Analysis of Project Effects and Significance Determination

Impact 3.9-1: Project would cause a substantial adverse change in the significance of a Tribal Cultural Resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

No sacred lands have been identified on the Project site by the NAHC or a California Native American Indian tribe, and no objects with cultural value to a Native American Indian tribe have been identified on the Project site. Additionally, the Project site is previously disturbed from current agricultural use.

According to the Cultural Resources Study (Appendix E-1), the Project site is not currently listed on historic resource lists/databases, including the National Register of Historic Places, California State Historical Landmarks, California Points of Historical Interest, and California Register of Historic Resources.

A Scared Lands File (SLF) search was requested of NAHC and a response was received on August 13, 2018. The results of the SLF yielded negative results. The NAHC provided a list of twenty-eight (28) Native American tribes to obtain information regarding cultural resources. Brian F. Smith and Associates, Inc. submitted the notification letters to all Native American individuals and organizations provided on the NAHC AB 52 Notification List on August 21, 2018. Only one response was received from the Agua Caliente Band of Cahuilla Indians. The letter stated that the Project is not located within the Tribe's Traditional Use Area and they differed to other tribes in the area.

In accordance with the requirements of PRC Section 21080.3.1, on October 3, 2019 the City of Encinitas notified the San Luis Rey Band of Mission Indians, which is the local tribe that is traditionally and culturally affiliated with the project area. The San Luis Rey Band of Mission Indians responded within the 30-day formal notification period requesting consultation and a copy of the confidential appendices to the Phase I Cultural Resources Report (Appendix E-1) was provided to Cami Mojado at the San Luis Rey Band of Mission Indians. A consultation meeting with the City occurred on December 17, 2019.

The San Luis Rey Band of Mission Indians did not inform the City of any tribal cultural resources within the project area; but did review and provide recommendations for appropriate mitigation measures. Per the mutual agreement of the City and the tribe, formal consultation was concluded on December 17, 2019.

As a result of the consultation efforts, no known tribal cultural resources have been identified within the Project area. The Project would not result in a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), since no tribal cultural resources were identified within or immediately adjacent to the Project site. No impacts to known tribal cultural resources would occur.

Impact 3.9-2: Project would cause a substantial adverse change in the significance of a Tribal Cultural Resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

Based on coordination to date, Native American representatives have not provided information indicating there are resources that are significant to a California Native American tribe or otherwise qualify as Tribal Cultural Resources, as defined in Public Resources Code Section 5024.1. Notwithstanding the current lack of evidence of the known resources on the Project site, it is considered sensitive for potential TCRs (buried cultural resources and/or subsurface deposits). Therefore, there is the potential for inadvertent discovery of TCRs that could be impacted by project implementation due to the existing conditions, anticipated grading activities and proposed

excavation depths. Therefore, there is the potential for inadvertent discovery of a resource that could be impacted by project implementation. Impacts would be considered potentially significant.

3.9.5. Mitigation Measure(s)

Implementation of Mitigation Measures MM CUL-1 through MM CUL-8 would reduce potentially significant impacts to TCRs to below a level of significance.

Level of Significance After Mitigation

Less than significant.

3.9.6. Cumulative Impact Analysis

Other development projects in the region as shown in Table 2-5, Potential Cumulative Projects would also involve ground disturbances and thus could disturb surface or buried TCRs. Without proper mitigation, the cumulative effects of these types of development projects on cultural resources could be significant.

The Project and cumulative study area for TCRs is the geographic area of any tribe requesting consultation under AB 52. For this project, the cumulative area is the geographic area with which the San Luis Rey Band of Mission Indians are traditionally and culturally affiliated. Cumulative impacts to TCRs would occur when the impacts of the proposed Project, in conjunction with potential cumulative projects listed on Table 2-5, result in multiple and/or cumulative impacts to TCRs. A total of 58 prehistoric resources have been recorded on the Project site or within a one-mile radius of the site, and no sacred sites are documented on or adjacent to the Project site, and therefore the likelihood of discovering tribal cultural resources is very low. However, it is possible that TCRs could be present within the traditional lands, and the City of Encinitas and other lead agencies are required to notify and potentially consult with the San Luis Rey Band of Mission Indians under AB 52. Implementation of Mitigation Measures MM CU-1 through MM CU-8 would ensure that any tribal cultural resources discovered during excavation would be handled appropriately. In consideration of these factors, the project's contribution to cumulative TCR impacts is less than significant, and therefore project impacts would not be cumulatively considerable.

4.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the California Environmental Quality Act (CEQA) Guidelines requires an EIR to contain a brief statement indicating the reasons that various possible significant effects of a project were determined not to be significant and therefore not discussed in detail in the EIR. Based on initial environmental review the City of Encinitas (City) determined the proposed Project would not have the potential to cause significant impacts to the resources discussed below.

4.1. Air Quality

The project would generally be considered to have a significant effect if it would:

1) Conflict with or obstruct implementation of the applicable air quality plan.

2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.

3) Expose sensitive receptors to substantial pollutant concentrations.

4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Analysis

Impact 4.1-1: Conflict with or obstruct implementation of the applicable air quality plan.

The Project site is located within the San Diego Air Basin, which is under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD). A significant adverse air quality impact may occur when a project individually or cumulatively interferes with progress toward the attainment of the ozone standard by generating emissions that equal or exceed the established long-term quantitative thresholds for pollutants or exceed a state or federal ambient air quality standard for any criteria pollutant.

The Project proposes to construct 200 independent living, assisted living and memory care units and 16 single-family housing units. It is consistent with current zoning with approval of a MUP. The Project is intended to provide senior and affordable housing and is expected to serve existing residents within the San Diego region. It would not induce growth or cause the local population to increase beyond what is planned within the region. Project-related emissions would not exceed daily thresholds established by the SDAPCD during construction or operation or otherwise cause an adverse impact to air quality. The Project would be consistent with the SIP, AQMP and RAQS and significance threshold referenced above. Impacts related to this threshold would be less than significant.

Impact 4.1-2: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.

Construction Emissions

Project construction would generate temporary air pollutant emissions and the majority of construction-related emissions would result from site preparation and the use of heavy-duty construction equipment. Regional construction emissions associated with implementing the proposed project were calculated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 (2016) software. Construction emission modeling for site preparation, grading, building construction, paving, and architectural coating application is presented in Appendix A-2 of this EIR. The SDAPCD sets forth quantitative emission thresholds below which a stationary source would not have a significant impact on ambient air quality.

The Project would be required to comply with SDAPCD Rules 52 and 54 which identify measures to reduce fugitive dust and are required to be implemented at all construction sites located within the San Diego Air Basin (SDAB). The following conditions of approval, required to reduce fugitive dust in compliance with SDAPCD Rules 52 and 54, were included in CalEEMod for site preparation and grading phases of construction:

- **Minimization of Disturbance**. Construction contractors shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
- **Soil Treatment.** Construction contractors shall treat all graded and excavated material, exposed soil areas and active portions of the construction site, including unpaved on-site roadways to minimize fugitive dust. Treatment shall include periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction as appropriate. Watering shall be done as often as necessary, and at least twice daily. It was assumed watering would occur three times daily for modeling purposes.
- **Soil Stabilization.** Construction contractors shall monitor all graded and/or excavated inactive areas at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials shall be applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
- **No Grading During High Winds.** Construction contractors shall stop all clearing, grading, earth moving, and excavation operations during periods of high winds (20 miles per hour or greater, as measured continuously over a one-hour period).

- **Street Sweeping.** Construction contractors shall sweep all on-site driveways and adjacent streets and roads at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.

Construction emission modeling for site preparation, grading, building construction, paving, and architectural coating application is based on the overall scope of the proposed development and construction phasing which is expected to begin mid-2020 and extend approximately 18-months. It was assumed for modeling purpose that the entire 14.43 net acre development area would be disturbed during construction. For dust control, it was assumed the disturbed area would be watered three times daily.

As shown in Table 4.3-1, construction of the Project would not exceed the SDAPCD regional thresholds during its construction years of 2021 and 2022. Construction emissions would not be significant and no mitigation, in addition to compliance with SDAPCD Rule 52 and 57, would be required.

TABLE 4.3-1. ESTIMATED MAXIMUM MITIGATED DAILY CONSTRUCTION EMISSIONS

Construction Phase	Maximum Emissions (lbs./day)					
	ROG	NO_x	CO	SOx	PM_{10}	$PM_{2.5}$
2021 Maximum lbs./day	4.5	54.7	33.4	0.08	9.8	5.8
2022 Maximum lbs./day	69.1	19.3	21.8	0.05	2.5	1.3
SDAPCD Regional Thresholds	137	250	550	250	150	55
Threshold Exceeded 2021	***No***	***No***	***No***	***No***	***No***	***No***
Threshold Exceeded 2022	***No***	***No***	***No***	***No***	***No***	***No***

Source: Birdseye Consulting, 2019a (Appendix A-2).

Operational Emissions

Table 4.3-2 summarizes emissions associated with operation of the proposed project. The Project's operational emissions include emissions from electricity consumption (energy sources), vehicle trips (mobile sources), and area sources including landscape equipment and architectural coating emissions as the structures are repainted over the life of the Project. The majority of operational emissions are associated with vehicle trips to and from the Project site. As shown in Table 4.3-2, the net change in emissions would not exceed the SDAPCD thresholds. Therefore, the Project's regional air quality impacts (including impacts related to criteria pollutants, sensitive receptors and violations of air quality standards) would be less than significant.

TABLE 4.3-2. ESTIMATED DAILY OPERATIONAL EMISSIONS

Proposed Project	Maximum Emissions (lbs./day)					
	ROG	NO_x	CO	SOx	PM_{10}	$PM_{2.5}$
Area	5.3	0.2	17.8	0.01	0.09	0.09

TABLE 4.3-2. ESTIMATED DAILY OPERATIONAL EMISSIONS

Proposed Project	Maximum Emissions (lbs./day)					
	ROG	NO_x	CO	SOx	PM_{10}	$PM_{2.5}$
Energy	0.04	0.3	0.1	0.01	0.03	0.03
Mobile	0.9	3.3	7.9	0.02	2.0	0.5
Maximum lbs./day	**6.8**	**3.9**	**25.9**	**0.04**	**2.2**	**0.7**
SDAPCD Regional Thresholds	137	250	550	250	150	55
Threshold Exceeded	***No***	***No***	***No***	***No***	***No***	***No***

Source: Birdseye Consulting, 2019a (Appendix A-2)

Impact 4.1-3: Expose sensitive receptors to substantial pollutant concentrations.

The nearest sensitive receptors to the Project site are the single-family residences located north of the site at the south end of Via Tiempo. Neither the total construction nor operation emissions would exceed the SDAPCD thresholds. In addition to quantifying emissions, SDAPCD recommends performing a local carbon monoxide (CO) "hot spot" analysis if an intersection meets one of the following criteria: 1) the intersection is at Level of Service (LOS) D or worse and where the project increases the volume to capacity (V/C) ratio by 2 percent, or 2) the project decreases LOS at an intersection to D or worse.

A CO hotspot is a localized concentration of CO that is above the state or national 1-hour or 8-hour CO ambient air standards. Localized CO "hotspots" can occur at intersections with heavy peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local CO concentration exceeds the federal Ambient Air Quality Standards (AAQS) of 35.0 parts per million (ppm) or the state AAQS of 20.0 ppm. As discussed in Section 3.8, Transportation, the addition of Project traffic would not increase the V/C ratio on any key intersection by 2 percent, nor decrease their level of service to LOS D or worse in the Near-Term or Long-Term scenario.

The proposed Project would not produce the volume of traffic required to generate a CO "hot spot" and would not expose sensitive receptors to substantial pollutant concentrations. Localized air quality impacts related to mobile-source emissions would therefore be less than significant.

Impact 4.1-4: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors are temporary and would not occur in concentrations that would impact a significant number of people.

Construction emissions would not exceed SDAPCD impact thresholds; thus, short-term odors are not expected to be significant.

Land uses and industrial operations associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed Project would not result in the creation of an odor-producing land use and long-term odor impacts; therefore, impacts would be considered less than significant.

4.2. Energy

The project would generally be considered to have a significant effect if it would:

1) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Analysis

Impact 4.2-1	**Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.**

Project construction would utilize common methods for site preparation, grading and installation of all infrastructure. Techniques are not expected to be wasteful or otherwise result in inefficient use of fuels or other sources of energy. The proposed Project would be required to comply with California Energy Code Title 24 requirements in effect at the time buildings are being designed. A less than significant impact would occur.

Impact 4.2-2	**Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.**

The Project would construct a residential care facility and 16 affordable housing units. The Project would utilize heavy equipment that meets CARB requirements for energy efficiency and emission reduction. The Project would be consistent with the City of Encinitas Climate Action Plan. The Project would not conflict with a state or local plan regarding renewable energy or energy efficiency. No impact would occur.

4.3. Hazardous & Hazardous Materials

The project would generally be considered to have a significant effect if it would:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

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

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

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

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

6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Analysis

A Phase I Environmental Site Assessment (ESA) was prepared for the proposed Project (Advantage Environmental Consultants, 2017), which is included as Appendix J of this EIR. The analysis contained in this section is based, in part on the findings of this technical report. The Phase I ESA was conducted in accordance with ASTM Standard Practice for Environmental Site Assessments (Designation E 1527-13) and the US EPA's Standards and Practice for All Appropriate Inquiries (40 CFR, Part 312) and consists of the following:

- A search for environmental liens and other potential environmental related encumbrances to title of the Site.

- A review of standard environmental record sources contained within Federal, State and local environmental databases along with additional environmental record sources obtained from regulatory departments/agencies.

- A qualitative evaluation of the physical characteristics of the Project site through a review of published topographic, geologic, and hydrogeologic maps; published groundwater data; and area observations to characterize surface water flow in the Site area.

- An evaluation of past Project site and adjacent/nearby property uses through a review of historical resources including topographic maps and aerial photographs.

- A physical inspection of the Project site conducted to search for conditions indicative of potential environmental concerns including underground storage tanks (USTs), aboveground storage tanks (ASTs), associated tank piping; stained soil or pavement; equipment that may contain or have historically contained polychlorinated biphenyls (PCBs); and other potential environmental concerns as defined in the ASTM E 1527-13 standard.

- A physical assessment of indications of past uses and visual observations of adjacent and surrounding properties (from curbside or public spaces) to assess potential impacts to the Project site.

The Phase I ESA also included excavating four (4) shallow borings to collect near-surface samples of on-site soils to test for the presence of organochlorine pesticides (OCPs), though currently banned from production and use in the United States were commonly applied during the normal course of agricultural operations.

No OCP concentrations were detected above the laboratory detection limits in any of the soil samples analyzed. Total arsenic was detected in two of the four soil samples at concentrations of 2.80 milligrams per kilogram (mg/kg) (001) and 8.94 mg/kg (002). Such concentrations are below the ambient screening level of 12 milligrams per kilogram recognized by the State of California Department of Toxic Substances Control. The analytical laboratory report is included in Appendix J.

The Phase I ESA revealed no evidence of recognized environmental conditions in connection with the Project site and not additional investigation was recommended.

Impact 4.3-1	**Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**

Implementation of the proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Construction

Project construction would involve the storage, use, and transport of small amounts of hazardous materials (e.g., asphalt, fuel, lubricants, and other substances) on local roadways and regional highways. Regulations governing hazardous materials transport are stated in Title 22 of the California Code of Regulations and the California Vehicle Code (Title 13 of the California Code of

Regulations). The transportation of hazardous materials also is subject to other local and federal regulations that have been designed specifically to minimize the risk of upset during routine construction activities. The State agencies with primary responsibility for enforcing federal and State regulations, and for responding to hazardous materials transportation emergencies, are the California Highway Patrol and Caltrans. Together, these agencies determine container types to be used and license hazardous waste haulers for transportation of hazardous waste on public roads. Therefore, impacts would be less than significant.

Operations

The proposed Project would be a senior residential living facility with 16 work force housing units. Aside from the typical materials (i.e., cleansers, automobile fluids, etc.) used and/or stored in small quantities, no hazardous materials would be used, stored or transported to/from the site.

It is assumed that some level of medical care would be provided at the proposed Senior Living Facility. Like any medical facility, operation would require the ongoing use, storage and routine transport of hazardous materials consisting primarily of pharmaceuticals, medical waste, disinfectants and common cleaning chemicals. Pursuant to the State of California's Medical Waste Management Act of 2017 (Sections 117600-118360 of the California Health and Safety Code [HSC]), medical generators are required to file a "Medical Waste Management Plan" with the County of San Diego Department of Environmental Health (DEH). This plan serves to disclose the types and amounts of medical waste generated by a site; how the waste will be handled, stored or shipped; as well as specify the onsite waste treatment methods used to render the waste non-hazardous prior to disposal (if applicable), for example through steam sterilization, incineration, etc. The plan must also address the storage and disposal of sharps, biohazardous substances, radioactive waste, chemotherapeutics, human tissues, etc., as well as mixed wastes (containing both medical and non-medical waste types). The Medical Waste Management Plan addresses, sharps (i.e., needles), blood and blood products and microbiology laboratory waste and specifies how these materials are to be segregated, packaged and labeled for pick up and transportation off-site for treatment and disposal. The Project would comply with the MWMA and the Senior Living Facility will implement a Medical Waste Management Plan and a less than significant impact would result.

Impact 4.3-2	**Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.**

Implementation of the proposed Project is not expected to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. As mentioned above, construction-related hazardous materials would be used during construction of the proposed Project, and it is possible that these substances could be released in small amounts during construction activities. However, compliance with federal, state, and local regulations, in combination with construction BMPs

implemented from a SWPPP as required under the State Water Resources Control Board's Construction General Permit would ensure that all hazardous materials are transported, used, disposed of, or stored on site during the construction and operational phases of the Project.

Additionally, a Medical Waste Management Plan will be prepared for the Senior Living Facility, which addresses how hazardous materials and medical waste will be segregated, packaged and labeled for pick up and transportation off-site for treatment and disposal. While there is a potential for an accidental release, a less than significant impact would occur.

Impact 4.3-3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The nearest school to the Project site is Mira Costa College's San Elijo Campus, which is located adjacent to and immediately east of the property. The Encinitas Country Day School, located at 3616 Manchester Avenue in Encinitas, is approximately one-mile northeast of the site. While the Mira Costa Campus is located within one-quart mile of the Project site, the proposed Project would not emit hazardous emissions. Additionally, all hazardous waste would be managed according to MWMA requirements referenced above. No other schools are located within ¼ mile of the site. Potential impacts would be less than significant.

Impact 4.3-4: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

The Phase I ESA prepared for the proposed Project reviewed lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5 including environmental record sources contained within Federal, State and local environmental databases along with additional environmental record sources obtained from regulatory departments/agencies. The Project site was not included on any those lists.

A Phase I ESA was prepared for the Project and as part of the process soil samples were taken and tested to determine whether organochlorine pesticides (OCPs) and arsenic were present. The site has been previously used for agricultural purposes and during historical agricultural activities throughout the State of California, various pesticides and more specifically OCPs were commonly applied during the normal course of agricultural operations. Soil sampling and analysis was completed for the Project site in the Phase I ESA. No OCP concentrations were detected above the laboratory detection limits in any of the soil samples analyzed. Total arsenic was detected in two of the four soil samples at concentrations of 2.80 milligrams per kilogram (mg/kg) and 8.94 mg/kg. The concentrations are below the ambient screening level of 12 milligrams per kilogram recognized by the State of California Department of Toxic Substances Control. The Phase I ESA determined that no Recognized Environmental Conditions (RECs) are present on the site and that no further

evaluation for the presence of hazardous materials is warranted. A less than significant impact would occur.

Impact 4.3-5:	**For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area.**

McClellan-Palomar Airport is the closest airport and is located approximately 8.0 miles north of the Project site. The Project site is not located within the McClellan-Palomar Airport Influence Area as depicted in the Airport Land Use Compatibility Plan, within two (2) miles of a public use airport or in proximity to a private airstrip (San Diego County, 2010). While some aircraft overflights may occur and be audible, the proposed Project would not result in a safety hazard or excessive noise for people residing or working in the project area. No impact would occur.

Impact 4.3-6:	**Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

The proposed Project would not obstruct access to the project vicinity through road closures or other project actions that could impact evacuation routes or otherwise impair evacuation during emergencies. Improvements to Manchester Avenue to facilitate ingress/egress into the Project site would be managed via a traffic control plan to minimize safety and access impacts during construction. No impact would occur.

Impact 4.3-7:	**Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.**

The Project site is located in a developed area and is not located in a Fire Hazard Severity Zone as designated in maps prepared for San Diego County by the California Department of Forestry and Fire Protection (CAL FIRE, 2007). The propose Project would not expose people or structures to a significant risk of loss or death involving wildland fires.

4.4. Land Use and Planning

The project would generally be considered to have a significant effect if it would:

1) Physically divide an established community.

2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Analysis

Impact 4.4-1:	**Physically divide an established community.**

The proposed Project would develop a new Senior Living Facility and 16 work force housing units on a site located within an existing developed area. The Project site is surrounded by development to the west, north and east. The San Elijo Lagoon is located to the south of the Project site, across Manchester Avenue. The proposed Project would not result in the construction of improvements that would physically divide an existing community. No impact would occur.

Impact 4.4-2:	**Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.**

The Project site is located in the Cardiff Community as identified within the City of Encinitas General Plan. The General Plan Land Use Element recognizes the Cardiff Community as a commercial district generally along Highway 101. Manchester Avenue is designated a sensitive view corridor within the City of Encinitas. The proposed use is consistent with the RR-2 zoning designation provided a Major Use Permit is obtained. As proposed, the Project would not conflict with the City of Encinitas General Plan Land Use Element and the design would facilitate compliance with the Municipal Code. The proposed Project would be compliant with goals, objectives and policies contained in the General Plan that pertain to the proposed use on the subject property.

The Project site is located within the scenic/visual corridor and hillside/inland bluff overlay zones.

No conflicts with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigation an environmental effect has been identified. No impact would occur.

4.5. Noise and Vibration

The project would generally be considered to have a significant effect if it would:

1) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

2) Generate excessive groundborne vibration or groundborne noise levels.

3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

Analysis

Impact 4.5-1: Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Project Construction

Temporary, construction-related noise would occur during construction of the proposed Project. Construction of the proposed improvements may utilize dozers, tractors, loaders, trucks and a variety of other types of equipment as individual phases of the construction process progress. No blasting, pile-driving or deep excavation is anticipated for the project. Noise levels associated with the equipment commonly used will range from 80 to 91 dBA at 50 feet from the source, assuming more than one piece of equipment is operating simultaneously.

The nearest sensitive receptors are single family residences at the southern terminus of Via Tiempo adjacent to and north of the Project site. The northern portion of the Project site will remain undeveloped and be placed in a conservation easement. The closest that construction would occur to the residences is approximately 500 feet. Construction noise may be audible at the nearest residences neighboring the site; however, because noise and vibration levels reduce by approximately 6 dBA with the doubling of distance between the noise source and the receptors, noise levels at the nearest residences would be approximately 71 dBA and would not exceed the 75 dBA threshold referenced in the Encinitas Municipal Code. As stated, the Encinitas Municipal Code permits construction activities between the hours of 7:00 AM and 7:00 PM. Monday through Saturday. Construction occurring consistent with these provisions is exempt from regulation. Thus, noise impacts during construction would be less than significant.

Project Operations (Traffic Noise)

Traffic is the primary noise source that would be generated by the proposed Project. Thus, whether a traffic-related noise impact would occur is based on whether project traffic, when added to the existing traffic, would cause the Leq to noticeably increase (+3 dBA) or exceed the 50-dBA exterior standard referenced in the Encinitas Municipal Code. For a noticeable increase to occur, the sound energy (i.e., traffic volumes or speeds) would need to double. Existing noise levels exceed the day- and nighttime requirements of 50 dBA and 45 dBA, respectively for residential areas as defined in the municipal code. Thus, the determination of whether an adverse impact would occur is based on whether project traffic, when added to baseline conditions, would cause noise levels to increase by 3 dBA. For a noticeable (3 dBA) change to occur, traffic volumes along Manchester Avenue would have to double. According to the *Manchester Senior Living Traffic Letter Report* (Linscott, Law and Greenspan, Inc., 2019a), daily volumes along Manchester Avenue are 28,565, with peak hour volumes along Manchester Avenue estimated at 2,857 vehicles. The proposed Project would generate 712 daily trips with 37 AM peak hour trips and 57 PM peak hour trips. The addition of

project traffic would not cause traffic volumes to double; thus, no noticeable traffic noise increase would occur. Because the proposed Project would not noticeably increase off-site noise levels over ambient conditions, a less than significant impact would occur.

Impact 4.5-2: Generate excessive groundborne vibration or groundborne noise levels.

Vibration is a unique form of noise because its energy is carried through buildings, structures, and the ground, whereas noise is simply carried through the air. Thus, vibration is generally felt rather than heard. In the U.S., the ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB (Birdseye Consulting Group, 2019a). A vibration velocity of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people and is generally considered intrusive for residential uses.

Construction activities that could generate substantial groundborne vibration include deep grading and excavation operations for building footings excavation and the installation of vibro replacement stone columns across the site to remediate liquefaction risks. These activities would be temporary in duration and could result in maximum construction-related vibration levels of 81 VdB at 50 feet from the source. Because noise and vibrations levels reduce by approximately 6 dBA with the doubling of distance between the source and the receptors, vibration levels at the nearest residences would be less than 65 VdB and would not be perceptible at the nearest receiver during construction.

Impact 4.5-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.

McClellan-Palomar Airport is the nearest airport and is located approximately 8.0 miles north of the Project site. The Project site is not located within the McClellan-Palomar Airport Influence Area; is not located within two (2) miles of a public use airport or in proximity to a private airstrip (San Diego County, 2010). While some aircraft overflights may occur and be audible, the proposed Project would not expose people residing or working in the project area to excessive noise levels. No impact would occur.

4.6. Mineral Resources

The project would generally be considered to have a significant effect if it would:

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

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

Analysis

Impact 4.6-1:	**Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.**

No known mineral resource recovery sites occur or are designated within or adjacent to the Project site. Therefore, the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. There would be no impact.

Impact 4.6-2:	**Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.**

The Project site is not in an area designated by the State for locally important mineral resources and is not utilized for mineral resource production. As such, the proposed Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. There would be no impact.

4.7. Population And Housing.

The project would generally be considered to have a significant effect if it would:

1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure).

2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Analysis

Impact 4.7-1:	**Induce substantial unplanned population growth in an area, either directly or indirectly.**

The proposed Project would provide affordable (single-family) housing and senior living units. It is assumed the Senior Living Facility would house existing residents living within the San Diego area and the single-family housing would provide housing for employees or others who meet the housing income requirements. The Project would not induce population growth directly as a result of new development or indirectly through the extension of utility infrastructure to a currently unserved area. All improvements would occur on the Project site or within its immediate vicinity. No impact related to population growth would result from project implementation.

Impact 4.7-2: Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

The Project site is used for agricultural purposes and contains several out buildings located near the southwest corner. Project implementation would not result in the removal of existing housing or the displacement of residents that would require the construction of replacement housing elsewhere. No impact would occur.

4.8. Public Services and Facilities

The Project would generally be considered to have a significant effect if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services including:

1) Fire protection
2) Police protection
3) Schools
4) Parks
5) Other public facilities

Analysis

Impact 4.8-1: Fire Protection.

The City of Encinitas Fire Department provides fire and emergency medical services to the City of Encinitas. Fire Station 4 is the nearest station to the Project site. It is located at 2011 Village Park Way, approximately 3.5 miles north of the Site. Like any development project, the Project may increase demand for fire service; however, the project is consistent with the land use designation for the site and would not increase the population beyond what was anticipated in the City of Encinitas General Plan. Further, the Project would be designed and constructed consistent with applicable codes and standards for access and fire suppression infrastructure. The project would not require construction of a new fire station to maintain service ratios. Because the Project would be required to pay impact fees to cover costs associated with providing fire service, this would reduce the potential increase in demand to less than significant.

Impact 4.8-2: Police Protection

Law enforcement services are provided by the San Diego County Sheriff. The North Coastal Sheriff Station is located at 175 North El Camino Real. The North Coastal Sheriff Station is the largest division in the City of Encinitas and provides first response to all emergencies, performs preliminary investigations, and provides basic patrol services to the City of Encinitas. The San Diego County

Sheriff's Department has approximately 4,000 sworn officers and support staff. The project could potentially increase demand for law enforcement services by increasing activity in the area. However, the project is consistent with the land use designation for the site and would not increase the population beyond what was anticipated in the City of Encinitas General Plan. The Project is not expected to require the construction of new or expanded Police Department facilities. This would reduce the potential increase in demand to less than significant.

Impact 4.8-3: Schools.

The nearest school operated by the Encinitas Union Elementary School District is Park Dale Lane Elementary School located at 2050 Park Dale Lane approximately 2.5 miles northeast of the Site. Private schools include the Encinitas Country Day School located at 3616 Manchester Avenue approximately one-half mile northeast of the Site. The Senior Living Facility would not generate a demand for school services. The 16 single-family housing units may house school age children but are not anticipated to substantially increase the demand for school services or require the construction of new schools. The payment of impact fees will offset any school impact related to increased enrollment associated with the Project. The Project is not expected to require the construction of new or expanded school facilities. This would reduce the potential increase in demand to less than significant.

Impact 4.8-4: Parks.

Cardiff Sports Park, located at 1661 Lake Drive, is the nearest public park and is approximately 1 mile north of the Project site. The San Elijo Lagoon provides passive recreational opportunities. The Senior Living Facility is not expected to generate demand for new recreational facilities. The affordable housing residents may use park services; however, the population is small in comparison to the availability of resources within the City of Encinitas. The project would not remove park or recreational facilities that would require replacement elsewhere. With the payment of impact fees for each unit, the project would cover any fair share costs for the provision of park resources necessary to meet City demand. This impact would be less than significant.

Impact 4.8-5: Other Public Facilities.

The City of Encinitas Public Library provides library services to city residents. The library is located at 540 Cornish Drive, Encinitas, California 92024. The Senior Living Facility is not expected to generate significant demand for library services. The single-family units may generate demand for library services. This is not expected to require new or expanded library services would be required. This impact would be less than significant.

The Project would not require the provision of new or physically altered governmental facilities to maintain acceptable service levels.

4.9. Recreation

The project would generally be considered to have a significant effect if it would:

1) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

2) Include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment?

Analysis

Impact 4.9-1:	**Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.**

The Project would be a new Senior Living Facility with 16 affordable housing units. It could contribute to an increase in the City of Encinitas' population which may affect demand for recreational resources. The Project would be required to pay impact fees to cover improvements to recreational resources. With the payment of impact fees, a less than significant impact would occur.

Impact 4.9-2:	**Include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment.**

The proposed Project includes construction of a soft surface trail segment (Trail Segment 66) through the northern portion of the Project site. The proposed trail would be approximately six (6) feet in width and would be constructed as a "soft-surface trail" consistent with specifications in the Encinitas Trail Master Plan (City of Encinitas, 2002). On the southside of Manchester Avenue, adjacent to the San Elijo Lagoon, the Project would install a 6-foot-wide Class II bicycle lane and 5-foot-wide, soft-surface pedestrian trail. A 10-foot wide pedestrian trail and 10-foot wide parkway, and a 6-foot wide bike lane would be installed on the north side of Manchester Avenue. These improvements would generally begin at the DAR Access Road (Via Pico) and extend along the frontage of the Project site.

As described in Chapter 3, installation of these improvements would either not result in an adverse physical effect on the environment or mitigation measures have been incorporated into the Project, which would reduce impacts to below a level of significance.

4.10. Utilities and Service Systems

The project would generally be considered to have a significant effect if it would:

1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

3) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

4) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

5) Not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Analysis

Impact 4.10-1: Require or result in the relocation or construction of new or expanded facilities, the construction or relocation of which could cause significant environmental effects.

Wastewater would be conveyed off-site within existing sewer lines located along Manchester Avenue west to the SEWRF. The Project is consistent with the General Plan designation and Zone Classifications; thus, wastewater volumes could be accommodated within flows projected for planning purposes. Per the Olivenhain Municipal Water District (OMWD) Urban Water Management Plan, future supply is expected to match service area demand. No new water treatment systems would be required to serve the project (OMWD, 2016). Prior to the issuance of building permits, a hydraulic analysis will be conducted by OMWD to determine the size of the water pipelines required to meet fire flow availability as required by the Encinitas Fire Department. Should the existing facilities in Manchester Avenue not meet the fire flow requirements, the Applicant would need to upsize/install new public facilities to between 0.40 to 0.63 miles of waterlines within the Manchester Avenue ROW (OMWD, 2020). Implementation of standard construction BMPs and traffic control measures, along with biological, cultural and paleontological mitigation measures identified in Sections 3.4, 3.5, and 3.6 of the Draft EIR, respectively would avoid significant environmental effects related to installation of the upgraded pipelines, if needed.

The project onsite stormwater management system will consist of area drain and catch basin inlets, PVC area drain lines, RCP storm drain lines, and bioretention basins. The only off-site improvements required would be replacement of existing stormwater culverts and outfall structures along the south side of Manchester Avenue. These would be constructed as part of the Project.

Other public utilities (i.e., electrical, natural gas, telephone/cable) would be extended to serve the site. This would not require the expansion of existing facilities to provide these services. A less than significant impact would occur.

Impact 4.10-2: Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

The Project site is located in the City of Encinitas in the OMWD service area. OMWD's potable distribution system consists of approximately 434 miles of pipeline, fourteen reservoirs and six pump stations. Water demand projections is approximately 19.5 million gallons annually or 53,500 gallons per day. The proposed Project would be required to comply with federal, State and local plans, policies and regulations and Executive Order B-29-15, which requires a 20% reduction in potable water use during construction and implementation of Best Management Practices for new development concerning water conservation, both for potable and non-potable uses. Chapter 3.1.2 of the City of Encinitas Climate Action Plan contains measures that can be implemented to reduce water consumption and related energy costs associated with water reclamation and transport (City of Encinitas, 2018a).

Potable water would be provided by OMWD. Per the 2015 Urban Water Management Plan, water demand within the service area was 19,549-acre feet in 2015. Demand is expected to increase to 22,843-acre feet by 2020 and 23,813-acre feet by 2035. Per the Urban Water Management Plan, future supply is expected to match service area demand (OMWD, 2016). The project would minimize water demand by installing low flow fixtures and implementing other water reduction features that further reduces demand by 20% over projected volumes. Further, landscaping would be required to comply with the City of Encinitas Water Efficient Landscape Regulations (Chapter 23.26 EMC). The purpose of this ordinance is to reduce potable water demand through the implementation of regulatory controls affecting landscape design in the City of Encinitas. Project design features would minimize potable water demand. No new water entitlements would be necessary to serve the project. A less than significant impact would occur.

Impact 4.10-3: Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

The project onsite stormwater management system will consist of area drain and catch basin inlets, PVC area drain lines, RCP storm drain lines, and bioretention basins. To meet water quality, hydromodification, and detention requirements that are necessary to develop the existing site, onsite stormwater mitigation measures will, at a minimum, include bioretention basins onsite that comprise of mulch, engineered soil media, and gravel. The proposed development will increase peak storm flows in the develop condition, and onsite stormwater detention is proposed to mitigate the increase in peak storm flows for the 100-year storm frequency. Impacts would be less than significant.

Impact 4.10-4: Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

The proposed Project would be served by the EDCO Waste and Recycling Services, which operates through an exclusive franchise agreement with the City of Encinitas. Solid waste is collected and taken to a local transfer station and then to the Otay Landfill in Chula Vista or the Sycamore Landfill in Santee. According to CalRecycle, the Otay Landfill is permitted to accept 6,700 tons of solid waste per day; has a remaining capacity of 21.2 million cubic yards (CY); and, is expected to remain in operation until February 2030 (CalRecycle, 2019a). The Sycamore Landfill is permitted to accept 5,000 tons of solid waste per day; has a remaining capacity of 113.9 million CY; and is expected to remain in operation until December 2042 (CalRecycle, 2019b).

The proposed Project would contribute additional solid waste to the Otay and Sycamore landfills. According to CalRecycle, a nursing home/retirement home generates 5 pounds (lbs.) of solid waste per person per day and multi-family residences can generate up to 3.6 lbs./unit/day (CalRecycle, 2019c). It can be expected that during operation, the proposed Project could generate approximately 368,024 pounds, or 193 tons, of solid waste per year (5 lbs./person/day x 200 units + 16 single-family dwelling units x 3.6 lbs./DU = 1,000 lbs./day + 57.6 lbs./day ≈ 1,058 lbs./day or 193 tons/year).

During construction, three pounds of solid wastes (construction and demolition debris) are generate for every square foot of development (City of San Diego, 2013). Based on this rate, and the total square footage of proposed development included in the proposed Project, it is estimated that 679,200 lbs. or 340 tons of C&D wastes would be generated. Solid waste from construction activities would also be delivered to the two landfills identified above, both of which have capacity to accommodate solid waste from the proposed Project.

As a result, the proposed Project would not generate solid waste that exceeds the capacity of local landfills, and impacts would be less than significant.

Impact 4.10-5: Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Construction waste would be comprised of concrete, metals, wood, landscape and typical domestic material. The California Integrated Waste Management Act (CIWMA) of 1989 mandates that all cities and counties in California reduce solid waste disposed at landfills generated within their jurisdictions by 50% and has a long-term compliance goal of 70%. AB 341 (2015) increased the recycling goal to 75%.

On July 9, 2008, the City of Encinitas adopted a Construction & Demolition Debris (C&D) Ordinance (Encinitas Municipal Code Section Chapter 11.22) to help divert waste from landfills and

comply with statewide mandates (City of Encinitas, 2018b). C&D materials include, but are not limited to, asphalt, concrete, brick, dirt, rock, lumber, cardboard, metals and any vegetative or other land clearing/landscaping materials. All construction, renovation, and remodel projects within the City with a total project square footage equal to or greater than 10,000 square feet are required to reuse, salvage or recycle 60% of all C&D Debris generated. Prior to issuance of a demolition or building permit, the applicant shall submit a Waste Management Plan to the City documenting the weight of C&D debris to be generated, diverted via reuse or recycling or landfilled.

Because compliance with AB 341 and with Chapter 11.22 of the Encinitas Municipal Code will be a condition of approval of the building permit, the proposed Project would comply with all federal, state and local regulations related to solid waste. No impact would occur.

4.11. Wildfires

The Project would generally be considered to have a significant effect if it is located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would:

1) Substantially impair an adopted emergency response plan or emergency evacuation plan.

2) Exacerbate wildfire risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Analysis

Impact 4.11-1:	**Substantially impair an adopted emergency response plan or emergency evacuation plan.**

The site is currently accessed from Manchester Avenue which serves as the primary evacuation route for residents living in the general area. The Project would add 37 trips during the AM peak hour and 57 trips during the PM peak hour. The Project site would be accessed from the DAR Access Road (Via Pico) on the west side of the site. Emergency vehicle access would be provided at the southeast corner of the site. The Project would not adversely impact traffic operations on Manchester Avenue; and thus, would not impact use of Manchester Avenue as an evacuation route. A less than significant impact would occur under this threshold.

Impact 4.11-2: Exacerbate wildfire risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

The Project site is surrounded by single family residential to the north, Mira Costa College to the east and a new Caltrans park and ride facility to the west. The San Elijo Lagoon is located to the south. Prevailing wind is from the west. The Project is downslope of the development to the north. Native habitat would be located between the developed areas of the Project site and single-family residential to the north. This area could be affected by wildfire; however, it is surrounded by urban development. Further, sufficient fuel modification areas would be provided around the site perimeter to avoid potential impacts associated with a wildfire should one occur in the undeveloped area to the north. The Project site is not expected to be exposed to high risk resulting from surrounding slopes or prevailing winds. Impacts would be less than significant.

Impact 4.11-3: Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

The majority of the Project site is vacant and used for the production of agricultural crops. The portion of the site north of the development area would remain vegetated with native habitat. City of Encinitas fuel modification regulations require a 100-foot clear area around each structure. These areas have been included in the project design and are intended to minimize fire risk for project structures.

Impact 4.11-4: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The Project site is located downslope from the vegetated area to the north. The area is relatively small and there is adequate distance between the vegetated area and the development area, that if burned, is not expected to result in substantive risk from landslide or mudflows. The area west and east of the site does not contain steep slopes. Thus, if burned, it is unlikely that landslides or mudflows would occur to the extent that property damage downslope would result. Impacts would be less than significant.

5.0 OTHER CEQA CONSIDERATIONS

This chapter discusses additional topics statutorily required by the California Environmental Quality Act (CEQA). The topics considered include growth-inducing impacts, irreversible environmental changes, and significant effects which cannot be avoided.

5.1. Growth Inducing Impacts

Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, this section is provided to examine ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Also required is an assessment of other projects that would foster other activities which could affect the environment, individually or cumulatively. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which this project could contribute to significant changes in the environment, beyond the direct consequences of developing the land use concept examined in the preceding sections of this EIR.

Impact 5.3-1:	**Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?**

No. The proposed Project is on an agricultural parcel surrounded by urban development on three sides. Although the Project includes certain improvements to existing utilities within the site such as water, sewer, and electricity, and storm drainage, these improvements would only serve the Project and would not extend into previously unserved areas. No new infrastructure would be provided that would exceed the needs of the Project and/or that could accommodate future growth not already planned for the project area.

Impact 5.3-2: Would this project result in the need to expand one or more public services to maintain desired levels of service?

No. Impacts to public services are discussed in Chapter 4 of this EIR. The Project site is within existing public service boundaries, and no new buildings or other physical improvements will be needed to maintain the desired levels of service.

Impact 5.3-3: Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

No. The proposed Project would provide assisted-living housing available for elderly adults and affordable housing units on a parcel surrounded by existing urban development on three sides. There is no potential for additional development near the Project site without changes to the General Plan or zoning.

Chapter 2 of this EIR estimates that the proposed Senior Living Facility will have a maximum of 100 staff persons. The level of care proposed by the Project is assisted-living, therefore most of the staff does not need extensive medical training and can be hired from the existing labor force in the region. Because the staff will likely come from the existing labor force in the region, the development of new housing will not be needed to for the staff.

Impact 5.3-4: Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

No. As discussed in Chapter 2 of this Draft EIR, the proposed Project requires a Tentative Map, Density Bonus, Design Review and a Coastal Development Permit. Any similar project would also require discretionary reviews and approvals, which eliminates the potential for precedent setting actions associated with a senior living and affordable housing development. The proposed Project does not remove any obstacle to growth or change any regulatory provision beyond what is discussed in this EIR.

5.2. Irreversible Environmental Changes

As required by Section 15126.2(c) of the CEQA Guidelines, the significant irreversible environmental changes of a project must be identified. Irreversible commitments of non-renewable resources are evaluated to assure that their use is justified. Irreversible environmental changes typically fall into three categories: primary impacts, such as the use of nonrenewable resources; secondary impacts, such as highway improvements which provide access to previously inaccessible areas; and environmental accidents associated with a project.

Development that would occur as a result of the Project that would entail the commitment of energy and natural resources. The primary energy source would be fossil fuels, representing an irreversible

commitment of this resource. Construction of the Project would also require the use of various raw materials, including cement, concrete, lumber, steel, etc. These resources would also be irreversibly committed.

Upon completion of construction, the Project would require a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the proposed structures are likely to have a useful life of 20 to 30 years or more.

However, the Project's energy consumption would be commensurate with its types of uses and would not be excessive. The impact of increased energy usage is not considered a significant adverse environmental

5.3. Significant Environmental Effects Which Cannot be Avoided

Section 15126.2(b) of the CEQA Guidelines requires an EIR to identify significant environmental effects that cannot be avoided if the Project is implemented (14 CCR 15000 et seq.). As discussed in Chapter 3.1, Aesthetics, implementation of the Project would result in significant and unmitigable impacts.

The Project would construct a 200-unit Senior Living Facility and 16 single-family housing units on a site that is adjacent to a locally designated scenic road (Manchester Avenue) and within the view shed of a highway that is eligible for designation as a state scenic highway (I-5). Public views of the Project from I-5, Manchester Avenue and the San Elijo Lagoon would substantially contrast with the existing agrarian character of the site and natural character of the designated scenic viewsheds. The visual impacts to these sensitive viewers would be significant and unmitigable.

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6.0 ALTERNATIVES

6.1. Introduction

The California Environmental Quality Act (CEQA) requires that an EIR include a discussion of reasonable project alternatives that would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any significant effects of the project, and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126.6). This chapter identifies potential alternatives to the proposed Project and evaluates them, as required by CEQA.

Regulatory Requirements for Identifying and Analyzing Project Alternatives

Key provisions of the CEQA Guidelines on alternatives are summarized below to explain the foundation and legal requirements for the alternatives analysis in the EIR (Sections 15126.6(a) through (f)).

- "The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly." (Section 15126.6(b))
- "The specific alternative of 'No Project' shall also be evaluated along with its impact." (Section15126.6(e)(1))
- "The No Project analysis shall discuss the existing conditions at the time the NOP is published, and at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." (Section 15126.6(e)(2))
- "The range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." (Section15126.6(f))
- "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)." (Section 15126.6(f)(1))
- "For alternative locations, "only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." (Section 15126.6(f)(2)(A))

- "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." (Section 15126.6(f)(3))

Alternatives Analysis Format and Methodology

CEQA Guidelines Section 15126.6(d) provides that the degree of analysis required for each alternative need not be exhaustive, but rather should be at a level of detail that is reasonably feasible and shall include "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." Under CEQA Guidelines Section 15151, the EIR must contain "a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." Hence, the analysis of environmental effects of the Project alternatives need not be as thorough or detailed as the analysis of the Project itself.

The level of analysis in the following sections is sufficient to determine whether the overall environmental impacts would be less, similar, or greater than the corresponding impacts of the proposed Project. In addition, each alternative is evaluated to determine whether the Project objectives, identified in Section 6.2, would be substantially attained by the alternative.

The evaluation of each alternative also considers the anticipated net environmental impacts after implementation of feasible Mitigation Measures. The net impacts of the alternatives for each environmental issue area are classified as either having no impact, a less-than-significant impact, or a significant and unavoidable impact. These impacts are then compared to the corresponding impact for the Project in each environmental issue area. To facilitate the comparison, the analysis identifies whether the net incremental impact would clearly be less, similar, or greater than that identified for the Project. Finally, the evaluation provides a comparative analysis of the alternative and its ability to attain the basic Project objectives.

6.2. Project Objectives

The objectives of the project are identified below.

- Create an economically viable project that can be realistically implemented within current and projected economic conditions;
- Assure a high-quality development that is consistent with City and community goals and objectives, the Encinitas General Plan and Municipal Code;
- Establish a development that is consistent with the character of existing and planned development in proximity to the site and is aesthetically compatible with adjacent uses;
- Create a mix of assisted living and memory care units that maximizes density on the developable portion of the site and addresses specific needs of the resident population;

- Develop a high quality and safe senior living facility that would respond to the growing demand for senior housing;
- Create a self-sufficient facility that would provide services and amenities to enhance livability for the on-site resident population;
- Develop affordable units that will provide housing for income qualifying residents within the City of Encinitas;
- Preserve open space on the Project site that will support San Dieguito Lagoon restoration efforts and provide recreational trail connections consistent with the City of Encinitas Trails Master Plan; and
- Create appropriate landscaping buffers to protect the privacy of adjoining neighbors, preserve sensitive habitat and enhance the project and community.

6.3. Potentially Significant Impacts of the Project

A primary consideration in defining project alternatives is their potential to reduce or eliminate significant impacts and to meet most of the objectives of the proposed project. Pursuant to CEQA Guidelines Section 15126.6[b], alternatives to the proposed project include those that are capable of avoiding or substantially lessen any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.

Based on the analysis contained in Chapter 3, Environmental Analysis, the proposed Project would result in potentially significant environmental effects to the following environmental resource topics:

- Aesthetics;
- Biological Resources;
- Cultural Resources;
- Paleontological Resources; and
- Tribal Cultural Resources

With the exception of impacts to aesthetics, implementation of required mitigation measures would avoid or reduce these impacts to less than significant levels.

6.4. Potential Project Alternatives Considered but Rejected

The City and applicant considered several alternatives during its planning process. The following is a discussion of the land use alternatives considered and the reasons why they were not selected for detailed analysis in this EIR.

Per CEQA Guidelines Section 15126.6(c), among the factors that a Lead Agency may use to eliminate alternatives from detailed consideration in an EIR are:

(i) failure to meet most of the basic project objectives,

(ii) infeasibility, and

(iii) inability to avoid significant environmental effects.

6.4.1. Alternative 1, Alternative Project Site

Under Alternative 1, the proposed Senior Living Facility and Single-family Housing units would be constructed at another site in Encinitas. Although the configuration of the buildings may differ from the proposed Project to fit within the dimensions and setback requirements at a different site, the operating capacity of the Senior Living Facility and the number/income restrictions on the Single-family Housing units would remain unchanged.

Conclusion

Alternative 1, Alternative Project Site, was determined to be infeasible for the following reasons:

- The City of Encinitas is generally built out, and there are no other vacant sites of 14 or more acres (Net Developable Property Area) that would allow for the construction of a Senior Living Facility and Single-family Housing that could support the proposed building size, bedroom capacity, and program operations.
- Additionally, Alternative 1 fails to meet the Project objective of preserving open space that will support San Dieguito Lagoon's restoration efforts and provide recreational trail connections consistent with the City of Encinitas Trails Master Plan.

6.4.2. Alternative 2, Alternative Land Uses

Under Alternative 2, the Project site would be developed with apartments for students and faculty of Mira Costa College. This alternative use for the Project site was identified during the public scoping period. For purposes of this analysis, it is assumed that infrastructure and other features required for the Project, such as the pedestrian trail, stormwater management system, Manchester Avenue improvements, open space dedications, etc.) would be similar to those identified for the Project. The Project site is zoned Rural Residential 2 (RR-2), which allows single-family residential development at a density of two (2) dwelling units per acre. Under the current zoning, it is estimated that the 19.027 gross acre site could support approximately 40 single-family housing units. A change in zoning would be required to develop apartments on the site.

Conclusion

Alternative 2, Alternative Land Uses, was determined to be infeasible for the following reasons:

- Alternative 2 fails to meet the Project objective of creating a mix of assisted living and memory care units that maximizes density on the developable portion of the site and addresses specific needs of the resident population.

- Alternative 2 would not avoid the significant impacts to aesthetics, biological resources, cultural/tribal cultural resources, and paleontological resources.

6.5. Alternatives Selected For Further Analysis

The following alternatives have been determined to represent the range of reasonable alternatives to the Project that have the potential to feasibly attain most of the basic Project objectives, but which may avoid or substantially lessen any of the significant effects of the Project.

- Alternative A - No Project/No Development Alternative
- Alternative B - Senior Living Facility Only (Reduced Intensity Alternative)

An EIR must identify an "environmentally superior" alternative, and where the No Project Alternative is identified as environmentally superior, the EIR is required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the significant impacts of the proposed Project and determined to be environmentally superior, similar, or inferior. Section 6.6 identifies the Environmentally Superior Alternative.

6.5.1. Alternative A - No Project/No Development Alternative

The "No Project" Alternative assumes that no changes to the Project site or existing uses would occur. As such, agricultural operations would continue and the few outbuildings, located on the southwestern corner of the Project site would remain. Implementation of the No Project Alternative would not result in new environmental impacts; however, the No Project Alternative would not satisfy any of the Project objectives.

Aesthetics

The Project site is adjacent to Manchester Avenue, a locally designated scenic roadway, north of San Elijo Lagoon Ecological Reserve, and is just west of I5. With the No Project Alternative, conditions would remain unchanged. As such, the aesthetics and views to and from the Project site would remain unchanged from current conditions, resulting in no impacts to the scenic corridor. The No Project Alternative would avoid significant and unmitigable impacts to this scenic corridor.

Agricultural Resources

The Project site does not contain any land mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Farmland Mapping and Monitoring Program.

As shown on Table 3.2-5, the Project site contains 8.38 acres of Farmland of Local Importance and 10.65 acres of "Urban and Built-Up" lands or "Other Lands." Additionally, the site is not subject to the provisions of a Williamson Act contract.

The No Action/No Development Alternative would avoid the less than significant impact resulting from the conversion of agricultural land to non-agricultural uses. Forests and timberland resources are not being impacted under either the proposed Project or the No Project/No Development Alternative.

Biological Impacts

Six vegetation communities containing hydrophytic vegetation (south coastal salt marsh, coastal brackish marsh, herbaceous wetland, southern willow scrub, mule fat scrub, and coastal scrub) and four (4) communities that lack hydrophytic vegetation (intertidal estuary, Diegan coastal sage scrub, disturbed habitat, and urban/developed land) were mapped in existing culvert locations south of Manchester Avenue (off-site) that are proposed for improvement as part of the proposed Project.

Under Alternative A (No Project/No Development) the existing habitats would remain and no impacts to biological resources would occur. Because no development would occur, biological resources impacts would be avoided by this alternative.

Cultural Resources

The Project site is used for agricultural purposes and has several outbuildings located near the southwest corner of the site. Field surveys indicate that there are no resources on the Project site which are considered "historical resources" within the meaning of CEQA. No evidence of an archaeological site was observed, and the field survey did not identify any significant cultural resources. However, based upon the identification of isolated artifacts within the Project site area, and the high cultural resource sensitivity surrounding San Elijo Lagoon a significant impact to archaeological resources could occur from the various construction disturbances associated with the proposed Project. Mitigation measures are provided to reduce impacts to these resources to below a level of significance. Under the No Project Alternative, the Project site would remain as is, and no ground-disturbing activities would occur. Therefore, unlike the proposed Project, the No Project Alternative/No Development Alternative would not have the ability to accidentally uncover potentially significant archaeological resources which may be located beneath the surface of the Project site. There would be no impact to cultural resources, and no mitigation measures would be necessary.

Geology and Soils

This alternative would not build and operate the proposed Senior Living Facility and Single-family Housing units and therefore would not disturb the existing geology and soils of the Project site,

including the paleontologically sensitive Delmar/Torrey Sandstone Formation. With the implementation of mitigation measures, geology and soils impacts of the proposed Project would be reduced to below a level of significance. Geology and soils impacts would be avoided by this alternative.

Greenhouse Gas Emissions

The No Project/No Development alternative would not generate GHG emissions from construction and operation of the proposed Project. GHG emissions impacts of the proposed Project are identified as less than significant but would nonetheless be avoided by this alternative.

Hydrology and Water Quality

The No Project/No Development Alternative would not result in either construction or operation of the proposed Project. The No Project/No Development Alternative would not result in alteration of the Project site's drainage patterns from current conditions and neither a SWPPP nor post-construction BMPs would be required. Accordingly, the No Project/No Development Alternative would avoid the water quality and hydrology-related impacts of the proposed Project.

Transportation and Traffic

In contrast to the proposed Project, the No Alternative/No Development Alternative would not generate any vehicle trips and would not have the potential to increase traffic volumes on key intersections and roadways in the Project area. Transportation and traffic impacts associated with implementation of the proposed Project would be avoided by the No Project/No Development Alternative.

Tribal Cultural Resources

This alternative would not involve ground disturbance on-site. Although the City as the Lead Agency has not identified TCRs within the area, it is considered sensitive for potential TCRs (buried cultural resources and/or subsurface deposits). The No Action/No Development Alternative would avoid the grading and excavation activities required for the Project and therefore avoid potential inadvertent impacts to TCRs. This alternative would reduce tribal cultural resources impacts compared to those of the proposed Project.

Conclusion

Overall, Alternative A, No Project/No Development Alternative, would not involve any change in the existing conditions and thus would not create any new significant environmental impacts at the Project site. As provided above, this would result in a complete avoidance of impacts compared to the proposed Project. However, this alternative would not provide any of the benefits of the proposed Project and would not meet any of the Project objectives set forth in Section 6.2 above.

6.5.2. Alternative B - Senior Living Facility Only Alternative

Alternative B, the Senior Living Facility Only Alternative, was identified to reduce significant and unmitigable impacts due to aesthetic impacts identified in Chapter 3.1 of this EIR. For the purpose of this analysis, this alternative assumes that the same Senior Living Facility and infrastructure improvements described in Chapter 2.0 of this EIR would be constructed on-site; however, the Single-family Housing units would be eliminated to reduce the aesthetic impacts associated with construction and operation of the originally proposed Project. This alternative would require construction of improvements similar to those identified for the proposed Project, including grading and installation of an on-site drainage system, connections for utilities, and roadway and trail improvements. This alternative assumes that the area proposed for the Single-family Housing Units (Lots 2 through 9) would either remain undisturbed or would be landscaped for use as an open space amenity for residents of the Senior Living Facility. Similar to the proposed Project, this alternative assumes that 0.13 acres of freshwater marsh, and 1.81 acres of coastal sage scrub would be donated to the San Elijo Lagoon Conservancy.

Aesthetics

Under the Senior Living Facility Only Alternative (Alternative B), the proposed Senior Living facilities would be the same height, square footage and configuration as the proposed Project. The character of the Project area would be would also be similar to the proposed Project since the land use would change from agricultural to developed. With the replacement of the Single-family Housing units with a landscaped area impacts to the scenic view corridor along Manchester Avenue would also be reduced compared to the proposed Project. However, impacts would remain significant and unmitigable. Implementation of the Senior Living Facility Only Alternative would be environmentally superior to the proposed Project for aesthetic impacts.

Agricultural Resources

The Project site does not contain any land mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Farmland Mapping and Monitoring Program. According to FMMP mapping, the Project site contains 8.38 acres of Farmland of Local Importance and 10.65 acres of "Urban and Built-Up" lands or "Other Lands." Additionally, the Project site is not subject to the provisions of a Williamson Act contract.

Under the Senior Living Facility Only Alternative, with installation of landscaping within the area of the Single-family Housing Units, impacts resulting from the conversion of agricultural land to non-agricultural uses would be the same as those that would occur under the proposed Project.

Biological Resources

The Senior Living Facility Only Alternative would result in similar impacts to biological resources as the proposed Project. Because this alternative would install the same on-site drainage system as

the proposed Project, permanent impacts to ephemeral waters of the U.S. from replacing the natural drainage channel and temporary impacts to freshwater marsh from the culvert improvements would not be reduced. This alternative would avoid coastal sage scrub habitat within the coastal bluffs; however wetland credits from the San Luis Rey River Mitigation Bank would and development of wetland revegetation plan would still be required. Similar to the proposed Project, this alternative would donate on-site freshwater marsh (0.13 acres) and coastal sage scrub (1.81 acres) to the San Elijo Lagoon Conservancy. Implementation of the Senior Living Facility Only Alternative would result in biological resource impacts similar to those identified for the proposed Project.

Cultural Resources

This alternative would result in a similar amount and types of ground disturbance as the proposed Project. Impacts of the proposed Project to archaeological resources are identified as less than significant with mitigation incorporated under the proposed Project, and under Alternative B. Development of this alternative would result in similar impacts to cultural resources.

Geology and Soils

This alternative would result in a similar amount of ground disturbance as the proposed Project and would require similar improvements that consider site-specific geology and soil types. Similar to the proposed Project, compliance with the recommendations of the geotechnical report would result in a less than significant impact to geology and soils and implementation of paleontological monitoring would reduce impacts to paleontological resources. Implementation of this alternative would result in impacts to geology and soils similar to those identified for the proposed Project.

Greenhouse Gas Emissions

As identified in Section 3.6, Greenhouse Gas Emissions, long-term GHG emissions emulate from energy use, solid waste, water use, and transportation. The combined annual emissions of the proposed Project were below the City's significance threshold of 900 MT CO_2E per year. Of this total, approximately 425 MT CO_2E were associated with new vehicle trips. Eliminating the Single-family Housing Component would eliminate the 96 average daily trips associated with this use (See Table 3.8-4), which totals to 33,945 daily trips per year. The reduction in vehicle trips and associated vehicle miles traveled that would reduce annual long-term GHG emissions. Although GHG impacts associated with the proposed Project are already considered less than significant, this alternative would result in less of an impact related to GHG emissions and would be environmentally superior to the proposed Project.

Hydrology and Water Quality

This alternative would change the existing drainage conditions on-site to be similar to that of the proposed Project. This alternative would generate similar water pollutants as the proposed Project

and would implement the same SWPPP and post-construction BMPs to reduce water quality impacts to a less than significant level. This alternative would be environmentally similar to the proposed Project for impacts to hydrology and water quality.

Transportation and Traffic

This alternative would generate fewer trips than the proposed Project. With the elimination of the Single-family Housing units, the Senior Living Facility Only Alternative would generate 616 average daily trips (ADT), 96 fewer daily trips than the proposed Project. This alternative would continue to have a less than significant impact on key intersection and street segment operations. Because the Senior Living Facility Only Alternative would reduce trips generation from the Project site, this alternative would be environmentally superior to the proposed Project for transportation and traffic impacts.

Tribal Cultural Resources

This alternative would result in the same on-site ground disturbance as the proposed Project. While the City has not identified TCRs within the Project area, it is considered sensitive for potential TCRs (buried cultural resources and/or subsurface deposits). The Senior Living Facility Only Alternative would result in impacts to tribal cultural resources similar to those identified for the proposed Project.

Conclusion

Overall, Alternative B, Senior Living Facility Only, would reduce impacts associated with aesthetics, greenhouse gas emissions, and would reduce vehicle trip generation compared to the proposed Project. This alternative would have the same impacts to agricultural resources and would have similar impacts to biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources. However, this alternative would not meet the project objective of developing affordable units that will provide housing for income qualifying residents within the City of Encinitas,

6.6. Environmentally Superior Alternative

As required by CEQA Guidelines, Section 15126.6, an EIR must identify an "environmentally superior alternative," which is the alternative that has the least impact on the environment or would be capable of avoiding or substantially lessening any significant impacts of the project. Table 6-1, Summary of Alternatives Compared to the Proposed Project, shows each alternative's environmental impacts compared to the impacts of the proposed Project.

The alternative that results in the least environmental impact, considering both the frequency and magnitude of the impact, is the environmentally superior alternative. In cases where the No Project Alternative is environmentally superior, the EIR is required to identify the next environmentally

superior alternative among the others evaluated. Alternative A (No Project/No Development) is the alternative that results in the least environmental impact.

As shown in Table 6-1, Alternative A (No Project/No Development Alternative), would be environmentally superior to the proposed Project under the 9 resource areas analyzed in the EIR. As required by CEQA, the next environmentally superior alternative is Alternative B (Senior Living Facility Only) Alternative. Therefore, Alternative B would be environmentally superior to the proposed Project under 3 resource areas and environmentally similar to the Project under 6 resource areas. However, Alternative B would not substantially lessen the significant unavoidable aesthetic effects of the project; therefore, decision-makers are not obliged by CEQA to select this alternative.

TABLE 6-1 SUMMARY OF ALTERNATIVES COMPARED TO THE PROPOSED PROJECT

	Proposed Project	No Project/ No Development (Alternative A)	Senior Living Facility Only (Alternative B)
1. Aesthetics	SU	NI / +	SU / +
2. Agricultural Resources	LTS	NI / +	LTS / =
3. Biological Resources	LTS-MM	NI / +	LTS-MM / =
4. Cultural Resources	LTS-MM	NI / +	LTS-MM / =
5. Geology and Soils	LTS	NI / +	LTS / =
6. Greenhouse Gas Emissions	LTS	NI / +	LTS / +
7. Hydrology and Water Quality	LTS	NI / +	LTS / =
8. Transportation and Traffic	LTS	NI / +	LTS / +
9. Tribal Cultural Resources	LTS-MM	NI / +	LTS / =
		+ 9	+ 3 = 6
Meets Most of the Basic Project Objectives?	Yes	No	Yes

Notes:

NI	Finding of no environmental impact
LTS	Finding of less than significant environmental impact
LTS-MM	Finding of less than significant environmental impact with mitigation measure
SU	Finding of significant and unmitigable impact
+	Alternative is superior (reduced impacts compared) to the proposed Project
-	Alternative is inferior (greater impacts compared) to the proposed Project
=	Alternative is environmentally similar to the proposed Project or there is not enough information to make a superior or inferior determination.

7.0 PREPARERS

7.1. Environmental Impact Report

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7.2. Technical Studies

Biological Letter Report - BLUE Consulting Group

Michael Jefferson ..... Senior Biologist

Community Character Study – Latitude 33

Environmental Initial Study- Birdseye Planning Group

Ryan Birdseye ..... Owner, Principal

Geotechnical Report - Alta California Geotechnical Inc.

David A. Murphy .....Engineering Geologist, President
Scott A. Gray .....Geotechnical Engineer, Vice President

Greenhouse Gas Study - Birdseye Planning Group

Ryan Birdseye ..... Owner, Principal

Jurisdictional Waters/

Wetland Delineation Report – Recon

Andrew Smisek. .....Biologist

Traffic Letter Report and Parking Memo - Linscott, Law and Greenspan, Inc.

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Land Evaluation and Site Assessment - Birdseye Planning Group

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8.0 REFERENCES

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None.

1.0 Introduction

None.

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5.0 Other CEQA Considerations

None.

6.0 Alternatives

None.

7.0 Preparers

None.

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