

22a.

RESOLUTION NO. 2006-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING AN AMENDMENT TO THE ESCONDIDO RESEARCH AND TECHNOLOGY CENTER SPECIFIC PLAN (SPA 8) TO MODIFY THE PERMITTED USES, DEVELOPMENT STANDARDS, EXPAND PLANNING AREA 4 AND MODIFY PLANNING AREA 4-SPECIFIC DESIGN GUIDELINES

Case No. SPA 2005-81-SPA

WHEREAS, the Planning Commission of the City of Escondido considered on January 24, 2006, a request for approval of Specific Plan Amendment No. 2005-81 for the Escondido Research and Technology Center (ERTC) Specific Plan located south of Vineyard Avenue, north of Harmony Grove Road, and east of Country Club Drive, more particularly described in Exhibit "A" which is incorporated by this reference; and

WHEREAS, on February 8, 2006 this City Council held a duly noticed public hearing to consider this proposed Specific Plan Amendment; and

WHEREAS, the previously certified Final Environmental Impact Report for the Escondido Research and Technology Center identified significant unmitigable impacts to traffic, air quality, and construction noise; and

WHEREAS, the Escondido City Council adopted Findings of Overriding Consideration for the impacts identified as Significant and Unmitigable that are attached as Exhibit "B" which is incorporated by this reference; and

WHEREAS, the Palomar Pomerado Hospital District ("PPH"), in their role as Lead Agency, adopted an Addendum to the ERTC Final EIR that

documented that the proposed project would neither create new significant impacts, nor significantly increase the extent of previously identified impacts; and

WHEREAS, the PPH adopted amended Findings of Overriding Consideration and Mitigation Monitoring and Reporting Program, attached as Exhibit "C" and incorporated by this reference, that specifically address the proposed amendments to the ERTC; and

WHEREAS, the PPH Findings are consistent with the Findings previously adopted by the City Council in that they demonstrate that the Specific Plan Amendments would provide benefits to the community in the form of a high quality medical center, opportunities for jobs, and implementation of key infrastructure improvements such as the future extension of Citracado Parkway; and

WHEREAS, the City Council is considering, concurrently with this proposed Specific Plan Amendment, a Development Agreement providing key terms for the development of the property within the area covered by this proposed amendment; and

WHEREAS, In addition to the specific terms within this Specific Plan Amendment, this resolution and the Specific Plan Amendment are effective only in the event the Development Agreement, referenced above, is adopted and executed by the City of Escondido and Palomar Pomerado Health District; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the Specific Plan Amendment for the ERTC Specific Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the Specific Plan Amendment (2005-81-SPA) for the ERTC Specific Plan is hereby adopted as set forth in Exhibit "D," which is attached and incorporated by this reference.

Exhibit "A"

**Legal Description
2001-81-SPA/DA**

**Lots 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, AND 36 OF ESCONDIDO TRACT
NO. 834, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF
CALIFORNIA, ACCORDING TO MAP THEREOF 14983, FILED IN THE OFFICE
OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, ON MARCH 17,
2005**

**FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
ESCONDIDO RESEARCH AND TECHNOLOGY CENTER
SPECIFIC PLAN**

(Final EIR 2001-12)
[State Clearinghouse (SCH) No. 2001121065]

**1.0 DESCRIPTION OF CEQA FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS**

1.1 California Environmental Quality Act

The California Environmental Quality Act (Public Resources Code Sections 21000-21178.1) ("CEQA") and the State CEQA Guidelines (Cal. Code of Regulations, Title 14, Sections 15000-15387) require that specific findings be made if a lead agency decides to approve a project which will have significant impacts:

[N]o public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

- (a) The public agency makes one or more of the following findings with respect to each significant effect:
 - (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 - (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
- (b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social,

technological, or other benefits of the project outweigh the significant effects on the environment.

See Cal. Pub. Res. Code §21081. The State CEQA Guidelines contain similar provisions. Cal. Code Regs. Title 14, §15091.

The Final Environmental Impact Report (FEIR) for Escondido Research and Technology Center Specific Plan (FEIR No. 2001-12, State Clearinghouse No. 2001121065) ("FEIR 2001-12"), which is incorporated by reference as if fully set forth herein, identifies significant or potentially significant environmental impacts which, prior to mitigation, may occur as a result of the Specific Plan ("Specific Plan"), and other discretionary actions, regulatory permits, or minor permits required as listed in Section 1.5 of FEIR 2001-12 (collectively, the "Project"). Thus, in accordance with the provisions of CEQA, the State CEQA Guidelines, and the City of Escondido ("City") Environmental Protection Ordinance (City of Escondido Municipal Code, Title 18, Sections 18.04.010-18.04.350) ("Local CEQA Guidelines"), the City hereby adopts these Findings.

The CEQA Guidelines also state that the decision-maker must balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project [Cal. Code Regs. Title 14, §15093(a)]. The City Council has carefully considered the benefits of the Project. Final EIR 2001-12 identifies significant environmental effects which will not be mitigated to below a level of significance and which will be allowed to occur as a result of Project approval. Some of the mitigation measures identified in FEIR 2001-12 are infeasible and are either not being implemented or are being implemented later than called for in FEIR 2001-12. Therefore, the City Council hereby adopts the Statement of Overriding Considerations contained in this document, which states the specific reasons why the benefits of the Project outweigh the unavoidable adverse environmental effects, each of which standing alone is sufficient to support approval of the Project, and explains that the unavoidable environmental effects are considered acceptable.

1.2 Environmental Review Process

An Initial Study was conducted for the Escondido Research and Technology Center Specific Plan project (hereafter, the "Proposed Project") by the City of Escondido Planning Department. The City of Escondido determined, during its Initial Study of the Proposed Project, that implementation of the project would result in potential impacts to the following issue areas that were further discussed in the ERTC EIR: Land Use and Planning, Transportation/Circulation, Air Quality, Noise, Hazards, Biological Resources, Aesthetics, Water Quality, Public Services and Utilities, Cultural Resources, Geology/Soils, Paleontology, Recreation, and Population/Housing. A Notice of Preparation (NOP) for the Proposed Project, dated December 12, 2001, was prepared and distributed to all Responsible and Trustee Agencies, as well as other agencies and members of the public who may have an

interest in the project. Appendix A of the EIR includes a copy of the NOP and response letters.

Pursuant to Section 15163 of the Guidelines for Implementation of the California Environmental Quality Act, additional analyses for certain issue areas are not necessary. The City determined the analyses and discussions presented in the certified Escondido Research and Technology Center Specific Plan EIR (hereafter, the "ERTCEIR") adequately addressed potential impacts to paleontology, recreation, and population/housing as they relate to the project site and the Proposed Project. The analysis conducted within the ERTCEIR determined that no mitigation measures were required for any of these issue areas.

1.3

Certification of Final EIR 2001-12

In conformance with CEQA, the City Planning Commission by Resolution No. 5447 recommended that the City Council certify Final EIR 2001-12, and the City Council by Resolution No. 2002-307 has certified Final EIR 2001-12. No negative declaration, subsequent EIR, supplement or addendum to EIR 2001-12 is required for the Project because no substantial changes have been proposed in the Project or have occurred with respect to the circumstances under which the Project is to be undertaken since certification of EIR 2001-12, and no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time EIR 2001-12 was certified as complete exists which would show that the Project would have any significant effects not discussed in EIR 2001-12; that the significant effects previously examined in EIR 2001-12 would be substantially more severe than were shown in EIR 2001-12; that any mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce a significant effect of the Project; or that mitigation measures or alternatives which are considerably different from those analyzed in EIR 2001-12 would substantially reduce one or more significant effects on the environment. Likewise, no supplement to EIR 2001-12 is required, and no addendum to EIR 2001-12 is required because there are no changes or additions necessitating such an addendum. See Cal. Code Regs. Title 14, §§15162-15164.

2.0

PROJECT DESCRIPTION

2.1

Project Location

The Escondido Research and Technology Center Specific Plan area is located in the western portion of the City of Escondido. Elevations on the site range from approximately 630 feet to 880 feet above mean sea level. Generally the property slopes downward toward the southwest, from a high point in the midnorthern section of the plan area.

Regional access to the project site is from State Route 78 (SR 78) and Interstate 15 (I-15). Local access is via the Nordahl Drive exit off SR 78, via future Citracado Parkway, and the Ninth Avenue and Valley Parkway exits off I-15 to Vineyard Avenue from the southeast. Future Citracado Parkway is proposed as a "Major

Road" to be redesignated as a "Modified Major Road," and it will bisect the Specific Plan area traveling from north to south. Other streets in the area include Enterprise Street and Andreasen Drive, which serve the existing industrial park to the east, and Harmony Grove Road, which provides access from the south.

2.2 Project Setting

The property is essentially vacant, with the exception of eight existing single-family dwellings in the southwest portion of the site. Significant portions of the plan area have been disturbed by former agricultural activities, off-road vehicles, and grading. A 200-foot-wide electrical transmission easement containing two 230-kV circuits and one 138-kV circuit on steel lattice towers and five 69-kV circuits on wooden pole structures runs north/south through the center of the site. This easement turns westerly at the southerly boundary. Numerous other utility easements traverse the site.

Drainage onsite flows toward the lower elevations in the southern and western portions of the site. An ephemeral drainage, in which wetland vegetation exists, flows over some lower elevations in the southwest portion of the site.

Vegetation over the site is predominantly disturbed habitat, nonnative grassland, and disturbed coastal sage scrub communities. There exists a riparian woodland habitat along the southwestern portion of the site.

Adjacent existing uses include industrial and office uses to the north and east, and single-family subdivisions to the west. To the northwest, there are vacant and developed residential uses within the County of San Diego's jurisdiction. Property to the south of the project area is generally vacant, with sporadic single-family homes on large lots.

The project vicinity is dominated by urban development. Industrial parks and other heavily urbanized landscapes occupy the area immediately to the east of the SPA. This urban landscape extends for several miles towards the center of the City of Escondido. The most notable urban feature in the project vicinity is the I-15/SR 78 interchange to the northeast. The areas to the north and northwest are also dominated by urban land uses.

Land uses to the south and southwest of the SPA are dominated by rural development, eucalyptus groves, and fallow agricultural fields. Patches of coast live oaks, chaparral, and willows are also present in this area. Decades of understory disturbance and development have degraded much of the coast live oak habitat in this area.

The most prominent drainage in the vicinity of the SPA is Escondido Creek, which traverses an area southeast and south of the SPA. Most of the creekbed to the southeast of the SPA is restricted to a concrete-lined channel. Downstream of the channel habitat, fragmentation and invasive nonnative plant species have degraded

the riparian habitats, but there is an Escondido Creek Enhancement Project in process under the auspices of the City of Escondido.

3.0 APPROVALS

3.1 Overview

This EIR analyzed the impacts of development of the project site and applied the discretionary actions needed to develop the property in accordance with the Proposed Project, including permits or actions undertaken or issued by agencies of the City of Escondido (hereafter the "City"), and the State of California.

The 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 Escondido Research and Technology Center Specific Plan (hereafter, the "Proposed Project"). This EIR has been prepared in accordance with the City's guidelines for compilation of an EIR and with all criteria, standards, and procedures of the California Environmental Quality Act of 1970 as amended (Public Resources Code §21000 et seq.) and State EIR guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 et seq.). Per §21067 of CEQA and §§15367 and 15050 through 15053 of State CEQA Guidelines, the City of Escondido is the lead agency under whose authority this document has been prepared. The Palomar Energy Project (PEP) which is an alternative allowed use on Planning Area 1 within the ERTC, is subject to issuance of a license by the California Energy Commission (CEC). The FEIR can be used by the CEC as a program EIR pursuant to CEQA Guidelines section 15168 and treated as a staged EIR pursuant to CEQA Guidelines section 15167.

3.2 Issues Evaluated in Final EIR 2001-12

The Final EIR evaluates the following environmental issues in relation to the Project: Land Use and Planning; Transportation/Circulation; Air Quality; Noise; Hazards; Biological Resources; Aesthetics; Water Quality; Public Services and Utilities; Cultural Resources; Geology/Soil; Paleontology; Recreation; and Population/Housing. The Final EIR also analyzes the cumulative and growth-inducing impacts of the Project, unavoidable significant environmental effects, significant irreversible environmental changes, and Project alternatives.

3.3 Issues Discussed in These Findings

These Findings discuss those impacts found to be potentially significant which can be mitigated to below a level of significance, those impacts which remain significant even after implementation of all feasible mitigation measures, mitigation measures determined to be infeasible, and alternatives determined to be infeasible.

3.4 Direct and Indirect Project Impacts

The Final EIR indicates that most of the Project's direct and indirect impacts on the following environmental issues are insignificant or can be reduced to less than significant levels if all recommended mitigation measures are implemented: Land Use inconsistency with the Circulation Element of the City's General Plan and existing Quail Hills Specific Plan; transportation/circulation at the project level and cumulatively; local air quality impacts during the construction and operational phases of the Specific Plan; short-term noise impacts related to project construction; impacts to natural vegetation and to sensitive species; increased demand for fire and school services; and potential disturbance of significant cultural resource sites identified onsite.

The Final EIR indicates that the Project's impacts on the following environmental issues will remain significant even after all recommended feasible mitigation measures are implemented: cumulative impacts to Transportation/Circulation, direct impacts to Air Quality (ERTC short-term construction and ERTC mobile sources), and direct impacts to Noise (ERTC short-term construction and ERTC mobile sources).

In addition, although Final EIR 2001-12 stated that implementation of all mitigation measures could mitigate direct impacts to below a level of significance, not all of the mitigation measures discussed in EIR 2001-12 are feasible to implement, or to implement on the time schedule envisioned by EIR 2001-12; as a result, cumulative Project impacts to Transportation/Circulation and direct Project impacts of short-term ERTC construction and ERTC mobile sources to Air Quality and Noise will not be mitigated to below a level of significance. Accordingly, a Statement of Overriding Considerations has been prepared in compliance with CEQA and the State CEQA Guidelines. See Cal. Code Regs. Title 14, §§15043 and 15093.

3.5 Cumulative Impacts

As required by CEQA, this EIR analyzes the cumulative impacts of the Proposed Project. Section 15355 of the CEQA guidelines defines a cumulative impact as "two or more individual environmental effects which, when considered together, are considerable or which compound or increase other environmental impacts." Cumulative impacts may result from individual effects of a single project or the effects of several projects that are developed within a particular window of time. All projects which are closely related, past, present, or reasonably anticipated to occur in the future, were analyzed in Section 6.0 of the EIR. The impacts associated with the Proposed Project were analyzed in conjunction with the effects of other projects within the Proposed Project vicinity.

The Project's contribution to significant cumulative effects will be substantially reduced due to the design modifications incorporated into the Project as well as the various mitigation measures implemented in the Mitigation Monitoring and Reporting Program. Although the Project's impacts have been mitigated to the extent feasible, the Project will contribute to significant cumulative impacts related to land use and planning, transportation/circulation, air quality, noise, and biological resources.

3.6 Impacts That Remain Significant

The City Council finds that the impacts of the Project have been mitigated to the extent feasible by the Project Design Features and mitigation measures discussed in the Mitigation Monitoring and Reporting Program. The Project's environmental effects are discussed in detail in Section 2.0 of EIR 2001-12. In most cases, the potential impacts identified as significant can be adequately mitigated or reduced to levels below significance through incorporation of mitigation measures and implementation of Specific Plan Amendment policies. The following significant impacts as discussed in Section 7.0 of EIR 2001-12, however, cannot be fully mitigated or reduced to levels below significance by reasonably practicable measures:

- Transportation/Circulation (ERTC cumulative only)
- Air Quality (ERTC short-term construction and ERTC mobile sources only); and
- Noise (ERTC short-term construction and ERTC mobile sources only).

As demonstrated in these Findings, further mitigation of Project impacts is infeasible. Because Project impacts have been mitigated to the extent feasible, it will be infeasible to further avoid, reduce, or mitigate the remaining significant cumulative effects to which the Project contributes. A Statement of Overriding Considerations has been prepared pursuant to the State CEQA Guidelines. See Cal. Code Regs. Title 14, §§15043 and 15093.

3.7 Escondido Research and Technology Center Specific Plan No. 1

****CITY COUNCIL DETERMINATION****

4.0 ADOPTION OF FINDINGS

****TO BE MODIFIED UPON COUNCIL DETERMINATION****

The Escondido City Council hereby finds as follows:

- 4.1 The foregoing statements are true and correct.
- 4.2 Changes or alterations have been required in, or incorporated into, the proposed Project which mitigate or avoid significant environmental impacts as identified in Final EIR 2001-12 and in these Findings.
- 4.3 CEQA requires the lead agency approving a project to adopt a mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with project implementation. A Mitigation Monitoring and Reporting Program has been defined and serves that function for Final EIR 2001-12.

4.4 The Mitigation Monitoring and Reporting Program designates responsibility and anticipated timing for the implementation of mitigation. The City Planning Division will serve as the overall Mitigation Monitoring and Reporting Program Coordinator.

4.6 Section 21065 of CEQA defines the term "project" as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is ... [a]n activity that involves the issuance to a person of a lease, permit ... or other entitlement for use by one or more public agencies". Section 15378(c) of the State CEQA Guidelines emphasizes that "[t]he term 'project' refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies", explicitly noting that "[t]he term 'project' does not mean each separate governmental approval". Accordingly, Final EIR 2001-12 which the City has prepared and certified covers the entirety of the actions described in Section 1.5 of Final EIR 2001-12 and is intended to be the basis for compliance with CEQA for each of the possible discretionary actions that may be approved by the City for the proposed development, including the General Plan Amendment, the Specific Plan Amendment, approval of Conditional Use Permit for the relocation of an existing radio antenna, future tentative parcel map(s), establish Statutory Development Agreements, and certain other regulatory and other minor permits listed in Section 1.5 of Final EIR 2001-12. It also is contemplated that there may be a variety of discretionary actions undertaken by other state and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the City is the lead agency under CEQA, Final EIR 2001-12 which the City has prepared is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other state and local agencies as well. The Palomar Energy Project (PEP) which is an alternative allowed use on Planning Area 1 within the ERTC, is subject to issuance of a license by the California Energy Commission (CEC). The FEIR can also be used by the CEC as a program EIR pursuant to CEQA Guidelines section 15168 and treated as a staged EIR pursuant to CEQA Guidelines section 15167.

4.7 Final EIR 2001-12 is a Project EIR for purposes of environmental analysis of the proposed Project. A Project EIR examines the environmental effects of a specific project. Final EIR 2001-12 serves as the primary environmental compliance document for entitlement decisions described in Section 1.5 of Final EIR 2001-12 by the City and the other regulatory jurisdictions. Final EIR 2001-12 was certified by the City Council in its Resolution No. 2002-293 and, subject to Section 21166 of CEQA and Sections 15162 and 15163 of the State CEQA Guidelines, no additional CEQA review is required for the implementation of the General Plan Amendment, the Specific Plan Amendment, or the Development Agreement.

4.8 The City Council believes that its decision on the Project is one which must be made after a hearing required by law at which evidence is required and discretion in the determination of facts is vested in the City. As a result, any judicial review of its decision will be governed by Section 21168 of CEQA and Code of Civil Procedure Section 1094.5. Regardless of the standard of review which is applicable, the City

Council has considered evidence and arguments presented to the City prior to or at the public hearings on this matter. In determining whether the Project has a significant impact of the environment, and in adopting Findings pursuant to Section 21081 of CEQA, the City Council has complied with CEQA Sections 21082.2 and 21081.5.

- 4.9 Copies of all these documents, which constitute the record of proceedings upon which the City's decision is based, are and have been available upon request at all times at the offices of the City Planning Division, the custodian for such documents or other materials.
- 4.10 The Project's impacts have been analyzed to the extent feasible at the time of certification of Final EIR 2001-12. The City hereby finds and declares that at this time there are no reasonably foreseeable extensions, expansions, or alterations of the Project which are not described in Final EIR 2001-12, based on the administrative record before the City at the time of its final decision on the Project, and that Final EIR 2001-12 analyzes the Project in its full size and extent.
- 4.11 Having received, reviewed, and considered the above-described information, as well as all other information and documents in the record, the City Council hereby conditions the Project and finds as stated in these Findings.

5.0 **CEQA SECTION 21081(A)(1) FINDINGS: EFFECTS DETERMINED TO BE NOT SIGNIFICANT OR MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL**

5.1 **Direct or Indirect Project Impacts**

The City Council, having reviewed and considered the information contained in EIR 2001-12 for the Project and the public record finds, pursuant to CEQA, the State CEQA Guidelines, and the Local CEQA Guidelines, that mitigation measures, changes or alterations have been required in or incorporated into the Project as identified in EIR 2001-12 with respect to the areas of: (1) Land Use inconsistency with the Circulation Element of the City's General Plan and existing Quail Hills Specific Plan; (2) transportation/circulation at the project level and cumulatively; (3) local air quality during construction and operational phase of the Specific Plan; (4) short-term noise impacts related to project construction; (5) impacts to natural vegetation and to sensitive species; (6) increased demand for fire and school services; and (7) potential disturbance of significant cultural resource sites identified onsite.

5.1.1 **Land Use and Planning**

- 5.1.1.1 **Impact(s):** Significant impacts are identified with the conflict with the general plan designation. The General Plan Amendments proposed as part of the project will mitigate these impacts to below a level of significance. No significant impacts were identified for conflicts with environmental plans or policies, incompatibility with

existing land uses in the vicinity, affecting agricultural resources, or disrupting an established community.

5.1.1.2 Finding(s): Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects on the environment.

5.1.1.3 Facts in Supporting of Finding(s): Based on the current Land Use designation assigned to the proposed project site under the Quail Hills Specific Plan, implementation of the Escondido Research and Technology Center Specific Plan would be inconsistent with the General Plan. A General Plan Amendment has been incorporated in the proposed project to ensure the consistency with the City's General Plan goals and objectives established within the Land Use Element and Circulation Element. Specifically, a General Plan Amendment has been proposed for the elimination of the extension of Enterprise Avenue, the redesignation of Citracado Parkway to a collector, and the redesignation of Planning Areas 9 and 10 to residential land uses. Additionally, there are no significant impacts to environmental planning or policies.

The proposed Specific Plan will implement the General Plan, the City's Zoning Ordinances, and provide guidelines for development of all aspects of the property. For circumstances that are not addressed within the specific plan, existing City ordinances, policies, and procedures shall apply.

5.1.2 Transportation/Circulation

5.1.2.1 Impact(s): Operation of the Escondido Research and Technology Center (ERTC) will result in direct impacts to the following signalized and unsignalized intersections and street segments:

Intersections

- Valley Parkway/Auto Parkway
- West Ninth Avenue/Auto Parkway
- Citracado Parkway/Vineyard Avenue
- Enterprise Street/Andreasen Drive

Segments

- Citracado Parkway
- Hale Avenue
- West Ninth Avenue
- Andreasen Drive
- Harmony Grove Road

Operation of the ERTC will result in significant cumulative impacts to the following signalized and unsignalized intersections and street segments:

Intersections

- Nordahl Road/SR 78 EB Ramps
- Nordahl Road/Mission Road
- Del Dios Highway/Via Rancho Parkway
- I-15 NB and SB Ramps/Valley Parkway
- Barham Drive/East Mission Road
- Citracado Parkway/Country Club Drive
- Howard Avenue/Auto Parkway South
- Enterprise Street/Harmony Grove Road
- Hale Avenue/Harmony Grove Road
- Simpson Way/Hale Avenue

Street Segments

- Nordahl Road
- Vineyard Avenue
- Auto Parkway
- West Ninth Avenue
- Valley Parkway

Implementation of the mitigation measures will reduce significant project or cumulative impacts to a level below significance. As a result of operation of the ERTC significant unmitigable cumulative impacts were identified for SR 78 freeway segments east and west of Nordahl Road and I-15 freeway segments north and south of West 9th Avenue. Direct impacts to the intersection of West Ninth Avenue and Auto Parkway will occur in the near term; however, the applicant will contribute a fair share towards the future City projects for ultimate intersection improvements.

5.1.2.2 Finding(s): Changes or alterations have been required in, or incorporated into the Project which will lessen the Project's direct transportation/circulation impacts to below a level of significance. Mitigation of cumulative impacts (to the freeway segments) to below a level of significance could occur only through adoption of the No Project/No Development alternative. Specific economic, legal, social, technological or other considerations make infeasible that alternative as identified in FEIR 2001-12.

5.1.2.3 Facts in Supporting of Finding(s):

Direct Project

Mitigations are provided as follows:

Signalized Intersections

- Restripe the third through lane to a shared through/right lane on the southbound approach on Valley Parkway to provide dual left-turn lanes, two through lanes, a shared through/right lane, and a right-turn lane in the southbound direction at the Valley Parkway/Auto Parkway intersection. Contribute a fair share towards the future City project for ultimate intersection improvements.
- Restripe eastbound West Ninth Avenue at Auto Parkway to a right-turn lane, a shared through/right lane, and a left-turn lane, and provide right-turn overlap phasing in the eastbound approach. Contribute a fair share towards the future City project for ultimate intersection improvements.

Unsignalized Intersections

- Signalize the Citracado Parkway/Vineyard Avenue intersection and provide the following geometry:
 - Northbound – Dual left-turn lanes and one right-turn lane
 - Westbound – One left-turn lane and two through lanes
 - Eastbound – Two through lanes and one right-turn lane
- Signalize the Enterprise Street/Andreasen Drive intersection.

Street Segments

- Contribute fair share to the City planned widening project on Citracado Parkway between Myers Avenue and the SR 78 Eastbound Ramps, which will mitigate the impacts on Citracado Parkway between East Mission Avenue and Myers Avenue.
- Upgrade existing roadway to Local Collector standards. Upgrade unimproved sections of Hale Avenue immediately north of Harmony Grove Road and south of West Ninth Street.
- Upgrade existing roadway to Local Collector standards` or connect Citracado Parkway between Harmony Grove Road and Avenida Del Diablo.
- Construct Citracado Parkway to Modified Collector standards.
- Construct Andreasen Drive to Modified Collector standards.
- Upgrade Harmony Grove Road – Andreasen Drive to Howard Road to Local Collector standards.

- Upgrade Harmony Grove Road – Howard Road to Hale Avenue to Local Collector standards.

Freeway

No mitigation is required for direct impacts.

Access

Once the planning-area land uses are better defined, prepare an access plan for Citracado Parkway between Vineyard Avenue and Andreasen Drive that would recommend traffic signals, turn lanes, and other access-related improvements.

Cumulative

The FEIR identified cumulative impacts associated with the implementation of the ERTC and surrounding land uses; therefore, fair-share contributions are required for the following planned intersections and road improvements:

Signalized Intersections

- Contribute a fair share towards the City planned widening of Nordahl Road between SR 78 and East Mission Road to six lanes. In addition to the City planned improvements, other mitigation measures are required to meet City LOS standards.
- Contribute a fair share towards the provision of a dedicated right-turn lane in the northbound direction on Del Dios Highway at Via Rancho Parkway.
- For future improvements at the Valley Parkway/Interstate 15 interchange, northbound and southbound ramps.

Unsignalized Intersections

- Contribute a fair share towards installing a traffic signal at the Barham Drive/East Mission Road intersection.
- Contribute a fair share towards installing a traffic signal at the Citracado Parkway/Country Club Drive intersection.
- Contribute a fair share towards installing a traffic signal at the Howard Avenue/Auto Parkway South intersection.
- Contribute a fair share towards installing a traffic signal at the Enterprise Street/Vineyard Avenue intersection.

- Contribute a fair share towards installing a traffic signal at the Enterprise Street/Harmony Grove Road intersection and provide the following intersection geometry:
 - Northbound – One left-turn lane and one right-turn lane
 - Eastbound – One shared through/right lane
 - Westbound – One left-turn lane and one through lane
- Contribute a fair share towards installing a traffic signal at the Hale Avenue/Harmony Grove Road intersection.
- Contribute a fair share towards installing a traffic signal at the Simpson Way/Hale Avenue intersection.

Street Segments

- Contribute a fair share towards the widening of Nordahl Road between SR 78 westbound ramps and East Mission Road (including the bridge) to six lanes.
- Contribute a fair share towards the widening of Citracado Parkway between Country Club Drive and Vineyard Avenue to four lanes (Major Road standards).
- Contribute a fair share towards the widening of Vineyard Avenue between Citracado Parkway and Enterprise Street to four lanes (Major Road standards).
- Contribute a fair share towards the widening of Vineyard Avenue between Enterprise Street and Andreasen Drive to four lanes (Major Road standards).
- Contribute a fair share towards the provision of additional capacity along Auto Parkway to the satisfaction of the City Engineer.
- Restripe eastbound West Ninth Avenue at Auto Parkway to a right-turn lane, a shared through/right lane, and a left-turn lane, and provide right-turn overlap phasing in the eastbound approach, in near term. Contribute fair share towards the future City project for ultimate intersection improvements.
- Contribute a fair share towards the widening of Valley Parkway between Citracado Parkway and 11th Avenue to four lanes.
- Contribute a fair share towards the widening of Valley Parkway between Citracado Parkway and Via Rancho Parkway to four lanes.

Freeway Segments

- Mitigation is not available to mitigate SR 78 freeway segment impacts to below a level of significance.
- Mitigation is not available to mitigate I-15 freeway segment impacts to below a level of significance.

Implementation of the above measures will mitigate significant project or cumulative impacts to a level below significance. However, significant unmitigable cumulative impacts were identified for the SR 78 freeway segment and the I-15 freeway segment.

5.1.3 Air Quality

5.1.3.1 Impact(s): The Final EIR provided an analysis discussing impacts associated with the construction activities (including all elements of the Specific Plan, land use compatibility issues, and mobile sources) and the site-specific impacts associated with the operation of the Project, i.e., ERTC stationary and mobile source emissions as well as the power plant emissions. The City has adopted certain emissions threshold criteria in section 33-924 of its zoning code, but provided that these criteria are to be used only for determination of whether to prepare an EIR, not for ultimate findings of impact significance. However, where air quality modeling results are not available from the Final EIR (i.e., with regard to construction and mobile source emissions), similar thresholds established by South Coast Air Quality Management District (SCAQMD) are used for findings of impact significance. Where air quality modeling results are available from the Final EIR (i.e., with regard to power plant emissions), the associated emission rates are compared with the SCAQMD thresholds, but the modeling results are used for findings of impact significance.

Construction Phase

Daily and quarterly construction-related regional emissions for the Proposed Project are presented in the table below. Construction-related daily emissions would be above the SCAQMD thresholds for criteria pollutant emissions. During the different phases of construction, daily quarterly emissions of NO_x, PM₁₀, and ROC are considered to represent a significant short-term regional air quality impact, since levels of these emissions would be above the SCAQMD thresholds.

Project-Related Daily Construction Emissions

	CO	ROC	NO _x	PM ₁₀	SO _x
Daily Emissions⁽¹⁾					
Site Preparation Emissions (lb/day)	97	21	188	497	18
Building Construction (lb/day)	72	216	173	43	11
Combined Emissions (lb/day)	169	237	361	540	28
SCAQMD Daily Threshold (lb/day)	550	75	100	150	150

Difference (lb/day)⁽²⁾					
Site Preparation Emissions (lb/day)	(473)	(54)	88	347	(132)
Building Construction (lb/day)	(478)	141	73	(107)	(139)
Combined Emissions (lb/day)	(381)	162	261	390	(122)
Quarterly Emissions					
Site Preparation Emissions (tons/quarter)	3.27	0.69	6.34	16.77	0.60
Construction Emissions (tons/quarter)	2.43	7.30	5.85	1.46	0.36
Combined Emissions (tons/quarter)	5.7	8.0	12.2	18.2	1.0
SCAQMD Quarterly Threshold (tons/quarter)	24.75	2.5	2.5	6.75	6.75

Notes:

- (1) Bolded numbers are significant as compared with SCAQMD thresholds.
- (2) Numbers in parenthesis indicate the amount of the pollutant that is below SCAQMD thresholds.

ERTC Operations Phase

The FEIR identified air pollutant emissions associated with ERTC project occupancy and operation that would be generated by both consumption of electricity and natural gas and by the operation of on-road vehicles. Only emissions from mobile sources associated with operation of the ERTC were found in the EIR to be a significant unmitigable impact based upon exceedance of the SCAQMD thresholds.

Power Plant Operations Phase

Following construction of the power plant, all plant equipment will be tested in what is known as commissioning. During some of this period, the emissions from the plant will be higher than the normal operating and start up emissions. The commissioning period is expected to last about three months. Higher emission rates would occur primarily at the beginning of this period and would be intermittent. Although emissions would be above the SCAQMD thresholds, air quality modeling demonstrated that significant air quality impacts (measured as exceedances of state and federal ambient air quality standards pursuant to applicable requirements of the San Diego Air Pollution Control District - SDAPCD) would not occur during commissioning.

Both extended and normal startup events (lasting 2 to 4 hours) would exceed the SCAQMD thresholds, but air quality modeling pursuant to SDAPCD requirements demonstrated that significant air quality impacts would not occur during startup events.

Power Plant Daily Maximum Emissions from both turbines and the cooling tower would exceed the SCAQMD thresholds, but air quality modeling pursuant to

SDAPCD requirements demonstrated that significant air quality impacts would not occur during Power Plant operation.

5.1.3.2 Finding(s): Changes or alterations and or mitigations have been required in, or incorporated into the Project which will lessen the Project's impacts to air quality associated with ERTC short term construction and mobile source emissions impacts. Mitigation of such impacts to below a level of significance could occur only through adoption of a Project alternative. Specific economic, legal, social, technological or other considerations make infeasible the Project alternatives identified in FEIR 2001-12. Air quality modeling demonstrates that with the mitigations and offsets required pursuant to applicable SDCAPCD regulations for the power plant, potential impacts to air quality would be reduced to below a level of significance during the commissioning, start up, and operation of the power plant.

5.1.3.3 Facts in Support of Finding(s):

Specific Plan

The following mitigation measures set forth a program of air pollution control strategies designed to lessen the project's significant air quality impacts. These measures shall be placed as conditions on the Grading Permit.

1. All active grading and construction sites shall be watered at least twice daily.
2. All grading activities shall cease during second-stage smog alerts and periods of high winds (i.e., greater than 25 mph) if dust is being transported to offsite locations and cannot be controlled by watering.
3. All trucks hauling dirt, sand, soil, or other loose materials offsite shall be covered or wetted or shall maintain at least 2 feet of freeboard (i.e., minimum vertical distance between the top of the load and the top of the trailer).
4. Streets shall be swept hourly if visible soil material has been carried onto adjacent public paved roads. (Reclaimed water shall be used if available.)
5. Water or nontoxic soil stabilizers shall be applied, according to manufacturers' specifications, as needed to reduce offsite transport of fugitive dust from all unpaved staging areas and unpaved road surfaces.
6. Traffic speeds on all unpaved roads shall not exceed 15 mph.
7. The contractor shall use reduced-VOC-content paints and solvents, soot filters, and low-sulfur diesel fuel to the maximum extent feasible.

The mitigation measures identified above implement measures associated with grading/excavation activities and construction equipment travel on unpaved roads are consistent with the SDAPCD's intent to control fugitive dust emissions associated

with construction activity. Although, mitigation measures prescribed would reduce air pollutant emissions to the degree technically feasible, there would still be a short-term significant adverse air quality impact from construction activities as compared with the SCAQMD thresholds.

Power Plant

Offsets

SDAPCD Rule 20.3(d)(8) requires major new stationary sources of NO_x and VOC to offset emissions of these pollutants. Since the NO_x emissions from the project are greater than 50 tons per year, offsets are required for NO_x emissions. During construction, the Power Plant will be required to use soot filters, low-sulfur diesel fuel, monitor dust emissions, and use low-VOC architectural coverings to reduce pollutant emissions. To further mitigate PM₁₀ emissions, prior to issuance of building permits, the applicant will provide the City Planning Director verification that a PM₁₀ mitigation plan has been submitted as required by the CEC.

Significant but mitigable adverse impacts on air quality are anticipated as a result of power plant operation. These include:

- Exceedance of the SCAQMD thresholds for emissions of criteria air pollutants NO_x, VOC, and CO during commissioning and startup. These short-term impacts are based on emission rates that do not result in the violation of any ambient air quality standards, and air quality modeling demonstrates that these impacts will not be significant.
- Exceedance of the SCAQMD thresholds for emissions of criteria air pollutants NO_x, VOC, CO, PM₁₀, and SO_x during operation. These are based on emission rates that do not result in the violation of any ambient air quality standards, and air quality modeling demonstrates that these impacts will not be significant. Because the power plant is classified as a major source for the nonattainment pollutant, NO_x (ozone precursor) offsets will be required that will reduce emissions of this pollutant from existing sources.

The San Diego air basin is classified non-attainment for state ozone and PM₁₀ standards. Potential ozone impacts due to operation of the power plant will be mitigated in accordance with air quality regulations by compliance with applicable requirements of SDAPCD regulations including utilization of best available control technology and provision of NO_x offsets. The applicant for the power plant has also proposed to provide additional mitigation for PM₁₀ emissions as part of the CEC license review process, although not required to do so under SDAPCD rules. Therefore, emissions associated with operation of the power plant can be mitigated and will not cause significant air quality impacts.

5.1.4 Noise

5.1.4.1 Impact(s): Noise produced during the construction of western portions of the Escondido Research and Technology Center nearest to the residences will intermittently exceed the noise limits established in Section 17-238 (Grading Noise) of the City's Municipal Code and will represent a significant short-term noise impact from construction activities.

Traffic noise produced by ERTC only related roadway vehicles are expected to increase noise levels from 1.0 to a maximum of 4.6 dBA above future conditions without the proposed project. Increases in traffic noise attributable to the proposed project that is above the 3-dB would also exceed the significance threshold and would result in a significant cumulative noise impact from the addition of project related roadway traffic.

5.1.4.2 Finding(s): Changes or alterations have been required in, or incorporated into the Project which will lessen the Project's noise impacts associated with short term construction impacts. Mitigation of such impacts to below a level of significance could occur only through adoption of a Project alternative. Specific economic, legal, social, technological or other considerations make infeasible the Project alternatives identified in FEIR 2001-12.

5.1.4.3 Facts in Supporting of Finding(s):

Specific Plan and Power Plant

The project will be required to conduct all operations (construction and operation) in accordance with established City of Escondido ordinances. The following measures are required to satisfy existing codes. These measures will be placed as conditions on all grading plans.

1. All construction equipment shall be in proper operating condition and fitted with standard factory noise attenuation features. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
2. Stockpiling and vehicle staging areas shall not be located within 200 feet of existing residences.
3. Truck routes should be planned to minimize truck-related noise at noise-sensitive receivers.
4. The ERTC is responsible for conducting noise monitoring during construction activities (one hour each day whenever construction is occurring within 200 feet of occupied residences) and insuring that mitigation measures are

enforced to the degree feasible. Reports shall be provided to the City each week.

5. Upon completion of final design for the buildings, a site-specific acoustical report shall be submitted to verify that adjacent residential uses are adequately buffered (e.g., distance or incorporating barriers) such that noise levels do not exceed City thresholds.

Power Plant

Power Plant operation was not found in the FEIR to exceed significance thresholds. Mitigations are required as follows:

1. Incorporate noise attenuation measures into the design of the power plant, including the GE Power Systems 85-dBA noise attenuation package for the combustion turbines, the 90-dBA noise attenuation package for the steam turbine, and exhaust stack silencers that reduce noise from the stacks to a level of 56 dBA or less at 100 feet.
2. Limit the use of noise-producing signals (horns, whistles, bells, alarms, etc.) to safety warning purposes only. Use hand-held devices rather than public address systems for worker communication.
3. Incorporate noise attenuation technology (silencers) on steam vents and other components that are noise sources during power plant startup and shutdown activities.

These measures shall be placed as conditions of the Specific Plan.

5.1.5 Biological Resources

- 5.1.5.1 Impact(s):** The California Sagebrush Series is a primary habitat of the California gnatcatcher, a federally listed threatened species, as well as a host of other regionally or locally special status species. Impacts to this habitat would be considered significant on cumulative basis as well as project basis.

The California Annual Grassland Series is commonly used by various raptor species as foraging habitat. This could potentially have an impact on local raptor species such as the American kestrel, red-tailed hawk, red-shouldered hawk, and white-tailed kite. While the loss of raptor foraging habitat in association with the project would not be an individually significant impact, it would contribute to the ongoing cumulative loss of this resource in the Escondido region. The City of Escondido has determined these losses to be cumulatively significant when contemplated under the auspices of regional habitat conservation planning and the draft Escondido Subarea Plan.

Loss of oak woodlands on the ERTC project site would be considered significant. However, approximately 60% of the oak woodlands present on the project site are located within the area to be preserved in Planning Areas 6 and 7.

Development at the project site would directly impact as many as 14 individual California gnatcatchers, including six breeding pairs and associated offspring. If initial clearing work was conducted during the breeding season of the gnatcatcher, such activity could also adversely impact nesting success and could even lead to direct mortality of young or adult birds. A substantial adverse effect, either directly or through habitat modifications, on a listed species is considered significant under CEQA.

Significant indirect impacts to California gnatcatchers could occur if construction were to be initiated within 300 feet of an active gnatcatcher nest during the breeding season of this species.

Construction activities could disrupt the future breeding pair of red-tailed hawks, which were nesting in a tall eucalyptus at the north end of the ERTC during the Spring 2001 surveys.

Construction lighting could be considered significant if it exposed California gnatcatchers to greater risk of predation by nocturnal predators. Long term lighting from the project could also be considered significant if it exposed California gnatcatchers to greater predation by nocturnal predators.

Proposed road improvements will impact sensitive biological resources including disturbed coastal sage scrub, disturbed wetland vegetation, and nonnative grassland. Impacts to these habitats will need to be mitigated.

5.1.5.2 Finding(s): Changes or alterations and mitigation measures have been required in, or incorporated into the Project which will mitigate the Project's impacts to sensitive biological resources to below a level of significance.

5.1.5.3 Facts in Supporting of Finding(s): The recommendations and mitigation references stated herein are intended to establish standards for application subsequent to approval of the project. If the project design undergoes a change that may significantly alter the impact analysis contained herein, additional mitigation measures would be developed to further mitigate impacts as necessary. In the event that additional species or habitats are listed as special status prior to project construction, alterations in the aforementioned significance determinations would be made in accordance with these changes.

Prior to commencement of grading or clearing, mitigation measures will be reviewed and approved by the Wildlife Agencies and the City. These should include, but are not limited to, mitigation for impacts to Diegan coastal sage scrub and the western spadefoot toad.

As indicated in the above analysis, direct onsite biological impacts, as well as indirect impacts, would result from project development activities. The biological impacts described in the FEIR can be mitigated through the implementation of the following recommended measures:

1. Based on project impact estimates (including impacts to vegetation associated with the proposed offsite waterlines), the habitat-based mitigation that would be required is identified in Table 2.6-4a and Table 2.6-4b of the EIR and follows the standards established by the City of Escondido in its draft Escondido Subarea Plan. While the Subarea Plan has not yet been adopted, it provides a framework for addressing impacts to resources within the City. It does not yet fully address the permitting and conservation obligations associated with listed species; however, it does provide a foundation for making mitigation recommendations that are consistent with implementation of the City's Subarea Plan conservation objectives.

Mitigation would require a 2:1 requirement ratio for gnatcatcher-occupied sage scrub acreage and conservation of an equal number of gnatcatchers within a preserve system. This acquisition should occur within the Subarea Plan Focused Planning Areas (FPAs), or in occupied gnatcatcher habitat that has been identified by the MHCP within the unincorporated San Diego County core area, or in other areas approved by the City, State, and Federal jurisdictional agencies.

Mitigation for coastal sage scrub habitat would adhere to the acreage requirements cited in Table 2.6-4 of the FEIR. These mitigation requirements should also be fulfilled within the FPAs. Mitigation shall be in place to the satisfaction of the Planning Director prior to issuance of a grading permit.

2. Direct impacts to California gnatcatchers would be adequately addressed through habitat conservation that also supports an equivalent number of gnatcatchers. For this reason, no additional mitigation is recommended for direct impacts to gnatcatchers.
3. Western spadefoot toad impacts and seasonal basin areas would be mitigated through creation, or restoration, of an equivalent acreage of habitat that supports seasonal ponds in preserve lands within the MHPA FPAs. This mitigation plan shall be submitted to the Planning Director for approval prior to issuance of any grading permit.
4. Construction activities would be initiated during the nonbreeding season for California gnatcatchers (August 30 through February 14). Work that would be completed during this period includes site boundary demarcation with construction fencing along the edge of retained sage scrub, and all clearing and grubbing. A qualified biologist will conduct a preconstruction survey of the project site and surrounding habitat to determine whether there are active raptor nests within that area. If an active nest is observed, a buffer will be

established between the construction activities and the nest so that nesting activities are not interrupted. This buffer will be a minimum of 500 feet and will be in effect as long as construction is occurring and until the nest is no longer active. This mitigation shall be placed as a condition on the Tentative Map and Grading Permit.

5. Prior to construction activities, a qualified biologist will survey the preserved habitat areas adjacent to the project site to determine if any gnatcatcher nests are within a distance potentially affected by noise from these activities. If no nesting gnatcatchers are located, no additional measures will need to be taken to mitigate indirect impacts.

However, if nesting gnatcatchers are observed, no activity will occur within 300 feet of active nesting territories unless measures are implemented to minimize the noise and disturbance to those adjacent birds. If nesting birds are located adjacent to the project site with the potential to be affected by noise above 60 dBA Leq, a noise barrier will be erected. This noise barrier should consist of a 20-foot-high continuous plywood fence supported by posts or an earthen berm located at the site boundary that abuts potential offsite habitat.

6. In the event that any nighttime construction is allowed, night construction activities would be initiated prior to the onset of the gnatcatcher breeding season (prior to February 15). Alternatively, prior to conducting any night construction activities, a qualified biologist would determine that no gnatcatcher breeding is occurring within 300 feet of areas that would be lighted. In the event that gnatcatchers are found in proximity to areas to be lighted, a verification of adequate light shielding would be made by a qualified biologist prior to commencing night work. This mitigation shall be placed as a condition on the Tentative Map and Grading Permit.
7. Facility lighting would be shielded such that no direct lighting falls within the adjacent natural habitat. Adequate directional lighting or shielding would be installed to control nighttime illumination at the industrial park in a manner that does not enhance light levels within adjacent native habitat areas. This mitigation shall be placed as a condition on the Specific Plan and Conditional Use Permit.
8. Jurisdictional wetland impacts and mitigation for the proposed ERTC project are as follows:

Jurisdictional Wetland Habitat	Total Impacts	Mitigation Ratio	Mitigation Total
Mixed Willow Series	3,920 SF	3:1	11,760 SF
Mulefat Series	870 SF	3:1	2,610 SF
Nonwetland Waters	5,001 SF	3:1	15,003 SF
Total Impacts	9,791 SF (0.22 ac)		29,373 SF (0.67 ac)
Credit for mixed willow habitat to be preserved and enhanced in PA 7			- 6,970 SF (0.17 ac)
Additional Mitigation Requirement (Wetland Creation, PA 7)			22,403 SF (0.50 ac)

The ERTC is proposing 0.17 acre of existing wetlands preservation within Planning Area 7, and an additional 0.50 acre of wetland creation in Planning Area 7, which totals 0.67 acre of wetland mitigation. The wetland creation area is shown on Figure 2.6-5.

This wetland creation is to be located in a gently sloping, shallow valley, incised only intermittently along the drainage bottom, within Planning Area 7. The creation site is only slightly higher in elevation than the existing adjacent wetland habitat and drainage channel, and presently supports California annual grassland series vegetation, a disturbed upland community suitable for wetland creation. The alluvial soils and proximity to groundwater in the area are favorable to the creation of an expanded wetlands corridor.

The expanded wetlands corridor in Planning Area 7 will be buffered from the urban business park uses by a manufactured perimeter slope a minimum of 100 horizontal feet in depth, and 50 vertical feet in height. This slope adjacent to the wetland restoration area will be planted with a species palette that contains no invasive species (CalEPPC, 1999). This will provide an adequate environmental buffer between the edge effects of the business park, and the existing and created (expanded) wetlands.

9. For offsite improvements (i.e., Vineyard Avenue and Valley Parkway), when project-specific engineering has been completed, the City shall implement mitigation in accordance with the ratios above and implement the same mitigation measures as previously indicated.
10. A construction monitor will be present during construction activities to ensure that conservation measures are performed in compliance with any concurrent or subsequent mitigation plans. The biological monitor will instruct construction management to halt all associated project activities, which may be in violation of the conditions of any permits in effect. Any unauthorized impacts or actions not in compliance with the required mitigation will be immediately brought to the attention of the City and Wildlife Agencies.

Due to the impacts to the California sagebrush series, this habitat will be mitigated at a 2:1 ratio.

Because this habitat is occupied by the California gnatcatcher, a federally threatened species, impacts shall be required to be permitted under the federal Endangered Species Act. This may be accomplished via one of the following:

- 4(d) Take Authorization: If the City has available 4(d) credits, the project may be able to receive authorization through this process. This process requires concurrence by the USFWS and CDFG. Alternatively, the project may be able to obtain 4(d) authorization through the County of San Diego.
- Section 7 Consultation or 10(a)(1)(B) Incidental Take Permit: In the event that the City does not have 4(d) credits available or the USFWS or CDFG do not concur in the 4(d) process, the project may need to obtain a take authorization. This would require preparation of a Biological Opinion by the USFWS or a Habitat Conservation Plan that would be approved by the USFWS.
- Authorization under the City's Subarea Plan (Multiple Habitat Conservation Plan): In the event that the City receives approval of their Subarea Plan prior to project implementation, take authorization could be obtained through this process.

5.1.6 Public Services and Utilities

- 5.1.6.1 Impact(s):** The proposed project is located over three miles from Fire Station No.1, and has an anticipated response time of 8 minutes. This exceeds the standards set forth in the City's Quality of Life Standards, and thus represents a significant impact.

The proposed project could develop a maximum of 46 single-family dwelling units. The addition of new students to the schools within the area could contribute to the overcrowding of Rincon Middle School, and thus represent a significant impact.

- 5.1.6.2 Finding(s):** Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects on the environment.

5.1.6.3 Facts in Supporting of Finding(s):

Fire Protection

- Structures shall be protected by fire sprinkler systems, or an equivalent system, as approved by the Fire Chief.

- In the event that future uses in the planned light industrial areas includes hazardous materials, special fire protection systems, training, or other mitigation, as determined by the Fire Marshal, will be required. This measure shall be placed as a condition of any required Conditional Use Permit.

Schools

- At the time of construction, the developer will be required to pay applicable school fees in effect at the time of building permit issuance.

5.1.7 Cultural Resources

5.1.7.1 Impact(s): There is a possibility, although it is not considered high, that unanticipated cultural material could be encountered during initial clearing and grading of the ERTC project site.

5.1.7.2 Finding(s): Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects on the environment.

5.1.7.3 Facts in Support of Finding(s): A cultural resources monitor will be onsite during all initial clearing and excavation activities. In the event that buried cultural materials or deposits are found during construction or related activities, the following mitigation measures will be implemented, as appropriate:

- Work in the vicinity shall stop immediately until an assessment of the findings can be made by a qualified archaeologist. In the event that human remains are discovered, work in the vicinity must stop, and the San Diego County Coroner shall be notified immediately.
- Questionable materials inadvertently discovered – including suspected or not readily identifiable cultural resources – must be considered significant until a qualified archaeologist can provide an accurate assessment. If potentially significant cultural resources are detected and can not be avoided by construction, then impacts must be mitigated through data recovery or other means, in consultation with pertinent agencies and concerned parties.
- Findings will be prepared discussing the significance of any materials recovered from the project site. The City will determine, in coordination with responsible agencies, the appropriate repository where the collected materials will be archived.

5.2 Cumulative Project Impacts

The City Council finds, based on the information referenced above, that changes or alterations and mitigation measures have been required in or incorporated into the Project which avoid or substantially lessen the cumulative environmental effects as

identified in EIR 2001-12 with respect to land use and planning, transportation/circulation, air quality, and biological resources which have reduced all such cumulative impacts to below a level of significance, with the exception of cumulative impacts to freeway segment transportation/circulation. . In addition, no cumulatively significant impacts are expected to occur as a result of the Project to noise, hazards, aesthetics, water quality, public services and utilities, cultural resources, geology/soil, paleontology, recreation, and population/housing resources..

6.0 CEQA SECTION 21081(a)(2) FINDINGS: CHANGES WITHIN THE RESPONSIBILITY OR JURISDICTION OF ANOTHER PUBLIC AGENCY

The City Council, having reviewed and considered the information contained in Final EIR 2001-12 and the Public Record for the Project, finds that there are no mitigations to the Project which avoid or substantially lessen the significant environmental effects that are within the responsibility or jurisdiction of another public agency and have been, or can and should be, adopted by that other agency., other than the cumulative freeway segment impacts which are in the State's (Caltrans) jurisdiction.

7.0 CEQA SECTION 21081(a)(3) FINDINGS: SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH WILL NOT BE FULLY AVOIDED IF THE PROJECT IS IMPLEMENTED.

7.1 Direct and Indirect Project Impacts

The City Council, having reviewed and considered the information contained in EIR 2001-12 for the Project and the public record finds, pursuant to CEQA, the State CEQA Guidelines and the Local CEQA Guidelines, that changes or alterations have been required in or incorporated into the Project which substantially lessen the environmental effects as identified in EIR 2001-12 with respect to the areas of (1) Transportation/Circulation (ERTC cumulative impacts), (2) Air Quality (ERTC short-term construction and ERTC mobile source impacts), and (3) Noise (ERTC short-term construction and ERTC mobile source impacts), but nonetheless the Project's direct and/or indirect impacts on these environmental effects will remain significant and/or will remain significant because not all mitigation measures called for in EIR 2001-12 are feasible to implement or to implement at the time called for in EIR 2001-12. Implementation of the mitigation measures indicated in the FEIR will reduce impacts to (1) Land Use and Planning, (2) Biological Resources, (3) Public Services and Utilities, and (4) Cultural Resources to below a level of significance.

7.2 Project Alternatives

Final EIR 2001-12 has evaluated various alternatives to the Project. Section 3.0 of Final EIR 2001-12 provides detailed descriptions and analysis of the alternatives in adequate detail for a decision on whether the alternatives should be adopted in lieu of the Project, as well as an analysis of the environmentally superior alternative. Because the Project will result in unavoidable significant environmental effects, the City must consider the feasibility of any environmentally superior alternatives to the

Project that will attain most of the Project's basic objectives. A number of alternatives are identified in Final EIR 2001-12 which are intended to mitigate or substantially lessen the significant unavoidable environmental impacts associated with the Project: No Project/No Development; No Project/Existing Entitlement (Adopted Quail Hills Specific Plan); Specific Plan with No Power Generating Plant; Reduced Project Scale; and Power Plant Alternative Site.

7.2.1 Project Goals

In considering and rejecting certain alternatives, the Project objectives must be weighed against the ability of the various alternatives to meet most of these objectives. The Project's objectives that were identified in Final EIR 2001-12 and considered in these Findings are:

7.2.1.1 Specific Plan:

- Concentration of a variety of office, research and development, industrial (multitenant, corporate, and distribution) uses which serve the community.
- Enhanced economic benefits to the community, by providing increased employment opportunities and tax base.
- Creation of an industrial business park through the concentration of business uses which will be comprehensively planned to ensure community compatibility, adequacy of access, parking, landscaping, and other features which are characteristic of a quality development.
- The integrity of the Specific Plan document will ensure consistent, well-planned development within the plan requirements.
- Initiation of physical development on the site will be undertaken in a manner which ensures adequate public infrastructure to support uses as they transition into public use.

7.2.1.2 Power Plant:

- Provide energy to meet the existing demand for the Southern California region.
- Add an efficient, reliable, dispatchable, and environmentally sound power generating facility of substantial size to the SDG&E load pocket.
- Interconnect the facility at a location within the SDG&E load pocket that results in a megawatt-for-megawatt addition to the load-serving capability of the SDG&E transmission grid (i.e., avoid the displacement of existing SDG&E import capability, avoid the displacement of existing generating

- capacity, and avoid intrazonal congestion). Generally, this objective translates to locating the facility near electrical load.
- Avoid the construction of new transmission lines (i.e., locate the facility adjacent to existing transmission lines and/or substation facilities that will accommodate interconnection of the project).
- Locate the facility in a portion of the SDG&E gas system that minimizes the need for system upgrades.
- Locate the facility in an area with readily available nonpotable water of sufficient quantity and quality to meet the facility's process water requirements.
- Locate the facility at a site with compatible adjacent land uses.

The City, having reviewed and considered the information in Final EIR 2001-12 and the Public Record for the Project, finds that there are specific economic, social, or other considerations which make infeasible the Project alternatives identified in Final EIR 2001-12.

7.2.2 No Project/No Development Alternative

7.2.2.1 Description of Alternative: The No Project/No Development Alternative assumes that no development would occur on the project site, and the site would remain in its undeveloped state. Therefore, none of the project-specific environmental effects identified in the EIR would occur. The project would remain undeveloped at this time.

7.2.2.2 Finding: Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the No Project/No Development alternative identified in EIR 2001-12.

7.2.2.3 Facts in Support of Finding: In summary, the No Project/No Development Alternative would not serve the growing needs of residents and businesses in California, and in the San Diego load pocket in particular, for efficient, reliable, and environmentally sound power generation resources. The No Project Alternative would not be consistent with the City's General Plan, which designates the project area for future urban development. The beneficial effects of providing facilities that would also serve offsite properties, such as the circulation element, would not be realized under this alternative. The No Project/No Development Alternative would also not achieve most of the basic objectives of the Proposed Project, such as the provision of enhanced economic benefits to the community, by providing increased employment opportunities and tax base. Additionally, this alternative was rejected because it did not meet the following project objectives:

- Relocation/reconfiguration of existing transmission line facilities in a manner that supports the integrity of the development improvements proposed by the Specific Plan.

-
- Provide energy to meet the existing demand for the Southern California region.
- Add an efficient, reliable, dispatchable, and environmentally sound power generating facility of substantial size to the SDG&E load pocket.
- Interconnect the facility at a location within the SDG&E load pocket that results in a megawatt-for-megawatt addition to the load-serving capability of the SDG&E transmission grid (i.e., avoid the displacement of existing SDG&E import capability, avoid the displacement of existing generating capacity, and avoid intrazonal congestion). Generally, this objective translates to locating the facility near electrical load.
- Avoid the construction of new transmission lines (i.e., locate the facility adjacent to existing transmission lines and/or substation facilities that will accommodate interconnection of the project).
- Locate the facility in a portion of the SDG&E gas system that minimizes the need for system upgrades.
- Locate the facility in an area with readily available nonpotable water of sufficient quantity and quality to meet the facility's process water requirements.
- Locate the facility at a site with compatible adjacent land uses.
- With no power plant, energy would not be provided by this alternative. All objectives established with the intent of developing a power plant would not be met by this alternative.

7.2.3 No Project/Existing Entitlement Alternative (Adopted Quail Hills Specific Plan)

7.2.3.1 Description of Alternative: Implementation of this alternative would retain the existing entitlement, which would allow the current landowner to develop the project site in accordance with the existing Quail Hills Specific Plan. The Quail Hills Specific Plan has designated 172 acres to general industrial use, 14 acres to an activity center, 6 acres for business commercial, and another 6 acres for office use. No power generating facility or residential development had been intended for this specific planning area. Although this alternative does not include the development of a power generating facility, it would develop the entire project site as with the proposed project, and would result in similar or greater impacts.

7.2.3.2 Finding: Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures and alternatives identified in EIR 2001-12.

7.2.3.3 Facts in Support of Finding: This alternative was rejected because it did not meet the following project objective:

- Creation of an industrial business park through the concentration of business uses which will be comprehensively planned to ensure community compatibility, adequacy of access, parking, landscaping, and other features which are characteristic of a quality development.
- Relocation/reconfiguration of existing transmission line facilities in a manner that supports the integrity of the development improvements proposed by the Specific Plan.
- Provide energy to meet the existing demand for the Southern California region.
- Add an efficient, reliable, dispatchable, and environmentally sound power generating facility of substantial size to the SDG&E load pocket.
- Interconnect the facility at a location within the SDG&E load pocket that results in a megawatt-for-megawatt addition to the load-serving capability of the SDG&E transmission grid (i.e., avoid the displacement of existing SDG&E import capability, avoid the displacement of existing generating capacity, and avoid intrazonal congestion). Generally, this objective translates to locating the facility near electrical load.
- Avoid the construction of new transmission lines (i.e., locate the facility adjacent to existing transmission lines and/or substation facilities that will accommodate interconnection of the project).

- Locate the facility in a portion of the SDG&E gas system that minimizes the need for system upgrades.
- Locate the facility in an area with readily available nonpotable water of sufficient quantity and quality to meet the facility's process water requirements.
- Locate the facility at a site with compatible adjacent land uses.
- With no power plant, energy would not be provided by this alternative. All objectives established with the intent of developing a power plant would not be met by this alternative.

Over the past decade, the population growth and economic growth in California has created a steadily increasing demand for electrical power. However, the growth in electrical generating capacity serving California has not kept pace with the growth in demand. This imbalance has led to a shortfall in generating capacity, with potentially serious consequences for California's residents and businesses. Such consequences started to appear in 2000. Electrical demand forecasts predict continuing growth over the coming years, making the need for additional generating capacity even more acute.

In particular, the SDG&E load pocket faces future prospects of inability to serve load, due to insufficient SDG&E import capability combined with insufficient local generating capacity. Addressing this concern is a key objective of the proposed project, and "no power plant project" alternatives would not meet this objective.

The proposed project will provide competitively priced electrical power to help meet California's growing demand, and it will help replace nuclear and fossil fuel generation resources that are retired due to age or cost of producing power. The "no power plant project" alternative would not meet these objectives.

Given the need for additional generating capacity, and even with the various other power plants under construction and proposed, the "no power plant project" alternative likely would result in more energy production from existing power plants than otherwise would occur with the new power plant in operation. Because the proposed project will employ advanced combustion turbine technology and state-of-the-art emissions control systems, existing power plants operating in place of the new plant most likely would consume more fuel and emit more air pollutants per kilowatt-hour generated.

In summary, the "no power plant project" alternative would not serve the growing needs of residents and businesses in California, and in the San Diego load pocket in particular, for efficient, reliable, and environmentally sound power generation resources.

7.2.4 Specific Plan with No Power Generating Plant Alternative

7.2.4.1 Description of Alternative: Under this alternative, the proposed ERTC Specific Plan would be implemented; however, light industrial land uses would be applied to Planning Area 1 in place of the proposed power generating facility. Although impacts associated with this alternative would result in similar impacts to the proposed project, this alternative would not meet the objectives of the proposed project to provide energy to the southern California region.

7.2.4.2 Finding: Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures and alternatives identified in EIR 2001-12.

7.2.4.3 Facts in Support of Finding: This alternative was rejected because it did not meet the following project objective:

- Relocation/reconfiguration of existing transmission line facilities in a manner that supports the integrity of the development improvements proposed by the Specific Plan.
- Add an efficient, reliable, dispatchable, and environmentally sound power generating facility of substantial size to the SDG&E load pocket.
- Interconnect the facility at a location within the SDG&E load pocket that results in a megawatt-for-megawatt addition to the load-serving capability of the SDG&E transmission grid (i.e., avoid the displacement of existing SDG&E import capability, avoid the displacement of existing generating capacity, and avoid intrazonal congestion). Generally, this objective translates to locating the facility near electrical load.
- Avoid the construction of new transmission lines (i.e., locate the facility adjacent to existing transmission lines and/or substation facilities that will accommodate interconnection of the project).
- Locate the facility in a portion of the SDG&E gas system that minimizes the need for system upgrades.
- Locate the facility in an area with readily available nonpotable water of sufficient quantity and quality to meet the facility's process water requirements.
- Locate the facility at a site with compatible adjacent land uses.
- Provide energy to meet the existing demand for the Southern California region. With no power plant, energy would not be provided by this alternative.

Over the past decade, the population growth and economic growth in California has created a steadily increasing demand for electrical power. However, the growth in electrical generating capacity serving California has not kept pace with the growth in demand. This imbalance has led to a shortfall in generating capacity, with potentially serious consequences for California's residents and businesses. Electrical demand forecasts predict continuing growth over the coming years, making the need for additional generating capacity even more acute.

In particular, the SDG&E load pocket faces future prospects of inability to serve load, due to insufficient SDG&E import capability combined with insufficient local generating capacity. Addressing this concern is a Sempra Energy Resources objective for the power plant, and the "no power plant project" alternative would not meet this objective.

Given the need for additional generating capacity, and even with the various other power plants under construction and proposed, this alternative likely would result in more energy production from existing power plants than otherwise would occur with the new power plant in operation. Because the proposed project will employ advanced combustion turbine technology and state-of-the-art emissions control systems, existing power plants operating in place of the new plant most likely would consume more fuel and emit more air pollutants per kilowatt-hour generated.

According to the CEQA Guidelines, in addition to considering existing environmental conditions, this analysis is to consider what would be reasonably expected to occur in the foreseeable future if the project were not approved [14 CCR Sec. 15126.6(e)(3)]. The Guidelines state that the analysis is to consider predictable actions, such as the proposal of some other project. The 20-acre area proposed as the power plant project site is within a 186-acre area planned as an industrial park, pursuant to the draft Escondido Research and Technology Center Specific Plan currently under review by the City of Escondido. It is therefore foreseeable that grading and other improvements of an industrial park will take place, including the area proposed as the power plant project site. However, if the power plant project were not constructed, the site would be instead improved with other industrial land uses, and the objectives of the power plant project would not be met.

In summary, this alternative would not serve the needs of residents and businesses in California, and in the San Diego load pocket in particular, for efficient, reliable, and environmentally sound power generation resources.

7.2.5 Reduced Project Scale Alternative

- 7.2.5.1 Description of Alternative:** This alternative was designed to reduce the potential for significant impacts. Significant impacts included biological resources, air, noise, and transportation. This alternative would entail the reduction of uses to approximately 90 acres. Three potential use areas were selected to avoid impacts to sensitive biological resources, particularly coastal sage scrub and wetlands to be retained as

open space. With the reduction of areas to be developed, there would be a concomitant reduction in traffic, air, and noise impacts. This alternative would propose approximately 55 acres of industrial (business park) in the northern parcel, 20 acres of residential in the central parcel, and 15 acres of residential in the southern parcel. A power plant is not included under this alternative. Although this alternative is considered the environmentally superior alternative, it was rejected because it fails to implement the majority of the project objectives.

7.2.5.2 Finding: Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures and alternatives identified in EIR 2001-12.

7.2.5.3 Facts in Support of Finding: This alternative was rejected because it did not meet the following project objectives:

- Concentration of a variety of office, research and development, industrial (multi-tenant, corporate, and distribution) uses which serve the community. A substantial reduction of the development would result.
- Enhanced economic benefits to the community, by providing increased employment opportunities and tax base. Employment base was substantially reduced due to the reduction in the developable acreage.
- Creation of an industrial business park through the concentration of business uses which will be comprehensively planned to ensure community compatibility, adequacy of access, parking, landscaping, and other features which are characteristic of a quality development. The alternative isolated the industrial park to one smaller parcel.
- Initiation of physical development on the site will be undertaken in a manner which ensures adequate public infrastructure to support uses as they transition into public use. Public infrastructure can not be funded with the reduced footprint of development. Traffic impacts and requirements for mitigation are similar and can not be funded by the alternative.
- Relocation/reconfiguration of existing transmission line facilities in a manner that supports the integrity of the development improvements proposed by the Specific Plan.
- Add an efficient, reliable, dispatchable, and environmentally sound power generating facility of substantial size to the SDG&E load pocket.
- Interconnect the facility at a location within the SDG&E load pocket that results in a megawatt-for-megawatt addition to the load-serving capability of the SDG&E transmission grid (i.e., avoid the displacement of existing SDG&E import capability, avoid the displacement of existing generating

capacity, and avoid intrazonal congestion). Generally, this objective translates to locating the facility near electrical load.

- Avoid the construction of new transmission lines (i.e., locate the facility adjacent to existing transmission lines and/or substation facilities that will accommodate interconnection of the project).
- Locate the facility in a portion of the SDG&E gas system that minimizes the need for system upgrades.
- Locate the facility in an area with readily available nonpotable water of sufficient quantity and quality to meet the facility's process water requirements.
- Locate the facility at a site with compatible adjacent land uses.
- Provide energy to meet the existing demand for the Southern California region. With no power plant, energy would not be provided by this alternative.

7.2.6 Power Plant Alternative Site

7.2.6.1 Description of Alternative: Nine alternative locations were investigated for the power generating facility. Locations were postulated that are adjacent to existing, substantial SDG&E transmission lines and/or substation facilities, to avoid the construction of new transmission lines. Each alternative was evaluated in relation to the proposed project objectives. Of the sites analyzed, only the Escondido, San Marcos, and Sycamore Canyon sites were found to be suitable for further analysis, because each site met particular project objectives. The Escondido site was the only site found to be feasible within an industrial use area, such as the ERTC.

7.2.6.2 Finding: Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures and alternatives identified in EIR 2001-12.

7.2.6.3 Facts in Support of Finding: Based on an alternatives analysis prepared by ENSR International submitted to the CEC as part of the Application for Certification, the Escondido, San Marcos, and Sycamore Canyon alternatives were substantially superior to the other six and therefore warranted further analysis. The Escondido site was selected because it is the only alternative that is clearly feasible in all respects, and it is the only one that meets all of the project objectives. In particular, the Escondido site:

- accommodates the addition of a 550-MW facility to the SDG&E load pocket;

- results in a megawatt-for-megawatt addition to the load-serving capability of the SDG&E transmission grid;
- avoids the construction of new transmission lines, as an existing 230-kV line that will accommodate facility interconnection is located immediately adjacent to the site;
- minimizes the need for SDG&E gas system upgrades, as an existing 16-inch pipeline with sufficient capacity to serve the facility is located immediately adjacent to the site;
- makes use of readily available nonpotable water from the City of Escondido's nearby Hale Avenue Resource Recovery Facility for the facility's process water requirements;
- is surrounded by existing and future industrial land uses; and
- offers landforms that are sufficient in size to screen the facility, but are not problematic for plume dispersion.

San Marcos and Sycamore were ultimately rejected because they were not able to meet all of the objectives, including:

- San Marcos: (a) Availability of nonpotable water is uncertain; (b) the site is surrounded by open space, rather than industrial land uses; and (c) adjacent terrain more than 200 feet higher than the site bounds the site on two sides, presenting plume dispersion and/or stack height issues.
- Sycamore Canyon: (a) Availability of nonpotable water is uncertain; (b) the location consists of open space, rather than industrial land uses; (c) the terrain at this location is extremely steep, and may present plume dispersion/stack height issues depending upon the specific site; and (d) this location is not readily available, because it is part of the Miramar Marine Corps Air Station reserve, under federal ownership.

8.0 FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

8.1 Growth-Inducing Impacts of the Project

The EIR for the approved Specific Plan concluded that implementation of the Specific Plan would have an incremental growth-inducing impact. The environmental effects of induced growth are secondary or indirect impacts of the proposed project. Secondary effects of growth could result in significant, adverse environmental impacts, which could include increased demand on community or public services, increased traffic and noise, degradation of air and water quality, and conversion of agricultural land and open space to developed uses. This increase in demand for services would be the result of residential growth within the area. That

creates the need for additional development of adequate services to accommodate the growing community.

The proposed project includes two residential planning areas that could be developed with up to 46 residential dwelling units. The residential planning areas were not a part of the original Specific Plan for the project area. To estimate the population increase associated with the 46 housing units, the January 2001 City/County Population Statistics from the San Diego Association of Governments were consulted. Escondido currently averages 2.983 persons per household. The statistics do not distinguish between single-family or multiple-family residential. For the purposes of this analysis, three persons per household were determined to be feasible for the proposed residential planning areas. Based on that assumption, the proposed project could result in a population increase of 138 additional residents to the City of Escondido. This represents a 0.1% increase in the City's population, and is not considered to be a substantial population increase.

The industrial uses proposed for the project will provide employment opportunities for the region as a whole. This area has been designated for industrial uses and is assumed to be industrial in the General Plan. Therefore, the potential that the industrial uses would induce growth has already been considered. Since this is part of the planned and orderly development of the region, it is anticipated that some growth will be induced; however, the magnitude of the impact would not be significant, because it is consistent with the General Plan.

Another component of the project is the power plant. Energy produced by the project is intended to meet the needs of existing demand and help meet future demand. There are numerous other power generating facilities in southern California. Over the past decade, the population growth and economic growth in California has created a steadily increasing demand for electrical power. However, the growth in electrical generating capacity serving California has not kept pace with the growth in demand. This imbalance has led to a shortfall in generating capacity, with potentially serious consequences for California's residents and businesses. Such consequences started to appear in 2000. Electrical demand forecasts predict continuing growth over the coming years that makes the need for additional generating capacity even more acute.

In particular, the SDG&E load pocket faces future prospects of inability to serve load, due to insufficient SDG&E import capability combined with insufficient local generating capacity. Addressing this concern is a key objective of the proposed project.

The proposed project will provide competitively priced electrical power to help meet California's growing demand, and it will help replace nuclear and fossil fuel generation resources that are retired due to age or cost of producing power. This is considered a beneficial impact of the project.

Because the project is going to meet the existing demand and help meet the future existing demand, it is not considered significantly growth inducing. It will eliminate

an impediment for future growth and, thus, can be defined as growth inducing. It should be noted that the project is intended to serve the existing needs and future demands of the community. Its contribution to growth is considered incremental.

8.2 Significant and Unavoidable Project Impacts

The Project's environmental effects are discussed in detail in Section 2.0 of EIR 2001-12. In most cases, the potential impacts identified as significant can be adequately mitigated or reduced to levels below significance through incorporation of mitigation measures and implementation of Specific Plan Amendment policies. The following significant impacts as discussed in Section 7.0 of EIR 2001-12, however, cannot be fully mitigated or reduced to levels below significance by reasonably practicable measures:

- Transportation/Circulation (ERTC cumulative impacts to freeway segments);
- Air Quality (ERTC short-term construction and ERTC mobile source impacts); and
- Noise (ERTC short-term construction and ERTC mobile source impacts).

9.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Based on the evidence presented in the Final EIR 2001-12, the following Findings of Fact have been made:

- (a) Changes or alterations and mitigations have been required in, or incorporated into, the Project which mitigate or avoid the following potentially significant direct or indirect environmental effects thereof to below a level of significance: Land Use and Planning; Transportation/Circulation; Air Quality (except as to ERTC short-term construction and ERTC mobile sources); Noise (except as to ERTC short-term construction and ERTC mobile sources).; Biological Resources; Cultural Resources; and Public Services/Utilities.
- (b) Changes or alterations and mitigations have been required in, or incorporated into, the Project which mitigate or avoid the following potentially significant cumulative environmental effects thereof to below a level of significance: land use and planning, transportation/circulation (except as to (ERTC cumulative impacts to freeway segments) air quality, and biological resources. In addition, no cumulatively significant impacts are expected to occur as a result of the Project to the areas of noise, hazards, aesthetics, water quality, public services and utilities, cultural resources, geology/soil, paleontology, recreation, and population/housing.

- (c) Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR 2001-12 to reduce the following direct or indirect impacts to below a level of significance: Air Quality (ERTC short-term construction and ERTC mobile sources) and Noise (ERTC short-term construction and ERTC mobile sources).
- (d) Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR 2001-12 to reduce the following cumulative impacts to below a level of significance: Transportation/Circulation (ERTC impacts to freeway segments).

Sections 15043 and 15093 of the CEQA Guidelines can be summarized below:

- (a) CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable".
- (b) Where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR but are not at least substantially mitigated, or if a mitigation measure set forth in the final EIR is not feasible to implement, or is not feasible to implement at the time called for in that EIR, the agency shall state in writing the specific reasons to support information in the record. This statement may be necessary if the agency also makes a finding under Section 15091(a)(2) or (a)(3).
- (c) If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

The following significant impacts as discussed in Section 7.0 of EIR 2001-12, cannot be fully mitigated or reduced to levels below significance by feasible mitigation measures:

- Transportation/Circulation (ERTC cumulative);
- Air Quality (ERTC short-term construction and ERTC mobile sources);
- Noise (ERTC short-term construction and ERTC mobile sources);
-

Accordingly, the City adopts the following Statement of Overriding Considerations based on information in the Final EIR 2001-12 and on other information in the record. The City, pursuant to the CEQA Guidelines, after balancing the benefits of

the Project against the unavoidable and any other environmental effects which remain significant and after all feasible mitigation measures and alterations have been incorporated into the Project, and after the Project alternatives have been rejected as infeasible, determines that the Project impacts are acceptable due to the following, each of which individually will be sufficient to outweigh the adverse environmental impacts of the Project:

- Implementation of the Project will provide direction, purpose, and opportunity for combined public and private investment which will result in benefits to the community as a whole.
- The Project will create a cohesive and unified community through the strengthening of physical, economic, and social ties between residential, commercial, industrial, and recreational land uses within and in the vicinity of the Project area.
- Development of the Project will increase employment opportunities within the City and the region for approximately 4,000 jobs, as well as for employment within the proposed industrial and commercial uses.
- The inclusion of a variety of land uses including commercial, institutional, recreational, and open space, all in proximity to the other, will help to promote a sense of community and economic efficiency. The higher intensity uses are sited along the primary transportation corridor, with the lower intensity uses sited in the areas of the Project with steeper terrain and/or proximity to existing residential areas.
- Implementation of the proposed power plant will provide energy to meet the existing demand for the Southern California region by incorporating an efficient, reliable, dispatchable, and environmentally sound power generating facility of substantial size to the area. This development will avoid the construction of new transmission lines (i.e., locate the facility adjacent to existing transmission lines and/or substation facilities that will accommodate interconnection of the project). Additionally, the location is considered appropriate meeting land use compatibility with adjacent land uses.
- The project will utilize a significant amount of reclaimed water produced by the Hale Avenue Resource Recovery Facility ("HARRF") and will provide economic benefit to the city and the city's enterprise funds, which benefits all rate payers in the community. The use of reclaimed water makes beneficial use of treated waste water which is a benefit to the environment including reducing the volume of wastewater discharged from the HARRF.
- The project will finance and construct significant public facility infrastructure improvements which will serve the region and the community. This includes contribution of approximately \$1.2 million to the construction of certain transportation improvements and constructing approximately \$9 to \$10 million of additional transportation improvements. Approximately \$5 million worth of these improvements will provide additional transportation capacity beyond impacts of the project.
- The project will fulfill short-term and long-term economic and social goals for the city and the community through additional local income and expenditures. This includes generation of additional sales taxes through local purchases, real property taxes, business license taxes, and other recurring tax and fee revenues.
- The project will include installation of new stormwater runoff and treatment facilities, which will be of benefit to the local area in meeting stringent discharge requirements imposed by state and federal law.
- The project will provide a first class business and light industrial park to the Escondido area which will help to satisfy the city's jobs/housing balance

- The project will include fiber optic capability (with estimated fiber optic infrastructure in excess of \$1 million) that will serve the project and can extend to other portions of the community.
- The project will enhance the city's active and passive recreational, open space habitat preservation and public multiuse trail elements by providing open space and trail facilities as elements of the project.
- The project will provide over 100 acres of offsite Gnatcatcher habitat preservation in an area identified as a core Gnatcatcher habitat area. This habitat is approximately twice the amount of habitat impacted by the project and is of higher quality.
- The project will include a more aesthetically appealing system of transmission lines crossing and serving the project area, resulting in an aesthetic improvement.

PALOMAR POMERADO HEALTH

RESOLUTION NO. ____

**RESOLUTION OF ADOPTION AND REQUIRED
FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS FOR THE ADDENDUM TO
THE FINAL ENVIRONMENTAL IMPACT
REPORT FOR THE ESCONDIDO RESEARCH
AND TECHNOLOGY CENTER SPECIFIC PLAN
2001-01-SPA PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

Whereas, in order to continue to provide accessible health care services, including trauma, emergency room and acute care services, to a population anticipated to grow to approximately 1.3 million within the next twenty years, the Board of Directors ("Board") of Palomar Pomerado Healthcare District ("District"), with the input of District medical staff, nursing personnel and support personnel and members of the public, has developed a comprehensive Facilities Master Plan to address the future health care needs of the population of the District;

Whereas, the existing Palomar Medical Center requires a substantial expansion in order to meet the goals of the Facilities Master Plan;

Whereas, Palomar Medical Center requires structural improvements, including compliance with current State-required seismic standards for hospitals, and the structural improvements are so intensive that it would not be possible to complete expansion activities while maintaining critical hospital functions;

Whereas, the Board has determined that a replacement hospital for Palomar Medical Center at a new location is necessary to fulfill the stated need in the Facilities Master Plan;

Whereas, pursuant to the laws of the State of California and pursuant to conditions of Measure BB, all projects in the Facilities Master Plan are required to comply with the rules and regulations of the California Environmental Quality Act ("CEQA");

Whereas, the applicant for the new Palomar Medical Center Project at the Escondido Research and Technology Center ("Project") is the District and the lead agency for the Project under CEQA is also the District per CEQA Guidelines Section 15051;

Whereas, implementation of the Project also requires the City of Escondido to amend the ERTC Specific Plan 2001-01-SPA and make other discretionary land use approvals;

Whereas, a Final Environmental Impact Report ("FEIR") was certified for the Escondido Research and Technology Center ("ERTC") Specific Plan 2001-01-SPA and

implementation of the Project will not result in increased environmental impacts above those anticipated in the FEIR;

Whereas, the District prepared an addendum to the FEIR for the ERTC Specific Plan 2001-01-SPA ("Addendum") to implement the Project pursuant to CEQA guidelines 15164 because none of the conditions described in CEQA guidelines 15162 for the preparation of a subsequent EIR have occurred;

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. Recitals and Findings. The foregoing recitals and findings are true and correct, and this Board so finds and determines.

Section 2. Review and Adoption of Addendum. The Board has read and considered the Addendum to the FEIR for the ERTC Specific Plan 2001-01-SPA and accompanying Mitigation Monitoring and Reporting Program (Attachment 1) with the FEIR for the ERTC Specific Plan 2001-01-SPA and it represents the District's independent judgment and analysis and the Board hereby adopts the Addendum and accompanying Mitigation Monitoring and Reporting Program.

Section 3. Findings. The Board of Directors of the Palomar Pomerado Healthcare District acting in its capacity as lead agency has prepared an Addendum to the FEIR for the ERTC Specific Plan 2001-01-SPA and accompanying Mitigation Monitoring Report (Attachment 1) to implement the Project, and the Board after considering the whole record makes the following findings with respect to approval of the Project:

- **No Substantial Changes Requiring Major Revisions.** Based on the analysis and information contained in the Addendum and the record, there is no substantial evidence that the changes to the ERTC Specific Plan 2001-01-SPA require a major change to the certified FEIR. The Project will not result in any new significant environmental impact, nor will there be a substantial increase in the severity of significant impacts previously described in the certified FEIR.
- **No Substantial Change in Circumstances Requiring Major Revisions.** Based on the analysis and information contained in the Addendum and the record, there is no substantial evidence that substantial changes have occurred with respect to the circumstances surrounding the Project that would require major revisions to the certified FEIR due to the involvement of new significant environmental effects or substantial increases in severity of previously identified significant effects.
- **No New Information Of Substantial Importance.** Based on the analysis and information contained in the Addendum and the record, there is no substantial evidence of new information of substantial importance which was not known and could not have been known at the time the FEIR was certified showing: (A) that the project will have one or more significant effects not previously discussed, (B) that previously identified significant effects will be substantially more severe, (C) that mitigation measures or alternatives previously

found to be infeasible would in fact be feasible and would substantially reduce one or more of the significant effects but the Project proponent declines to adopt them, or (D) that mitigation measures or alternatives which are considerably different from those analyzed previously would substantially reduce one or more of the significant effects but the Project proponent declines to adopt them.

Section 4. Statement of Overriding Considerations. The California Environmental Quality Act and the State CEQA Guidelines provide the following:

- (a) CEQA requires the decision making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In connection with the certification of the FEIR for the ERTC Specific Plan 2001-01-SPA, the lead agency adopted a statement of overriding considerations due to the existence of significant impacts that could not be fully mitigated. Implementation of the Project proposed by the District has not resulted in a change in the conclusions reached in the FEIR with respect to these impacts. Therefore, the District, pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15093, has balanced the benefits of the Project against the following unavoidable impacts for which no feasible mitigation measures exist to reduce the impact to below a level of significance:

- C. Transportation and Circulation (cumulative impacts on area intersections, roads and freeways.)
- D. Air Quality (Short-term air quality impacts related to project construction.)
- E. Noise (Short-term noise impacts related to project construction.)

The District has adopted all feasible mitigation measures with respect to these impacts, and has examined a range of alternatives, none of which meet both the development objectives and is environmentally preferable to the proposed project.

The District, after balancing the specific economic, legal, social, technological, and other benefits of the proposed project, determines that the unavoidable adverse

environmental effects may be considered "acceptable" due to the following specific considerations, each of which individually is sufficient to outweigh the unavoidable, adverse environmental impacts of the project.

- D. NEW MEDICAL FACILITIES.** New, state of the art medical facilities increase the healthcare infrastructure of the region and serve to protect the health and welfare of the entire region.
- E. MEETING THE GROWING DEMAND FOR HEALTHCARE.** New medical facilities will meet the growing demand for healthcare. As the population of Northern San Diego County grows, the need for healthcare services has and will grow. Demographic data shows that demands for certain healthcare services may double by the year 2030. The new Palomar Medical Center campus will provide the additional hospital beds, and medical services necessary to meet the growing demand for healthcare.
- F. DISASTER PREPAREDNESS.** Medical centers serve as first responders to natural disasters and outbreaks of disease. The creation of this new facility will enhance the public health capability of San Diego County allowing the County to better react to a natural disaster or disease outbreaks.
- G. SPECIALIZED SERVICES FOR WOMEN.** It has been recognized in the medical community that women require unique medical services and treatments. The Palomar Medical Center will contain a women's center that will specialize in the unique medical needs of women in North San Diego County, which will enhance the health and well being of women in the area.
- H. JOB GROWTH AND NEW HIGH SKILL JOBS.** Goal number 5 in the City of Escondido's General Plan is to "Encourage more high quality industrial, retail, manufacturing and service-oriented businesses that create and maintain a strong economic base and provide an environment for the full employment of a diverse set of skills." Palomar Medical Center will provide employment growth in the highly skilled medical profession that requires a diverse set of skills consistent with Goal 5. Accessory functions at the medical center will also require a diverse, stable workforce employed in jobs throughout the medical campus. Healthcare is also a growing sector of the economy and will maintain the strong economic base in Escondido sought in Goal 5.
- I. ECONOMIC CATALYST.** Locating the medical campus in the ERTC will provide a catalyst for research oriented businesses to locate in the City of Escondido near the new hospital, furthering General Plan Goal number 5. In cities throughout the United States, hospital campuses have become hubs for research and development of new pharmaceuticals and medical procedures by private firms who enrich the local economy.

**APPROVED AND ADOPTED BY THE PALOMAR POMERADO HEALTHCARE
DISTRICT ON DECEMBER 6, 2005.**

President of the Palomar Pomerado
Healthcare District Board of Director

Mitigation Monitoring and Reporting Program for the Addendum to the Escondido Research and Technical Center Specific Plan Final EIR

**Mitigation Monitoring and Reporting Program for the
Addendum to the Escondido Research and Technical Center Specific Plan Final EIR**

FEIR Mitigation Measures Applicable to the Proposed Hospital/Medical Campus	Monitoring Activity	Responsible for Mitigation Implementation	Monitoring Milestone	Responsible for Verification
Transportation/Circulation				
Restripe the third through lane to a shared through/right lane on the southbound approach on Valley Parkway to provide dual left-turn lanes, two through lanes, a shared through/right lane, and a right-turn lane in the southbound direction at the Valley Parkway/Auto Parkway intersection. Contribute a fair share towards the future City project for ultimate intersection improvements.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Restripe eastbound West Ninth Avenue at Auto Parkway to a right-turn lane, a shared through/right lane, and a left-turn lane, and provide right-turn overlap phasing in the eastbound approach in the near term. Contribute a fair share towards the future City project for ultimate intersection improvements.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Signalize the Citracado Parkway/Vineyard Avenue intersection and provide the following geometry: <ul style="list-style-type: none"> • Northbound – Dual left-turn lanes and one right-turn lane • Westbound – One left-turn lane and two through lanes • Eastbound – Two through lanes and one right-turn lane 	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Signalize the Enterprise Street/Andreasen Drive intersection.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Contribute fair share to the City planned widening project on Citracado Parkway between Myers Avenue and the SR 78 Eastbound Ramps, which will mitigate the impacts on Citracado Parkway between East Mission Avenue and Myers Avenue.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City

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Upgrade existing roadway to Local Collector standards. Upgrade unimproved sections of Hale Avenue immediately north of Harmony Grove Road and south of West Ninth Avenue.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Upgrade existing roadway to Local Collector standards or connect Citracado Parkway between Harmony Grove Road and Avenida Del Diablo.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Construct Citracado Parkway to Modified Collector standards.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Construct Andreasen Drive to Modified Collector standards.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Upgrade Harmony Grove Road – Andreasen Drive to Howard Road to Local Collector Standards.	City Engineer to review and approve plan.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Upgrade Harmony Grove Road – Howard Road to Hale Avenue to Local Collector Standards.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Once the planning-area land uses are better defined, prepare an access plan for Citracado Parkway between Vineyard Avenue and Andreasen Drive that would recommend traffic signals, turn lanes, and other access-related improvements.	City Engineer to review and approve plan and verify completion of roadway improvements.	Owner/Operator	Prior to Certificate of Occupancy issuance.	City
Contribute a fair share of funding toward the following planned intersection and road improvements: • Widening of Nordahl Road between SR 78 and East Mission Road to six lanes. In addition to the City planned improvements, other mitigation measures are required to meet City LOS standards.	City Engineer to determine fair share. Payment shall be required prior to recordation of Final Map. City Engineering staff to monitor LOS at planned intersection and road improvement locations. Staff report to be provided to City Planning Director for Review.	City Engineer	Prior to recordation of the Final Map.	City

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FEIR Mitigation Measures Applicable to the Proposed Hospital/Medical Campus	Monitoring Activity	Responsible for Mitigation Implementation	Monitoring Milestone	Responsible for Verification
<ul style="list-style-type: none"> • Widening of Nordahl Road between SR 78 and East Mission Road to six lanes. In addition to the City planned improvements, other mitigation measures are required to meet City LOS standards. • Contribute fair share towards the provision of a dedicated right-turn lane in the northbound direction on Del Dios Highway at Via Rancho Parkway. • For future improvements at the Valley Parkway/ Interstate 15 interchange, northbound and southbound ramps. • Signalization of Barham Drive/East Mission Road intersection. • Signalization of Citracado Parkway/Country Club Drive intersection. • Signalization of Howard Avenue/Auto Parkway South intersection. • Signalization of Enterprise Street/Vineyard Avenue intersection. • Signalization of Enterprise Street/Harmony Grove Road intersection and provide the following intersection geometry: <ul style="list-style-type: none"> - Northbound - One left-turn lane and one right-turn lane - Eastbound - One shared through/right lane - Westbound - One left-turn lane and one through lane • Signalization of Hale Avenue/Harmony Grove Road intersection. • Signalization of Simpson Way/Hale Avenue intersection. • Widening of Nordahl Road between SR 78 westbound ramps and East Mission Road (including the bridge) to six lanes. • Widening of Citracado Parkway between Country Club Drive and Vineyard Avenue to four lanes (Major Road standards). • Widening of Vineyard Avenue between Citracado Parkway and Enterprise Street to four lanes (Major Road Standards). • Widening of Vineyard Avenue between Enterprise Street and Andreasen Drive to four lanes (Major Road Standards). 				

Mitigation Monitoring and Reporting Program for the Addendum to the Escondido Research and Technical Center Specific Plan Final EIR

FEIR Mitigation Measures Applicable to the Proposed Hospital/Medical Campus	Monitoring Activity	Responsible for Mitigation Implementation	Monitoring Milestone	Responsible for Verification
<ul style="list-style-type: none"> Contribute fair share towards the provision of additional capacity along Auto Parkway to the satisfaction of the City Engineer. Restripe eastbound West Ninth Avenue at Auto Parkway to a right-turn lane, a shared through/right lane, and a left-turn lane, and provide right-turn overlap phasing in the eastbound approach, in the near term. Contribute fair share towards the future City project for ultimate intersection improvements. Widening of Valley Parkway between Citracado Parkway and 11th Avenue to four lanes. Widening of Valley Parkway between Citracado Parkway and Via Rancho Parkway to four lanes. 				
Air Quality				
All active sites shall be watered at least twice daily.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading permit.	City
All grading activities shall cease during second-stage smog alerts and periods of high winds (i.e., greater than 25 mph) if dust is being transported to offsite locations and cannot be controlled by watering.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading permit.	City
All trucks hauling dirt, sand, soil, or other loose materials offsite shall be covered or wetted or shall maintain at least 2 feet of freeboard (i.e., minimum vertical distance between the top of the load and the top of the trailer).	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading permit.	City
Streets shall be swept hourly if visible soil material has been carried onto adjacent public paved roads. (Reclaimed water shall be used if available.)	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading permit.	City

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FEIR Mitigation Measures Applicable to the Proposed Hospital/Medical Campus	Monitoring Activity	Responsible for Mitigation Implementation	Monitoring Milestone	Responsible for Verification
Water or nontoxic soil stabilizers shall be applied, according to manufacturers' specifications, as needed to reduce offsite transport of fugitive dust from all unpaved staging areas and unpaved road surfaces.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading permit.	City
Traffic speeds on all unpaved roads shall not exceed 15 mph.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading permit.	City
The contractor shall use reduced-VOC-content paints and solvents to the maximum extent feasible. Additionally, use of soot filters, low-sulfur diesel fuel, monitoring dust emissions, and installation of low-VOC architectural coverings will be required.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading permit.	City
The applicant will be required to provide verification that construction activities will offset PM ₁₀ emissions to the City Planning Director.	City Engineer to review and approve grading plans. Applicant's construction manager to provide verification to the City Engineer.	Owner/Operator	Prior to issuance of grading permit.	City
Noise				
All construction equipment shall be in proper operating condition and fitted with standard factory noise attenuation features. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading and building permits.	City
Stockpiling and vehicle staging areas shall not be located within 200 feet of existing residences.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading and building permits.	City
Approved offsite haul routes shall be used to minimize exposure of sensitive receptors to potential adverse noise levels from hauling operations.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Condition of grading and building permits.	City

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The proposed project is responsible for conducting noise monitoring during construction activities (one hour each day whenever construction is occurring within 200 feet of occupied residences) and insuring that mitigation measures are enforced to the degree feasible.	Applicant shall retain a noise monitor to conduct noise monitoring during construction. Noise monitor will provide weekly report to the City.	Owner/Operator	Plan required prior to issuance of grading permit. Concurrent to grading.	City
Upon completion of final design for the building, a site-specific acoustical report shall be submitted to verify that adjacent residential uses are adequately buffered such that noise levels do not exceed City thresholds.	Applicant is to provide a site-specific acoustical report to the City Planning Director for verification.	Owner/Operator	Prior to occupancy. Condition of Specific Plan.	City
Limit the use of noise-producing signals (horns, whistles, bells, alarms, etc.) to safety warning purposes only. Use hand-held devices rather than public address systems for worker communication.	City Engineer to review and approve grading plans. Applicant's Construction Manager to provide weekly verification to City Engineers.	Owner/Operator	Prior to occupancy. Condition of Specific Plan.	City
Biological Resources				
Construction activities shall be initiated during the nonbreeding season for California gnatcatchers (Aug. 30 through Feb. 14). Work that will be completed during this period includes site boundary demarcation with construction fencing along the edge of retained sage scrub, and all clearing and grubbing. A qualified biologist will conduct a preconstruction survey of the project site and surrounding habitat to determine whether there are active raptor nests within that area. If an active nest is observed, a buffer will be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer will be a minimum width of 500 feet and will be in effect as long as construction is occurring and until the nest is no longer active.	Applicant shall retain a qualified biologist prior to construction activities. Biologist will provide findings to the City. City Planning Director will review and approve grading plans.	Owner/Operator	Condition of the Tentative Map, Grading Permit, and Specific Plan.	City

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<p>Prior to construction activities, a qualified biologist will survey the preserved habitat areas adjacent to the project site to determine if any gnatcatcher nests are within a distance potentially affected by noise from these activities. If no nesting gnatcatchers are located, no additional measures will need to be taken to mitigate indirect impacts. However, if nesting gnatcatchers are observed, no activity will occur within 300 feet of active nesting territories unless measures are implemented to minimize the noise and disturbance to those adjacent birds. If nesting birds are located adjacent to the project site with the potential to be affected by noise above 60 dBA L_{eq}, a noise barrier will be erected. This noise barrier should consist of a 20-foot-high continuous plywood fence supported by posts or an earthen berm located at the site boundary that abuts potential offsite habitat.</p>	<p>Applicant shall retain a qualified biologist prior to construction activities. Biologist will provide findings to the City. City Planning Director will review and approve grading plans.</p>	Owner/Operator	Condition of the Tentative Map, Grading Permit, and Specific Plan.	City
<p>In the event that any nighttime construction is permitted, construction activities shall be initiated prior to the onset of the gnatcatcher breeding season (prior to Feb. 15). Or, prior to conducting any night construction activities, a qualified biologist shall determine that no gnatcatcher breeding is occurring within 300 feet of areas that would be lighted. In the event that gnatcatchers are found in proximity to areas to be lighted, a verification of adequate light shielding would be made by a qualified biologist prior to commencing night work.</p>	<p>City Planning Director will review and approve grading plans.</p>	Owner/Operator	Condition on the Tentative Map, Grading Permit, and Specific Plan.	City
<p>Facility lighting shall be shielded such that no direct lighting falls within the adjacent natural habitat.</p>	<p>City engineering to verify that facility lighting meets this specification.</p>	Owner/Operator	Condition on the Specific Plan and Conditional Use Permit.	City
<p>For offsite road-widening improvements to Vineyard Avenue and Valley Parkway, upon completion of project-specific engineering, the City shall ascertain the acreage of impacts and implement mitigation in accordance with the ratios above and implement the same mitigation measures as the proposed project.</p>	<p>City will retain a qualified biologist to conduct a survey along Vineyard Avenue and Valley Parkway and prepare an impact analysis of sensitive biological resources to the satisfaction of the City Planning Director.</p>	City of Escondido	Prior to issuance of grading permit.	City

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A construction monitor will be present during construction activities to ensure that conservation measures are performed in compliance with any concurrent or subsequent mitigation plans. The biological monitor will instruct construction management to halt all associated project activities, which may be in violation of the conditions of any permits in effect. Any unauthorized impacts or actions not in compliance with the required mitigation will be immediately brought to the attention of the City and Wildlife Agencies.	City will retain a construction monitor to provide a weekly report to the City verifying compliance with the required mitigation.	City of Escondido	Prior to and concurrent with grading.	City
Public Services and Utilities				
<i>Fire Protection Services</i> Structures shall be protected by fire sprinkler systems or an equivalent system.	Applicant to provide Fire Marshal with location of fire sprinklers in each structure to verify locations.	Owner/Operator	Prior issuance of building permit.	City/Fire Marshal
Cultural Resources				
A cultural resources monitor will be onsite during all initial clearing and excavation (cut) activities. In the event that buried cultural materials or deposits are found during construction or related activities, the following mitigation measures will be implemented, as appropriate: <ul style="list-style-type: none"> • Work in the vicinity shall stop immediately until an assessment of the finds can be made by a qualified archaeologist. In the event that human remains are discovered, work in the vicinity must stop, and the San Diego County Coroner shall be notified immediately. • Questionable materials inadvertently discovered – including suspected or not readily identifiable cultural resources – must be considered significant until a qualified archaeologist can provide an accurate assessment. If potentially significant cultural resources are detected and can not be avoided by construction, then impacts must be mitigated through data recovery or other means, in consultation with pertinent agencies and concerned parties. 	Applicant will retain an archaeological monitor to provide a weekly report to the City verifying findings.	Owner/Operator	Prior to and concurrent with grading.	City

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<ul style="list-style-type: none"> Findings will be prepared discussing the significance of any materials recovered from the project site. The City will determine, in coordination with responsible agencies, the appropriate repository where the collected materials will be archived. 				

**ESCONDIDO RESEARCH AND TECHNOLOGY CENTER
SPECIFIC PLAN**

ESCONDIDO, CALIFORNIA

**PROPOSED
AMENDMENT**

Draft 1/12/06

**Planning Division Case Number 2001-01-SPA
Adopted November 25, 2002**

DUE TO THE NUMBER OF PAGES OF EXHIBIT(S) A COMPLETE SET IS
AVAILABLE IN THE OFFICE OF THE CITY CLERK OR CITY ATTORNEY
For Councilmembers, a set is available in the Council reading file.